

DR/31/13

committee DEVELOPMENT & REGULATION

date 26 July 2013

COUNTY COUNCIL DEVELOPMENT

Proposal: **Erection of a detached timber-framed building**

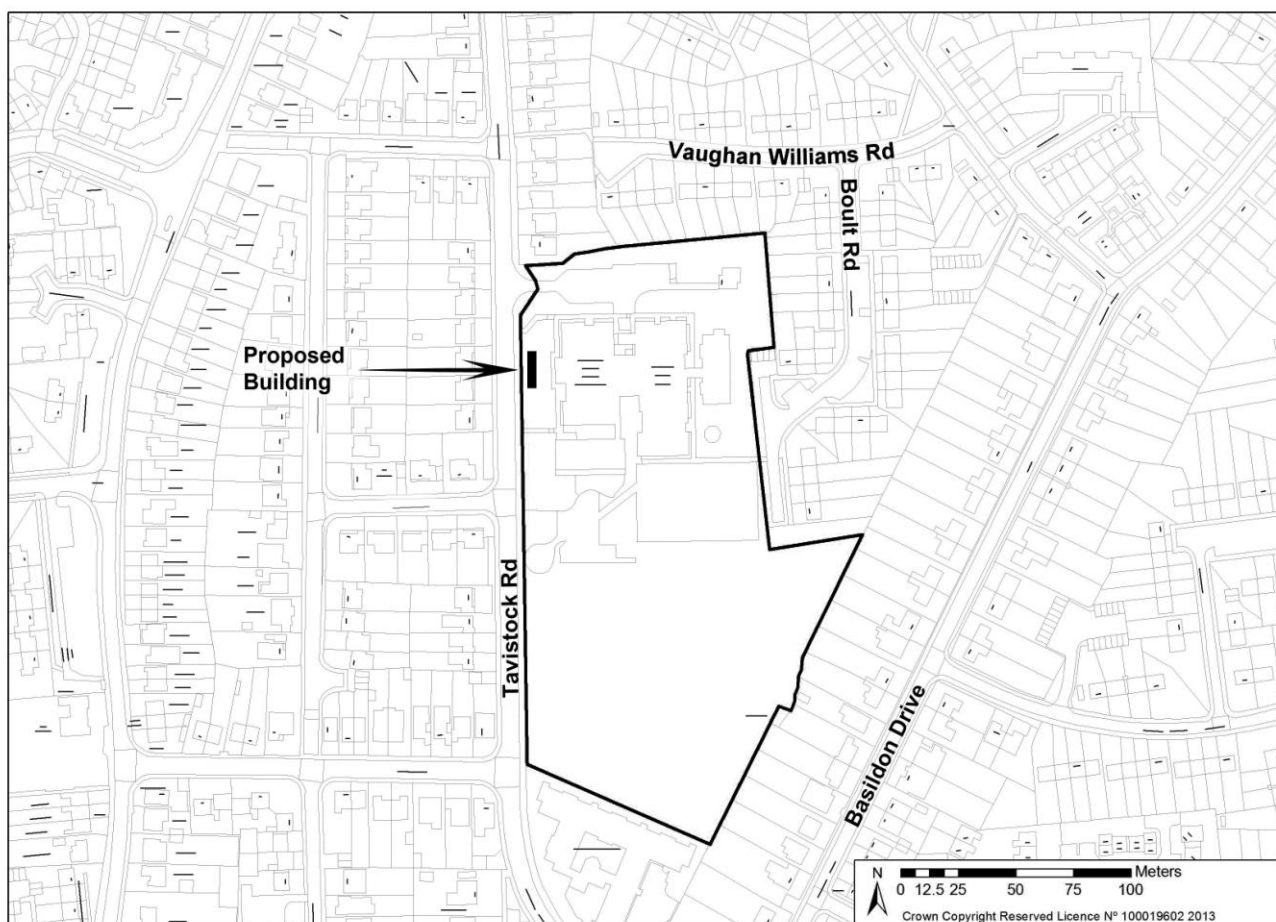
Location: **Millhouse Infant School & Nursery, Tavistock Road, Laindon, Basildon, Essex SS15 5QF**

Ref: **CC/BAS/24/13**

Applicant: **Essex County Council**

Report by Head of Planning, Environment and Economic Growth

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1. BACKGROUND

There is a relatively short planning history for the school site. The most recent planning permission was granted in September 2010 for the erection of 3no. free-standing canopies adjacent to existing classrooms.

