



REGULATORY SERVICES COMMITTEE

22 March 2012

REPORT

Subject Heading:

**P0040.12: Corbets Tey School,
Harwood Hall Lane, Upminster**

**Detached single storey building to
provide disabled toilets and changing
facilities for use in conjunction with
new sensory play area. (Application
received 31 January 2012)**

Report Author and contact details:

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Policy context:

**Local Development Framework
London Plan, Planning Policy
Statements/Guidance Notes**

Financial summary:

None

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

Clean, safe and green borough	<input type="checkbox"/>
Excellence in education and learning	<input checked="" type="checkbox"/>
Opportunities for all through economic, social and cultural activity	<input checked="" type="checkbox"/>
Value and enhance the life of every individual	<input checked="" type="checkbox"/>
High customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The proposal is for the construction of a single storey building to provide disabled toilets and changing facilities for use in conjunction with a new sensory play area within the grounds of Corbets Tey School. The proposed toilets are intended to provide additional facilities for the pupils of the school, who have special educational needs, as well as for members of local community groups.

The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted.

RECOMMENDATIONS

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

1. SC04 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 Act 1990.

2. SC32 In 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.

3. SC62 Hours of Construction

No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or construction related deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity.

4. NSC02 External Materials

The single storey building hereby approved shall be externally finished in timber cladding and stained to match the external appearance of the existing swimming pool building. The external materials shall then be retained as such thereafter.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

5. NSC03 External Lighting

There shall be no external lighting within the site unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of neighbouring residential amenity and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

6. NSC04 Use of building

The building hereby permitted shall be used for purposes ancillary to the use of the school only and for no other purposes whatsoever.

Reason: To enable the Local Planning Authority to retain control over the future alternative use of the building, in the interests of amenity.

INFORMATIVES

1. Reason for Approval:

The proposal is considered to accord with the aims and objectives of Policies CP8, CP9, CP10, CP14, CP15, CP17, CP18, DC26, DC28, DC29, DC32, DC33, DC34, DC35, DC48, DC51, DC61, DC62 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document as well as PPS5. On balance if the facilities were not considered as being for outdoor recreation (an appropriate use within the Green Belt) Very Special Circumstances have been demonstrated by the applicant within the report in accordance with PPG 2 and in the reason justification of Policy DC45.

2. The applicant is advised that it is the applicant's responsibility to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined

at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

REPORT DETAIL

1. Site Description

- 1.1 The application site is Corbets Tey School, which is located on the north side of Harwood Hall Lane, some 65m west of its junction with Corbets Tey Road. The school is situated within the Metropolitan Green Belt and partially within the Corbets Tey Conservation Area, which extends across the northern part of the school grounds.
- 1.2 The site is currently occupied by a cluster of school buildings, predominantly single and two-storey and has been previously extended on a number of occasions. The school has a single storey timber clad swimming pool extension, which is situated to the east of the main school building. There is parking to the school frontage and grassed playing fields to the north of the school buildings. There are a number of large trees within the school grounds, in particular to the eastern site boundary, some of which are subject of a Tree Preservation Order. Construction has started on the previously approved planning application for a sensory play area.
- 1.3 The site is adjoined to the north and west by open Green Belt land. To the east of the site lie residential dwellings, which front on to Harwood Hall Lane or Londons Close.

2. Description of Proposal

- 2.1 Corbets Tey School is a school for children and young people who have statements detailing particular personal educational needs. The school caters for pupils aged 4 to 16 with moderate to severe learning challenges, including autism, and a number of medical syndromes.
- 2.2 The proposal is to introduce disabled changing and toileting facilities to a new sensory play area to the north of the swimming pool area. The sensory play area is divided into 3 separate areas which includes a water area. This allows children to play with sensor and manually controlled water jets which will create a need for an area where children can be dried and changed by the parents/carers. Due to the specific needs of the children who will be using the play area, the changing and toilet facilities will need to be easily accessible and located within close proximity to the play area.
- 2.3 The dedicated changing and toilet facilities will be essential for both the changing of children after enjoying the water area of the sensory play area

and for quick and exclusive access to DDA toilets and changing facilities. This facility will consist of a 10m long, 4.2m wide and 3.3m high mono-pitched roof (timber structured) cabin, clad to match the existing swimming pool building and running parallel to the west end of the north face of the existing building at a distance of approximately 1.9m from the existing swimming pool building's external wall. The toilet and changing facilities will be directly accessible from both the water area and the interactive/performance area of the sensory play area to facilitate the ease and speed necessary in transitioning children with specific needs to appropriate facilities.

