

REGULATORY SERVICES COMMITTEE

5 December 2013

REPORT

Subject Heading:

**P1250.13: Corbets Tey School,
Harwood Hall Lane, Upminster**

Two storey flat roof extension with adjoining single storey flat roof extension and a mono pitch glass roof porch entrance facing the swimming pool building. (Application received 17th October 2013)

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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 a two-storey flat roof extension with adjoining single storey flat roof extension and mono pitch glass roof porch to provide a covered walkway between the proposed building and the existing swimming pool building.

The application site comprises Council owned land and the planning merits of the application are considered separately from the land interest.

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. 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. 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. Matching Materials - All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

Reason: To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document

Policy DC61.

4. Construction Hours - All building operations in connection with the construction of external walls, roof, and foundations; site excavation or other external site works; works involving the use of plant or machinery; the erection of scaffolding; the delivery of materials; the removal of materials and spoil from the site, and the playing of amplified music shall only take place between the hours of 8.00am and 6.00pm Monday to Friday, and between 8.00am and 1.00pm on Saturdays and not at all on Sundays and Bank Holidays/Public Holidays.
5. External Lighting - There shall be no external lighting within the site unless otherwise submitted to and approved in writing by the Local Planning Authority.

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

6. Land Contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority:
 - a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
 - b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
 - c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:
 - d) Following completion of measures identified in the approved remediation scheme mentioned in 1(c) above, a "Verification Report" that demonstrates the effectiveness of the remediation carried out, any requirement for longer-term monitoring of contaminant linkages, maintenance and arrangement for contingency action, must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the safety of the occupants of the development hereby permitted and the public generally, and in order that the development accords with Development Control Policies Development Plan Document Policies DC61 and DC54.

7. Contamination – a) If, during the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. The remediation strategy shall be implemented as approved.

b) Following completion of the remediation works as mentioned in (a) above, a “Verification Report” must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

Reason: To ensure that any previously unidentified contamination found at the site is investigated and satisfactorily addressed in order to protect those engaged in construction and occupation of the development from potential contamination.

INFORMATIVES

1. 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.
2. 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.

- 1.2 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. A surface car park has recently been granted consent on the land to the front of the school building facing Harwood Hall Lane.
- 1.3 The site is adjoined to the north and west by open Green Belt land. To the east of the site lie residential dwellings, which front on to Harwood Hall Lane or Londons Close.

2. Description of Proposal

- 2.1 Corbets Tey School is a school for children and young people who have 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 construct a two-storey flat roof extension with adjoining single storey flat roof extension and mono-pitch glass roof porch. The porch will meet with the swimming pool building to create a covered walkway between the two buildings. The building will be towards the rear of the site attached to the east side of the main school building.
- 2.3 The proposed use for the new extension will be educational purposes. The complexity of learning and/or associated physical disabilities present at the school continues to increase quite significantly each year, which means that the school has to continuously extend its provision and teaching approach to cater effectively for the developing needs of the pupils.
- 2.4 The proposed extension at ground floor will incorporate 2 classbases and 2 store rooms, which will be within the single storey element of the extension. At first floor there will be another 2 new classbases and an office and there will be a lift connecting the two floors.
- 2.5 The proposed two storey side extension would be 16.8m deep, 6.6m wide and 6.25m high to flat roof. The single storey element will be 2.3m deep, 9.1m wide and 3.1m high, also with a flat roof.
- 2.6 The proposal was originally approved in 2009 however given it is now 3 years since consent was granted the application has now lapsed and has therefore been resubmitted.

3. Relevant History

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

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 (Now expired)

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

P0640.13 – New staff car park with vehicular access off Harwood Hall Lane and 2m mesh fence to perimeter – Approved

4. Consultations/Representations

- 4.1 The application has been advertised on site and in the press as a Green Belt application. 63 neighbour notification letters have also been sent to neighbouring addresses. No letters of objections have been received to date.
- 4.2 Traffic & Engineering & Streetcare have no objection as there would not be an increase in the number of staff or pupils.
- 4.3 Environment Health has no objection subject to suitable condition in relation to contamination details to be submitted and approved.

