

TO: PLANNING & REGULATORY COMMITTEE

DATE: 30 July 2014

BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER

DISTRICT(S) ELMBRIDGE BOROUGH COUNCIL

ELECTORAL DIVISION(S):

West Molesey

Mr Mallett

PURPOSE: FOR DECISION

GRID REF: 513211; 168846

TITLE: SURREY COUNTY COUNCIL PROPOSAL EL2014/2144

SUMMARY REPORT

Land at Hurst Park Primary School, Hurst Road, West Molesey, Surrey KT8 1QW

Installation of demountable unit comprising two classrooms for a temporary period of 3 years.

Hurst Park Primary School is located in the urban area of West Molesey. The buildings date from the 1960s. There is a need to accommodate an additional 30 pupils at the school in September 2014 to meet the demand for school places in the Molesey area.

The proposal comprises a two classroom demountable unit with approximately 165 sq m of floorspace. The unit is currently being erected on hard standing adjacent to the south of a demountable classroom unit erected in 2012. One classroom is needed for the 30 new pupils and the other is proposed in case the nearby new Hurst Park Primary School is not completed in time for occupation in September 2015.

Eleven representations were received, all raising issues relating to traffic congestion and on-street parking. The County Highway Authority and Officers have no objection to the proposal subject to the imposition of planning conditions.

The proposal is considered to have no adverse impact on the Thames Policy Area or on residential amenity. The design and materials of the proposed new unit are considered appropriate. There are no visual amenity concerns. A planning condition is recommended to ensure protection of trees.

Officers are satisfied that the proposal complies with the policies of the Development Plan.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

Estates Planning and Management

Date application valid

23 May 2014

Period for Determination

18 July 2014

Amending Documents

email dated 21 May 2014 from the Arboricultural Consultant stating the specification for tree protective fencing

Drawing A-101, Rev A - Site Location Plan dated

extract from McAvoy Construction Phase Plan received on 30 May 2014

Mar-Train Heavy Haulage Ltd – Hurst Park Primary School received on 30 May 2014 (document relating to construction traffic management)

email dated 11 July 2014 from the Agent

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Design and Visual Amenity	YES	19 - 24
Impact on Residential Amenity	YES	25 - 28
Transportation Issues	YES	29 - 34
Impact on Trees	YES	35 - 37

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial

Site Photographs

Figure 1 – Looking south from hard play area toward demountable unit under construction

Figure 2 – View looking northwest toward demountable unit under construction

Figure 3 – Looking northwest showing new demountable unit and trees with a section of protective fencing

Figure 4 – View looking northwest showing part of new demountable unit, the existing demountable unit and other existing school buildings

BACKGROUND

Site Description

- 1 The school is situated in West Molesey, on a rectangular site between Hurst Road and the River Thames. Vehicular access is from Hurst Road via a drive running along the western site boundary. There is also a pedestrian access on the eastern boundary accessed from Garrick Gardens. Footpath FP1 runs along the rear boundary of the school. Immediately adjoining the site to the east and west are the gardens of properties along Hurstfield Road to the west of the site, and in Garrick Gardens, a residential cul-de-sac to the east.
- 2 The main school building, a 1960s single storey block, is situated towards the north of the site. This is finished in facing brick with a mix of dual pitch and flat roof. Towards the centre of the main building is the school's auditorium which is shaped in the form of an 'M' with the roof sloping downwards to a central valley gutter. The auditorium is approximately 3 metres higher than the rest of the school, one side being finished with facing brick with a television aerial standing between 0.5 to 1 metre higher than the roof line and the other finished with white timber frames with glass panels of differing sizes, ranging from 1 metre to 2 metres in height. To the front of this, is a nursery block.
- 3 To the eastern end of the main building is the kitchen which also has a raised extension some 1.5 metres in height above the flat roof. Beyond the kitchen is a galvanised flue approximately 7 metres above ground and 3 metres above the height of the kitchen extension. The southern half of the site is occupied mainly by the school's playing field. The site features a number of trees, mainly along the eastern and western boundaries, although there are four trees in the vicinity of the new building.

