



REGULATORY SERVICES COMMITTEE

1 August 2013

REPORT

Subject Heading:

**P0457.13 – Bower Park School,
Havering Road, Romford – Retention
of gymnasium (Application received 21
May 2013)**

Report Author and contact details:

**Helen Oakerbee, 01708 432800
helen.oakerbee@havering.gov.uk**

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	[X]
Championing education and learning for all	[X]
Providing economic, social and cultural activity in thriving towns and villages	[X]
Value and enhance the life of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[]

SUMMARY

This report concerns an application for the retention of a gymnasium building on a permanent basis. The land is in Council ownership. Staff consider that the proposal would be for inappropriate development in the Green Belt but that a temporary

consent could be justified in accordance with leisure and recreation, green belt, environment and transportation policies contained in the Core Strategy and Development Control Policies Submission Development Plan Document.

RECOMMENDATIONS

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

1. SC32 (Accordance with plans)
2. SC27 (hours of use) - The premises shall not be used for the purposes hereby permitted other than between the hours of 09:00-21:45 Mondays to Fridays; 08:45-18:15 on Saturdays and Sundays and not at all on 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.

3. NSC01 This permission shall be for a limited period only expiring on 31st July 2016 on or before which date the temporary building carried out under this permission shall be removed and the site reinstated to its former condition to the satisfaction of the Local Planning Authority.

Reason: The temporary nature of the proposed development is such that permanent permission would not be appropriate in the interests of amenity and to enable the Local Planning Authority to retain control over inappropriate development in the Metropolitan Green Belt.

INFORMATIVES

1. It is recognised that the gymnasium has become somewhat established during the temporary period granted consent between 2008-2013; nonetheless the use remains inappropriate in the Green Belt and the applicants are advised that a further grant of planning permission is unlikely and that they should use the additional time granted to look for alternative permanent accommodation, for example a building capable of conversion or for a site outside the Green Belt.
2. The London Borough of Havering seeks to encourage Secured by Design accreditation where appropriate. This is a national police initiative, which is supported by the Home Office Crime Reduction and Community Safety Unit and the Planning Section of the ODPM. It is designed to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. It is recommended that the applicant apply

for this award. For additional information, please contact the Borough Crime Prevention Advisor through the London Borough of Havering Regulatory Services or Romford Police Station, 19 Main Road, Romford RM1 3BJ.

3. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
4. 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.
5. Reason for approval:

The proposal accords with Policies DC61, DC28, DC33, DC45 and DC55 of the LDF Core Strategy and Development Control Policies Development Plan Document.

REPORT DETAIL

1. Site Description

- 1.1 The application site currently comprises part of an area of hardstanding within the grounds of Bower Park School on which the temporary structure for the gymnasium has been erected. The facility relies on existing school parking facilities and an existing vehicular access directly onto Havering Road. The site lies in the Metropolitan Green Belt. Although the gymnasium is on level ground, ground levels generally fall to the south and east across the school site. The application site is in the ownership of the Council. The site has an area of 600 square metres.
- 1.2 The surrounding area is characterised by the school buildings (up to 3 storeys), a Nursing Home and otherwise mainly 2-storey residential properties to Havering Road. To the rear and north of the site are open playing fields and woods in the Green Belt. Again, ground levels fall generally to the south and east.
- 1.3 The Epping Forest Gymnasium Centre Trust Limited was previously located at the Whitworth Centre. The Whitworth Centre, a former school site in Council ownership is currently being redeveloped and the applicant was seeking a permanent site elsewhere in 2008. In order to provide continuity in the short term, planning permission was granted at the current site for a temporary structure to act as a temporary gymnasium while a permanent site was sought.
- 1.4 The facility is used by the Havering Sports Acrobatics Club, Olympic Gymnastics and Trampoline Club, Bower Park School itself, Havering

Disabled Sports Association and other local primary and special needs schools.