2. SITE

Millhouse Infant School & Nursery is located on Tavistock Road to the north of Laindon.

Millhouse Junior School shares the site with the Infant School & Nursery and is located to the east. There is a car parking area to the north of the site which provides 30 car parking spaces.

There are hard play areas to the south of the Infant and Junior schools with an extensive playing field beyond.

Vehicular and pedestrian access is via Tavistock Road.

The school site is in a predominantly residential area with residential properties to the north in Vaughan Williams Road, east in Boulton Road and Basildon Drive and south and west in Tavistock Road.

There is established boundary vegetation to a majority of the school site.

3. PROPOSAL

It is proposed to erect a detached single storey timber framed building at Millhouse Infant School & Nursery to provide accommodation for parents' meetings, staff training, social care meetings and school nurse health checks.

The proposed building would be located to the west of the existing school buildings adjacent to the western boundary of the school site (Tavistock Road).

The building would measure approximately 11.5m x 4.3m x 3.3m in height and would be a timber framed building with Western Red Cedar Wood cladding, a grey roof membrane and Douglas Fir window and door frames.

Staff and pupil numbers and school opening hours would not change as a result of this application.

4. POLICIES

The following policy of the Basildon District Local Plan (BDLP) Saved Policies adopted September 2007 provides the development plan framework for this application. The following policy is of relevance to this application:

BDLP

The National Planning Policy Framework (NPPF), published in March 2012, sets out requirements for the determination of planning applications and is also a material consideration.

It is important to note that Basildon Borough Council adopted its Saved Policies post 2004. The NPPF Framework (paragraph 214) states that from the date of publication (27 March 2012) for a 12 month period the determining planning authority can give full weight to the relevant policies of those plans even if there is a limited degree of conflict with the Framework. However this 12 month grace period has expired meaning the Local Plan Saved Policies fall within the interpretation under paragraph 215.

Paragraph 215 states, in summary, that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. The level of constancy of the policies contained within the Basildon District Local Plan Saved Policies (2007) is considered further in the report.

5. CONSULTATIONS

BASILDON BOROUGH COUNCIL – No objection subject to any permission given being on a temporary basis, capable of being renewed every five years.

PLACE SERVICES (Trees) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection subject to conditions

PLACE SERVICES (Urban Design) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – Supports the application

LOCAL MEMBER – BASILDON – Laindon Park and Fryerns – Any comments received will be reported

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6. REPRESENTATIONS

40 properties were directly notified of the application. One letter of representation has been received. This relates to planning issues covering the following matters:

<u>Observation</u>	<u>Comment</u>
The application implies further expansion and use of the school	See appraisal
Local roads have insufficient capacity to cope with existing traffic/parking	See appraisal

requirements

Residents have difficulty accessing their properties at times See appraisal

Residents concerned about access for emergency vehicles Noted

7. APPRAISAL

The key issues for consideration are:

- A. Need
- B. Policy considerations
- C. Design
- D. Impact on Landscape & Residential Amenity

A NEED

It is proposed to erect a detached single storey timber framed building within the school grounds to improve and augment the school's current facilities. The proposed building would provide accommodation for parents' meetings, staff training, social care meetings and school nurse health checks which cannot be accommodated within the existing school buildings.

One letter of representation has been received stating that the application implies further expansion and use of the school.

However the proposed building would provide additional accommodation to meet the school's existing needs. There would not be an increase in staff or pupil numbers as a result of this application.

It is considered that the need for the erection of a detached single storey timber framed building has been demonstrated as it would provide much needed additional accommodation to meet the existing needs of the school.

B POLICY CONSIDERATIONS

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are 3 dimensions to sustainable development: economic, social and environmental.

In summary the social role involves supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.

Paragraph 70 of the NPPF states in summary that to deliver the social,

recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.

Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. They should:

- Give great weight to the need to create, expand or alter schools; and
- Work with school promoters to identify and resolve key issues before applications are submitted.

The erection of the proposed detached single storey timber framed building would provide the school with much needed accommodation for parents' meetings, staff training, social care meetings and school nurse health checks and it is considered that the proposal would be in accordance with Paragraph 72 of the NPPF.

C DESIGN

The proposed building would be a single storey timber framed construction clad in Western Red Cedar which would either be left to weather naturally to a silver-grey colour or treated with oil/stain.