5. Relevant Policies

- 5.1 Policies CP17 (Design), DC29 (Educational Premises), DC33 (Car parking), DC34 (Walking), DC35 (Cycling) and DC61 (Urban Design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents are material planning considerations. In addition, Policies 3.18 (Educational facilities), 6.13 (Parking) and 7.4 (Local character) of the London Plan and Chapters 7 (Requiring good design) and 8 (Promoting healthy communities) of the National Planning Policy Framework are relevant.

6. Staff Comments

- 6.1 The proposal is put before the Committee due to the application being submitted by and for land in Council ownership. The main issues to be considered by Members in this case are the principle of development, the impact upon the character and openness of the Metropolitan Green Belt; design/street scene issues; amenity implications and parking and highways issues.

7. Principle of development

- 7.1 The application relates to additions and alterations to an existing educational use. The application site lies within the Metropolitan Green Belt and therefore Policy DC45 of the LDF and section 9 of the NPPF must be considered; also as the proposal is an extension to school Staff must also consider DC29 of the LDF and NPPF section 8.
- 7.2 Paragraph 72 of 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 and resolve key planning issues before applications are submitted.
- 7.3 Policy DC45 and the NPPF advise that new buildings within the Green Belt will only be granted if it is for specified purposes, namely agriculture and forestry, outdoor recreation, nature conservation or cemeteries. The proposed development does not fall within one of the uses identified as being acceptable in principle within the Green Belt and as such is by definition inappropriate.
- 7.4 NPPF provides that where inappropriate development is proposed within the Green Belt planning permission should not be granted unless the applicant can demonstrate very special circumstances exist that outweigh the harm resulting from the development. Such circumstances will only exist where the in principle inappropriateness and any other identified harm are clearly outweighed by material considerations.
- 7.5 Staff have to consider whether very special circumstances exist in this instance which justify the inappropriateness of the development in the Green Belt together with any other harm. This is explored below.

8. Impact on the Green Belt

- 8.1 Policy DC45 states that development in the Green Belt should be of such a nature as to prevent the development materially affecting the open nature of the Green Belt.
- 8.2 The proposal would occupy a footprint of 132 square metres and provide 218 square metres of internal floor space and so in relation to the total area of open grassland surrounding the school buildings the proposal will have a minimal impact. The building would be situated on land between two existing buildings (main school building and swimming pool building) and not on open fields.
- 8.3 Being located to the rear of the site (in terms of the location of existing buildings) its impact on Harwood Hall Lane and Londons Close will be limited as it will be mainly screened by existing school buildings. Additionally the scale of the building will match that of the building it will adjoin so as not to be overly dominant on the site.
- 8.4 Staff consider that the proposal will by its nature as a new building on the site impact upon the openness of the Green Belt, however it would not cause harm to the extent that a refusal of permission could be substantiated.

9. Design and Appearance

- 9.1 Policy DC61 seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard it is important that the appearance of any new development is compatible with the character of the local street scene and the surrounding area.
- 9.2 The proposal includes a two storey side extension to the existing northern classroom block with an adjoining single storey element for storerooms and externally there will be an entrance porch roof. The design and materials proposed would match that of the original host building with a principally flat roof design and facing brickwork. The windows would match those existing to each elevation and would be in scale and character with the original design.
- 9.3 The single storey element of the proposal would project from the rear of the building towards the north of the site, however given its scale it does not appear out of character with the other buildings on site. Overall it is considered that the scale of the extension would be subordinate to the original building and would not appear as unattractive additions.

10. Impact on Amenity

- 10.1 Policy DC61 of the LDF requires new development not to harm the amenities of adjoining occupiers by reason of noise and disturbance, loss of light, overlooking or other impacts.

