

**Retention of a single storey modular building and installation of a new modular building and link corridor SE/09/1028**

A report by Head of Planning Applications Group to Planning Applications Committee on 14 July 2009

SE/09/1028 - Application by the Kent County Council Children, Families, Health and Education for the retention of a single storey modular building and installation of a new modular building and link corridor at Milestone School, Ash Road, New Ash Green

Recommendation: Planning permission be granted subject to condition

**Local Member(s): Mr D.Brazier**

**Classification: Unrestricted**

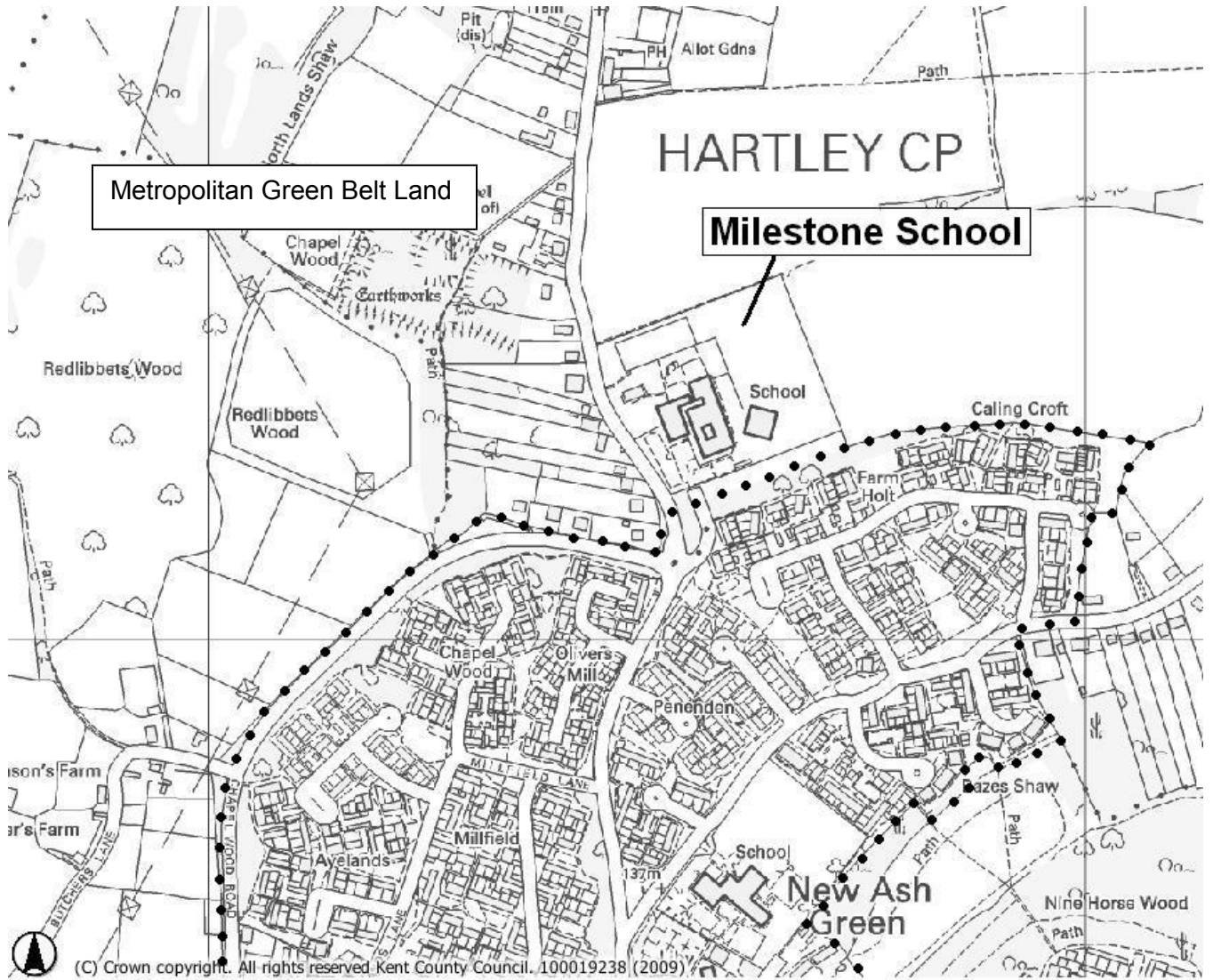
**Site**

1. Milestone School is located on the northern edge of New Ash Green, although the entire site lies within the parish of Hartley. The school site is bordered by agricultural fields to the North and East, and an area of trees separating the school from residential development to the South. New Ash Road forms the Western boundary and has residential buildings along the opposite side to the school. The entire school site is surrounded by mature hedgerows and trees that largely screen the buildings and playing fields from external view. The school lies wholly within the Metropolitan Green Belt. The southern boundary marks the extent of the designated green belt, and the New Ash Green development boundary.

**Background**

2. Milestone School is designated for children with Special Educational Needs, and includes those with Profound and Multiple Learning Difficulties. The children range in age from 2 to 19 years old and the school is divided into Key Stage 1 and 2, Key Stage 3 and 4, and Further Education departments. In total, Milestone School provides 223 full-time school places.
3. The modular building that exists on site was granted temporary planning permission in 2005, and expires on 30 June 2010. That planning application was to provide temporary accommodation for the Further Education (post 16) department, whilst alternative, permanent facilities were incorporated in a proposed development at Axton Chase School. The education for post-16 Special Educational Needs pupils within the areas of Gravesend, Dartford, Swanley, Sevenoaks and Tonbridge areas, takes place within these facilities at Milestone School.
4. Recent developments on site include a large extension to the school buildings to provide additional Key Stage 1 and 2 accommodation, an extension to the car park and the provision of a new play area. In 2008, two mobile classrooms were granted temporary planning permission to be sited on the school playing fields, for use during extension works at the school. However, these buildings were not installed on site and the permission has since expired.

