

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 29 June 2020
BY: PLANNING DEVELOPMENT MANAGER
DISTRICT(S) REIGATE & BANSTEAD BOROUGH COUNCIL **ELECTORAL DIVISION(S):**
Horley West, Salfords and Sidlow
Mrs Hammond
CASE OFFICER:
Dawn Horton-Baker

PURPOSE: FOR DECISION **GRID REF:** 527051 144451

TITLE: SURREY COUNTY COUNCIL PROPOSAL RE20/00808/CON

SUMMARY REPORT

Westvale Park Primary School, off Webber Street, Westvale Park Development, Horley, Surrey

Installation of temporary buildings comprising two double classroom units and a staff administration unit, a temporary pedestrian access gate, a temporary vehicular access gate, temporary fencing and temporary reinforced gravel surface.

The recommendation is Approve for a temporary period until 31st August 2021 subject to conditions

APPLICATION DETAILS

Applicant

SCC Property Services

Date application valid

14 April 2020

Period for Determination

9 June 2020 (extension of time agreed to 29 June 2020)

Amending Documents

23 April 2020 Statement of Educational Need

23 April 2020 Addendum Heritage Statement (April 2020)

23 April 2020 Heritage Statement (August 2018)

Drawing 282.009.PL52 Site location plan dated 22 August 2018

Drawing 282.009.PL51 Rev C Temporary Classrooms Proposed Site Plan dated 3 June 2020

Drawing 282.009.PL54 Site Access Arrangements dated 22 August 2018
 Drawing A99 GA MS Westvale Pedestrian Bridge dated 5 June 2020
 21 May 2020 Amplifying email re access management
 04 June 2020 Email from Agent
 09 June 2020 Email from Agent
 17 June 2020 Email from Agent
 17 June 2020 Temp Accommodation Planning Response Letter 16.06.20

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
PRINCIPLE AND NEED	Yes	31-34
DESIGN AND VISUAL AMENITY	No	35-38
IMPACT ON RESIDENTIAL AMENITY	Yes	39-43
HIGHWAYS CONSIDERATIONS	Yes	44-49
ECOLOGY	Yes	50-55
HERITAGE	Yes	56-58
LANDSCAPING AND TREES	Yes	59-62

ILLUSTRATIVE MATERIAL

Site Plan

Site location plan and application site area

Aerial Photographs

Aerials 1, 2 and 3 location and site plans

Site Photographs

- 1 The site of the main school building
- 2 Trees and vegetation in centre of site being retained

- 3 Western part of the site – site of temporary buildings currently hard surfaced and used for parking
- 4 Southern site boundary with Granary Cottage showing protective fencing and retained hedge
- 5 Large tree in centre of site to be retained showing protective fencing
- 6 Malthouse Lane (private road) looking east Granary Cottage on the left of the photo
- 7 Malthouse Lane taken from Granary Cottage looking east
- 8 Garden to Granary Cottage school site to rear showing existing hedge to be retained
- 9 Site of proposed pedestrian access into school from Malthouse Lane
- 10 Footpath link from site of proposed pedestrian access into school through to new development site
- 11 Footpath link from site of proposed pedestrian access into school through to new development site
- 12 Landens Farm complex (listed) outside school site to south
- 13 Southwest corner of school site where temporary footpath would be installed
- 14 Southern boundary of site on right of photo and MUGA in the distance
- 15 Site of temporary classrooms and MUGA in the distance
- 16 Site buildings just to north of site of temporary classrooms

BACKGROUND AND SITE DESCRIPTION

PLANNING HISTORY

1. The Reigate and Banstead Borough Local Plan 2005 (now superseded) set out proposals to provide significant development at Horley, providing 2,600 dwellings within the town. A large proportion of these were distributed into two 'neighbourhoods' or 'sectors', one to the northeast and one to the northwest, as well as the town centre. This development is now well progressed with a significant number of new dwellings having been built.
2. Horley North West Sector within which this site is located, is comprised of an irregular crescent shaped area of land wrapping around the north-west edge of Horley. The outer boundary of the site is formed by the River Mole to the west and the Burstow Stream to the north. The south of the sector is bounded by a sewage Treatment Works, and at its eastern end by a small area of woodland. A minor road, Meath Green Lane, runs northwards out of Horley through the centre of the Sector.
3. An outline planning application was determined by Reigate and Banstead Borough Council for a significant portion of the northwest sector in 2004 (ref: RE04/02120/OUT) to provide a "*Comprehensive mixed use development to comprise housing (approx. 1,510 dwellings), neighbourhood centre primary school, recreation and open space uses, plus associated infrastructure and access roads linking the development to A23 and A2172*". Planning permission was granted on 2 December 2014.
4. The provision of the 1.92 hectare site for a new primary school was secured through the above outline planning consent. Full consent was granted by Surrey County Council under Regulation 3 powers for the primary school under planning permission ref:

RE18/01921/CON on the 18 April 2019. This school will be managed by The Aurora Academies Trust.

