

**TO:** PLANNING & REGULATORY COMMITTEE **DATE:** 8 June 2016

**BY:** PLANNING DEVELOPMENT TEAM MANAGER

**DISTRICT(S)** EPSOM & EWELL BOROUGH **ELECTORAL DIVISION(S):**  
COUNCIL  
**West Ewell**  
**Mrs Mason**

**PURPOSE:** FOR DECISION **GRID REF:** 520370 163545

**TITLE: SURREY COUNTY COUNCIL PROPOSAL EP15/01831/CMA**

## **SUMMARY REPORT**

### **Land at Danetree Primary School, Danetree Road, West Ewell, Surrey KT19 9SE**

Erection of two single storey demountable buildings comprising of a two classroom and a four classroom building both with ancillary accommodation for a temporary period together with a new permanent footpath along the northern boundary of the school site.

Surrey County Council is seeking to permanently expand this school from a 4 form entry junior school (480 places) to a 4 form entry primary school (840 places) plus a 60 place nursery. The permanent building required to achieve this are the subject of a separate application considered on this agenda under reference EP15/01567/CMA. In the interim six additional temporary classrooms are required from September 2016. This current application is for the installation of two temporary demountables to provide those 6 classrooms on the existing tennis courts at the school.

The application was publicised by the posting of 2 site notices and a total of 332 owner/occupiers of neighbouring properties were directly notified by letter. 12 responses were received as a result of this publicity which raise objections to the proposal. In addition, the Borough Council, whilst not formerly objecting to the proposal, raise issues of concern.

The applicants have demonstrated a need for the additional school places on this site and in accordance with Government advice in the NPPF great weight needs to be attached to this. The proposal will have some impact on residential amenity by virtue of the increase in traffic which arises and in regard to the visual amenity of the area in view of the temporary nature of the buildings proposed, but the need for the school places is considered to outweigh these issues.

The recommendation is to **PERMIT** the application for a temporary period subject to conditions.

## APPLICATION DETAILS

### ***Applicant***

Surrey County Council

### ***Date application valid***

23 February 2016

### ***Period for Determination***

19 April 2016

### ***Amending Documents***

None

## 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.

<b>Planning Issue</b>	<b>Is this aspect of the proposal in accordance with the development plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
<b>PRINCIPLE OF DEVELOPMENT AND EDUCATIONAL NEED</b>	yes	19 - 28
<b>DESIGN AND VISUAL APPEARANCE</b>	yes	34 - 36
<b>IMPACT ON TREES</b>	yes	43 - 46
<b>DEVELOPMENT ON LAND ON THE EDGE OF PLAYING FIELDS (FOOTPATH ONLY)</b>	yes	47 - 48
<b>HIGHWAYS, TRAFFIC AND AMENITY</b>	yes	49 - 53

## ILLUSTRATIVE MATERIAL

### **Site Plan**

Plan

### **Aerial Photographs**

Aerial

### **Site Photographs**

Figure 1 – Tennis courts (site of temporary building) looking north west

## BACKGROUND

### *Site Description*

- 1 Danetree Junior School is located in the urban area of West Ewell, approximately 1.9 miles from Epsom town Centre, on the northwest side of Danetree Road and the main access (pedestrian and vehicular) to the school is from that road. There is an additional pedestrian access from Gadesden Road, together with a gated vehicle access providing access to the school playing fields in an emergency. There is a further vehicular and pedestrian access to the school from Oakhurst Road but this is currently only use to access the Gym Maintenance Facility which is located within the school grounds and operates completely separately from the school.
- 2 The school site is bordered on three sides by the rear boundaries of residential dwellings and by Gadesden Road to the west. It lies within a predominantly residential area.
- 3 Danetree School is currently a 4FE junior school providing 480 places for pupils between the ages of 8 and 11, with 479 pupils currently on roll (March 2015). The school has 52 members of staff of which 43 are FTE.
- 4 The main buildings are pre World War II and are clustered on the south eastern half of the site with playing fields and open areas to the northwest of the site. The original school buildings have two storeys and hipped roofs of clay tiles while later portions of the buildings are mostly single storey with flat roofs. The walls are predominantly constructed of red brick. The main school buildings are grouped around a courtyard.
- 5 There is a hard play area located immediately northwest of the main buildings, and beyond this are extensive playing fields. Two tennis courts are situated in the western corner of the site. There are several groups of mature trees on the site, most notably along the western boundary with Gadesden Road, along the north eastern boundary with dwellings fronting Oakhurst Road and within the site.
- 6 There are a number of single storey 'Horsa' buildings located northeast of the main school buildings. These are occupied by the Gym and Machine Tool Maintenance Facility. This is run by Surrey County Council Commercial Services and offers a Gym and Machine Maintenance service operating on a commercial basis across the county. The service has been operating for many years and currently operates in 95% of Surrey schools, Police Stations, Further Education Colleges, Special Schools, Pupil Referral Units and in some neighbouring schools around Sutton and Croydon. The service employees 13 long serving qualified engineers and operates in a niche market offering clients a single point of contact for all Gym and Tool Maintenance requirements. The service is highly valued by and by Surrey schools as it provides assurance that the safety of school equipment is well managed.
- 7 School hours are 08:50 (with pupils requested to arrive by 08:45 hours) until 15:15 hours. A Breakfast Club is run daily from 07:45 with an 'Early Drop Off' also available from 08:10. After-School Club runs from the end of the school day until 18:00 hours.
- 8 Currently the school has two car parks on the school grounds, located at either side of the existing school building accessed via Danetree Road. Parking spaces are reserved for staff members and visitors only; there is no provision for parents, who must drop-off and pick-up using the surrounding road network. There are currently 43 car parking spaces provided on-site, of which one is a disabled bay. The spaces are evenly split between the north-eastern and south-eastern edges of the school. The school currently