The roof of the building would consist of a single ply Alwitra Evalon membrane coloured dark grey with strategically placed light-pipe units providing daylight for the building's occupants. Extensive glazing would provide natural daylight lessening the demands for artificial lighting.

The doors and window frames would be Douglas Fir softwood with high performance coated double glazed units.

The building would be high insulated to help reduce energy consumption.

Ramped access would be provided to the building.

Following confirmation from the applicant that the fascias and soffits of the proposed new building would be in red cedar to match the rest of the proposed building and the relocation of the proposed window to the toilet facilities Place Services (Urban Design) supports the application.

Basildon Borough Council considers that the design and material finish of the proposed building is acceptable in the context of the taller yellow brick main school buildings, behind, which would serve as a backdrop to the new building.

D IMPACT ON LANDSCAPE & RESIDENTIAL AMENITY

There are no specific policies relating to the development of schools within the

Basildon District Council Local Plan Saved Policies (2007), although it is considered that this application would fall under the general Development Control Policy BAS BE12. Although this policy specifically relates to residential amenity it is considered that the criteria can be transferred to development proposals such as this, especially with regard to the potential impacts on the neighbouring residential properties. This policy is considered to be consistent with the direction of the NPPF.

Saved Policy BDLP BAS BE12 (Development Control) states inter alia that *“planning permission for new residential development will be refused if it causes material harm to the character of the surrounding area, overlooking, noise or disturbance to the occupants of neighbouring dwellings, over-shadowing or over-dominance or traffic danger or congestion.”*

The proposed new building would be located to the west of the main school buildings on an existing grassed area adjacent to the school’s boundary with Tavistock Road.

The existing hedge along the western boundary of the school and the two trees which are growing in close proximity to the proposed new building would be retained.

Place Services (Trees) has no objection to the proposal subject to conditions requiring the installation of HERAS protective fencing to protect both the crown and rooting zones of the retained trees in accordance with BS5837 prior to the commencement of development and that any excavations should be located outside the root protection area of the retained trees. However if this is unavoidable any excavations must be hand dug and all roots with a diameter greater than 25mm must be retained undamaged.

Should planning permission be granted it is considered that suitable conditions could be attached to ensure the adequate protection of the trees to be retained.

The grassed area proposed as the location for the new building slopes slightly up towards Tavistock Road.

The existing hedge to the western boundary is approximately 1.5 metres in height and the proposed new building would be 3.3 metres in height and located 3 metres from the site boundary. The nearest residential properties are on the opposite side of Tavistock Road to the school approximately 15 metres from the proposed new building.

Access to the building would be via an existing footpath within the school grounds. Only 2 small windows are proposed for the elevation which faces the properties in Tavistock Road. It is considered this would help minimise noise transfer and reduce the potential for overlooking.

Basildon Borough Council considers that the proposed building would have a minimal impact upon the character of the wider area, including the street scene. It has no objection to the intended small scale, low scale appearance and relatively

discrete position of the proposed building. However due to the forward stand-alone position of the proposed building within the school grounds and its timber material finish it recommends that any permission granted should be on a temporary basis, capable of being reviewed every five years.

The applicant has applied for permanent permission and Circular 11/95 advises that temporary permissions should only be granted where a proposal relates to a building or use which the applicant is expected to retain or continue only for a limited period, whether because they have specifically volunteered that intention or because it is expected that the planning circumstances will change in a particular way at the end of that period. Therefore it is not considered appropriate to grant temporary permission.

One letter of representation has been received stating that local roads have insufficient capacity to cope with existing traffic/parking requirements. It goes on to state that residents have difficulty in getting their own cars out at certain times and are particularly concerned about access for emergency vehicles.

The issue of inconsiderate parking by parents is a school management issue as opposed to a planning issue but is not a problem unique to this school. Although it is acknowledged it causes problems and inconvenience for local residents it is restricted to short periods of time morning and afternoon.

As stated previously there would not be an increase in staff or pupil numbers at the school as a result of this application. Therefore it is not considered that there would be any resulting increase in traffic movements or parking requirements.

It is not considered that the proposed erection of a detached single storey timber framed building would have a significant detrimental impact on the landscape, visual or residential amenity of the neighbouring residential properties.

It is considered that the proposal would be in accordance with Policy BAS BE12 (Development Control) as the established boundary vegetation would help screen the proposed building from view, there would not be a material harm to the character of the surrounding area, overlooking, noise or disturbance to the occupants of neighbouring dwellings, overshadowing or over dominance or traffic danger or congestion.