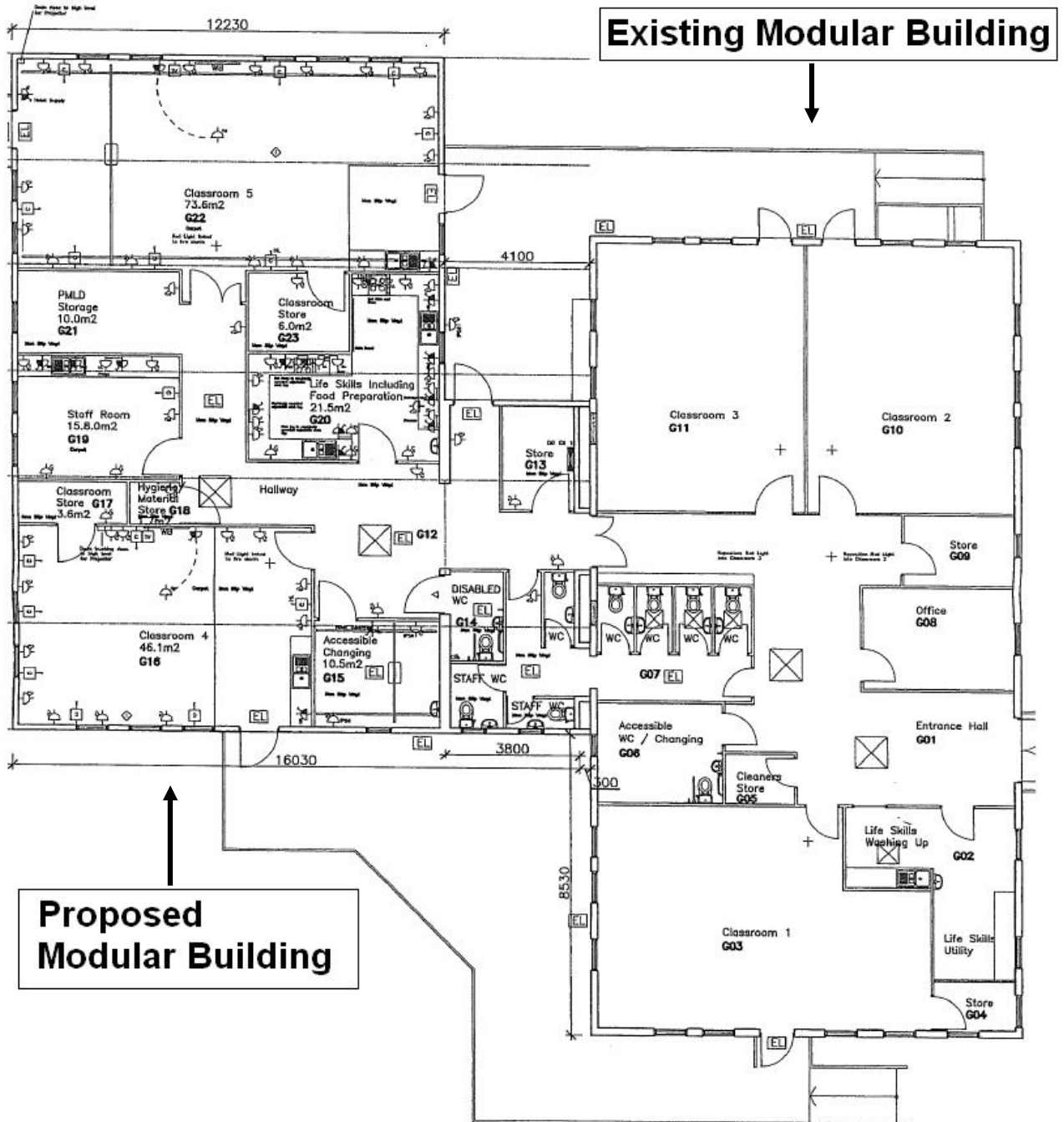
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..... = Extent of Metropolitan Green Belt

