



# REGULATORY SERVICES COMMITTEE

3 October 2013

# REPORT

**Subject Heading:**

**P0640.13: Corbets Tey School,  
Harwood Hall Lane, Upminster**

**New staff car park with vehicular  
access off Harwood Hall Lane and 2m  
mesh fence to perimeter. (Application  
received 14<sup>th</sup> June 2013)**

**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 new staff car park with a new access off Harwood Hall Lane and perimeter fencing. The proposal is for a semi-permanent

perforated surface to be laid on a currently grassed area to the east of the site. The proposed car park is to help alleviate the growing demand for parking at the school site from parents and specialist staff.

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. 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.

5. Land Contamination - Before any part of the development is occupied, site derived soils and/or imported soils shall be tested for chemical contamination, and the results of this testing together with an assessment of suitability for their intended use shall be submitted and approved in writing by the Local Planning Authority. Without prejudice to the generality of the foregoing and the requirement to use only approved and tested site derived soils and/or imported soils in addition, all topsoil used for gardens and/or landscaping purposes shall in addition satisfy requirements of BS3882:2007 "Specification of Topsoil".

**Reason:** To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Development Control Policies Development Plan Document Policy DC53.

6. Vehicle route details - Notwithstanding the approved plans, before the hereby approved development commences a detailed layout plan shall be submitted to and approved in writing by the Local Planning Authority showing the proposed vehicle routes across the site with access to the parking spaces to be provided, thereafter only the approved vehicle routes shall be used in accessing and leaving the approved car park.

**Reason:** To ensure that the trees on the site are not damaged through the operation of the approved car park, in accordance with policies DC60 AND DC61 Development Control Policies Development Plan Document Policy

7. Tree Protection Details - Notwithstanding the approved plans, before the hereby approved development commences a detailed layout plan and details shall be submitted to and approved in writing by the Local Planning Authority outlining the tree protection details for site during both the construction and operation of the proposed car park. Thereafter, the car park shall be constructed and operated in accordance with the agreed details.

**Reason:** To ensure that the trees on the site are not damaged through the construction operation of the approved car park, in accordance with policies DC60 AND DC61 Development Control Policies Development Plan Document Policy.

8. Hours of use - The car park shall not be used for the purposes hereby permitted other than between the hours of 06.00 and 20.00 on Mondays to Fridays, with no use 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.

## INFORMATIVES

1. Pursuant to the provisions of the National Planning Policy Framework responsibility for securing a safe development rests with the developer and/or landowner. It is recommended that a watching brief is implemented for the presence of any land contamination throughout the life of the development. In the event that contamination is found at any time when carrying out the development it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, implemented and verified in accordance with current best practice and submitted to the Local Planning Authority.

Reason: To ensure that risks from any unexpected land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with Development Control Policies Development Plan Document Policy DC53.

2. The Applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

Should this application be granted planning permission, the developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

The developer is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

3. A fee is required when submitting details pursuant to the discharge of conditions. In order to comply with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which came into force from 22.11.2012, a fee of £97 per request or £28 where the related permission was for extending or altering a dwellinghouse, is needed.
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.

## 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.
- 4.2 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. To the east of the main school building is a sensory playground. 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.
- 4.3 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 a semi-permanent car-park on an unused grassed area to the south eastern corner of the school site. Although the site already has 35 spaces to the front and west side of the school buildings, due to the high number of specialists and staff visitors as well as the number of students conveyed to the site in private transport, the existing parking arrangements are no longer adequate.
- 2.3 The proposed car park area will be accessed via a new dedicated entrance from Harwood Hall Lane, with a new 'crossover' and secure gating. It is also proposal to introduce further landscaping with shrubbery along the eastern boundary to minimise any increased noise and disturbance coming from the site.
- 2.4 The proposed surface will be a self-draining perforated polymer sheeting which will allow the grass to grow through to help minimalise the visual

impact. The proposed fencing and gate along the southern boundary on to Harwood Hall Lane will be of a mesh style in green to provide security whilst also not presenting a closed frontage.

### **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

P0040.12 - Detached single storey building providing accessible toilets and changing facilities for new sensory play area - Approved

### **4. Consultations/Representations**

- 4.1 The application has been advertised on site and in the press as a Green Belt application. 64 neighbour notification letters have also been sent to neighbouring addresses. One letter of objection was received which raises two concerns, firstly about the possible increases in noise levels resulting from the car park use, particularly out of school hours by sports clubs and social clubs. The second point of objection relates to the number of planning applications and subsequent developments that have taken place on the school site in recent years which the objector feels are eroding away the green belt status of the land in and around the school premises.