Planning History

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|---|--------------|---|
| 4 | EL/2012/2057 | Installation of demountable unit comprising two classrooms for a temporary period of 7 years; modifying tarmac path and gates and construction of new fence to allow access by emergency vehicles; installation of new sheds (permitted in July 2012) |
| | EL10/0711 | Installation of three freestanding shade canopies incorporating two flagpoles (permitted in June 2010) |
| | EL07/2231 | Installation of two solar panels and a micro wind turbine on existing school buildings (permitted in October 2007) |
| | EL99/1044 | Retention of a single demountable classroom previously permitted for 5 years under planning permission Ref EL94/0766 for a further temporary period ending 31 July 2000 (permitted in August 1999) |
| | EL94/0766 | Installation of two demountable classrooms for a temporary period of five years (permitted in July 1994) |
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THE PROPOSAL

- 5 This proposal is for a modular building comprising two classrooms, a lobby, toilets and stores, located on a portion of hard play area used a games court. The location is in front of (south) of the main school buildings. There is a modular unit nearby, situated between the main buildings and the new modular building which is already under construction in order to be ready to receive the intake of pupils in September 2014. Thus, any permission granted will be retrospective.

- 6 The Schools Commissioning Team has advised that occasionally the demand for school places outstrips the projected demand. In the Borough of Elmbridge the demand for Reception places continues to exceed the published admission number (PAN). One of the two classrooms in the new modular building is proposed to meet this need in September 2014 and the other classroom is required to ensure that the school has adequate provision should the/permanent relocation and expansion of the school, which is proposed to be available by September 2015, is not completed on schedule.

- 7 Alternative locations for this development were investigated, but the present proposal was considered to be the best option. This is because the current proposal represents the optimal combination of providing sound education, proximity to demand, value for money and meeting parental preferences for school places in the locality.

- 8 The new modular building has a very shallow pitched roof. The walls will be clad with beige coloured panels. The main entrance is on the front (east) elevation and is proposed to have a small canopy. Each classroom would have three windows on the front elevation and two windows and a fire door on the rear (west) elevation. All the doors would have level access.
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CONSULTATIONS AND PUBLICITY

District Council

- 9 Elmbridge Borough Council: No objection

Consultees (Statutory and Non-Statutory)

- 10 County Highway Authority –
Transportation Development Planning: No objection subject to conditions
- 11 County Arboricultural Manager: No response received

Parish/Town Council and Amenity Groups

- 12 Hurst Park Residents Association: No response received

Summary of publicity undertaken and key issues raised by public

- 13 The application was publicised by the posting of 2 site notices. A total of 122 owner/occupiers of neighbouring properties were directly notified by letter. Eleven representations were received raising the issues of traffic congestion, roadside parking during peak times for the school and construction activity having started prior to any planning permission being granted. The first two issues are considered in the Transportation Issues section of the report. Officers consider that the timing of construction is not an issue related to the planning process. The applicant has been made aware of the concerns raised in this regard.
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PLANNING CONSIDERATIONS

- 14 The County Council as County Planning Authority has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) requires local planning authorities when determining planning applications to “have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations”. At present in relation to this application the Development Plan consists of the Elmbridge Core Strategy 2011 and the saved policies within the Replacement Elmbridge Borough Local Plan 2000.
- 15 The National Planning Policy Framework (NPPF) was adopted in March 2012. This document provides guidance to local planning authorities in producing local plans and in making decisions on planning applications. The NPPF is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policy statements and guidance notes, circulars and various letters to Chief Planning Officers. The document is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved. Refusal should only be on the basis of conflict with the Development Plan and other material considerations.
- 16 The NPPF states that policies in Local Plans should not be considered out of date simply because they were adopted prior to publication of the framework. However, the guidance contained in the NPPF is a material consideration which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).
- 17 The NPPF highlights 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 continues by stating that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. It states that Local Planning Authorities should, inter alia, give great weight to the need to create, expand or alter schools.
- 18 The school is situated in the urban area of West Molesey. In this case the main planning issues are design and visual amenity, impact on residential amenity, transportation considerations and impact on trees.