provides over 50 cycle parking spaces (28 loops) within the grounds, of which half are sheltered. Scooter parking for up to around 20 scooters is also available.

- 9 The site lies within Flood Zone 1 (low risk) associated with the Hogsmill River and its unnamed tributary. As such, flood risk to the site from fluvial sources is considered to be low.

### ***Planning History***

- 10 The school was built as the Ewell County Secondary School, becoming Danetree County Middle School by 1975. The following is a summary of the main planning history.

EPS.4625 A brick built elementary chemistry laboratory (Permitted in January 1958).

EPS.4922 A timber classroom (Permitted in July 1958).

EPS.6218 Two movable classrooms (Permitted in September 1960).

EPS.7086 A movable classroom (Permitted in May 1962).

EPS.7226 Alterations and extensions to provide four classrooms and a store (Permitted in June 1962).

EPS.7664 Three movable classrooms (Granted deemed planning permission in January 1963).

EP 77/0744/0340 Erection of a movable classroom (Permitted in September 1977).

EP10/0092 Construction of a modular building to provide school kitchen and dining hall and ancillary facilities. Approved June 2010

**EP15/01567/CMA** – Expansion of existing 4FE Junior School to a 4FE Primary School and a 52 place Nursery to include the demolition of existing storage buildings and change of use on land currently occupied by Gym Maintenance and the erection of a new two storey classroom building along with associated external play spaces and new staff car parking together with a MUGA to the north of the school site - not yet determined (also on this agenda)

In addition to the above toilets and a work shed were considered to be permitted development in 1964. A proposal for two playground shelters was judged to be permitted development in 2008.

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## **THE PROPOSAL**

- 11 Surrey County Council is seeking to permanently expand this school from a 4 form entry junior school (480 places) to a 4 form entry primary school (840 places) plus a 60 place nursery. The permanent buildings required to achieve this are the subject of a separate application considered on this agenda under reference EP15/01567/CMA. In the interim six additional temporary classrooms are required from September 2016. This application is for the installation of two temporary demountables to provide those 6 classrooms on the existing tennis courts at the school. The tennis courts are situated on the north western boundary of the school adjacent to Gadesden Road. The larger of the two units (referred to as Unit B) would measure 24m by 16m and would provide 4 classroom and ancillary toilets and offices and the smaller unit (Unit A) would measure 16m by 9.4m and would provide 2 classrooms and ancillary toilets. Both units would be single storey under a flat roof and would have plastisol sheet panelled walls in a buttermilk colour (Honesty) with white UPVC windows and a flat roof covered with profiled steel.

- 12 The application is also proposing the installation of a new footpath within the school boundary adjacent to the existing fence leading to two new pedestrian access in the northern corner of the school where Oakhurst Road meets Gadesden Road. Pupils would use these entrances to access the new buildings and there would be no access to Gadesden Road directly adjacent to the buildings themselves.

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## CONSULTATIONS AND PUBLICITY

- |    |                                     |   |
|----|-------------------------------------|---|
| 13 | Epsom & Ewell Borough Council       | Comments that the proposed buildings are remote from the school and very close to residential dwellings in Gadesden Road therefore concerned about loss of outlook and potential noise nuisance |
| 14 | Transportation Development Planning | No objection subject to conditions  |