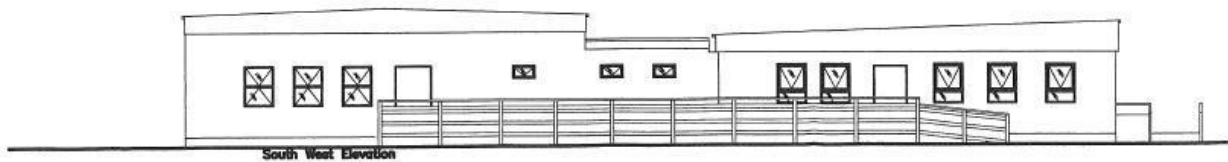
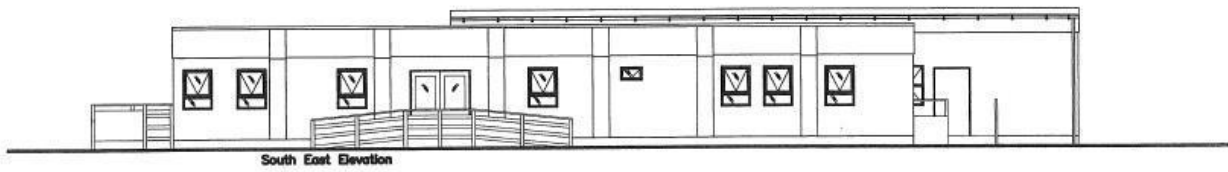
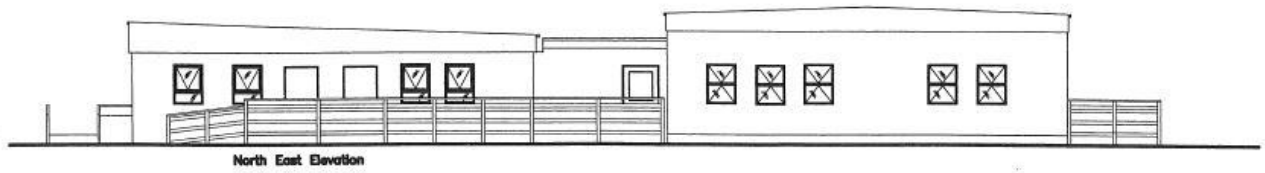
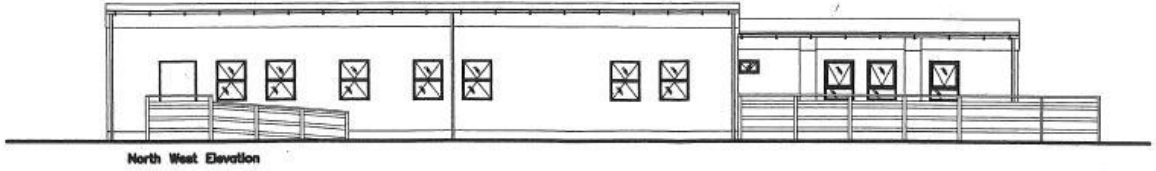
# Item D7