- 5 **RE20/00032/CON** for a non-material amendment to planning permission ref: RE18/01912/CON was permitted in February 2020 to allow alterations to external materials, addition of window and external escape door, changes to bin store access, reduction of parapet height, omission of two roof lights, addition of solar photovoltaic panels and external works.
- 6 **RE20/00510/CON** seeking approval of details of Baseline Noise Assessment, Drainage Layout, external materials, Construction Transport Management Plan, Newt Licence and Reptile Mitigation Strategy submitted pursuant to conditions 3, 5, 14, 19, 21 and 26 of planning permission ref: RE18/01912/CON has yet to be determined.
- 7 **RE20/00129/CON** with details of Bird Hazard Management Plan submitted pursuant to Condition 18 of planning permission ref: RE18/01912/CON dated 18 April 2019 was approved in February 2020

SITE DESCRIPTION

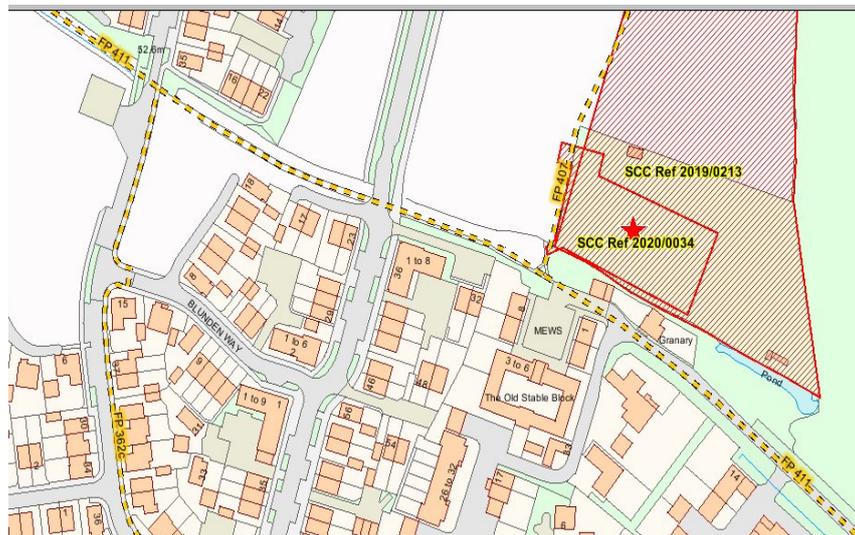
- 8 This current application relates to part of the site of the new school being built in accordance with planning permission **RE18/01921/CON**. The part of the site the subject of this application will comprise the playing fields for the new school when it is built. It lies to the south of the site of the school building itself (which is currently being constructed). Between the application site and the site of the new school buildings lies a constructor's compound where temporary portable buildings are sited. Photographs have been provided to show this general arrangement.
- 9 The western, southern and eastern boundaries of the current application site is delineated by substantial screening comprising hedges and trees. This is to be retained in the final design and is presently protected by temporary fencing in accordance with details permitted on planning permission RE18/01921/CON. This is also shown on the photographs attached to this report.
- 10 To the south of the site outside of the site boundary lies both established and new residential development accessed from Malthouse Lane which is a private road. The development nearest the southern boundary has been created via the conversion of Landens Farmhouse which is a statutorily listed building, and its former curtilage outbuildings (The Granary, Landens Cottage and The Dairy Complex).

THE PROPOSAL

- 11 The new school permitted under reference RE18/01921/CON is under construction on this site but due to delays will not be completed in time to admit nursery and reception class pupils who have accepted places at it starting September 2020. This application therefore seeks permission for temporary classroom buildings on the site until the new permanent school building is complete (anticipated to be in September 2021).