### ***Summary of publicity undertaken and key issues raised by public***

- 15 The application was publicised by the posting of 2 site notices. A total of 332 owner/occupiers of neighbouring properties were directly notified by letter. 12 responses were received as a result of this publicity which raise objections to the proposal on the following grounds:
1. The school should not be expanded at all as traffic problems in the area are already unacceptable
  2. Residents in Vernon Close (cul-de-sac off Gadesden Road) already feel trapped in their road at school drop off and pick up times and parents blatantly ignore double yellow lines and park on them
  3. If the existing entrance near the tennis courts is used this is dangerous as the children step out right into what is a narrow road (comment: the proposal includes a new safer access further along the road with the existing access stopped up)
  4. The proposed buildings will be very close to existing dwellings
  5. Delivery of the buildings themselves will be a problem in such a narrow road

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## PLANNING CONSIDERATIONS

### **Introduction**

- 16 The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 17 In this case the statutory development plan for consideration of the application consists of the Epsom and Ewell Development Management Policies Document, the Epsom and Ewell Core Strategy 2007 and the Epsom and Ewell District Wide Local Plan 2000. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
- 18 In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: whether the development is in principle in accordance with development plan policy and

national planning guidance; whether it adversely impacts upon playing field land or the character and visual amenity of the area; whether the design of the building is appropriate; whether there are any adverse impacts on residential amenity either through the form and location of the proposed building or as a result of traffic generation; whether there are unacceptable impacts on highway safety as a result of traffic generation or parking; and whether there would be an unacceptable impact on trees.

## PRINCIPAL OF PROPOSED DEVELOPMENT AND EDUCATIONAL NEED

### National Planning Policy Framework

#### Epsom and Ewell Development Management Policies Document

Policy DM34 New Social Infrastructure

#### Epsom and Ewell District Wide Local Plan 2000

Policy CF4 - Educational facilities

- 19 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. 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. Policy DM34 of the Epsom and Ewell DMP states that planning permission will be given for new or extensions of existing social infrastructure provided that it meets a number of criteria including being located close to public transport routes, meeting an identified need and not having a significant adverse impact on residential character and amenity. Policy CF 4 of the Epsom and Ewell Local Plan states that proposals for new educational facilities or for extensions to existing educational facilities will be permitted provided that:-
- i The amenities of neighbouring residents are not unduly harmed; and
  - ii There is no adverse effect on highway safety and efficiency.
- 20 The site lies within the urban area where there is a presumption in favour of development and policy CF4 positively encourages appropriate extensions to existing schools subject to meeting certain criteria, which are as assessed in the following sections of the report. Whilst this application is for temporary classroom it is still relevant to consider the need for those classrooms.
- 21 In terms of need Primary School rolls have risen gradually over the last decade across Epsom and Ewell Borough as a result of higher births and more house building. The highest number of births (952) was in 2012 and between 2005 and 2012 births rose by 27%. The numbers fell slightly in 2013 to 909 but then rose again the following year to 920. Although this is not as high as the 2012 births it is not possible to be certain of any falling trend in this borough.
- 22 The increase in the housing trajectory includes several smaller developments around Epsom town centre plus the larger developments on the former hospital sites in North West Epsom. Despite other primary school expansions in the borough there is a clear and immediate need for additional primary school places in the Ewell and NW Epsom planning areas equivalent to one form of entry per year across the two areas.
- 23 Since 2012, in order to meet the growing demand for school places, there have been a number of temporary and permanent expansions in the borough. These have been at St

Martin's Infant and Junior Schools, Stamford Green Primary school, Epsom Primary School, The Vale Primary School, West Ewell Infant, Ewell Grove Infant and Danetree Junior schools.

- 24 Education legislation states that Infant aged pupils (YR - 2) should not be taught in classes larger than 30 pupils. Therefore once numbers exceed multiples of 30 the school has to provide an additional class.
- 25 Furthermore it is expected that young children starting school will be offered a place within a short home to school travel distance, usually within their home planning area. It is Surrey County Council policy to offer a school place to every resident family that requests one. Sometimes more applications are received in a planning area than there are places and therefore, to make a reasonable offer, the Council has to add a 'bulge' class at a school.
- 26 For all of the above reasons it is therefore sometimes necessary to provide extra places to meet these priorities, even though the combined borough PAN indicates a sufficiency of school places overall.
- 27 Parents generally prefer *primary* schools to separate infant and junior schools located on different sites as this means one less school move and offers certainty about which school their child will attend up to the age of 11 years. Education research indicates clear benefits to children making as few changes of school as possible, as a change of school can cause some children's academic progress to stall or even regress, as well as causing emotional difficulties for some. So for these reasons Surrey County Council is proposing that the remaining infant and junior schools in Ewell become all-through primary schools.
- 28 In looking at the provision of new school places in the Epsom and Ewell area as a whole all three schools (Ewell Grove Infant, West Ewell Infant and Danetree Junior) need to be considered as a joint project otherwise there would be an imbalance between infant and junior places and no certainty for parents as to which school their child would be allocated at 7 years. In the two primary planning areas of Ewell and NW Epsom a shortage of places both at Reception and in Year 3 has been identified. Between the two planning areas, the total PAN is 520. By combining the forecast Reception demand in the two planning areas, a shortage of 15-25 infant places per year is anticipated. Hence the demand for one more form of entry across the two areas.

