



# REGULATORY SERVICES COMMITTEE

24 October 2013

# REPORT

**Subject Heading:**

**P0978.13 Pyrgo School, Dagnam Park Drive**

**Installation of a new demountable building to serve as temporary classroom provision**

**Report Author and contact details:**

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**Policy context:**

**Local Development Framework**

**Financial summary:**

**None**

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

Ensuring a clean, safe and green borough	[ ]
Championing education and learning for all	[X]
Providing economic, social and cultural activity in thriving towns and villages	[ ]
Valuing and enhancing the lives of our residents	[X]
Delivering high customer satisfaction and a stable council tax	[ ]

## SUMMARY

The proposal relates to a Council School situated within the green belt.

The application is for the erection of a demountable building to serve as temporary classrooms. The proposal is considered acceptable in all material respects, including design and layout, impact on neighbouring amenity, environmental impact and parking and highway issues. The proposal is judged to be acceptable in all material respects and subject to safeguarding conditions it is recommended that planning permission is granted.

## RECOMMENDATIONS

1. This permission shall be for a limited period only expiring on 24.10.2018 on or before which date the temporary building(s) 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 building(s) is such that permanent permission would not be appropriate in the interests of amenity and the openness of the green belt. This permission is therefore granted on a temporary basis to enable the Local Planning Authority to retain control, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

2. Within 18 months of the development being brought into use a review of parking restrictions around the school entrance shall be carried out and submitted to and approved by the Local Planning Authority. The review shall be aimed at reducing the impact of parent parking near the school entrance and to ensure that pedestrian desire lines across junctions are not unduly impeded.

Reason:-

To ensure the interests of highway safety, amenity and pedestrians and address desire lines in order to accord with Development Plan Document Policies DC32 and DC34.

3. Within 3 months of the date of this decision a review of the current travel plan for the school shall be undertaken. Within 6 months of the date of this decision an updated travel plan, incorporating results of the review and

mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:-

To help bring about a reduction in private car journeys, to minimise the potential for increased on street parking in the area, to mitigate the impact of increased private car journeys at peak times and to accord with Policy DC32. To ensure the interests of pedestrians and address desire lines and to accord with Policy DC34.

4. Within 3 months of the date of this decision the rear windows of the west facing elevation shall be permanently glazed with obscure glass to the satisfaction of the Local Planning Authority.

Reason:-

In the interests of privacy, and in order that the development accords with the Development Control Policies Development Plan Document Policy

5. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the following plans and documents approved by the local planning authority:

Reason: To accord with the submitted details and LDF Development Control Policies Development Plan Document Policy DC61.

## **INFORMATIVES**

1. 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.
2. 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.

## **REPORT DETAIL**

### **1. Site Description**

- 1.1 The subject site lies to the east of Dagnam Park Drive, north of Settle Road and south of Sedfield Crescent.

- 1.2 The application site consists of one large school building at the north east corner and playing fields to the south and west.
- 1.3 The site is surrounded by residential properties to the north, west and south.
- 1.4 The site falls within the metropolitan green belt.

## **2. Description of Proposal**

- 2.1 The application is for erection of a demountable building consisting of two classrooms.
- 2.2 The proposed building at approx. 6m deep and 7.9m wide, designed with a flat roof would be 3.5m high to the eaves.
- 2.3 The proposal would be positioned to the south of the main school building and to the north east of no. 150. The proposal would be set back from the building line of the properties of along Dagnam Park Drive.
- 2.4 The proposal would be constructed in rendered panels with a three layer felt roof. The proposed windows and doors would be constructed in double glazed white upvc.

## **3. Relevant History**

- 3.1 No relevant recorded history.