- 12 The proposal is for two double classroom units providing four classrooms with associated ancillary space. The temporary classrooms will be sited on what will be playing fields in the finished design to the south of the new school building. The temporary accommodation will house two reception classes on site (60 children) plus a further 30 nursery children. The two temporary classroom buildings measure approximately 16m long by 9.8m wide and would be 3m high with a flat roof. Each would provide two classroom spaces and wcs, store and cloakroom. One of the buildings would be used as the two classrooms for year one pupils the other would be used as a nursery and dining room. The external walls would be clad with flat plastic coated steel sheet with similar profiled steel sheeting for the roof. In addition to the two classroom buildings there would be an admin block which would have a similar external finish but would be smaller (measuring approximately 9m by 8m and also 3.9m high). The admin block would house the Head Teacher’s office as well as general office space and store and staff kitchen.
- 13 There will be no parking provision for parents provided within the school as part of this application for the proposed temporary accommodation. The applicant has stated that most pupils will be from the new housing estate and so are within walking distance. There will be provision for 5 on-site staff car parking spaces accessed from a temporary gravel drive from Market Square. This will also facilitate access for delivery and emergency vehicles. In addition there would be cycle parking provision within the site.
- 14 Fig 1 below shows the two footpaths which run outside of the site. Footpath 411 lies to the south of the site and runs to the north-west and south-east along Malthouse Lane. Footpath 407 joins footpath 411 at a junction at the south western corner of the school site and runs along the boundary of the school.

Fig 1: Footpaths



- 15 A temporary pedestrian access point will be formed in the south western corner of the site linking to those footpaths to facilitate access on foot. This will include the provision of a temporary bridge over a ditch in this location. The applicant has stated that both the openings made for the temporary vehicle and pedestrian accesses will be reinstated with suitable planting once the temporary buildings are removed from the site. The site of the temporary buildings themselves will also be reinstated as playing field.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

16	Horley Town Council	No comments received
17	Reigate & Banstead Borough Council	No objection
18	Salfords & Sidlow Parish Council	No objection provided the temporary buildings are removed
19	Arboriculturalist	No comments received
20	Ecologist	There were reptiles and great crested newts in this part of the site but both species have been translocated as part of the reptile and great crested newt mitigation strategies as part of the original application and this is no longer an issue. However, the current application does push forward the date of hedgerow restoration and fence removal by a year to 2021. The original works were programmed as part of a Natural England Great Crested Newt license. The timetable attached to the license will need to be modified by applying to Natural England.
21	Environment Agency South East	No comments received
22	Historic/Listed Buildings	Assessed the proposal in accordance with policies 190 and 193 of the NPPF and find that the scheme will result in less than substantial harm to Landens Farmhouse under paragraph 196 of the NPPF. Provided the benefits of school places outweigh the harm, the built heritage requirements of the NPPF are met.
23	Natural England	No comments to make

24	Surrey Wildlife Trust	No comments received
25	Transportation Development Planning Schools	No objection subject to conditions

Summary of publicity undertaken and key issues raised by public

- 26 The application was publicised by a total of 77 owner/occupiers of neighbouring properties being directly notified by letter.
- 27 There have been objections made by 11 people (some writing in more than once which is only counted as one) which raise the following points:
- The proposal will involve increased traffic along Malthouse Lane which is a private road
 - Malthouse Lane is a dead end with very little spaces for vehicles to turn around that also includes residents parking spaces
 - Residents are responsible for the upkeep and maintenance of the lane, and therefore concerned of the affects that the temporary access would have on the lane as increased non-residential traffic.
 - Many young children, pushchairs and cars converging into a compacted area at the same time would give rise to extreme, road safety implications. It would be an unwise and negligent decision to allow this to happen.
 - How 'temporary' is this? The planning application says that the hedge will be reinstated in Summer 2021, but is this realistic? The likelihood of the school actually being finished by Summer 2021, in our opinion, is very slim (Officer comment: the applicant considers this a realistic timeframe subject to unforeseen events and the application has to be determined on this basis)
 - Could the proposed pedestrian access gate not be accessible in the same way the proposed vehicular access gate will be? A road will have to be built to access the proposed vehicular access gate, why can't a path leading to the proposed pedestrian access gate be constructed alongside the road? (Officer comment: the application needs to be assessed on the basis of what is submitted by the applicant).

PLANNING CONSIDERATIONS

Introduction

- 28 The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 29 In this case the statutory development plan for consideration of the application consists of the Reigate and Banstead Local Plan Core Strategy (adopted 2014 and reviewed 2019) and the Reigate and Banstead Local Plan Development Management Plan 2019
- 30 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.