### Consideration of options to meet the need in the Ewell Planning Area

- 29 As stated above Epsom and Ewell comprises two primary planning areas (Ewell and NW Epsom) and these contain 6 existing primary phase schools, 2 infant (West Ewell and Ewell Grove) and 1 junior school (Danetree). Surrey County Council considered expansion of the other existing primary schools in these areas and is pursuing a district wide strategy on each existing site:

**Cuddington Croft Primary** in Cheam in the Ewell Planning area is a two form entry (2FE) academy on a compact campus (12,344 square metres). It is on a sloping site and sits on the Sutton Borough boundary and would therefore attract more pupils in from out of borough and thus not assist the Surrey problem. After a conducting a viability survey the school was unwilling to admit a bulge class for September 2015 due to the lack of space on campus and so it has been assumed it would not wish to expand further.

**St Clement's Catholic Primary** in Ewell is a 1 FE school. The school has been over-subscribed for a number of years but it only admits catholic children so this would not be an appropriate school to expand, as it could not meet the general demand of non-catholic families. Its site is also very small.

**Riverview C of E Primary** is a 1FE Church of England VA school. Its land and buildings are owned by the church. The Head Teacher and Chair of Governors were involved in early discussions between the Local Authority and schools in the area but ultimately decided that they did not wish to expand further. The school has a nursery and a local Children's Centre attached to it. It is due to be rebuilt as a 1 FE primary school in 2016/17 as part of the Priority Schools Building Programme. The site is relatively small (18, 257 square metres).

**Ewell Grove Infant and Nursery** is a 2.3 FE infant school. It is part of the strategy to provide extra places in Ewell and has received permission to change its status to a 2 FE primary school plus nursery with effect from September 2017. The expansion proposal, which is subject to planning permission, is to provide a new two storey extension to the existing building on the site and to demolish the existing nursery building to create more play area. The application for this has yet to be formally submitted but has been the subject of lengthy pre-application discussions as the proposed development on the site has raised very challenging issues due to its constraints including its location within a Conservation Area.

**Stamford Green Primary** was a 2FE school which has been expanded to 3 FE with effect from September 2015. The school serves the NW Epsom planning area in the vicinity of Christchurch Mount and the Stamford ward. It is unwilling to expand further and, due to its location within a residential area, adjacent to the Green Belt and in partial flood plain, has its own constraints.

**Epsom Primary** is a 2 FE school with a nursery and has taken bulge classes in 2013, 2014, and 2015. It primarily serves the Wells and Epsom Common areas in NW Epsom and is on a very restricted urban site (9,142 square metres). The frontage of the building is locally listed. It has minimal playing field space and cannot expand further on a permanent basis. Once the bulge classes have moved through the school it may be possible to admit further temporary bulges, if required, but this school does not offer a consistent option for permanent expansion.

**Southfield Park Primary** is a 2 FE school serving NW Epsom. Originally built as a 1FE school using some S106 funding it was intended to serve the new hospital development. However the house building on these sites has been much greater and we have already expanded this school to its maximum capacity. (Its gross site area is 8,780 square metres). The school has no playing fields of its own and very limited car parking. It is within the Green Belt and its roof design and foundations prohibit extending upwards to a second storey.

**West Ewell** is a popular infant school and has already had significant investment made to its accommodation in a previous expansion programme. It was seen to be providing an outstanding standard of education at its last OFSTED inspection in 2010 and the proposal to change its status to an all through primary is in response to parental views and meets the government's policy of Local Authorities expanding popular and successful schools.

**Danetree Junior School** is an academy within GLF schools. It was willing to expand to become a primary school but could not do so in isolation, as this would have left both Ewell infant schools without junior places. Danetree has now received permission to become a 4 FE primary school in September 2016, subject to planning permission, and, as such, will admit local pupils from its immediate catchment area and from NW Epsom as required.

30 In the wider context the County Council considers that more primary school places are needed across Ewell and NW Epsom. There are currently 10 Reception classes across six schools and this proposal, as part of the wider re-organisation of three schools, helps

to provide 12 Reception classes and a matching number of junior places. It also aims to improve educational standards for all children by ensuring continuity and progression throughout all through primary schools and it aims to reduce journeys between schools.