8. CONCLUSION

Given the NPPF's emphasis on creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being it is considered that planning permission should be granted for the erection of a detached timber framed building within the school grounds as it will provide additional accommodation for parents' meetings, staff training, social care meetings and school nurse health checks not available within the main school buildings.

Given that the proposed new building has been designed as a permanent building with particular consideration given to the selected materials it is considered

appropriate to grant permanent planning permission.

The proposed design and materials of the building are considered to be acceptable and appropriate with regard to the existing buildings on the school site and the surrounding area.

It is not considered there would be a significant detrimental impact on the landscape, visual or residential amenity of the nearest residential properties.

It is considered that the proposal would be in accordance with Policy BAS BE12 (Development Control) of the Basildon District Council Local Plan Saved Policies adopted September 2007.

9. RECOMMENDED

That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be **granted** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiry of 5 years from the date of this permission. Written notification of the date of commencement shall be sent to the County Planning Authority within 7 days of such commencement.
2. The development hereby permitted shall be carried out in accordance with the details of application reference CC/BAS/24/13 dated 3 June 2013 and validated on 6 June 2013 together with drawing numbers 10 Planning: Millhouse School 39-91 Scheme (Location Plan) dated 7 May 2013, 11 Planning: Millhouse 39-91 Scheme (Site Plan) dated 7 May 2013, 14a Planning: Millhouse School 39-91 Scheme Rev A (Elevations) dated 25 June 2013, 13 Planning: Millhouse School 39-91 Scheme (Roof Plan) dated 7 May 2013, 12a Planning: Millhouse School 39-91 Scheme Rev A (Plans and Section) dated 25 June 2013, 15a Planning: Millhouse School 39-91 Scheme (Visualisation – NTS) dated 25 June 2013, 100 Planning: Millhouse School 39-91 Scheme (Western Red Cedar timber cladding) dated 7 May 2013, 101 Planning: Millhouse School 39-91 Scheme (Douglas Fir Window Frames) dated 7 May 2013, 102 Planning: Millhouse School 39-91 Scheme (Black uPVC rainwater goods, Alwitra Evalon Roof membrane and trims and non-slip deck and hardwood column) dated 7 May 2013, 103 Planning: Millhouse School 39-91 Scheme (Sample finished buildings) dated 7 May 2013 and the Design and Access Statements 17 Planning: Millhouse School 39-91 Scheme dated 7 May 2013 and Supporting Documents/Statements 16 Planning: Millhouse School 39-91 Scheme dated 7 May 2013 and in accordance with any non-material amendments as may be subsequently approved in writing by the County Planning Authority, except as varied by the following conditions:
3. No development or any preliminary ground works shall take place until:
 - a. All trees to be retained during the construction works have been

protected by fencing of the 'HERAS' type. The fencing shall be erected around the trees and positioned from the trees in accordance with British Standard 5837 "Trees in Relation to Construction" and;

- b. Notices have been erected on the fencing stating "Protected Area (no operations within fenced area)".

Notwithstanding the above, no materials shall be stored or activity shall take place within the area enclosed by the fencing. No alteration, removal or repositioning of the fencing shall take place during the construction period without the prior consent of the County Planning Authority.

4. Any excavation works shall be located outside the Root Protection Area (RPA) of the trees to be retained. In the event that excavation works are necessary within the RPA, the works shall be undertaken using hand tools only, working around the tree roots so as to prevent damage or injury to the tree root. No tree root with a diameter greater than 25mm shall be severed unless agreed in advance in writing by the County Planning Authority.

BACKGROUND PAPERS

Consultation replies

Representations

Ref: DM/Rachel Edney/CC/BAS/24/13

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010

The proposed development would not be located adjacent to a European site.

Therefore, it is considered that an Appropriate Assessment under Regulation 61 of The Conservation of Habitats and Species Regulations 2010 is not required.

EQUALITIES IMPACT ASSESSMENT: The report only concerns the determination of an application for planning permission and takes into account any equalities implications. The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the body of the report.

STATEMENT OF HOW THE LOCAL AUTHORITY HAS WORKED WITH THE APPLICANT IN A POSITIVE AND PROACTIVE MANNER: In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirements in the NPPF, as set out in the Town and Country Planning (Development Management Procedure)(England)(Amendment No.2) Order 2012.

LOCAL MEMBER NOTIFICATION

BASILDON – Laindon Park and Fryerns