Design and Visual Amenity

Elmbridge Core Strategy 2011

Policy CS 1 – Spatial Strategy

Policy CS 17 – Local Character, Density and Design

Replacement Elmbridge Borough Local Plan 2000

Policy ENV2 – Standard of Design

Policy RTT2 – Development within or conspicuous from the Thames Policy Area

- 19 Core Strategy Policy CS 1 requires that new developments to be of high quality, well designed and locally distinctive. They should be sensitive to the character and quality of the area, respecting environmental and historic assets and where appropriate introduce innovative contemporary designs that improve local character. Core Strategy Policy CS 17 requires that new development delivers high quality and inclusive sustainable design which maximises efficient use of urban land, while responding to the positive features of individual locations and integrating with locally distinctive townscape and landscape. Local Plan Policy ENV2 requires development to achieve a standard of design which is sensitive to local character and appearance, including in terms of scale, massing, height, siting, layout and visual characteristics.
- 20 Local Plan Policy RTT2 states that development that is within or conspicuous from the Thames Policy Area will be permitted provided that the development complies with various criteria including having an acceptable impact in terms of design, character, scale and views; protecting, conserving and, where appropriate, enhancing the natural environment of the River; and ensuring the retention of buildings, features and land which make an important contribution to the visual and/or historic character of the River.
- 21 The rectangular pitched roofed modular building is located in the centre of the site about 2.5m to the south of the demountable classroom building permitted and installed in 2012. The building would have walls clad with horizontally laid insulated panels in medium beige colour, white uPVC window frames, medium grey powder coated aluminium external door frames and the same colour roof and rainwater goods. The fascia will be grey. The main entrance and six windows are on the front (east) elevation, and there are two fire doors and four windows on the west elevation and no windows on the north and south elevations. There would be a small canopy over the main entrance.
- 22 The entire site lies within the Thames Policy Area. Officers consider that the proposed development would have no adverse impact on this Policy Area because the proposed demountable unit is small scale in the context of the main school building and because the development is proposed to be located to the south of building and an existing modular building, thus on the opposite side of these buildings from the River.

- 23 Officers consider that the design and materials are appropriate, these being in keeping with the contemporary design of the main building and the similar design and materials of the nearby modular building. The new building would be similar in size to that unit, both modular buildings being relatively small scale in the context of the main building. Officers consider that the new building would have no adverse impact on the Thames Policy Area.
- 24 The proposal is considered to comply with these Development Plan policies.

Impact on Residential Amenity

Elmbridge Core Strategy 2011

Policy CS 17 – Local Character, Density and Design

Policy COM4 – Provision of Educational Facilities

- 25 Core Strategy Policy CS 17 requires new development to deliver high quality and inclusive sustainable design which maximises efficient use of urban land while responding to the positive features of individual locations and protecting the amenities of those within the area. Local Plan Policy COM4 permits extensions to existing schools provided that there would be no significant adverse impact on local residential amenity.
- 26 The nearest residential property is located about 29m to the west of the where the new unit is proposed and the dwelling on this property would be approximately 63m away. The unit would be mostly screened from this and other properties fronting onto Hurstfield Road by an existing brick wall along the shared property boundary and by existing trees and shrubs on the school site and in back gardens. There are other residential properties to the east, the closest one being about 40m from the unit with the house being about 49m distant. Here there is a close boarded fence along the property boundary. The unit would be visible from windows on the rear elevation of the two storey houses on these properties. Additional residential properties are located northeast and southeast of the unit and to the south across the school playing field and on the opposite side of Hurst Road.
- 27 Officers consider that the new unit would have no detrimental effect on local residential amenity because of the relatively small scale of the unit in the context of the existing buildings on the site, the distances between the unit and adjoining houses and in the case of the dwellings to the west, the presence of screening vegetation. Any increase in noise resulting from greater use of the hard play area is considered to be acceptable, because of the distances between it and neighbouring residences.
- 28 Officers consider that the development accords with these Development Plan policies.