- 2.4 There is presently a building project proceeding that will provide a fully equipped disabled toilet within the existing school building. However, it could be problematic to allow unrestricted access to this facility out of school hours, as it would require the school to be unnecessarily opened and unsecured. There is therefore a need to have a dedicated, independent resource to cater for this need.

3. Relevant History

- 3.1 The school has had numerous previous extensions. The most recent planning history is set out below:

P1104.04 - Detached garage - Approved

P0509.07 - Demolish old storage shed and erect new detached storage shed - Approved

P0752.07 - Two storey resource extension - Approved

P1183.09 - Two storey side extension to existing classroom block, with adjoining single storey stores lobby connection to existing swimming pool building - Approved

P1505.10 - External sensory play area on existing field including new surfacing and fencing. Plant room extension - Approved

P0261.11 - Detached single storey building to provide disabled toilets and changing facilities for use in conjunction with new sensory play area – Approved

- 3.2 The current submission is similar to the latest approval under P0261.11 with the only difference being the building would be set slightly further away from the swimming pool, would be finished with a mono-pitch roof rather than a pitched roof and would be 4.2m in width rather than the previous approved 3m.

4. Consultations/Representations

- 4.1 The application has been advertised on site and in the press as a Green Belt application and development within a Conservation Area. Neighbour notification letters have also been sent to neighbouring addresses. One letter of objection was received which raises concerns regarding the disturbance associated with building works on the site.

5. Staff Comments

- 5.1 The issues arising from this proposal are the principle of the development, including its acceptability within the Metropolitan Green Belt, the impact on the character and openness of the Green Belt and the locality in general, the impact on the Corbets Tey Conservation Area, the impact on local residential amenity, parking and highway impact and environmental issues.
- 5.2 Policies CP8, CP9, CP10, CP14, CP15, CP17, CP18, DC26, DC28, DC29, DC32, DC33, DC34, DC35, DC45, DC48, DC51, DC61, DC62 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document are material considerations, as is PPG2 and PPS5.

5.3 Principle of Development

- 5.3.1 The application is for disabled changing and toileting facilities within the grounds of an existing school. The facilities would be available for the use of current school pupils and also for community use by local user groups, who already make out of hours use of the existing school swimming pool. As the development is within the grounds of an existing school it is not considered there would be any conflict with the provisions of Policy CP8 and that the proposal would comply with Policies DC26 and DC28, as it provides additional community facilities and enables dual use of existing school premises for education and wider community purposes.
- 5.3.2 Although the development is on the school playing fields the proposal does not involve the loss of any land containing a sports pitch meeting the PPG17 definition of a playing pitch. The proposal would also provide enhanced recreational facilities within the school grounds. It is not considered that there would be any loss of sports facilities arising from the proposal.

5.4 Green Belt

- 5.4.1 The site is situated within the Metropolitan Green Belt and PPG2 is therefore a material consideration. PPG2 states a general presumption against inappropriate development within the Green Belt, which should not be approved except in very special circumstances. PPG2 states that the carrying out of engineering and other operations and the material change of use of land is inappropriate in the Green Belt unless it maintains openness and does not conflict with the purposes of including land in the Green Belt. New buildings are inappropriate in this case unless they are judged to be essential for outdoor sport and recreation.