## Retention of existing single storey modular building and provision of new modular building – SE/09/1028

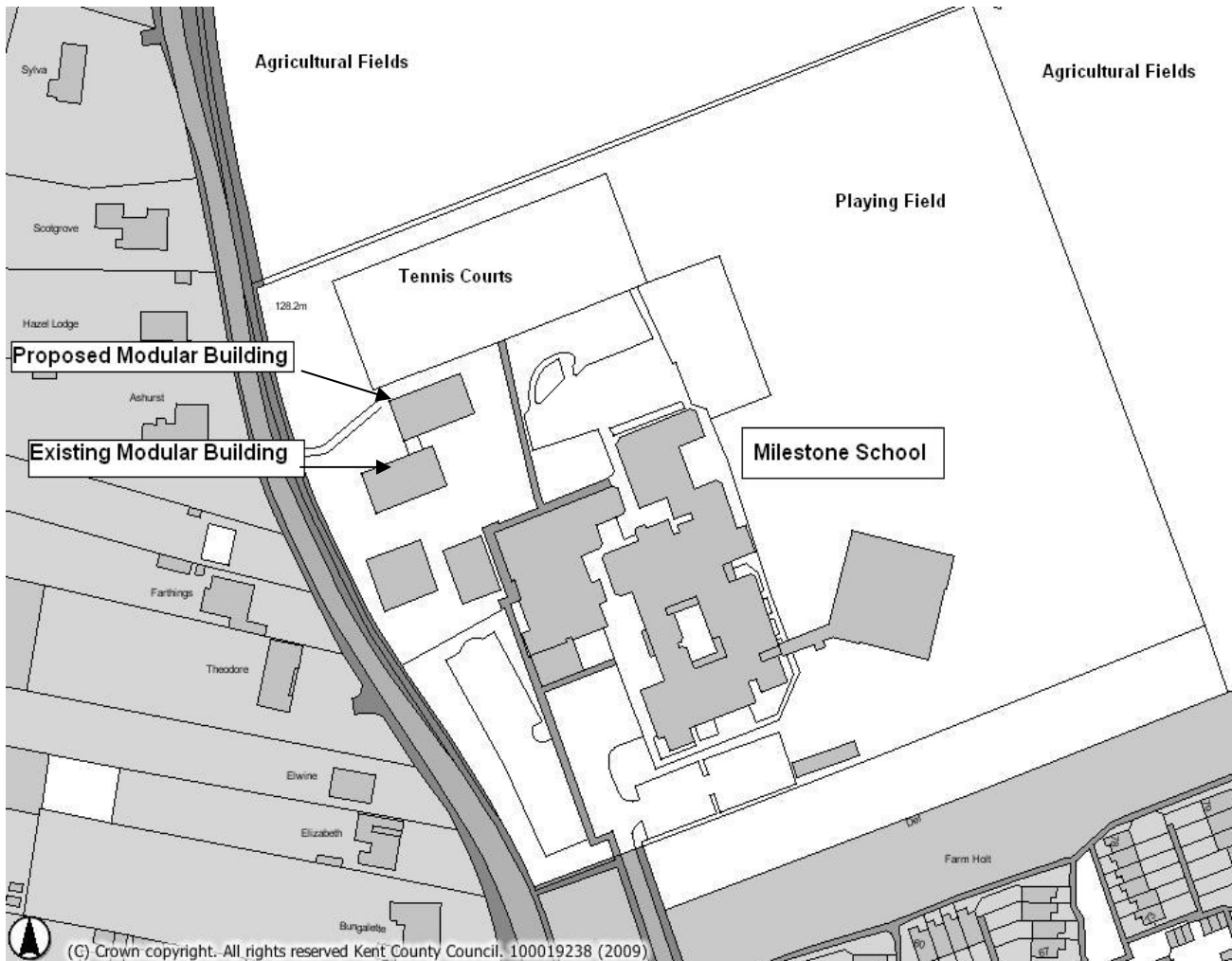


**Item D7**

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**Proposed Elevations**

**Retention of existing single storey modular building and provision of new modular building – SE/09/1028****Proposal**

5. This application proposes the retention of the modular building granted temporary permission in 2005, and the siting of an additional, identical modular building adjacent to the original. The two buildings are proposed to be attached by a link corridor which incorporates toilets and a storeroom. The existing modular building is located between the Teacher Learning Centre and the tennis courts. The additional building is proposed to be sited on the grass area between the existing modular building and the tennis courts.
6. The modular classrooms are to provide accommodation for post 16 year old pupils who currently attend Milestone School. The long term intention is for post 16 pupils to be sited away from the Milestone campus, integrated into a main stream Further Education College.
7. The modular buildings are single storey and of standard design. The existing building is painted green, with white PVC windows and doors and covers an area of 277 square metres. The total external floor area of the combined buildings and link corridor is 551 square metres.

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8. Additional information titled 'Statement Relating to Building in the Green Belt' was received after the original submission, which sought to justify the proposal alongside planning policy. The Statement provided information intended to prove 'very special circumstances' for inappropriate development within the Green Belt. Amended floor plans and elevations were also received, although these did not alter the proposal and were described as being updated plans.