Transportation Issues

Elmbridge Core Strategy 2011

Policy CS 25 – Travel and Accessibility

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Replacement Elmbridge Borough Local Plan 2000

Policy COM4 – Provision of Educational Facilities

Policy MOV4 – Traffic Impact of Development Proposals

Policy MOV6 – Off-Street Parking

- 29 Core Strategy policy CS 25 directs new development which generates a high number of trips to previously developed land to sustainable locations in urban areas. Local Plan Policy COM4 allows extension of existing educational facilities provided the existing road network is capable of absorbing traffic generated, the site is accessible by a choice of means of transport and adequate provision is made for stopping and parking. Local Plan Policy MOV4 states that all development proposals should minimise the impact of vehicle and traffic nuisance, particularly in residential areas. Local Plan Policy MOV6 resists development which would not meet adopted vehicle and cycle parking standards.
- 30 Eleven residents living in cul de sacs adjoining or near the school site on the east side have made representations raising the issues of traffic congestion and inconsiderate parking. Six of these residents suggest closure of the existing pedestrian gate giving access to the school site from Garrick Gardens, one of these cul de sacs. Other suggestions are for a Controlled Traffic Zone and more frequent monitoring by the Police and traffic wardens of parking in roads with yellow lines and 'zig-zag' markings, at peak times for the school. A further suggestion is that additional road marking be installed to discourage parking, especially at the 'hammerhead' turning area at the western end of Garrick Gardens.
- 31 The County Highway Authority (Transportation Development Planning) has no objection to the proposed development subject to the imposition of planning conditions requiring implementation of the construction traffic management plan, restricting the hours when heavy goods vehicles will have access to the site and requiring submission, approval, implementation, monitoring and updating of a School Travel Plan.
- 32 Officers consider that the proposed development would have a relatively minor impact in terms of traffic congestion and parking, with the 30 additional pupils attending the school from September 2014 occupying one of the classrooms in the new modular building, the other classroom being provided in case the new Hurst Park Primary School (which will replace and expand the current school and which is proposed to be built on a nearby site) has not been completed by September 2015. The new school is the subject of

application EL2014/0663, which was permitted by the Planning and Regulatory Committee on 16 July 2014 subject to conditions, some of which require the submission and approval of subsequent planning applications prior to the start of construction work on the new school.

- 33 The County Highway Authority does not support the closure of the pedestrian access gate to Garrick Gardens as this gate improves accessibility to the site from the east. The Highway Authority also does not consider the application of further yellow lines or zig-zag markings to be appropriate, because of the issue of enforcement (parents have largely ignored the markings and are likely to continue to do so). A Controlled Traffic Zone is considered to be ineffective for the same reasons. Officers endorse the comments of the Highway Authority on operational grounds. If any residents making representations wish to pursue the matter of parking enforcement, Officers suggest that they should contact Elmbridge Borough Council and Surrey Police directly to request more frequent patrols.
- 34 Officers have taken into account the representations expressing concern on traffic and parking issues, but given the limited scale of the proposed development in the context of the existing buildings, Officers consider that the impacts can be ameliorated by the imposition of planning conditions addressing construction related traffic and requiring a School Travel Plan. The proposal is considered to comply with the Development Plan policies relating to transportation.