- 10.2 Given the nature, extent and position of the proposed extensions and related uses, any level of noise and disturbance would be contained within the existing building and seen against the background of existing school activity. The proposed extensions would not be sited any closer to the adjacent residential properties at Londons Close than the existing school buildings and a significant gap of some 50m would remain.
- 10.3 As mentioned above, there would not be an increase in vehicular parking, as such, noise and disturbance would not increase as a result of the proposals.
- 10.4 Staff are therefore satisfied that the proposed development is sufficiently well enough removed from residential properties and unlikely to result in any material harm. The development is considered to be acceptable and accords with the principles of Policy DC61.

11. Highway/Parking/Access

- 11.1 The reconfiguration and alteration to Corbets Tey School would not result in the loss of any on site car parking spaces. The proposal would not result in an increase in the number of teaching staff and the parking requirement would not be altered as a result of this proposal. Additionally as a new car park has recently been (P0640.13) approved car parking provision on site is not considered to be an issue.
- 11.2 The new lobby with level thresholds proposed would be compliant with the Disability Discrimination Act and is designed to provide an adequate width access for wheelchair users.
- 11.3 The works would therefore improve on the existing pedestrian areas within the school site and enhance the existing access arrangements to and from the buildings.

12. Very Special Circumstances

- 12.1 Having regard to the above, whilst it is acknowledged that there will be a degree of impact on the existing character of the site, Staff do not consider that material harm to the character and openness of the Green Belt will arise from this proposal. The impact upon the street scene, the amenity of nearby residents and upon parking provision is negligible.
- 12.2 As set out above, in order to justify the proposal, very special circumstances are needed. Corbets Tey is a special needs school. The applicant advises that the proposed extension is needed not only to provide specialist facilities for Art and CDT but will also create;
- A larger centre for development of the Verbal Behaviour and Language and Communication Unit;

- Provide a Natural Environment Teaching (NET) room as an essential addition to the language centre in encouraging appropriate behaviour and speech from children;
- Extend the facilities of the Post 16 provision within the school which are currently operating from one classroom and is in need of more space to develop the unit more fully and increase learning opportunities;
- Provide access to the upper floor facilities to pupils with physical difficulties/disabilities.

12.3 In addition the proposal includes an all-weather covered access to the existing swimming pool building which will benefit and assist children with mobility difficulties, particularly during the winter months.

12.4 Given these circumstances, together with the limited resultant impact upon the openness of the Green Belt, Staff consider that very special circumstances exist in this case to warrant an exception from policy.

12.5 Members may agree that the demonstrated need for such facilities at the school amounts to the very special circumstances required.

12. Mayoral CIL implications

13.1 The extension is ancillary to the Junior school, educational uses are exempt from CIL payments, as such the CIL liability would be zero.

14. Conclusion

14.1 The proposals meet the main aims of both local and national policies and seek to ensure that efficient use is made of educational land in order to provide a varied range of opportunities. The proposals would complement and improve on the existing facilities offered by the school and enable an expanded range of training opportunities, consistent with the aims of planning policies.

14.2 In view of the statutory requirements for schools to provide educational space in line with growing needs, it is considered by Staff that this, in conjunction with the limited harm caused by the proposal to the character and openness of the Green Belt, constitutes the very special circumstances needed to justify an exception from Green Belt policy in this instance.

14.3 The proposed extensions would be consistent with design Policy DC61, with no detrimental impact on visual amenity. The improved access and natural pedestrian circulation to the building and the activities within it is supported and in line with Policies DC34 and DC62 of the LDF.

14.4 Having regard to all material planning considerations, it is recommended that planning permission be granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

None directly affecting the Council.

Legal implications and risks:

The application site comprises Council owned land and the planning merits of the application are considered separately from the land interest.

Human Resources implications and risks:

None relating directly to the proposal.

Equalities implications and risks:

The extensions would enhance the educational offering to the school, in which they would be able to offer students with special educational needs and disabilities.

BACKGROUND PAPERS

Application form, drawings and supporting statement received on 17 October 2013.