**Planning Policy**

9. The Development Plan Policies summarised below are relevant to consideration of the application:

(i) **Planning Policy Guidance 2**

The fundamental aim of Green Belt Policy is to protect openness:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration.

(ii) The adopted **South East Plan**

**Policy SP5** Supports the existing designation of Green Belt land in the South East.

**Policy CC1** Seeks to achieve and maintain sustainable development within the region.

**Policy CC4** Expects that all development will adopt and incorporate sustainable construction standards and techniques.

(iii) The adopted **Sevenoaks District Local Plan 2000**

**Policy EN1** General Principles of development; all forms of development must comply with development plan policies, unless there are overriding material considerations. Development should: be compatible to the site in design, scale and density; respect the topography and retain important features; not affect the amenities of the locality; provides appropriate facilities for those with disabilities.

**Policy GB1** Extent of land included within the Green Belt. The permanence of the land within the Green Belt must be maintained. The extent of the Green Belt must only be altered in exceptional circumstances.

**Consultations**

10. **Sevenoaks District Council** objects to the proposal on the grounds that the land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposal would be inappropriate development harmful to the maintenance of the character of the Green Belt and to its openness. No very special circumstances have been put forward which would outweigh the potential harm and over ride Planning Policy Guidance 2 and SP5 of the South East Plan.

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**Hartley Parish Council** raises no objections.

