



Application Reference:	P1153.24
Location:	Hylands Primary School, Granger Way
Ward	St Albans
Description:	“Variation of Condition No.1 (Car Park Use) of planning permission ref P0645.22 dated 10/02/26 to permit car park to permanently be used for the wider community (Erection of a two storey primary school building; formation of accesses from Granger Way and Benjamin Close; formation of multi-use games area with floodlighting; associated hardstanding, playgrounds, car parking, servicing and landscaping)”
Case Officer:	Habib Neshat
Reason for Report to Committee:	The original application was of strategic importance. A Councillor call-in has been received which accords with the Committee Consideration Criteria

1 BACKGROUND

- 1.1 The proposal relates to a primary school in Granger Way. The original planning permission for the school was granted in 2009. A further planning permission was granted for a 2 Storey block to Rear of school in 2017. The original application included a condition (Condition 2) requiring that the car parking provision shall be retained for the vehicles visiting the site
- 1.2 On 10-02-23, planning permission was granted with a variation to condition 2 attached to the original permission for the use of the car park by community users visiting premises outside the school. The varied condition (now condition 1 of the newly issued consent) allowed community use for a temporary period as follows:

Until 11 August 2024, the area set aside for car parking shall be retained permanently for the accommodation of vehicles visiting the school or those visiting nearby community facilities outside of school hours. After 11 August 2024, the area set aside for car parking shall be retained permanently for the accommodation of vehicles visiting the school and shall not be used for any other purpose.

- 1.3 The reason for granting a temporary permission was to monitor road safety issues. The committee also required a condition with respect to boundary treatment along the Granger Way facing the dwellings on the opposite side of the road in order to minimise headlight disturbance.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- 2.1 The proposal would continue to reduce on-street parking pressure on the roads surrounding the site resulting in improvement to the free flow of traffic.
- 2.2 The proposal would continue to improve road safety by averting the need for visitors to the community users such as the church to cross the roads.
- 2.3 There would be no significant impact upon the amenities of the adjoining occupiers.
- 2.4 The proposal would particularly continue to benefit, elderly, or those with impaired mobility, thereby complying with the provision of the Equality Act.
- 2.5 There has not been any school related traffic incidents since the temporary planning permission was granted on 10th February 2023

3 RECOMMENDATION

- 3.1 That the Committee resolve to grant planning permission subject to the following conditions;

Conditions

1. The area set aside for car parking shall be retained permanently for the accommodation of vehicles visiting the school or those visiting nearby community facilities outside of school hours.

Reason:

To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) unless specific permission under the

provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason:

To prevent the loss of privacy.

3. The cycle storage shall be permanently retained.

Reason:

In the interests of providing a wide range of facilities for non-motor car residents, in the interests of sustainability.

4. The travel plan shall be updated annually and the mitigating measures shall be implemented in accordingly with the agreed programme of monitoring and review.

Reason:

In the interests of encouraging safe and sustainable modes of travel.

5. The CCTV system which has already been installed for the safety of users and the prevention of crime shall be permanently retained.

Reason

In the interest of creating safer, sustainable communities.

6. The approved, Community Use Scheme, shall be maintained as approved, and any upgrade shall be submitted to and agreed in writing prior to its implementation. All upgrades schemes shall include details of access policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review.

Reason:

To secure well managed, safe community access to the sports facility, to ensure sufficient benefit to the development of sport.

7. The approved sports facilities in Hylands Park, which has been completed and accords with Sport England Design Guidance Notes shall be permanently retained.

Reason:

To ensure the development is fit for purpose, subject to high quality design standards and sustainable.

8. The scheme for the replacement, improvement and maintenance of the playing field drainage, as implemented in accordance to the previously approved details shall be maintained.

Reason:

To ensure the quality of the pitches is satisfactory and they are available for use.