- 31 The Local Authority has a statutory duty to provide sufficient school places and it is not currently possible to expand any of the other local schools in the immediate planning areas. The present and future demand indicates that one more form of entry in this area is required and this proposal would achieve this and would enable Surrey County Council to meet the known demand and also allow a small surplus capacity for late applicants, any additional small housing developments and in-year admissions.
- 32 In conclusion on this issue this application seeks to provide temporary additional school places within the built up area of Epsom and Ewell for which there is a demonstrated need. It is proposed that these temporary classrooms will be removed from the site once the permanent expansion considered elsewhere on this agenda under application EP/15/01567 has been implemented. Relevant policies state that the need for school places should be accorded great weight. The proposal does therefore accord with development plan policies in this regard and is acceptable.

## **DESIGN AND VISUAL AMENITY**

### **Epsom and Ewell Development Management Policies Document 2015**

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments

### **Epsom and Ewell Core Strategy 2007**

Policy CS5 – The Built Environment

### **Epsom and Ewell Borough Wide Local Plan 2000**

Policy DC1 – General Development Control Policy

- 33 Policies DM9 and DM10 of the Development Management Policies document seek to ensure that new development is compatible with the local area and is of a good design and sustainable. Both Core Strategy Policy CS5 and Local Plan Policies BE1 and DC1 require design to make a positive contribution to the quality of the built environment.
- 34 This application is for two temporary demountables which by their nature have a distinctive design and a temporary appearance. In this case the buildings are single storey and will be visible in the street scene as there is no boundary screening. However the units are positioned so that they are 'end on' to the road which reduces the impact. An option appraisal process was carried out by the school prior to the final choice of site and, educationally, the tennis courts were deemed to be the best location for the school as it -
- a) offered independence with a separate and secure access from Gadesden Road but at the same time access to the rest of the school
  - b) offered security with controlled access to the units (the tennis courts are already fenced off)
  - c) the chosen location was deemed the least disruptive to the rest of the school at a time when there will be other disruption through the construction of the permanent scheme
  - d) services are easily accessible from Gadesden Road
  - e) no trees or soft landscape will be affected by the installation of the two units.
- 35 Officers consider that the view that the provision of temporary buildings of this nature on this part of the school site is not entirely compatible with the local area and will not make any positive contribution to it but the buildings themselves are of a good design for their temporary status. Though the proposal does not fully comply with development plan

policies in this regard this must be weighed against other considerations and in particular the temporary nature of and and the need for the development.

## **IMPACT ON RESIDENTIAL AMENITY**

### **Epsom and Ewell Development Management Policies Document 2015**

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments

### **Epsom and Ewell Borough Wide Local Plan 2000**

Policy DC1 – General Development Control Policy

- 36 Policies DM9 and DM10 of the Development Management Policies document seek to ensure that new development is compatible with the local area and have regard to the amenities of occupants and neighbours. Development Policy DC 1 of the Epsom and Ewell Local Plan states, inter alia, that planning permission will only be granted for development where it would not cause serious harm to the living conditions or operational efficiency of adjoining properties in relation to the impact it has on the outlook, the amount of daylight, sunlight, and privacy; and the level of noise, fumes, vibrations and general disturbance in the area.
- 37 The proposed buildings are single storey being a maximum of 2.5m high under a flat roof. They would be set back from the boundary of the site by at least 3m and there would be a distance of 15m between the buildings and the front wall of dwellings on the opposite side of the road. In addition the units are positioned so that they are 'end on' to the road. Given the distances involved and the single storey nature of the buildings officers consider that no loss of outlook or unacceptable overlooking to adjacent residential dwellings would arise as a result of the proposal.
- 38 The location of these buildings on this part of the site brings the school use temporarily closer to the dwellings in Gadesden Road. However as a school use is one which is compatible with a residential area it is not considered that there will be any unacceptable loss of amenity by virtue of noise or other disturbance in this case. Officers do however consider it would be appropriate to attach a condition to the permission restricting uses of these temporary buildings to within normal school hours to preventing any evening use of the building which potentially could give rise to disturbance due to the proximity to dwellings and lack of any screening.
- 39 The proposed expansion will also give rise to an increase in traffic in the local area at drop off and pick up times. The situation is already difficult for local residents and gives rise to a loss of residential amenity for some as indicated in the letters of objection on this application, and the application for the permanent expansion. It has to be acknowledged that the current proposals for expansion will give rise to an additional degree of loss of amenity for some residents as an increase in pupil numbers is proposed. Though some mitigation measures are proposed as part of the permanent expansion application, mitigation in respect of this temporary increase is limited to the active implementation of the proposed School Travel Plan. This includes measures which seek to reduce the number of children travelling to school by car such as joining the Golden Boot Challenge and running Bikeability and pedals schemes to encourage cycling to school.
- 40 Other mitigation measures are proposed as part of the permanent expansion proposals considered elsewhere on this agenda under application EP/15/01567/CMA. These require longer lead in times to design and implement and it is not considered to be proportionate to require their provision for the temporary accommodation.

