

## 16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE

6b	18/0722	Reg'd:	19.07.18	Expires:	18.10.18	Ward:	HE
Nei.	22.08.18	BVPI	Major (small-	Number	13/13	On	Yes
Con.		Target	scale)	of Weeks		Target?	
Exp:				on Cttee'			
				Day:			

**LOCATION:** Barnsbury Primary School, Almond Avenue, Woking, Surrey, GU22 0BB

**PROPOSAL:** Erection of a new modular building for D1 educational use in place of the existing modular building.

**TYPE:** Full

**APPLICANT:** Mrs Sarah Newman

**OFFICER:** Barry Curran

---

### **REASON FOR REFERRAL TO COMMITTEE**

The proposal results in the erection of a new detached building which falls outside the parameters within the scheme of delegation.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This is an application for the erection of a single storey detached modular building in place of an existing modular building for D1 educational use ancillary to Barnsbury Primary School.

### **PLANNING STATUS**

- Green Belt
- Flood Zone 2/3 (Partly)
- SPA Zone B

### **RECOMMENDATION**

GRANT planning permission subject to conditions.

### **SITE DESCRIPTION**

The application site relates to Barnsbury Primary School, an Academy School covering an extensive plot on the southern side of Almond Avenue and to the East of Egley Road within the defined Green Belt. The site contains an infant and junior school which are located on the northern side of the site with on-site parking off Almond Avenue and play areas to the south. The area of the site subject to this application is to the rear of the infant school on the hardstanding between the building and soft landscaped area which backs onto the South and south-eastern boundary.

## **PLANNING HISTORY**

Extensive. Of relevance;

PLAN/2016/0472 - Proposed single storey infill extension to the front elevation to provide additional general teaching space – Permitted 22.06.2016

PLAN/2009/0292 - Consultation from Surrey County Council for the installation of a single demountable classroom with toilets and the erection of a 1.8m high boundary fence for a temporary period of seven years – No Objection 05.05.2009

## **PROPOSED DEVELOPMENT**

The application seeks permission for the erection of a stand alone single storey modular building measuring 21 metres in length, 8 metres in width and standing at 3.4 metres in height adopting a flat roof.

Set to replace the existing single storey modular building (measuring 10 metres in length and 7.5 metres in width) as well as an open sided octagon gazebo, the modular building would provide additional educational floorspace in connection with the D1 use on site.

## **CONSULTATIONS**

Arboricultural Officer: No arboricultural implications are associated with the development (31.07.18)

Surrey Highways: Recommend a condition for a Construction Transport Management Plan (06.08.18)

Drainage Officer: No objection subject to conditions (06.08.18)

## **REPRESENTATIONS**

None received

## **RELEVANT PLANNING POLICIES**

National Planning Policy Framework 2018

Section 6 - Building a strong, competitive economy

Section 8 – Promoting healthy and safe communities

Section 13 – Protecting Green Belt land

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Core Strategy Publication Document 2012

CS1 - A Spatial Strategy for Woking

CS6 – Green Belt

CS9 – Flooding and water management

CS16 - Infrastructure delivery

CS19 - Social and community infrastructure

CS21 - Design

CS24 - Woking's landscape and townscape

CS25 - Presumption in favour of sustainable development

## 16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE

### Development Management Policies DPD 2016

DM2 – Trees and Landscaping

DM13 – Buildings in and adjacent to the Green Belt

DM21 - Education Facilities

### Supplementary Planning Documents

Supplementary Planning Document 'Design' 2015

Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008

Supplementary Planning Document 'Parking Standards' 2018

## **PLANNING ISSUES**

1. The main issues to consider in determining this application are; the principle of development, impact on the Green Belt, design considerations and the impact of the proposal on the character of the area, impact on residential amenities, highway safety impact, impact on flooding, impact on trees and local finance considerations.

### Principle of Development

2. The site is within the Green Belt and serves as a D1 educational use with an infant and junior school on site. Paragraph 94 of the National Planning Policy Framework states that the *"It is important 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:*
  - (a) *Give great weight to the need to create, expand or alter schools; and*
  - (b) *Work with school promoters to identify and resolve key planning issues before applications are submitted"*.
3. Policies CS16 and CS19 of the Woking Core Strategy echo this and state that the Council will work in partnership with infrastructure providers to ensure that infrastructure needed is provided in a timely manner and to provide accessible and sustainable social and community infrastructure growth. The proposed replacement outbuilding would provide increased infant classroom space and replace the existing modular building and timber gazebo to the South of the main infant school. Policy DM21 of the Development Management Policies DPD 2016 provides additional detail on how proposals for educational provision will be determined, these include:
  - (i) it meets an identified need;
  - (ii) it makes an appropriate provision for on-site car parking and stopping, access to public transport, cycling and walking, and the effect on traffic movement and highway safety is in accordance with Policy CS18 of the Core Strategy;
  - (iii) where appropriate, a School Travel Plan is provided with the proposal to manage the travel needs of pupils and staff;
  - (iv) the use of the site would be compatible with the surrounding land uses;
  - (v) it does not give rise to significant adverse impacts on the environment, residential character and amenity;