PRINCIPLE AND NEED

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS6 - Allocation of land for development

Policy CS12 – Infrastructure Delivery

Reigate and Banstead Local Plan Development Management Plan 2019

Policy INF2 - Community Facilities

- 31 Policy CS6 states that the Council will give priority to the allocation and delivery of land for development in sustainable locations in the urban area including Horley North East and North West sectors. Policy CS12 encourages infrastructure delivery either ahead of alongside new development. Policy INF2 of the Reigate and Banstead Local Plan Development Management Plan 2019 states that proposals for new community facilities which includes schools will be encouraged.
- 32 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.
- 33 Planning permission has been granted for a new school building on this site and construction of the building has commenced but due to delays caused by the recent pandemic and other factors the school will not be delivered in time for the intake of pupils who have been offered places starting in September 2020. Planning permission is therefore sought for a temporary period (until summer of 2021) for classrooms to accommodate the first intake which comprises two reception classes and a nursery class. The need for a school on this site was demonstrated on the application for the permanent school under reference with the granting of planning permission RE18/01921/CON with the extra demand originating largely from the new housing development taking place in the area. On that application it was envisaged that the first intake of pupils at the new school would be in September 2020 as there would be a requirement for additional school spaces at that time both in the new development and from the surrounding established area. Therefore there is a demonstrable need for the provision of classroom space for reception aged children at this site for September 2020
- 34 Officers are of the view that the principle and Educational Need for this proposal has been established and the proposal is acceptable in this regard for a temporary period until the new school is operating.

DESIGN AND VISUAL AMENITY

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS4 – Valued townscapes and the historic environment

Reigate and Banstead Local Plan Development Management Plan 2019

Policy DES1 – Design of new development

- 35 Policy CS4 of the Core Strategy states that development should respect, maintain and protect the character of valued townscapes and be of a high quality design which takes direction from the existing character of the area and reflects local distinctiveness. Development Management Plan policy DES1 requires all new development to be of a

high quality design that makes a positive contribution to the character and appearance of its surroundings.

- 36 The proposal is for single storey demountable buildings on part of what is currently a development site. The proposed buildings are modular in nature and of a utilitarian appearance and as such would not be in accordance with the requirements of Development Plan Policies CS4 and DES1. However the proposal is for a temporary period for a proven educational need and it is considered that that need for the proposal outweighs any harm which would occur for a temporary period.
- 37 With regard to harm, the site of the temporary buildings is self-contained and well screened on all its boundaries by substantial trees and hedging. It is not prominent from footpaths or roads outside of the site and indeed during the summer months is not visible. It is considered that it will be slightly more visible in the winter months as the species of the boundary hedge are generally deciduous in nature. However it also lies adjacent to a construction site where there are other similar buildings (some of which are two storey in height) of a temporary nature which are allowed as '*permitted development*' during the construction phase. Against the backdrop of these buildings the proposed buildings being single storey and of a similar appearance will not appear incongruous. As such officers are of the view that there will be very little harm in respect of any negative impact on the area arising from this proposal but that harm will in any event only be for a very short period of time.
- 38 Given the above characteristics and as the proposal is for a temporary period and is required for a proven educational need officers consider that the proposal is acceptable in this regard.

IMPACT ON RESIDENTIAL AMENITY

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS4 - Valued townscapes and the historic environment

Reigate and Banstead Local Plan Development Management Plan 2019

Policy DES1 – Design of new development

- 39 Policy CS4 of the Core Strategy states that development should be laid out and designed to make the best use of the site and its physical characteristics, whilst minimising the impact on surrounding properties and the environment. Development Management Plan policy DES1 states that new development should not adversely impact on the amenities of neighbouring occupants (including in respect of its highways aspects).
- 40 The buildings would be sited close to the southern boundary of the site and there are residential dwellings directly adjacent to the south. The residential property known as Granary Cottage is sited very close to the boundary of the school and the site of the proposed buildings. Officers have secured the repositioning of the proposed buildings further from the southern boundary of the site than originally proposed in order to ensure that the existing established hedge along this boundary is protected from any damage from this development and is retained as indicated on the planning permission for the permanent school, as this provides an effective screen of the site from Granary Cottage. Given that the buildings are single storey and given the substantial screening which exists and will be retained officers consider that there will be no adverse visual impact on the amenity to adjacent residential dwellings.