9. No floodlighting, other than that approved and implemented around the Multi Use Games Area (MUGA), shall be erected on site without the prior consent in writing of the Local Planning Authority. The lighting around the MUGA shall be permanently retained.

Reason:

In the interests of amenity

10. The floodlighting shall not be used outside the hours of 08.00 and 21.00 hours on any day.

Reason:

In the interests of amenity.

- 11 Within a month of this permission, the green mesh to the boundary to be removed. The maintenance programme to the hedge shall be carried out in accordance with the approved report (ref: Q0257.24) of effectiveness every two years. And in the event of any disease, damage or dying to the hedge or its part, new hedge shall be replaced in the next planting season, and during its regrowth a temporary mesh to be placed along the boundary for a period of 4 years to mitigate the glare of headlights.

Reason:

In the interests of amenity.

4. Site and Surroundings

- 4.1 The application site is Hylands Primary School in Granger Way. The school faces west onto Granger Way and Benjamin Close. The part of the school site involved in this application relates to the existing car park. The site is surrounded by residential development to the north, west and south and by Frances Bardsley School for Girls to the east. Both Granger Way and Benjamin Close are no-through roads but also provide access to residential properties.
- 4.2 Hylands Primary School is a 3 Form Entry Primary School with a nursery and is currently attended by a total of 585 primary age pupils. The school also has a nursery on site that has 46 pupils. The school has a total of 81 members of staff employed at the school between full-time and part-time staff, which equates to 53 full-time equivalent (FTE) staff.
- 4.3 Hylands Primary School benefits from 46 on-site car parking spaces, as well as a coach park. All vehicles can enter and egress the site in forward gear.

- 4.4 The streets surrounding the school are predominantly residential; however, there are some community and commercial uses on Brentwood Road. To the south of the school lies Hylands Park and further residential neighbourhoods.
- 4.5 Pedestrian access to the Hylands Primary School is taken from Benjamin Close. The northern side of the Benjamin Close provides a continuous footway. The footway on the south side of the carriageway is not continuous due to the presence of parking bays and a turning area.
- 4.6 The majority of footways in the surrounding area are wide and of good quality, with street lighting columns provided at frequent intervals. A zebra crossing is located on Brentwood Road, approximately 15m to the northeast of Frances Bardsley Academy's vehicle entrance, and provides a safe means for pedestrians to cross the carriageway. A zebra crossing is also located to the southwest of the junction with Globe Road.
- 4.7 Immediately to the north of the junction with Benjamin Close and Globe Road, an uncontrolled pedestrian crossing is provided. The crossing is provided with a raised table with build-outs, bollards and tactile-paving and is marked with double yellow lines to prevent parking.
- 4.8 Most houses in Granger Way benefit from front drives with dropped kerbs.
- 4.9 The nearest bus stop to the Hylands Primary School is located on Brentwood Road, approximately 180m (two-minute walking distance) to the north of the school main entrance.
- 4.10 Benjamin Close is subject to residential controlled parking zone (CPZ), between Monday to Saturday, 8:30 – 18:30. The street is subject to single yellow line restriction along both sides of the carriageway with 'School Keep Clear' markings in the vicinity of the pedestrian access to the site, at the end of the street. Benjamin Close is subject to a 20mph speed restriction.
- 4.11 Granger Way is subject to double yellow line restrictions along the majority of the road. There are 34 parking spaces along the footway of the road marked with white lines and have a different surface finish to that on the footway. These spaces are subject to CPZ restrictions and are dedicated to resident permit holders only between Monday to Saturday, 08:30 – 18:30. Granger Way connects with Brentwood Road via a priority junction to the north of the site. The junction is marked with double yellow lines that prevent parking at this location. Granger Way is subject to a 30mph speed restriction.