- 41 Officers consider that there will be limited loss of residential amenity having regard to existing conditions and the fact that any disturbance is confined to short periods during weekdays only.
- 42 In conclusion officers consider that this proposal will give rise to a limited loss of residential amenity by virtue of the increase in vehicle movements which will arise but this impact is moderate given the impact which already exists and the fact that it is confined to short periods during weekdays. In addition the moderate adverse impact which would arise from this proposal on residential amenity would need to be balanced against the other issues relevant in this case including the need for the required school places. Therefore subject to appropriate conditions officers consider that the proposal is acceptable in this regard.

## **IMPACT ON TREES**

### **Epsom and Ewell Development Management Policies Document 2015** Policy DM5 Trees and Landscape

#### **Epsom and Ewell Borough Wide Local Plan 2000** Policies NE5 and NE6 – Trees, Hedgerows and Woodland

- 43 Local Plan Policy NE5 requires that where trees are a significant feature of a development site, important trees are retained. Policy NE6 supports the use of conditions to ensure the protection of trees which are to be retained during construction work.
- 44 The proposal includes the provision of a new 2m wide footway within the school site along the northern boundary to create a safer access to the proposed temporary buildings. There are a number of large trees along this boundary, formed within two distinct groups. These trees are to be retained even following the permanent expansion on this site. Officers are of the view that the trees in question make a significant contribution to the visual amenity of the local area. The applicant has submitted a survey of these trees and the proposal includes the pruning of a single oak which is situated on the edge of one of the groups near the new entrance to the site which is to be created (to create a 3.3m clearance from the tree to the boundary fence). The new footpath is away from the trees themselves and it outside of the root protection areas of them. In addition tree protection measures are proposed during the construction period. Officers are of the view that the proposal is acceptable in respect of this group of trees subject to appropriate conditions.
- 45 The proposal also includes the provision of an internal footpath link from the existing school to the temporary buildings and this runs in close proximity to a line of existing plane trees which existing within the school suite. Again it is proposed that these trees are to be retained and no pruning or removal is proposed though the line of the footpath does fall within the root protection areas (RPAs) of these trees. The applicant is therefore proposing measures to provide tree protection and limiting the footpath to above ground surfacing where it falls within the RPAs. Officers consider that appropriate measures are proposed and these can be controlled by conditions.
- 46 in conclusion officers consider that subject to appropriate conditions the proposal will not have any adverse impact on existing trees on this site and accords with the development plan in this regard.

## **DEVELOPMENT ON LAND ON THE EDGE OF PLAYING FIELDS**

### **Epsom and Ewell Development Management Policies Document 2015** Policy DM6 Open Space Provision

- 47 Policy DM 6 of the Epsom and Ewell Development Management Policies Document 2015 states that development proposals should not result in the whole or partial loss of open space, outdoor recreation facilities or allotments unless accompanied by an assessment that clearly demonstrates that the provision is surplus, or the proposal delivers replacement provision of equal or better quality or the proposal is for new sports and recreation provision the need for which outweighs the loss. However policy 2.26 in the preamble to that policy states '*We will take a proactive, positive and collaborative approach to meeting the requirements of local schools. As per paragraph 72 of the National Planning Policy Framework, the need to create, expand or alter schools will be given great weight in decision making*'.
- 48 This proposal includes the provision of a footpath along the north western edge of the school site behind a belt of trees located further within the site along that boundary. To the other side of this belt of trees is land which forms part of the school playing fields. The proposed footpath (which will be a permanent provision and is also included on the application for the permanent expansion of this site considered elsewhere on this agenda under reference EP15/01567/CMA) will not therefore give rise to any adverse impact on the school playing fields in this case and the proposal is therefore acceptable in this regard.