- 41 In terms of the proposed use the site of the classrooms will, on the permanent scheme, form part of the playing fields and there is already a MUGA located on part of the land to the east of the proposed buildings. Schools are considered to be acceptable developments within residential areas and the noise associated with normal school activities including outdoor play is not normally considered to represent a disturbance to residential amenity due to its nature and the limited times during the day at which it occurs. The siting of the classrooms on this land may give rise to an additional degree of noise arising during playtimes as there will be 60 children within a confined space and close to the boundary with neighbouring residential dwellings however given this will be limited to small periods within the daytime and not at weekends it is not considered that this represents an adverse impact on residential amenity such that it renders the proposal unacceptable in this regard.
- 42 Several of the objections that have been received from neighbouring residential dwellings raise objection to the proposal on highways grounds (the highways aspects of the proposal are considered in more detail in the next section of the report). The reasons put forward by those residents include impact on residential amenity arising as a result of the proposed temporary footpath access to the site (from additional vehicle and pedestrian movements). Officers have considered this issue in respect of impact on residential amenity having regard to the above policies and the permitted scheme. The proposed pedestrian access for children to the temporary buildings is slightly different to that which will occur for the permanent building as it comprises a new (temporary) pedestrian route through to the site in its south west corner linking to public footpaths 411 and 407. On the approved plans pedestrian access into the site would be further north along the boundary of the site and from Webber Street the exact position of which has yet to be agreed see paragraph 46 below. However both of the accesses are very close to each other and therefore officers are of the view that the impact arising from the temporary access will be no greater than that from the permanent access which was fully considered and permitted under reference RE18/01921/CON. In addition given that a maximum of 90 children will attend the school in the temporary buildings whereas the school once built will provide for 450 pupils any impact is much less than that which has already been considered and permitted as acceptable.
- 43 It is therefore considered that the proposal is acceptable in this regard and there will be no unacceptable loss of residential amenity occurring in respect of the proposed buildings, their use or the highways element of the proposal. The proposal therefore accords with the development plan policy in this regard.

HIGHWAYS CONSIDERATIONS

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS17 – Travel options and accessibility

Reigate and Banstead Local Plan Development Management Plan 2019

Policy DES1 – Design of new development

Policy TAP1 – Access, parking and servicing

- 44 Policy CS17 states that sustainable transport choices should be facilitated by promoting walking and cycling as the preferred travel option for short journeys; promoting non-car travel; and requiring the provision of travel plans and transport assessments for proposal

which are likely to generate significant amounts of movement. Development Management Plan Policy DES1 requires new development to make adequate provision for access servicing and circulation and is accessible for all users. Policy TAP1 requires all development to provide safe and convenient access incorporating pedestrian routes linking to the wider network system.

- 45 The principle of a school on this site and the access arrangements associated with that were considered under planning application RE18/01921/CON and found to be acceptable. The highways aspects which need to be considered on this current application relate to the provision of what will be temporary access arrangements for the temporary buildings. Both the temporary vehicle and pedestrian access points into the school currently proposed are different (though not significantly) to that which was approved as part of the permanent scheme.
- 46 The proposed temporary vehicular access will be limited to use by staff, delivery and emergency vehicles and has already been partially created from Webber Street into the site. Access to the permanent school would also be from Webber Street but the exact location of this has not yet been determined (controlled by condition 7 on planning permission RE18/01912/CON). As part of this current application a temporary pedestrian access will be formed in the south western corner of the site linking to public rights of way outside of the site (see Fig 1 in paragraph 14) to facilitate access on foot. This will include the provision of a temporary bridge over a ditch in this location. Part of one of the footpaths outside of the site which would link to this access (FP 411) is currently in poor condition being unevenly surfaced, inadequate width and having a steep incline. Improvements to these footpaths are planned as part of the permanent school development but are now required to be brought forward to secure safe access to this site from September 2020. The applicant has stated that both the temporary vehicle and pedestrian accesses will be reinstated with hedges once the temporary buildings are removed from the site. A Construction Traffic management Plan has been submitted with the application which shows the delivery of the temporary buildings in the context of the layout of the wider development site.
- 47 Transportation Development Control has considered the proposals and raises no objection subject to conditions to ensure that the proposed measures are in place prior to the occupation of the school, in particular an appropriately designed pedestrian bridge is required over a ditch along the school boundary and also improvements to the width and incline of a public footpath (footpath 411) to which it links to outside of the site boundary. Due to the short timeframe to install the required highways works (some of which are on land outside of the application site) assurances have been sought from the applicant that they accept these requirements and that it is feasible for them to be installed *prior to occupation* of the temporary classrooms, particularly as consents from other parties such as the Environment Agency and Right of Way officers will be required. The applicant is confident that he can comply with the condition and has given assurances that unless and until the works are complete the temporary buildings will not be occupied. Subject to conditions relating to these matters which are considered reasonable and necessary the proposal is considered to be acceptable on highways grounds.
- 48 Officers have considered the representations made by neighbouring residents and particularly concerns that the adjacent private roads and parking areas will be used by parents to drop off and pick up children. The matter has been discussed with the Academy Trust who will run this school and they have agreed to advise parents in writing

where parking should not take place around the school and Transportation Development Control has suggested a planning condition requiring evidence of this to be submitted in a *details pursuant* planning application (similar to the measures contained within in a Travel Plan). Officers consider that this represents an appropriate and proportionate approach for this temporary use as it is not a matter for the local planning authority to seek to control vehicle access within private roads.