5 PROPOSAL AND LOCATION DETAILS

- 5.1 The planning application is seeking a “Variation of Condition No.1 (Car Park Use) of planning permission ref P0645.22 dated 10/02/26 to permit car park to be permanently used for the wider community (Erection of a two storey primary school building; formation of accesses from Granger Way and Benjamin Close; formation of multi-use games area with floodlighting; associated hardstanding, playgrounds, car parking, servicing and landscaping)”. The condition requires;

Until 11 August 2024, the area set aside for car parking shall be retained permanently for the accommodation of vehicles visiting the school or those visiting nearby community facilities outside of school hours. After 11 August 2024, the area set aside for car parking shall be retained permanently for the accommodation of vehicles visiting the school and shall not be used for any other purpose. The proposal is to permanently allow the car park to be used by local community services to use the car park.

The application includes details stating that the intended use of the car park will include the following:

1. Staff employed at the school can use the car park during the school day. This includes the time when breakfast club, after-school clubs, parents evening, any other school events etc. are taking place;
 2. Parents of pupils with accessibility needs (and parents with accessibility needs) have been issued passes to allow them to pick up and drop off. They are not permitted to park long term.
 3. Community use during evenings and weekends on the days and hours when the school is open for visitors using the school facilities;
 4. Coach access by both the school and community use;
 5. Church parking during out of school hours, as per agreed schedule with the school;
 6. Any other occasional lettings of the car park that will be agreed between the school and any other third party.
- 5.2 The applicant has also proposed to introduce electric charging point to the existing car park.
- 5.3 It should be noted that, the existing condition would permit any vehicle visiting the site to use the school facilities – during the school, pre-school or after school hours, could use the car park. That follows that, the items 1 to 4 above could already be carried out (except for coach parking for community use).
- 5.4 The proposal variation of condition would widen the scope of use of the car park for the community use, only when the school would not be in operation.

6. Planning History

The following planning decisions are relevant to the application:

- 6.1 The original planning permission (Ref P1948.08) was granted for the 'Erection of a two storey primary school building; formation of accesses from Granger Way (vehicular) and Benjamin Close (pedestrian); formation of multi-use games area with floodlighting; associated hardstanding, playgrounds, car parking, servicing and landscaping - Approved with Conditions on 23-03-09.
- 6.2 Planning permission (Ref; P0320.16) was granted for the Installation of a single storey flat roof demountable building for use as classroom - Approved with conditions on 19-07-16
- 6.3 Planning permission (Ref P0154.17) was granted for the erection of a 2 Storey block to Rear of school, infill of the existing courtyard area to centre of school. External landscape works to existing car park area to create 30 additional parking spaces, approved on 11-04-17.
- 6.4 On 10-02-23, planning permission Ref; P0645.22, was granted for the "Variation of Condition No. 2 (Parking Provision) of planning permission read: P1948.08 dated 23/03/2009 to permit enable wider use of the carpark by local community. (Erection of a two storey primary school building; formation of accesses from Granger Way (vehicular) and Benjamin Close (pedestrian); formation of multi-use games area with floodlighting; associated hardstanding, playgrounds, car parking, servicing and landscaping)". This permission was subject to a condition restricting the use of the car park for wider community use for a period of 18 months.

7 CONSULTATION RESPONSES

LOCAL REPRESENTATION

- 7.1 613 letters of notifications were sent to the adjoining occupiers. 10 letters of objections have been received, largely concerned with respect to the potential increase in traffic, noise and air pollution.
 - The road is not wide enough for more regular traffic in and out of it day or night. It's been a health and safety concern since the School opened and it's only a matter of time before we have a fatality or serious injury. The entrance to the school was never intended for pedestrians due to the dangers coming into the road and lack of walk way.
 - The increased volume of traffic will increase the already high risk of an accident waiting to happen
 - There is a concern with respect to noise pollution to those who live on the road.