Impact on Trees

Replacement Elmbridge Borough Local Plan 2000

Policy ENV12 – Retention of Trees on Development Sites

- 35 Local Plan Policy ENV12 states that development will be refused if it would result in the loss of trees that are, or are capable of making, a significant contribution to the character or amenity of the area. Where permission is granted, conditions may be imposed to retain the maximum number of tree and to ensure their protection during construction.
- 36 The applicant has provided a plan showing three trees close to the location proposed for the new building and the location of protective fencing between these trees and the building. The Arboricultural Consultant has provided a specification for this fencing. Officers find the plan, the specification and the location of the fencing to be acceptable. A planning condition is recommended relating to the protective fencing.
- 37 Officers consider that the development accords with the above noted Development Plan policy.

HUMAN RIGHTS IMPLICATIONS

- 38 The Human Rights Act Guidance for Interpretation, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 39 Officers consider that the proposed development would have no detrimental impact on local amenity. The proposal would not interfere with any Convention right.
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CONCLUSION

- 40 Officers consider that the new demountable unit which is under construction should have no significant adverse impact on visual or local residential amenity. The design of the unit is considered to be appropriate to the site and the existing modern buildings. Traffic issues can be ameliorated by suitable conditions dealing with construction and the School Travel Plan. All relevant policy tests are considered to have been met. The development is recommended for permission subject to conditions relating to transportation matters and the protection of trees.

RECOMMENDATION

That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application number EL2014/2144 be PERMITTED subject to the following conditions:

Conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in all respects strictly in accordance with the following plans/drawings:

Drawing No. A-101, Rev A, Site Location Plan, dated 28 May 2014.

Drawing No. A-102, Proposed Block Plan, dated May 2014

Drawing No. A-103, Tree Root Protection Areas, dated May 2014

DWG-MCA-CD140403-P-01, Proposed Floor Plan, dated 21 May 2014

DWG-MCA-CD140403-P-02, Proposed Elevations, dated 21 May 2014.

3. The development shall be implemented strictly in accordance with the 'Extract from Construction Phase Plan' received 30 May 2014 and 'Mar-Train Heavy Haulage Ltd Hurst Park Primary School' received 30 May 2014.

4. During school term time, there shall be no HGV movements to or from the site between the hours of 8.30 and 9.15 am and 2.50 and 3.30 pm nor shall there be any HGVs associated with the development at the site laid up, waiting, in roads in the vicinity of the site during these times.

5. Within 6 months of the occupation of the development hereby permitted, a School Travel Plan shall be submitted to the County Planning Authority for approval in writing and thereafter implemented, maintained, monitored and updated to the satisfaction of the County Planning Authority.

6. Before any equipment, machinery or materials are brought on to the site for the purposes of carrying out the development hereby permitted, protective fencing shall be installed in accordance with the details described in an email dated 21 May 2014 from the Arboricultural Consultant (which forms part of the application) and shown on Drawing No. A-103, Tree Root Protection Areas, dated May 2014. The protective fencing shall thereafter be maintained until all equipment, machinery and surplus materials have been removed from the site. For the duration of works on the site no materials, plant or equipment shall be placed or stored within the protected areas.

Reasons:

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

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

3. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interests of the amenities of the area

pursuant to Policy CS 25 of the Elmbridge Core Strategy 2011 and Policies COM4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000.

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4. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interests of the amenities of the area pursuant to Policy CS 25 of the Elmbridge Core Strategy 2011 and Policies COM4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000.
5. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in the interests of the amenities of the area pursuant to Policy CS 25 of the Elmbridge Core Strategy 2011 and Policies COM4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000.
6. To minimise the risk of damage to trees on the site which are of significant amenity value, pursuant to Policies COM4 and ENV12 of the Elmbridge Borough Local Plan 2000.

Informatives:

1. This approval relates only to the provisions of the Town and Country Planning Act 1990 and must not be taken to imply or be construed as an approval under the Building Regulations 2000 or for the purposes of any other statutory provision whatsoever.
2. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
3. The County Planning Authority 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.

CONTACT

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BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance: National Planning Policy Framework (NPPF) March 2012

The Development Plan: Elmbridge Core Strategy 2011 and the Replacement Elmbridge Borough Local Plan 2000

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