- 49 Subject to appropriate conditions officers are of the view that the highways aspects of this proposal are acceptable and accords with development plan policy in this regard.

ECOLOGY

Reigate and Banstead Core Strategy 2014

Policy CS10: Sustainable development

Reigate and Banstead Local Plan Development Management Plan 2019

Policy NHE3 – Protecting trees, woodland areas and natural habitats

Supplementary Planning Document

Government Circular 06/2005: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the planning system

- 50 Core Strategy Policy CS10 ensures development will be designed reflecting the need to adapt to the impacts of climate change (for example impacts on ecology). Development Management Plan policy NHE3 requires *inter alia* that development proposals will be expected to retain and enhance features of biodiversity importance and mitigate any impact in an effective manner.
- 51 In addition Circular 06/2005 states that it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.
- 52 The ecological value of this site was considered as part of the application for the new school on this site permitted under reference RE18/01921/CON. A number of surveys (Reptile Survey, Great Crested Newt Survey & Bat Survey) were carried out in connection with that application (also covering the part of the site of this current planning application). These identified that Great Crested Newts were present on the site and the application was supported by a Great Crested Newt (GCN) Outline Mitigation Strategy. A European Protected Species (EPN) licence was therefore required to address the GCN before the development for the new school commenced. These documents have all been submitted with this current application as has a copy of the EPN Licence which was granted. The reptiles and newts that were known to be present on this part of the site have been translocated as part of the approved Mitigation Strategy.
- 53 The County Ecologist has considered this application and agrees that as the original surveys that were carried out are still valid no new surveys are now required for this application and officers concur with this view. He also points out that part of the strategy for mitigating the impact of the development as set out on the original application RE18/01921/CON included the fencing off of the existing hedges around the site during construction and then providing measures to enhance them following completion of the development. The County Ecologist points out that the timetable attached to the licence granted by Natural England for these works will need to be modified as the development

completion is to be delayed by a year. It is recommended that an informative is attached to this planning permission advising the applicant of this.

- 54 This application includes the removal of a very small part of the hedge which was shown to be protected and retained in the way described above on the original planning application and which will be reinstated once the temporary buildings are removed. Given that the areas are a very modest part of the overall site it is considered to be acceptable given the demonstrated need for this proposal on educational grounds. In addition as this part of the site is surrounded with hedges there is no opportunity to gain access without removal of the small part of the hedge. It is recommended that conditions are imposed to require replanting of these hedges with appropriate species once the temporary buildings are removed from the site.
- 55 Subject to this it is considered that the proposal is acceptable and accords with development plan policy in this regard.

HERITAGE

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS4 – Valued Townscapes

Reigate and Banstead Local Plan Development Management Plan 2019

Policy NHE9 – Heritage Assets

- 56 Core Strategy Policy CS4 states that proposed development should be designed sensitively in order to respect the historic environment including heritage assets and their settings. Development Management Plan Policy NHE9 requires that developments will be required to protect preserve and enhance heritage assets including statutory listed buildings. The National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting. The NPPF then goes on to say where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 57 The same heritage statement as was submitted for the permanent school building has been resubmitted with this application and this outlines in detail the built heritage assets affected by this application. An addendum to that document assesses the harm arising from the temporary buildings proposed in this case. The Historic Buildings Officer has been consulted on this application and notes that the current application is for three temporary buildings and associated landscaping while the school building is being finished (anticipated to be by 31st August 2021). He considers that the proposal will almost certainly result in less than substantial harm to the setting of the Landen's Farm complex under paragraph 196 of the NPPF through the loss of open space and the increased sense of enclosure around the heritage asset. However, as the scheme is temporary while the school building is being finished he is content for the scheme is permitted on the basis that the public benefits outweigh the harm. Though he does recommend a condition requiring the buildings to be removed by the 31st August 2021.

- 58 Officers concur with this view. Paragraph 196 of the National Planning Policy Framework (NPPF) advises that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this should be weighed against the public benefits of the proposal. In this instance officers consider that the benefits provided by providing the temporary buildings to accommodate children who have accepted places at this school in September 2020 would outweigh the harm to the setting of the Landen's Farm complex. Officers are therefore satisfied that whilst the proposal would lead to less than substantial harm on the setting of a listed building, the public benefit of the proposal would outweigh the harm in this instance and would therefore accord with policy in this regard.