## 16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE

- (vi) where appropriate, adequate provision is made and/or existing provision is retained for indoor and outdoor recreation, outdoor sports and amenity space, to meet the needs of the school;
- (vii) it meets other Development Plan policy criteria, paying particular attention to Policy CS19 of the Core Strategy.

4. The proposal is for a replacement detached modular building to provide additional space for D1 educational use which is considered to enhance the current accommodation for students. Considering the modular building is to replace an existing building in D1 space with additional floorspace in a bid to provide more comfortable accommodation with no increase in student numbers (as outlined in the Planning Statement), the expansion would be supported and in accordance with the NPPF. The modular building would be located within a site which is in D1 Educational Use and primarily on existing hard-standing in close proximity to the principal infant school. Policy DM21 of the Development management Policies DPD 2016 requires *“where appropriate, adequate provision is made and/or existing provision is retained for indoor and outdoor recreation, outdoor sports and amenity space, to meet the needs of the school”*. Notwithstanding the size of the building and its small encroachment onto soft landscaping, the school campus would retain an adequate provision of space for outdoor recreational and amenity uses to meet the needs of the school.
5. Overall, subject to other material planning considerations outlined in this report, the principle of development is considered to be acceptable and in accordance with provisions outlined in the National Planning Policy Framework 2018, Policies CS16 and CS19 of the Woking Core Strategy 2012 and Policy DM21 of the Development Management Policies DPD 2016.

### Impact on the Green Belt

6. The application site is located within the Green Belt. The National Planning Policy Framework 2018 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Further to this, Paragraph 144 of the National Planning Policy Framework refers back to inappropriate development stating that ‘very special circumstances’ will not exist unless the potential harm to the Green belt by reason of its inappropriateness, and any other harm, is clearly outweighed by other circumstances.
7. It is proposed to demolish the existing detached single storey modular building and timber gazebo and replace them with a similar modular building for D1 educational use. Paragraph 145 of the NPPF states that *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:... the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”*. The existing modular building covers a footprint of 72 sq.m and the replacement modular building comprises a footprint of 168 sq.m, thereby making it materially larger. It does not, therefore, meet the criteria for what can be classed as appropriate development within the Green Belt. It is therefore necessary to consider the Very Special Circumstances that have been submitted to justify the overriding of Green Belt Policy CS6 and Section 13 of the National Planning Policy Framework.

## 16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE

8. The NPPF at Paragraph 144 states that *“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”*. The applicants have submitted a statement setting out exceptional circumstances which they consider exist in this case.
9. Ministerial statements constitute material planning considerations and in August 2011 the Government’s policy statement – ‘Planning for Schools Development’ was issued. The Ministerial Statement goes on to state that the planning system should operate in a positive manner and the following principles should apply with immediate effect: There should be a presumption in favour of the development of state-funded schools (including free schools and Academies); Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. This has not been retracted by the current Government and its content was included within Paragraph 94 of the NPPF.
10. Paragraph 94 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. It states that *“It is important 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:*
  - (a) Give great weight to the need to create, expand or alter schools; and*
  - (b) Work with school promoters to identify and resolve key planning issues before applications are submitted”*.
11. It is considered that the enlargement of the modular building is to ensure that an acceptable level of accommodation is provided and would help ensure that the council meets its duty of providing teaching facilities that are of a good standard for every resident pupil who requires one. The applicant has set out an argument in favour of this application stating that the proposed replacement unit would provide sufficient teaching facilities and pupil learning space in place of a modular unit which has reached the end of its serviceable life. The proposed unit in providing upgraded accommodation in place of the existing outdated unit and within the same use would adhere to Paragraphs 94 and 145 of the NPPF expanding teaching facilities on an existing D1 Use Class demonstrating Very Special Circumstances.

### Design Considerations and the Impact of the Proposal on the Character and Appearance of the Surrounding Area

12. Policy CS21 requires new development to pay due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land; to achieve a satisfactory relationship to adjoining properties. One of the principles of the National Planning Policy Framework is to seek to secure high quality design. Paragraph 124 echoes the provisions of the Core Strategy Policy CS21 in that *“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve”*.