2. Description of Proposal:

- 2.1 The proposal is for the retention of the temporary structure as a dual-use gymnasium facility on a permanent basis. The structure is 30m long, 20m wide with a pitched roof with a ridge height of 8m above ground level. It is located to the far north-eastern corner of the hard standing area, some 14m or so from the nearest existing school building.
- 2.2 The school would, as currently, continue to have use of the gymnasium during the school day. The facility would then be open until 21:45 during the week. At weekends the facility would be open for the first lesson at 9am, closing at 6.15pm.
- 2.3 The existing hard standing area outside the application site (which is currently used for school staff overspill for 10 vehicles) would continue to be used for the 4 staff cars only during the day and for some parent parking in the evenings and weekend. However, classes are not open generally for spectators and the applicant indicates that only 10% of parents normally wait. As classes typically average 20, the applicant's suggest that only two additional spaces would be needed together with a turnaround facility.
- 2.4 The school would also allow an existing vehicular access to Havering Road to be used.

3. History:

- 3.1 P0436.08 temporary gymnasium – Approved 25/4/08 for a temporary period ending on 24/4/2013.

4. Consultations/Representations

- 4.1 The occupiers of 14 adjoining/nearby properties have been notified of the application. An advertisement has been placed in a local paper and a site notice has been posted. No responses have been received.
- 4.2 The Metropolitan Police Design Advisor, Thames Water (sewerage infrastructure) and The London Fire and Emergency Planning Authority have written indicating that they have no objections to the proposal.

5. Relevant Policies

- 5.1 Policies DC20, DC28, DC46, DC55 and DC33 of the Core Strategy and Development Control Submission Development Plan Document are relevant. Policies 2.8, 3.1, 3.19, 6.13, 7.4, 7.16 of The London Plan also apply; as does the relevant section of the National Planning Policy Framework.

6. OFFICER'S COMMENTS:

6.1 The proposal is for the permanent retention of a specialist sports facility for use by the school and community. The issues in this case are the principle of the development, the impact of the development in the street scene, the impact on the metropolitan green belt and on the amenities of nearby residential occupiers and highways/parking issues.

6.2 *Principle of development:*

6.2.1 The proposal is to provide sports facilities at an existing school in the green belt. Since the previous temporary consent was granted in 2008, the National Planning Policy Framework (NPPF) has been adopted replacing PPG17 on Sports and Recreation and PPG2 Green Belts. The NPPF indicates under the title, "Protecting Green Belt land", at paragraph 79 that, The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. And at para 80. that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.2.2 At Para 87. the NPPF indicates that "As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances." And at para 88. "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

6.2.3 At para 89. the NPPF indicates that "A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are (among others):

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

6.2.4 While the proposal is for the retention of an existing facility, the structure is of itself a temporary structure. The NPPF recognises that outdoor sport and recreation are acceptable as an exception and so is limited infilling on existing brownfield sites. The proposal is for an indoor facility in a separate building outside the existing footprint/envelope of the existing school buildings. It is therefore considered that the proposal for an indoor school recreational/sport building is unacceptable in principle in the Green Belt as it is not considered to fall within the exceptions indicated in the NPPF. The proposal is therefore considered to be harmful in principle to the concept of Green Belt and the purposes for including the application site within the Green Belt.

6.2.5 The issue therefore is whether very special circumstances exist which would outweigh Green Belt policy against such inappropriate development. Before considering whether there are such circumstances, consideration is given as to whether any other harm arises.

6.3 *Impact on the green belt/in the street scene:*

6.3.1 The proposed development would be located to the side/rear of existing school buildings and would not be easily visible from streetscene views both due to the intervening buildings and the lower ground level. Whilst the proposed building would have a height of about 8m, it is lower than an adjoining three-storey school building. Staff consider that the proposal would appear as part of the collection of buildings of the school. In addition, the location has been chosen to be as far away from residential properties as possible and would also enable the retention of the existing playing pitches at the school.

6.3.2 Members previously considered that that the proposal would not result in any significant harm to visual amenity as it would be well screened by a surrounding wood from Bedford's Park and because the structure was for a temporary period when the structure would be removed at the end of a 5 year period. Staff consider that the visual amenity of the proposal remains as previously considered, nonetheless the current proposal is for permanent retention which is not considered to be acceptable as the impact on the openness of the Green Belt would be affected in perpetuity. Staff consider however that a suitable temporary period would not result in a permanent impact on openness and recommend that a further temporary period would be acceptable in respect of visual amenity.