**Ash-cum-Ridley parish Council** raises no objections.

**Divisional Transport Manager** raises no highway objection to the proposal.

**Local Member(s)**

11. The local County Member for Sevenoaks North East, Mr D.Brazier, was notified of the application on the 16 May 2009 and of the additional information on 25 May 2009.

**Publicity**

12. The application was advertised by the posting of a site notice and the notification of 8 neighbours.

**Representations**

13. There were no letters of representation at the time of reporting.

**Discussion**

14. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (4) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.

15. The main issue with this application is that Sevenoaks District Council has objected to proposal on the grounds that it is in conflict with Metropolitan Green Belt Policy. They state that the proposal would constitute inappropriate development harmful to the character of the Green Belt and to its openness. After these comments were submitted by the District Council, the applicant submitted additional information in the form of a Green Belt Statement, which attempts to demonstrate 'very special circumstances' which warrant setting aside the general presumption against inappropriate development.

16. Temporary mobile classrooms are not suitable for permanent retention by nature of their design, appearance and materials. Therefore, there must be a proven short term need in order to justify the granting of a temporary permission. A strong justification must be provided to retain a temporary building beyond the expiry date of the original planning permission.

**Green Belt Considerations**

17. The applicant's Green Belt Statement considers that the reasons establishing the need for the proposal constitute 'very special circumstances':

- The temporary buildings are required to meet the need created when plans for alternative facilities, proposed on another site, fell-through. Despite recent

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development at Milestone School, there is not adequate space within the existing school buildings to fulfil this need.

- The existing temporary building is currently over capacity and therefore an additional modular building is proposed to meet this need, and to meet the projected rise in pupil numbers next academic year.
- The modular classrooms are designed to a different standard and with specialist features compared to mainstream educational facilities, therefore displacing the additional pupils to other schools is not appropriate.

18. The education of Post 16 year old pupils with Special Educational Needs, and Profound and Multiple Learning difficulties, takes place at Milestone School. These pupils have very specific requirements and class sizes, in terms of space and numbers, cannot be judged by mainstream targets. The Post 16 unit serves a large catchment area covering Gravesend, Dartford, Swanley, Sevenoaks and Tonbridge. The long term objective is to integrate the pupils into mainstream educational facilities.
19. In 2005 planning permission was granted for the original modular building, which is proposed for retention within this application. The 2005 application advised that the need was temporary, as permanent provision was being incorporated into the redevelopment designs at the Axton Chase School, Longfield. The applicant states that during the design process, Axton Chase was granted academy status and is now to be constructed as the Longfield Academy. As a consequence of funding arrangements the Milestone post 16 provision can no longer be incorporated into the Longfield Site. The result is that Milestone School now is currently over capacity in numbers and the facility relies on the existing temporary mobile unit for the delivery of the special educational needs service at this site.
20. The applicant has stated that recent building works at the school had been designed to provide adequate space for the special requirements of the Milestone pupils. Teaching spaces were increased, and teaching groups were reduced. These changes had not been planned for in the Post 16 modular building, as permanent facilities at Axton Chase were envisaged at the time. Currently the existing modular building was designed to have three classrooms and provide space for 24 pupils. Numbers in the Post 16 unit have now reached 32, and the applicant states that this will increase again in September 2009. Therefore, the school has proposed to increase the space within this proposal with the provision of an additional modular classroom.
21. The need for the additional modular classroom is stated within the applicant's Green Belt Statement and Design and Access Statement. The additional numbers, combined with the need for adequate facilities is put forward as a very special circumstance. The pupils require smaller size groups than mainstream pupils, as well as requiring an additional hygiene room, space for lifting hoists, and room for specialist wheelchairs and wheelchairs storage. The applicant states that this is still a temporary arrangement and that the Kent County Council and Milestone School Managers are actively searching for alternative solutions away from a reliance on mobile accommodation at the site.
22. The circumstances surrounding the falling-through of the development of permanent facilities at Axton Chase, are considered 'very special' in policy terms, and therefore justify the retention of the existing mobile. The knock-on effect of the delay caused by this problem is that there is now a capacity issue with insufficient space provided for these pupils with Special Educational Needs. However, it needs to be borne in mind that the Axton Chase site at Longfield is also within the Green Belt, and to meet the



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needs of a largely Green Belt catchment area, the scope for a non-Green Belt location is clearly limited.