## 16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE

13. In this instance, the proposed modular building would be ancillary to the infant school on site. The proposed detached replacement building is single storey in height (measuring approximately 3.4 metres at maximum height) and of a flat roofed form. At single storey in height the proposed building would appear as subordinate and ancillary to the main school similar to the existing modular structure and would include walls of plastisol steel with white uPVC windows. Condition 2 is recommended to secure external materials in accordance with the submitted details. Given the form and appearance of the existing school campus buildings, it is considered that the proposed detached building would integrate into the school campus in an acceptable manner.
14. The proposed building would be positioned on the footprint of the existing modular building as well as the existing timber gazebo on hard-standing to the south-east of the infant school. Extending 21 metres in length, the proposed replacement building would stretch approximately 5 metres onto the soft-landscaped area to the South. The scale and character of the proposal is considered to be visually acceptable and appear as an appropriate structure within the grounds of the school. Its design and its subordinate form results in a building which would not detract from the established character of the school or its setting and is therefore in accordance with provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012 and the Supplementary Planning Document 'Design' 2015.

### Impact on Residential Amenity

15. Policy DM21 of the Development Management Policies DPD 2016 states that the extension of educational facilities will be permitted provided the expansion does not give rise to significant adverse impacts on residential character and amenity. The application site covers an extensive plot and is bound by residential properties to the East. Considering the location of the proposed replacement modular building, neighbours to the East along Hawthorn Road are the only existing neighbours to be assessed for this application.
16. To the East of the application site, is a linear row of two storey detached and semi-detached dwellings along Hawthorn Road. These properties are separated from the application site by a band of hedging measuring 3-4 metres in height. The proposed replacement modular building would be sited on the footprint of the existing modular building and timber gazebo set approximately 30 metres from the boundary with the nearest property along Hawthorn Road. As such, no material change of use of the land will occur nor is it indicated that there would be an increased level of students and therefore activity relating to the building. Consequently, given the separation distances, the modest height of the building at 3.4 metre as well as the use of the building emulating that of the existing, it is not considered that an unacceptable level of overbearing or noise and disturbance would occur as a result of the development on the properties along Hawthorn Road.
17. Under PLAN/2015/0379 planning permission was granted for the demolition of the existing garages and erection of 5no 4 bedroom new houses in two blocks of 2 and 3 houses on the vacant site directly to the East of the proposed modular building. It is proposed to screen this site with a band of vegetation which is secured by condition but has yet to be agreed in detail or discharged. The proposed modular building would be sited approximately 30 metres from the boundary of this application site and therefore, similar to the properties along Hawthorn Road, the development is not considered to have

## **16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE**

a significant detrimental impact on the amenities enjoyed by the potential future occupiers of these properties given the separation distance and proposed boundary treatments.

18. As such, the proposed replacement modular building is considered to comply with provisions outlined in the National Planning Policy Framework, Policy CS21 of the Woking Core Strategy 2012, Policy DM21 of the Development Management Policies DPD 2016 and Supplementary Planning Document 'Outlook, Amenity, Privacy and Daylight' 2008.

### Impact on Highway Safety

19. The Supplementary Planning Document 'Parking Standards' 2018 does not include specific parking standards for schools and an individual assessment of parking provision for these uses is therefore required. In relation to schools, the 'Parking Standards' SPD advises that only operational car parking should be provided for, noting that parent parking and pupil parking should not be provided for as this is a disincentive to travelling by sustainable modes. The existing car parking area at the school as such would remain unchanged. While it is noted that the proposal will result in a larger modular unit, it is also noted that the number of school places will remain similar and that the number of teachers will not increase as a result of the increased size of the unit.
20. The County Highway Authority have been consulted on this application and recommend a pre-commencement condition with regards to a Construction Transport Management Plan which can be secured by Condition 5.

### Impact on Flooding

21. The application site is with Flood Zones 1, 2 and 3 of the Hoe Stream with the two principal buildings located with Zone 1. The southern section of the site which stretched along Egley Road is within Flood Zones 2 and 3. Positioned to the south-east of the infant school, the existing modular building falls outside Flood Zone 2 and is therefore considered to be in an area with a low probability of flooding. The proposed replacement modular building will increase in length on existing hardstanding with a small encroachment onto the soft landscaped area to the South. A Flood Risk Assessment prepared by DHP (UK) LLP dated June 2018 has been submitted with the application which the Council's Drainage Officer has assessed and recommends a condition ensuring all development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (Condition 6). A further condition is recommended requiring details of a scheme for disposing of surface water by means of a sustainable drainage system (Condition 7). This is to ensure the development achieves a high standard of sustainability and complies with Policies CS9 and CS16 of the Woking Core Strategy 2012.

### Impact on Trees

22. Although there is a tree which is required to be removed as part of the development, this tree is not considered to be of significance and its removal would not detrimentally harm the character of the area given its isolation. The Council's Arboricultural Officer has been consulted on this application and raises no objection to the scheme.