- There is no need for this to be approved as similar resources e.g. parking, playground, etc. are available in Hyland Park.
- This planning application will increase the traffic flow in and around Granger Way which already becomes extremely busy during certain periods.
- There is light pollution through headlights shining onto rooms with no appropriate landscaping in place.
- No Environmental assessments have been undertaken as per previous applications.
- The temporary permission has ran out the council should enforce the condition.
- There are significantly more trip generation as originally envisaged by the council when first the school scheme was granted.
- There should be no action until such time all previous conditions with respect to planning permission for the development of the school extension has been discharged.

6.2 The council has also received 14 letters of support. The followings comments are example of comments raised in support of the application, the main points are as follows;

- The only reason it was decided at the previous planning committee to grant temporary approval was to monitor road safety issues. Therefore the application should be approved because there has not been any incident associated with use of the car park since the committee approval.
- The church generates 40 cars to the area on Sunday occupy various on-street parking on nearby street, causing congestion and inconvenience with the existing residents and church attendees.
- A significant number are elderly, and vulnerable, crossing the roads are generally hazardous. There had been a number of incidents crossing the roads before the church was allowed to use the car park.
- The church generates 40 cars to the area on Sunday, if they are unable to use the car park there is no option but to occupy various on-street parking on nearby streets, causing congestion and inconvenience with the existing residents and church attendees.

- The use of the car park would improve the highway safety and would prevent overloading on street parking and avoiding unnecessary crossing of a very busy road by the elderly and people with push chairs.
- Allowing the church to continue to use the school car park will benefit local residents and church attendees as it will take cars off the road outside local residents' homes, thus not taking away residents' spaces.
- The church and the school are important to the local community and the approval of this Application will enable both to better serve the people around them.
- The school to be able to generate revenue from letting out its premises and the car park for community groups. The highway safety consideration should be prioritised.
- The existing church (Romford Evangelical Free Church) has no parking on its site at present.
- The existing school car park is only used to a small amount of its capacity on Sundays for activities held on the school grounds. The use of the same school car park by the neighbouring church for members to park for Sunday services will both allow more efficient use of an existing car park facility for the community but also minimise the need for those attending services to park on nearby streets.

Internal and External Consultation:

The following responses were received from statutory and London Borough of Havering consultees:

London Borough of Havering Highway officers

The Highways officers fully support the proposal. Further detail please see below, Highways Assessment.

Environmental Health –

There is no objection to the scheme subject, any use of the car park shall be in prior agreement with the school.

Called in

Councillor Jane Keane has called in the application citing the following concerns;

- Whilst I have no objection myself to the church using the car park, indeed it far safer that attendees do use the car park and I want the church to continue to have that access, I do have highway safety concerns relating

to reported observations of vehicles speeding out from the car park on the wrong side of the road (not church related).

- I think there has been inadequate management of those speeds as a consequence of the lack of adequate signage and that without mitigation of that nature more community use should not be encouraged.
- I am also aware that nearest neighbours are concerned about the safety of pedestrians who use the vehicular entrance/exit and they are also adversely impacted by car headlights on neighbouring properties which could have been addressed by a significant improvement in the landscaping which is inadequate where it is most needed.

8 MATERIAL PLANNING CONSIDERATIONS

8.1 The main issues to be considered;

- Whether the proposal would have an acceptable impact upon highways condition.
- Whether the proposal would have an acceptable impact upon the amenities of the adjoining occupiers.
- Whether the proposal would have an impact of people of protected characteristic group as defined in the Public Sector Equality Duty.

Impact upon highways condition

8.2 The issue with respect to highways condition needs careful consideration. The NPPF, London Plan as well as the adopted local policies, all seek to combat congestion on the roads, reduce air pollution, reduce traffic hazards, and bring about a healthier lifestyle.

8.3 Policies T1 - T6 of the London Plan seek to ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. Development should not adversely affect safety on the transport network. The London plan seeks to ensure a balance is struck to prevent excessive car parking provision that can undermine cycling, walking and public transport use and through the use of well-considered travel plans aim to reduce reliance on private means of transport.