## **HIGHWAYS, TRAFFIC AND AMENITY**

### **Epsom and Ewell Development Management Policies Document 2015**

Policy DM10 Design Requirements for New Developments

Policy DM34 New Social infrastructure

### **Epsom and Ewell District Wide Local Plan 2000**

Policy DC 1 - General Development Control Criteria

Policy CF4 - Educational facilities

Policy MV8 – Parking Standards

- 49 Policy DM10 of the Epsom and Ewell DMP requires new developments to provide, inter alia, appropriate accesses to the existing highways network. Policy DM34 of the document requires planning permissions for new community facilities to be in locations accessible by public transport, walking and cycling and for the effect of traffic to be considered. Policy DC 1 of the Epsom and Ewell Local Plan states, inter alia, that planning permission will only be granted for development where it would not cause serious harm to the living conditions or operational efficiency of adjoining properties in relation to the impact it has on noise, fumes, vibrations and general disturbance in the area whilst Policy CF 4 states that proposals for new educational facilities or for extensions to existing educational facilities will be permitted provided that:-
1. The amenities of neighbouring residents are not unduly harmed; and
  2. There is no adverse effect on highway safety and efficiency.
- 50 The County Council has decided to permanently expand the school from a 4 form entry junior school (480 places) to a 4 form entry primary school (840 places) plus a 60 place nursery. This is the subject of a separate application. In the interim however, six additional temporary classrooms are required from September 2016. These are the subject of this application and will be placed on the existing tennis courts. The current substandard pedestrian access into the site from Gadesden Road is to be closed and pedestrian access relocated to the northern corner of the school field. There will be no other impact on existing access arrangements.
- 51 Transportation Development Control has assessed the proposal and has made the following comments. The conversion of the school to a primary is part of a wider scheme to convert two infant schools (West Ewell and Ewell Grove) and one junior school (Danetree) into all through primaries. In highways terms this should have the effect of localising the catchment of each school and removing the need for many parents to pick

up and drop off at 2 schools. This in turn should also reduce the dependence on the car and enable more journeys to be made on foot/scooter/bicycle.

- 52 The school currently has around 44% of children living within 1 km of the school with a non-car mode share of 55%. As a result of the expansion, children will be at the school from age 4 to age 11, where currently they join at age 7. Assuming a similar travel pattern to that which exists currently, for the additional classes in this application there will be around 81 additional children travelling to school by car. Some of these will be siblings, so the increase in the number of cars will not be as great as 81. Parking surveys undertaken in the area by the applicant have indicated that there is adequate on-street parking available to accommodate this increase and it can be managed by the pro-active implementation of the proposed school travel plan which includes the use of the Harrier Sports Centre car park in Poole Road for park and stride. There are therefore no highways objections to the proposal. Impact in respect of residential amenity is considered in paragraph s 40-42 above
- 53 Officers are therefore of the view that there is no objection to the proposal on highways grounds subject to conditions.

## HUMAN RIGHTS IMPLICATIONS

- 54 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 55 In this case, the Officers' view is that while impacts on amenity caused by traffic movements at the start and end of the school day are acknowledged, the scale of such impact is considered moderate given that it occurs for small periods and this is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. As such, this proposal is not considered to interfere with any Convention right.

## CONCLUSION

- 56 There is a demonstrated need for additional school places in the local area of this school and there are no acceptable alternatives to provide this elsewhere within the area. The expansion of this school forms part of a package of proposals, involving three schools in the area (Danetree, Ewell Grove and West Ewell) to address this identified need for additional school places. The school lies within the Urban Area and there is no objection in principle to the expansion in principle and Government Policy in the NPPF advises that proposals for the provision of new school places where there is an identified need should be given great weight.
- 57 In this case the proposal is for temporary buildings required until permanent buildings have been secured, and for a permanent footpath along the north western boundary of the school. There are impacts to consider and be balanced against the need for the school places. The proposal would give rise to a limited loss of amenity to surrounding residential dwellings by virtue of the increased vehicle movements it will create in an area where there are already problems caused by peak traffic movements and parking. Nevertheless Officers consider that given that this impact is temporary and confined to very short periods of the day, does not amount to undue harm. While the proposal would have some impact on the character and appearance of the area by virtue of the fact that the site of the buildings is prominent in the street scene, officers consider that this harm is also of limited scale.
- 58 Officers have carefully considered the relevant factors in this case and given that National Policy is that the need for the school places should be given great weight, consider that this factor overrides the moderate loss of residential amenity which occurs

and the other considerations in respect of visual amenity for this temporary development proposal.

- 59 In conclusion Officers have considered all of the relevant issues and recommend that the application be approved for a temporary period subject to conditions.

## RECOMMENDATION

That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application EP15/01831/CMA be **PERMITTED** subject to the following conditions:

### Conditions:

1. The use of the classroom buildings hereby permitted shall be for a temporary period expiring on 1 August 2018, or on the first day of occupation of any permanent classroom building erected on the school site (including any which may be granted under application no EP15/01567/CMA), whichever is the sooner. Within 1 month of the cessation of their use the temporary buildings shall be permanently removed from the site and the land restored to its former use as formal tennis courts.
2. The development hereby approved shall be carried out in all respects strictly in accordance with the following plans/drawings:
  - (PA) E001 Elevations to Unit A dated 16/02/16
  - (PA) E002 Elevations to Unit B dated 16/02/16
  - (PA) L001 Ground Floor Unit A dated 17/02/16
  - (PA) L002 Roof Plan Unit A dated 17/02/16
  - (PA) L003 Ground Floor Unit B dated 16/02/16
  - (PA) L004 Roof Plan dated 17/02/16
  - (PA) L005 Ground Floor Plan dated 17/02/16
  - (PA) L100 Existing Location Plan dated 16/02/16
  - (PA) L101 Proposed Location Plan dated 16/02/16
  - (PA) L102 Existing Site Plan dated 16/02/16
  - (PA) L103 Proposed Site Plan dated 16/02/16
3. Prior to the use of the buildings hereby approved the new access to the site and internal footpath link from Gadesden Road shall be provided in accordance with Robert West drawing number SK-018 rev PO1 Proposed Northern Pedestrian Access (Transport Summary Statement - Appendix C ) and shall be retained for the duration of this temporary planning permission.
4. Prior to the commencement of this development the existing access onto Gadesden Road shall be permanently closed and remain as such for the duration of this temporary planning permission.
5. The buildings hereby approved shall only be used between the hours of 0800 and 1900.
6. a.) Before any equipment, machinery or materials are brought onto the site for the purposes of carrying out the development hereby permitted, protective fencing in accordance with the details contained in the Tree Survey Schedule and Scheme of Tree Protection dated 4th February 2016 submitted with the application shall be installed and 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 area.

- b.) The development shall be carried out in all respects in full accordance with all other measures to protect trees during construction set out in Section 5 and 6 of the above Tree Survey Schedule and Scheme of Tree Protection
7. The section of the proposed pedestrian footpath within the Root Protection Area of existing trees as identified on Tree Protection Plan TPP-02 submitted with the application shall be constructed in accordance with the detailed guidance set out on that plan
  8. Prior to the first occupation of the development hereby permitted the Framework School Travel Plan shall be updated and submitted for approval to the County Planning Authority. The development hereby permitted shall only be occupied upon implementation of the approved School Travel Plan which shall thereafter be maintained, monitored and developed.
  9. Subject to condition 10 below the development shall be implemented strictly in accordance with the 'Construction Traffic Management Plan' dated 22.01.2016 submitted with the application
  10. In carrying out the development hereby approved, no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.00 and 4.00 pm nor shall there be any HGVs associated with the development at the site laid up, waiting, in roads of Oakhurst Road, Gadesden Road, Vernon Close or Danetree Road during these times.
  11. There shall be no external lighting installed on the buildings hereby approved nor within the application site unless details have been submitted to and approved in writing by the County planning Authority.

**Reasons:**

1. To reflect the terms of the application
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of highways safety in accordance with policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015 and Policies DC 1, CF4 and MV8 of the Epsom and Ewell District Wide Local Plan 2000
4. In the interests of highways safety in accordance with policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015 and Policies DC 1, CF4 and MV8 of the Epsom and Ewell District Wide Local Plan 2000
5. In the interests of the residential amenities of adjacent dwellings in accordance with Policies DM09 and DM10 of the Epsom and Ewell Development Management Policies Document 2015 and Policy DC1 of the Epsom and Ewell Borough Wide Local Plan 2000
6. In the interest of the visual amenity of the site and the area in accordance with policy DM5 of the Epsom and Ewell Development Management Policies Document 2015 and policies NE5 and NE6 of the Epsom and Ewell Borough Wide Local Plan 2000
7. In the interest of the visual amenity of the site and the area in accordance with policy DM5 of the Epsom and Ewell Development Management Policies Document 2015 and policies NE5 and NE6 of the Epsom and Ewell Borough Wide Local Plan 2000
8. In the interests of highways safety in accordance with policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015 and Policies DC 1, CF4 and MV8 of the Epsom and Ewell District Wide Local Plan 2000

9. In the interests of highways safety in accordance with policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015 and Policies DC 1, CF4 and MV8 of the Epsom and Ewell District Wide Local Plan 2000
10. In the interests of highways safety in accordance with policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015 and Policies DC 1, CF4 and MV8 of the Epsom and Ewell District Wide Local Plan 2000
11. In the interests of the residential amenities of adjacent dwellings in accordance with Policies DM09 and DM10 of the Epsom and Ewell Development Management Policies Document 2015 and Policy DC1 of the Epsom and Ewell Borough Wide Local Plan 2000

**Informatives:**

1. 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.
2. 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.
3. The attention of the applicant is drawn to the requirements of Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970 and to Building Bulletin 102 'Designing for disabled children and children with Special Educational Needs' published in 2008 on behalf of the Secretary of State for Children, Schools and Families, or any prescribed document replacing that note.

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**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:

[National Planning Policy Framework 2012](#)

Epsom and Ewell Development Management Policies Document 2015

Epsom and Ewell Core Strategy 2007

Epsom and Ewell District Wide Local Plan 2000.

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