LANDSCAPING AND TREES

Reigate and Banstead Core Strategy 2014

Policy CS2 - Valued landscapes and the natural environment

Reigate and Banstead Local Plan Development Management Plan 2019

Policy NHE3 – Protecting trees, woodland areas and natural habitats

- 59 Core Strategy policy CS2 requires that, as far practicable, specific features which make a positive contribution to the green fabric will be retained and enhanced. Development Management Plan Policy NHE3 requires development proposals to include an assessment of existing trees and landscape features and consider the impact on them. Where loss occurs compensatory measures should be made.
- 60 The tree and hedge protection measures which were required by the planning permission granted for the permanent school are in place on the part of the site and are shown on the submitted plans to be retained during the temporary use. Officers have secured minor re-siting of one of the temporary buildings to bring it further away from the southern boundary hedge to ensure that no harm would arise. The building was originally shown as sited directly on the line of the existing protection fence. This would have required the fence to be removed and this would not have been in accordance with the planning permission for the permanent school. Officers were concerned this would have led to the damage of the hedge and any species within it.
- 61 This proposal does not require the removal of any trees though it does require the removal of a small part of the hedge around the site to create the temporary vehicle and pedestrian accesses (though the hedge would be reinstated once the temporary buildings were removed from the site). Given that there is a proven educational need for this development and only a very minor part of the hedge would be removed and that this is justified as it is required for safe access to the site (and would be reinstated) officers consider that the proposal is acceptable.
- 62 Officers therefore are satisfied that the proposal accords with development plan policy in this regard.

HUMAN RIGHTS IMPLICATIONS

- 63 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.
- 64 The Officer's view is that there are no impacts on amenity. This proposal does not engage any of the articles of the Convention and has no Human Rights implications.

CONCLUSION

- 65 The site lies within the urban area and the principle of a permanent school has already been established through the granting of planning permission RE18/01921/CON on 18 April 2019. There is an Educational Need for the proposed temporary buildings to be provided until the permanent building is complete and the buildings can be satisfactorily accommodated on this site without significant harm to visual or residential amenity. Whilst the buildings are of a utilitarian appearance given the fact that they are sited within a well screened development site and will only be there for a short time this is considered to be acceptable.
- 66 Officers consider that the benefits provided by creating a school to serve the local community on this new housing development would outweigh the less than substantial harm cause to the setting of adjacent listed buildings for a temporary period. Ecological interests have already been translocated as part of the permanent scheme though changes to the previously granted EPN licence (where it relates to hedgerows and fencing) will be required and the applicant can be advised of this via an informative on the planning permission. The existing boundary screening will be retained except for a very small portion required to provide safe access and which will be eventually reinstated and this can be controlled by condition.
- 67 Subject to the compliance with the requirements of several conditions to ensure safe access to the site there are no highways implications arising from the proposal which render it unacceptable on highways grounds. Comments made by interested parties have been considered and conditions have been recommended to help to deal with the issues such as requiring the school to demonstrate that it will advise parents not to use surrounding private roads to access the school by car. Officers are therefore of the view that the proposal accords with the relevant planning policy and is acceptable.

RECOMMENDATION

- 68 That pursuant to Regulation 3 of the Town and County Planning General Regulations 1992, application no. **RE20/00808/CON** be permitted for a temporary period until August 2021 subject to conditions.

Conditions:

1. The use of the buildings hereby permitted shall be for a temporary period expiring on 31 August 2021. Within one calendar month of this date, the temporary buildings and associated external surfaces shall be permanently removed from the site and the land

restored in accordance with the details permitted under planning permission RE18/01921/CON dated 18 April 2019 for the permanent school

2. No part of the development hereby permitted shall be first occupied unless and until a vehicular access for school staff and delivery/emergency services has been constructed in accordance with the approved plans between the site and Webber Street. Thereafter the access road shall be kept clear of any obstruction and construction operations during school term time for the duration of the occupation of the temporary school buildings.
3. No part of the development hereby permitted shall be first occupied unless and until space has been laid out within the site for vehicles to be parked in accordance with approved plan 282.009.PL51 Rev C Temporary Classrooms Proposed Site Plan dated 3 June 2020. Thereafter the parking areas shall be retained and maintained for its designated purpose whilst the temporary buildings are on site.
4. No part of the development hereby permitted shall be first occupied unless and until a suitable pedestrian access has been constructed between the site and Webber Street to comprise the following:
 - (a) a bridge over the existing water course in accordance with the details submitted with the application, and
 - (b) improvements to Public Footpath 411 comprising a widening of its entire extent between Webber Street and (a) above, to provide at least a width of 1.5m and a re-profiling such that no part of the footpath has a gradient greater than 1:20