8.4 This is also echoed by policy 23 of the adopted Local Plan which indicates proposals will not be supported where they would have an unacceptable adverse impact on the capacity or environment of the highway network.

8.5 It is apparent that issues with parking/traffic associated with the school has been a source of concern for some residents, in particular those living in Granger Way, for a number of years. Particular concerns raised relate to congestion on the roads within the vicinity of the site, in particular during drop-off and pick-ups and the over-spill of parked cars associated with the

use of the education establishments nearby onto the surrounding roads. Objections to the current application include a number that relate to issues during the school day. However, the current application is in relation to the use of the car park outside of school hours.

- 8.6 It should be emphasised the planning application only relates to the use of the car park outside the school hours and it would not affect the current arrangement with respect to current operation of measures adopted to travel to and from the school or its car parking strategy. It has been confirmed that the school is a keen participant in Transport for London, smart travel to school plan, achieving gold standards.
- 8.7 With respect to the proposed scheme, there would be no additional car parking pressure or highway issues during the normal operation hours of the school. The scheme would entail the use of the car park outside school operational hours.
- 8.8 The proposed additional car park use would be for those who drive to visit community facilities in the local area, such as those attending the local church. Those attending the church already use the car park. Prior to being able to use the car park, those using the church used to arrive by car but parked their car on the surrounding roads.
- 8.9 The applicant has stated that there are approximately 40 worshipers who arrive by car for a Sunday morning service who currently use on-street parking. This level of parking on surrounding road, adds pressure on the existing capacity and would lead to situations where people would be likely to park inconsiderately and cause frustration for local residents.
- 8.10 The proposal would benefit the elderly and those with impaired mobility as well as families with small children, as they will not have to cross the busy Brentwood Road to attend activities at the neighbouring church.
- 8.11 The Highways officers have commented that they are in full support of the scheme. They have explained that the proposal would continue to ease parking problems on surrounding roads, including Granger Way. The Highways officers have also explained that the of elderly or those with impaired mobility who visit the site, would be likely to be blue badge holders, which would allow them to park even on double yellow lines, thereby causing undue hazards to road safety and the free flow of traffic.
- 8.12 The data crash map indicates that for the period of 24 years, from 1998 to 2022, that there has not been any incident in Granger Way. There is no updated data since 2022, however, it would appear that a crash has happened in the road since then, but it is understood this has not been associated with the use of the

school car park, visiting the site, either in relation to the existing educational premises or other community users.

- 8.13 Concern has been raised that pedestrians will use the vehicular gate to walk to whatever community facility they are attending and this is dangerous as there is no pavement on that side of the road. The road is a cul-de-sac with no through traffic and generally overall vehicle movements would not be significant. Pedestrians would be able to cross the road safely to the pavement and there are no overriding highway safety concerns should pedestrians use the gate.
- 8.13 In conclusion, in highways terms, it is not considered that the proposed use of the car park would result in any significant traffic or parking issues in surrounding roads.

Impact upon the amenities of the adjoining occupiers;

- 9.1 The existing condition as worded, would permit anyone using the school facilities to be able to use the car park. There is no restriction in terms of the hours or days where the school car park could be used by those visiting the school, including any event which may be organised by school during the weekend. The only additional impact would result from when the car park is not used by the school.
- 9.2 The car park in Hylands School is approximately 20m away from the buildings in Granger Way and it is well screened by shrubs and trees. Given the low speed of the traffic in the car park it would be unlikely that the use of the car park would result in any significant noise upon the amenities of those residing in Granger Way who would be closest to the car park.
- 9.3 The entrance to the school car park is within the proximity of Brentwood Road. Therefore, the cars would only traverse a small stretch of the road before entering the car park. Cars would only pass the first pair of the properties which could likely already subject to some noise from the traffic in the main road. Hence, the proposal would not have a significantly detrimental impact upon the amenities of those residing in Granger Way.
- 9.4 In accordance to the existing condition set out above (condition 7), the use of the car park is subject to an approved Community Use Scheme, which includes the details of access policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The condition is re-imposed to further secure the amenities of the adjoining occupiers.