## **16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE**

### Local Finance Consideration

23. CIL is a mechanism adopted by Woking Borough Council which came into force on 1<sup>st</sup> April 2015, as a primary means of securing developer contributions towards infrastructure provisions in the Borough. In this case, the proposed increase in floorspace would be within class D1 use as per the existing educational use on site. Class D1 use is Nil rated within the Council's Community Infrastructure Levy (CIL) Charging Schedule and therefore the proposal is not CIL liable.

### Conclusion

24. To conclude, it has been demonstrated that the proposal is an exception to inappropriate development in the Green Belt given its very special circumstances and would not result in any adverse impacts to visual amenity of the area, amenities enjoyed by surrounding neighbours, trees or highway safety or any other material planning consideration subject to the conditions as recommended. Having regard to the relevant material planning considerations as well as national and local planning policies and guidance, the proposal, is seen to comply with provisions outlined Sections 6, 8, 13 and 14 of the National Planning Policy Framework, Policies CS1, CS6, CS9, CS16, CS19, CS21, CS24 and CS25 of the Woking Core Strategy 2012, Policies DM2, DM13 and DM21 of the Development Management Policies DPD 2016, Supplementary Planning Documents 'Outlook, Amenity, Privacy and Daylight' 2008, 'Parking Standards' 2018 and 'Design' 2015 and is accordingly recommended for approval subject to the attached conditions.

### **BACKGROUND PAPERS**

1. Site visit photographs.
2. Site Notice (Major Development)(15.08.18)
3. Response from Arboricultural Officer (31.07.18)
4. Response from Highway Authority (06.08.18)
5. Response from Drainage Officer (06.08.18)

### **RECOMMENDATION**

It is recommended that planning permission be Granted subject to the following Conditions:

1. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason:

To accord with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The materials to be used in the construction of the external surfaces of the building hereby approved shall match those shown in the submitted application and approved drawings.



## 16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE

Reason:

In the interests of the visual amenities of the area.

3. The development hereby permitted shall be carried out in accordance with approved plans;
  - Drawing No. 2000 Rev P/O
  - Drawing No. 2001 Rev P/O
  - Drawing No. 3000 Rev P/O
  - Drawing No. 2002 Rev P/O

Reason:

For the avoidance of doubt and in the interests of proper planning.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (England) 2015 (as amended) (or any Orders amending or re-enacting that Order) and the Town and Country Planning (Use Classes) Order 1987 (or any Orders amending or re-enacting that Order), the building hereby approved shall only be used for the purposes incidental to the educational use on site (Class D1) and for no other purpose whatsoever, including any other purpose within Class D1 (Non-Residential Institutes) of the Town and Country Planning (Use Classes) Order 1987 (or any Orders amending or re-enacting that Order).

Reason:

The development is only justified on the basis of the need for the provision of educational facilities on this site and to accord with the National Planning Policy Framework, Policies CS16 and CS19 of the Woking Core Strategy and Policy DM21 of the Development Management Plan DPD 2016.

5. ++ Prior to the commencement of any development on the site, a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) measures to prevent the deposit of materials on the highway
  - (d) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 2.45 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Hawthorn Road, Lilac Avenue, Hillside or Egley Road during these times
  - (e) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented during the construction of the development.

Reason:

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

6. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated June 2018).

## 16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE

Reason:

To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and policy CS9 of the Woking Core Strategy 2012.

7. ++ No development shall commence until details of a scheme for disposing of surface water by means of a sustainable drainage system have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full in accordance with the approved details prior to the first occupation of the development.

Reason:

To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policies CS9 and CS16 of the Woking Core Strategy 2012.

### **Informatives:**

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. You are advised that Council officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
3. Your attention is specifically drawn to the conditions above marked ++. These condition(s) require the submission of details, information, drawings, etc. to the Local Planning Authority PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ON THE SITE or, require works to be carried out PRIOR TO THE COMMENCEMENT OF THE USE. Failure to observe these requirements will result in a contravention of the terms of the permission and the Local Planning Authority may serve Breach of Condition Notices to secure compliance.

You are advised that sufficient time needs to be given when submitting details in response to conditions, to allow the Authority to consider the details and discharge the condition. A period of between five and eight weeks should be allowed for.

4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149)
5. The applicant is advised that, under the Control of Pollution Act 1974, site works which will be audible at the site boundaries are restricted to the following hours:-  
08.00 - 18.00 Monday to Friday  
08:00 – 13.00 Saturdays

**16<sup>th</sup> OCTOBER 2018 PLANNING COMMITTEE**

and not at all on Sundays and Bank/Public Holidays.