6.4 *Impact on Residential Amenity:*

6.4.1 The location has been chosen to enable dual use of the facility for the school and the local community. The building would be located closer to the nursing home to the north and be used outside school hours and at weekends. There is a tree screen to the southern boundary of the nursing home and the proposed class sizes are fairly small at an average of 20 pupils. Staff consider that any noise and general disturbance from either the use of the building or traffic attracted to the site would be unlikely to

cause significant harm to residential amenity in the locality, subject to suitable conditions being attached to any planning permission.

6.5 *Car parking/highways issues:*

- 6.5.1 Annex 5 of the Core Strategy and Development Control Policies Development Plan Document does not have a specific parking requirement for recreation uses but indicates that an assessment would be needed for larger developments. Whilst the hardstanding area is not currently marked-out for vehicle parking, the area is large enough to provide for around 25-30 vehicles with appropriate turning areas.
- 6.5.2 The applicant indicates that while 10 school staff spaces would be needed during the school day, there would be no additional parking requirement during the day as the gymnasium would be solely used by Bower Park pupils. The applicant further advises that 40% of children walk or get the bus and that few parents stay during classes, such that during the evening and at weekends, 6 parking spaces would be needed for staff and parent parking. The applicant indicates that existing cycle parking at the school would be made available to other users.
- 6.5.3 Staff consider that the area of retained hardstanding would be sufficient to meet the parking need indicated. In addition, it should be noted that other parking spaces are available within the school grounds, should more be required. It would be necessary for vehicles to enter the highway in forward gear along the single width access.
- 6.5.4 There are no other highways issues arising from the proposal.

7. Very Special Circumstances Case:

- 7.1 The previous facility was based at the Whitworth Centre which was a former school site in the Green Belt. The circumstances of the current location of the gymnasium are the same as for this previous site, i.e., it is sited in the green belt as part of a school development.
- 7.2 The existing facility currently provides the Bower Park School with a gymnasium as part of the school's curriculum and would continue to do so.
- 7.3 The proposal to retain the facility at Bower Park School would enable the facility to remain in the Borough on a permanent basis.
- 7.4 The facility would be provided on a dual-use basis with the facility being used by the school during the day with other clubs using the facility in the evening and at weekends.
- 7.5 Policies DC20 and DC28 (access to recreation and dual use of school facilities) of the Core Strategy and Development Control Submission Development Plan Document indicate that recreational uses are

encouraged and, on school sites, sports facilities are encouraged to be dual use. The proposal would meet these policies.

7.6 Staff consider that there are over-riding reasons why this temporary structure/facility should be retained, nonetheless due to its inappropriate use it would not be acceptable in the green belt on a permanent basis. This is a matter of judgement and Members may place different weight on this, nonetheless, staff consider that the proposal would be acceptable if provided for a temporary period in accordance with policies in the Core Strategy and Development Control Submission Development Plan Document.

8. *The Mayor's Community Infrastructure Levy*

8.1 The proposal is for the retention of an existing building and therefore is not liable for the Mayoral CIL.

9. **Conclusion:**

9.1 The use is inappropriate in the green belt, however staff consider that very special circumstances exist which outweigh the presumption against inappropriate development in the Green Belt if it is provided for a temporary period and because it helps to meet other policies including dual-use facilities at the school and that the proposal ensures that Bower Park School would not lose this additional school facility. The proposal also enables an existing specialist sports use to be retained within the Borough. Staff consider that the proposal would be acceptable in terms of its impact on the open character of the green belt as it would appear as part of the existing group of school buildings. Due to the average class size of 20, Staff do not consider that there would be any loss of residential amenity. There are areas of judgement in relation to the impact on the open character of the Green belt, effect on residential amenity and highways/traffic which Members may wish to consider. However, Staff consider that the proposal would be acceptable providing it is for a temporary period such that it does not result in long term harm to the reasons for including the land within the Green Belt.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

None

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposal would provide a facility, albeit temporary, for the dual use of Bower Park School and the local community. This would improve access to specialist equipment and training opportunities for members of the community. There are no other equalities or social inclusion implications.

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.