- 9.5 However, as it was detailed above, the use of the car park would likely alleviate parking in roads adjacent to the scheme, with particular reference to potential inconsiderate parking and associated disturbance to the residents. Therefore, overall the proposal would have a positive impact upon the amenities of the local residents.
- 9.6 As part of the previously approved scheme a condition (condition 12) required, *“Within three months from the date of this decision details of additional mitigating measures, including a timetable for implementation, for the boundary treatment facing Granger Way in order to reduce headlight glare shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment mitigation measures shall then be implemented in accordance with the approved details and implementation timetable.”*, The condition was not discharged within the required period. However, the situation has been monitored and the applicant has now submitted the discharge of the condition.
- 9.6 The current boundary treatment consists of a well-established laurel (*Prunus lusitanica*) hedge spanning the full length of the western boundary adjacent to Granger Way. This hedge has matured into a dense and effective screen, and is considered to mitigate the effect of car headlights from vehicles within the parking area. To address initial concerns during the early stages of the hedge’s establishment, a green fabric mesh was temporarily installed on the boundary fence.

The Merits of *Prunus lusitanica*

The *Prunus lusitanica* hedge has been selected for its suitability to the local area and its attributes, which align with the functional and visual requirements of the planning condition:

1. **Evergreen Coverage:** The hedge provides year-round screening, ensuring consistent mitigation of headlight glare in all seasons.
2. **Natural Density:** *Prunus lusitanica* grows bushy and compact, forming an effective barrier without additional structural support.
3. **Resilience to Local Conditions:** The hedge thrives in the local environment, requiring minimal intervention to withstand seasonal temperature changes and dry periods.
4. **Minimal Maintenance Needs:** This species requires only periodic pruning and occasional irrigation during extended dry weather, making it both practical and cost-effective.
5. **Environmental and Aesthetic Benefits:** The hedge enhances biodiversity by providing habitat and shelter for local wildlife, while also offering a visually appealing natural boundary.

- 9.7 These characteristics make *Prunus lusitanica* an ideal long-term solution, fulfilling the condition's requirements for mitigating headlight glare and preventing harm to residential amenity.

The information provided indicates

The hedge has been subject to a regular maintenance programme to ensure its continued effectiveness as a boundary screen. A recent maintenance visit in mid-November included pruning and inspection of the hedge, confirming that it is healthy, dense, and mature.

The applicant has also provided maintenance programme as follows;

1. Pruning: Biannual pruning in late spring and early autumn to maintain density and encourage healthy growth.
 2. Weed Management: Clearing weeds at the base of the hedge twice yearly to reduce competition for nutrients.
 3. Health Monitoring: Regular inspections during routine maintenance to promptly address any signs of disease or damage.
 4. Irrigation (As Needed): During prolonged dry periods, the hedge will be watered to maintain its health and vitality.
- 9.8 The information provided suggests, these measures have been implemented consistently and will continue indefinitely as part of the site's overall maintenance plan, subject to a recommended condition.
- 9.9 The officers consider that there is no longer a need for the mesh to be in place, which detracts from the visual amenity of the area. Further, the ongoing maintenance of the hedge ensures its continued effectiveness, and it is considered that it represents a sustainable, long-term solution to the condition requirements.
- 9.10 Hence, a condition is recommended that within a month of this permission, the green mesh to be removed. And the maintenance programme shall be carried out with the report of effectiveness every two years. And in the event of any disease or dying to the hedge or part, it would be replaced in the next planting season, and during its regrowth a temporary mesh to be placed to mitigate the against the glare of light.