## **4. Consultations/Representations**

- 4.1 The application was publicised by the direct notification of adjoining properties. One letter of objection was received as summarised below:
  - Classroom has been erected
  - A 7 year permission is not temporary
  - Loss of and lack of parking
  - Safety and youth hang out spots created on new alleys
  - Noise and disturbance
  - Impact on garden amenity
  - Impact on value of property
  - Loss of outlook from hallway
  - Ugly building
  - Loss of sunlight and daylight
- 4.2 Officers response: Please see relevant section of report
- 4.3 Highways Authority: No objection to the proposal providing the attachment of a condition requesting a review of the parking restrictions around the school within 18 months.

## **5. Relevant Policies**

- 5.1 London Plan Policies: 3.18 (Education Facilities) 6.3 (assessing effect on transport capacity), 6.9 (cycling), 6.10 (walking), 6.13 (parking), 7.4 (local character)
- 5.2 Policies DC29, DC33 and DC61 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document ("the LDF") are material considerations. In addition, the Residential Design Supplementary Planning Document ("the SPD"), Designing Safer Places SPD, Landscaping SPD, Sustainable Design and Construction SPD, and Draft Planning Obligations SPD are also material considerations in this case.
- 5.3 The provisions of the National Planning Policy Framework are also a material consideration.

## **6.1 Staff Comments**

- 6.1.1 The issues arising from this application are the principle of development, the impact of its design, scale and massing on the openness of the greenbelt, character of the area, impact on neighbours living conditions and parking and highway matters.

## **6.2 Principle of Development**

- 6.2.1 The site lies within the designated Metropolitan Green Belt. The objective of Green Belt designation is to protect the open nature of the countryside by preventing urban sprawl. Green Belt development is generally restrictive, and where development is contrary to the intentions of the NPPF and DC45, or where development is judged to be harmful to the character of the Green Belt, the applicant should provide very special circumstances to justify the proposal.
- 6.2.2 The NPPF states 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.
- 6.2.3 A Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions are:
- Buildings for agriculture and forestry;
  - 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 purpose of including land within it;
  - The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

- The replacement building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling or the partial or complete redevelopment of previously developed sites, 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 employment.

6.2.4 The NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify

6.2.5 Policy 3.18 Education Facilities of the London Plan also states that Development proposals which enhance education and skills provision will be supported, including new build, expansion of existing or change of use to educational purposes. Those which address the current projected shortage of primary school places will be particularly encouraged. Proposals which result in the net loss of education facilities should be resisted, unless it can be demonstrated that there is no ongoing or future demand.

6.2.6 The proposed building by reason of its use would result in inappropriate development within the green belt. There would therefore need to be a demonstration of very special circumstances to outweigh the harm to the Green Belt through inappropriateness. Before considering the very special circumstances, it would be appropriate to consider other relevant considerations with the proposal, including the impact upon the openness of the Green Belt.

### **6.3 Design / Impact on Streetscene/ Impact on Openness of Green Belt**

6.3.1 Policy DC61 states that development must respond to distinctive local buildings forms and patterns of development and respect the scale, massing and height of the surrounding context.

6.3.3 An objection was received regarding the appearance of the building. However, as the proposal would be designed as a subordinate building and constructed in rendered panels and upvc windows. It is considered that the proposal would be in keeping with the design and appearance of the existing school building on site.

6.3.4 The proposed building set back from the existing building line of the neighbouring residential properties along Dagnam Park Road and located within a developed part of the school site would not be in an isolated or over

a prominent position that harms the openness of the Green Belt to a significant degree. The loss of openness to the Greenbelt is therefore considered limited and would be acceptable on the basis that consent for the building is only being sought for a temporary basis.

6.3.5 It is therefore considered that the building by reason of its appropriate positioning and subordinate scale would not harm character and appearance of the area. The requirement to remove the building after five years would ensure that there is no long term impact on the openness of the Green belt. The proposal therefore complies with policies DC61 and DC45 and the advice contained within the NPPF.

#### **6.4 Impact on Amenity**

6.4.1 An objection was received over concerns that the proposal would result in a loss of outlook, sunlight and daylight and unacceptable noise and disturbance.