- 5.4.2 Staff consider that it is arguable whether the development should be considered to be inappropriate in principle within the Green Belt, given that the proposal is required in connection with the sensory garden and could therefore arguably be considered as essential facilities required in connection with an open air recreational use.
- 5.4.3 Notwithstanding the above, in respect of the very special circumstances case, the applicant has made reference to the fact that the school is an existing development within the Green Belt, which fulfils an important role in the local community. This is a specialist school and has a specific need for the facilities that are sought. The project has been designed to be as sensitive to the school's environment as possible, including making the building as low level as possible, siting the structure as close to existing buildings on the site as possible and using materials, colours etc. wherever possible to blend in with the surroundings (for example, timber cladding the building). The applicants advised that they have designed the facility to be as small as possible in order to reduce the potential impact on the Green Belt.
- 5.4.4 In terms of the impact of the development on the Green Belt, Staff acknowledge that there would be some visual impact owing to the appearance of the proposed structure. However, the structure is relatively small in size and low level and sited as close to the swimming pool as possible, which appears as a backdrop to the proposed structure. It is not considered, within the context of the existing school buildings and the extent of open space that remains around the facility, that it would materially harm the intrinsic openness of this Green Belt site.
- 5.4.5 Staff consider that it is a matter of judgement whether the proposal is considered to be inappropriate in principle within the Green Belt but that in any event there are very special circumstances in this case set out in part in paragraph 2.3 of this report which justify the proposed development. The proposal is not therefore considered to conflict with the provisions of PPG2 or with LDF Policies CP14 and DC45.

5.5 Impact on Conservation Area

- 5.5.1 The northern part of the application site is located within the Corbets Tey Conservation Area. The character of this part of the Conservation Area is very much drawn from Parklands, which is the open landscaped area of public open space north of the school site.
- 5.5.2 It is considered that given the location of the proposed structure close to the existing developed part of the school site that no material or substantial harm to the character and appearance of the Conservation Area would result. The proposal is therefore considered to accord with PPS5 and LDF Policy DC68.

5.6 Impact on Amenity

- 5.6.1 There are existing residential properties to the east of the application site, including dwellings in Harwood Hall Lane and in Londons Close. It is considered that the proposed structure would be sufficiently far from neighbouring residential properties (approximately 30m) not to result in material harm to neighbouring amenity.
- 5.6.2 Staff consider that given the existing use of the site as a school and playing fields, there would not be a material increase in noise and disturbance to occupiers of neighbouring property compared to the current use. Evening and weekend use of the proposed structure would be limited to hours of daylight as the associated sensory garden facility is not externally lit and would not be used during unreasonable hours of the day. Staff do not therefore consider that material harm to local residential amenity in terms of noise and disturbance would result.

5.7 Parking and Highway Issues

- 5.7.1 The school provides existing off street parking to the frontage. The proposed structure would be used by existing school pupils during the day at term time and so would not generate additional traffic or demand for parking. Community use of the facilities would be outside of school hours and so use of the existing on-site parking facilities could be made. Staff do not therefore consider that there would be a material parking or highway impact arising from the proposals.

5.8 Other Issues

- 5.8.1 There are a number of trees to the eastern boundary of the site, some of which are subject of a Tree Preservation Order. The Council's Tree Officer has advised that there is not considered to be an adverse impact on these trees but that the tree should be fenced during construction works to provide protection.

6. Conclusion

- 6.1 The proposal will provide additional facilities for the pupils of the school and for the local community. It is a matter of judgement whether the proposals are acceptable in principle within the Green Belt but Staff are satisfied, in any event, that very special circumstances exist to justify the development. No material harm to the open character of the Green Belt, the locality or the special character of the Corbets Tey Conservation Area is considered to result and there is no material harm to residential amenity or the public highway.
- 6.2 The proposal is therefore considered to be acceptable in principle and Staff recommend that planning permission be granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

None directly affecting the Council.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

The application relates to a proposed single storey building to provide disabled toilets and changing facilities for use in conjunction with new sensory play area at Corbets Tey School, which is a specialist school for pupils aged 4 to 16 with moderate to severe learning challenges. The facilities would also be available for use by local community groups.

BACKGROUND PAPERS

Application form, drawings and supporting statement received on 31 January 2012.