Air Quality;

- 10.1 Policy 33, explains The Council is committed to improve air quality in Havering to improve the health and wellbeing of Havering's residents. The Council will support development which:
- I. Is at least air quality neutral;
 - II. Optimises the use of green infrastructure to reduce pollution concentrations and exposure

- III. Delivers measures to support active travel to reduce emissions
- IV. Meets the targets for carbon dioxide reduction in the London
- V. Minimises emissions from construction

10.2 The Council has adopted an Air Quality Action Plan which sets out the actions Havering will take to improve local air quality. The AQAP includes a number of actions around sustainable travel to reduce air pollution including work to encourage people to travel to school by foot, cycle or public transport.

10.3 The applicant has provided a thorough and comprehensive study with respect to air quality assessment with respect to the proposal.

10.4 The study suggests that the change in predicted PM and NO₂ concentrations at existing receptors in 2019 as a result of the development is considered negligible.

10.5 With respect to building's emission, it has been conserved that; Where minor developments include new heating systems, they can be assumed to meet the

Building Emission Benchmarks (BEB) if:

- the new heating system is a heat pump or other zero-emission heat source;
- the new heating system is a gas boiler with NO_x emissions rated at less than 40 mg/kWh;

or

- the development is connecting to an existing heat network.

10.6 In this case, the Heating and hot water has been provided via a connection to the existing heating system. As such, the proposed development is considered air quality neutral in relation to the building emissions.

10.7 The air quality neutral assessment has concluded that the development would meet the transport emission benchmarks. As such, no mitigation measures are required to reduce these emissions.

10.8 The proposal itself would not likely result in significant additional trip generation. The proposal would allow those already visiting the local area by car to use the car park. Hence, there would be no additional vehicle emissions.

10.9 The applicants have also provided further studies with respect to Building's efficiency with respect to air quality. It is concluded that due to appropriate use of materials and heating efficiency, the building'

10.10 As part of the previous scheme a condition was required to install two electric charging points within the car park. But, the school bid for to obtain finance for the charging points was unsuccessful at the time. However, it has been confirmed that the school's on second occasion has now been approved. Currently a number of staff use electric cars and have explained that with the average range of an electric cars estimated to be almost 300 miles. They have found no need for electric charging point at the school, as they all have the facilities to charge their car at home. So in this instance whilst the school has programme in future to install electric charging point, there is no necessity to impose a planning condition to secure this.

EQUALITIES AND DIVERSITY

11.1 Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.2 For the purposes of this obligation the term protected Characteristics includes: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

11.3 There are a number of church goers with mobility problem who would find it difficult park further afield, and cross busy roads. There would be a benefit from being able to park in Hylands school car park on Sundays or at other times when attending the church.

11.4 In recommending the application for approval, officers have had regard to the requirements of the Act and have concluded that a decision to grant planning permission for this proposed development will comply with the Council's statutory duty.

12 Other Matters

12.1 It should be noted that the Planning permission (Ref P0154.17) which was granted for the erection of a 2 Storey block to Rear of school, was subject to a number of conditions. However, the conditions imposed with respect to the scheme Ref; P0154.17 were not discharged. However, the applicant has since attempted to discharge the conditions. Additional studies, in particular with respect to Air Quality has been commissioned and provided. The Air Quality

study has been viewed by the Council's Environmental Protection Team and they are satisfied that the proposal existing school buildings and the associated activities with the building would have an acceptable impact upon air quality.

- 12.2 It is considered that, the non-compliance with conditions would not affect the consideration of this application which only seeks to allow use of the car park by those not attending the school outside of the school's operation period.

13 Conclusions

- 13.1 In light of the above, the proposal is considered to be in accordance with national regional and local policy in particular with respect to providing an environment which is accessible to all.
- 13.2 The proposal would not have a significant impact upon the amenities of the adjoining occupiers, whilst it would result in improvement to highways safety and the free flow of the traffic. The proposal would particularly benefit vulnerable groups especially the elderly and those with disabilities.
- 13.3 Given this is a variation of condition with respect to a planning permission, all original conditions still relevant to the original scheme would need to be included in this decision.