The access route above shall be kept permanently clear of any obstruction and construction operations during school term time, for the duration of the occupation of the temporary school buildings.
5. Within eight weeks of the removal of the temporary school buildings hereby permitted, both the temporary vehicular and pedestrian accesses to this site (required in accordance with conditions 2 and 4 above) shall be permanently closed and a landscaping scheme shall be submitted in writing to the County Planning Authority showing details of how the boundary planting will be reinstated to match that adjacent. The approved landscaping scheme shall be implemented within the first available planting season following approval of the landscaping details.
6. No part of the development hereby approved shall be first occupied unless and until facilities for the secure, covered parking of at least 5 bicycles have been provided within the site. Thereafter the approved facilities shall be retained and maintained whilst the temporary buildings are on site.
7. No part of the development hereby approved shall be first occupied unless and until a parking management plan is submitted to and approved in writing by the County Planning Authority, to include:
 - a) An example of information that will be sent to all parents of school and nursery pupils, showing any areas where parking should not take place, and setting out any further guidance
 - b) Measures to monitor parent parking
 - c) Any actions to be taken in response to parking concerns.

Thereafter the submitted details shall be put in place as appropriate for the duration of the occupation of the temporary site.

8. The development hereby permitted shall be carried out in accordance with the Construction Traffic Management Plan Rev 4 dated 08 April 2020 submitted with the application.

Reasons:

1. To comply with the terms of the application and ensure that the permanent school can be built in accordance with planning permission RE18/01921/CON dated 18 April 2019
2. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS17 of the Reigate and Banstead Local Plan: Core Strategy 2014 and policies DES1 and TAP1 of the Reigate and Banstead Local Plan Development Management Plan 2019
3. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS17 of the Reigate and Banstead Local Plan: Core Strategy 2014 and policies DES1 and TAP1 of the Reigate and Banstead Local Plan Development Management Plan 2019
4. To ensure safe pedestrian access and promote sustainable modes of transport in accordance with Policy CS17 of the Reigate and Banstead Local Plan: Core Strategy 2014 and policies DES1 and TAP1 of the Reigate and Banstead Local Plan Development Management Plan 2019
5. To ensure that the development of the wider site for a permanent school can proceed in compliance with planning permission RE18/01921/CON dated 18 April 2019 and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS17 of the Reigate and Banstead Local Plan: Core Strategy 2014 and policies DES1 and TAP1 of the Reigate and Banstead Local Plan Development Management Plan 2019
6. To promote sustainable modes of transport in accordance with Policy CS17 of the Reigate and Banstead Local Plan: Core Strategy 2014 and policies DES1 and TAP1 of the Reigate and Banstead Local Plan Development Management Plan 2019
7. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS17 of the Reigate and Banstead Local Plan: Core Strategy 2014 and policies DES1 and TAP1 of the Reigate and Banstead Local Plan Development Management Plan 2019
8. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy CS17 of the Reigate and Banstead Local Plan: Core Strategy 2014 and policies DES1 and TAP1 of the Reigate and Banstead Local Plan Development Management Plan 2019

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. 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 Department for Children, Schools and Families Building Bulletin 102 'Designing for disabled children and children with Special Educational Needs' published in 2008 and Department of Education Building Bulletin 104 'Area guidelines for SEND and alternative provision' December 2015, or any prescribed document replacing these notes.
3. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of residential amenity, landscape and highways issues and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.
4. The applicant is advised that a modification to the existing Natural England Great Crested Newt license will be required as this application delays the date of the hedgerow restoration and fence removal by a year to 2021. Further information on the simple process which needs to be followed can be obtained from Natural England at the following link

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/865131/A14-charge-screening-modifications.pdf

CONTACT

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BACKGROUND PAPERS

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

For this application the deposited application documents and plans, and responses to consultations, are available to view on [our online register](#). The representations received are publicly available to view on the district/borough planning register. The Reigate and Banstead Borough Council planning register entry for this application can be found under [20/00808/CON](#).

OTHER DOCUMENTS

The following documents were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)

The Development Plan

Reigate and Banstead Local Plan Core Strategy 2014 (Reviewed 2019)

Reigate and Banstead Local Plan Development Management Plan 2019

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