6.4.2 The building is located between 4.6 and 6.2 metres away from the boundary with the nearest residential property at no. 150 Dagnam Park Road. In order to prevent overlooking, it is recommended that a condition be applied requiring that the windows on the rear (west facing) elevation of the class rooms be obscure glazed.

6.4.3 The proposed building by reason of its single storey scale, separation distance, positioning (only viewable at an oblique angle from the neighbouring rear habitable room windows) and orientation to the north east of no. 150 would not result in any significant loss of outlook, sunlight or daylight to habitable room windows or gardens of neighbouring properties.

6.4.2 The development area is an open part of the school grounds with no restriction over use. Therefore the site can be used for any purpose associated with the school including open play, recreation or teaching. As such, placing a building in the position proposed would not result in additional noise. The proposed classroom by reason of the separation distance of the building from neighbouring residential properties and its hours of operation during school times would not result in any noise and disturbance at unsociable hours.

6.4.3 It is therefore considered that the proposal would safeguard the amenities of neighbouring properties in accordance Policy DC61 the intentions of the NPPF.

#### **6.5 Highway/Parking**

6.5.1 An objection was received regarding concerns over parking.

6.5.2 The proposal would not result in the loss of any car parking spaces.

- 6.5.3 The maximum parking standard for a primary or secondary school is 1 parking space for each member of teaching staff. The primary school has the equivalent of 53 full time members of staff. An additional four members of staff are to be employed increasing the number to 57. The school currently has 37 car parking spaces. It is considered that the increase of staff is not significant and therefore would not have a significant impact on parking.
- 6.5.4 The proposal would result in an increase in the number of children attending the school and a greater possibility of congestion during drop off and pick times. However, the possible rise in congestion is outweighed by benefits of achieving the strategic need of the borough to provide additional school places. The proposal is therefore acceptable providing an updated travel plan is submitted to and approved by the Local Planning Authority.
- 6.5.7 The Highway Authority confirmed that the proposal would not result in any highway and parking issues.
- 6.5.8 The proposal is therefore considered acceptable in parking standards terms and in accordance with Policy DC33 - Car Parking.

## **7. Very Special Circumstances**

- 7.1 When considering any 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.
- 7.2 The proposed development would harm the Green Belt by reason of its inappropriateness and there would be some temporary impact on its openness. Therefore, there is a requirement to consider any Very Special Circumstances.
- 7.3 The proposal would allow for an additional number of school spaces for the school in accordance with the guidelines of the London Plan and NPPF. It is considered that the requirement for immediate additional school places within the borough warrants Very Special Circumstances for the erection of the proposed building on a temporary basis only. The proposal is therefore acceptable in principle, providing impacts on the openness of the Greenbelt, character of the surrounding area, neighbours living conditions and highway or parking issues, would be within acceptable limits.
- 7.4 The Very Special Circumstances on a temporary basis are deemed acceptable and therefore outweigh the inappropriateness of the development.



## **Conclusion**

- 7.1 Having had regard to the LDF Core Strategy and Development Control Policies Development Plan Document, all other relevant local and national policy, consultation responses and all other material planning consideration. It is considered that the special circumstances that warrant a departure and allow for the erection classroom within the Green Belt have been submitted. It is therefore considered that the proposal would not have a significant impact on the openness of the greenbelt, form and character of the school and surrounding area, the residential amenity of the occupants of neighbouring properties or result in highway issues.
- 7.2 The application therefore complies with aims and objectives of policies of the LDF Core Strategy and Development Control Policies Development Plan Document, London Plan and the intentions of the National Planning Framework. Approval is recommended accordingly.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

None

### **Legal implications and risks:**

None

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

None

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

The Council's planning policies are implemented with regard to equality and diversity.

## **BACKGROUND PAPERS**

Application forms, plans and supporting statements received 1 August 2013.