- 4.2 Traffic & Engineering & Streetcare raised no objection to the proposals, but as this is a Havering Council application - the Highway Authority require to be advised of the planned work to be undertaken on the public highway.

- 4.3 The Environment Agency raised no objection to the proposal asked that a condition and informative be attached to the application relating to soil contamination should the proposal be granted approval.

## **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 sites Tree Preservation Order protected trees, the local residential amenity, parking and highway impact and environmental issues.

5.2 Policies CP8, CP17, DC26, DC28, DC29, DC33, DC34, DC45, DC48, DC51, DC60, DC61 and DC62 of the LDF Core Strategy and Development Control Policies Development Plan Document are material considerations, as is The London Plan 2011 and the NPPF.

### *5.3 Principle of Development*

5.3.1 The application is for a new parking area within the school grounds to provide staff, parents and specialist visitors a secure off road location for parking. The parking surfacing will be perforated to allow grass to grow through and the proposed perimeter fencing will be mesh to allow views into the site. This will ensure that the proposal will meet the needs of the school and the community whilst also not having harm on the openness and character of the site therefore complying with policies DC29 and DC45.

5.3.2 The proposal is on a grassed area which is currently unused and not one of the sports fields used at the site and therefore it is not considered that there would be any loss of sports facilities arising from the proposal.

### *5.4 Green Belt Considerations*

5.4.1 The NPPF sets out the five purposes of Green Belt designation. These five points look to protect the openness and character of the Green belt and preserve it from sprawl from urban areas. The assessment of proposals in the Green Belt is a two stage process. Firstly the decision maker must consider whether the development is appropriate development in the Green Belt and secondly if it is deemed inappropriate if there are very special circumstances to permit the development.

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 will not introduce a new building to the site just a new use to an area of the site. However given that the proposal will be on undeveloped land and bridge an existing space between the residential properties on Harwood Hall Lane and the school buildings it could be viewed to be inappropriate development.

5.4.3 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 retaining the trees on the application site to help screen the view of the car park whilst also preserving the trees. Also the proposed surfacing will be perforated to allow grass and vegetation to grow through which will also help the development to blend in with the surroundings.

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 mainly to the change in the boundary treatment on Harwood Hall Lane from bushes to a perimeter fence. However the fencing will be of a mesh style to allow vegetation to grow around it helping to soften the view it to the site. It is therefore not considered, within the context of the existing school buildings and the extent of open space that remains around the facility, that the proposal would materially harm the intrinsic openness of this Green Belt site.

5.4.5 It is considered that no significant harm would be caused to the openness and character of the Green Belt at this location in accordance with Policy DC45 and the NPPF.

## 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 surfacing will help to reduce noise impacts as will the existing and proposed landscaping. The parking spaces will be set off the eastern boundary due to the existing trees and therefore it is considered that the new car park will not result in material harm to neighbouring amenity.

5.6.2 In order to mitigate against an increase in noise and disturbance to occupiers of neighbouring properties it is proposed to limit the evening and weekend use of the proposed car park.

## 5.7 *Parking and Highway Issues*

5.7.1 The school provides existing off street parking to the frontage which is no longer considered adequate. Therefore this proposal for additional car parking has been put forward to help alleviate the demand for on-street parking and provide secure parking for those visiting the site. The Council's Highways team has approved the proposed car park access and crossover and therefore no detrimental highway impacts are considered to be presented by this proposal.

## 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 car parking facilities on site which are required for parents, staff and specialist visitors to have secure access to the site necessary for the operation of the school. It is a matter of judgement whether the proposals are acceptable in principle within the Green Belt but Staff are satisfied that no material harm to the open character of the Green Belt is considered to have occurred. This is due to the materials proposed for both the car park surface and perimeter fencing. There are many trees on the site and along the boundary to minimise any visual impact and additional boundary treatment is proposed for noise insulation. The proposed access in to the car park from Harwood Hall Lane is also considered acceptable and therefore the proposal will not result in harm to residential amenity or the public highway. By the way of conditions the Council will look to protect the TPO protected trees on site so as not to harm the environment of the area.

5.5 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 relating directly to the proposal.

### **Human Resources implications and risks:**

None relating directly to the proposal.

### **Equalities implications and risks:**

None relating directly to the proposal.

## **BACKGROUND PAPERS**

Application form, drawings and supporting statement received on 16 June 2013.