23. If planning permission were not granted, then the existing facilities would have to be removed after June 2010, and the proposed modular building not installed, thereby meaning that the facilities would be heavily oversubscribed for the next academic year. Given the Special Educational Needs of the pupils, that would be unacceptable to all concerned. After June 2010, the pupils would be displaced if current modular classroom is removed as there are no alternative facilities at present and insufficient space within the main school buildings which have not been designed to accommodate the post-16 pupils, therefore seriously impeding the service to the community by the school.
24. The applicant has stated that the existing mobile was sited in this location due to its suitability. The grass area does not form part of a playing field and is not used by pupils as a play area. Special, fenced-off playground areas are constructed on this site for the purpose of recreation and break-time play. The additional modular building has been designed to form an extension to the existing facilities; therefore it is required to site it adjacent to the existing building. Currently, this area is grass and has some semi-mature trees planted in a sparse manner.
25. In my opinion, this location is the most appropriate for the School, practically and aesthetically. The only view from the highway is largely blocked by tall, dense hedgerows and tree growth. Therefore, the amenity of the nearby residents would not be affected. The only other land which could accommodate modular units of this size is currently used as sports playing fields. To site them here would also be contrary to policy to protect playing fields, and due to the layout of the buildings on site, would also affect the openness of the playing fields.
26. The entire school site is located within the Green Belt, so any part of this site used would similarly conflict with Green Belt objections and potentially impact on openness. Although visual impact is not in itself a Green Belt issue, the applicant has submitted comments relating to Planning Policy Guidance 2 and the purposes of the Green Belt designation. The site chosen is entirely enclosed by fencing and large hedges and trees; therefore the applicant states that the proposal does not affect countryside access, or opportunities for sport and recreation for the urban population. The classrooms would only be visible through a mesh gateway, and are sited between the school buildings and the tennis courts, so would not affect an attractive landscape near to residents. The buildings are of temporary construction, so would therefore be easily removed from site and the land restored.
27. The existing modular building was approved to be finished in dark green (BS14 C 39) pursuant to Condition 2 of planning permission SE/05/1304. This colour was chosen so as to minimise the visual impact of the proposed unit. The additional modular building is proposed to match the existing in colour, style and finish. I am of the opinion that this is the correct choice of colour for a temporary building, as it is used on many mobile classrooms around the County, and serves to help the units blend into their surroundings.
28. The applicant has provided information relating to the design of the modular classrooms that proves the minimal impact that the proposal would have on the landscape. When viewed from the North - looking from the open countryside towards the school and the town of New Ash Green – the proposed unit would stand at a height of 4.15m against a

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backdrop of the Teacher Learning Centre and the Hydrotherapy centre, which both stand at 6.5m. Therefore the proposed buildings would not adversely affect the existing skyline of development when looking into, and out of the countryside. Also, due to the height and colour of the mobile classrooms, they would not be visible through or over the boundary hedgerow that encloses the site. The modular buildings would take up 1.28% of the total school site, and amount to 10.78% of the total building area.

29. Although the proposed development would inevitably have some impact on the openness of the Green Belt, I do not consider that it would be 'significant' due to the relatively small scale of the development, its careful siting, temporary nature and limited visual impact as discussed above. Therefore, on this basis, if Members are minded to grant planning permission it would not be necessary for the application to be referred to the Secretary of State for Communities and Local Government for consideration in this particular case.

**Conclusion**

30. On balance, I am satisfied that the applicant has demonstrated very special circumstances which outweigh the harm from building within the Green Belt. There are unfortunate circumstances surrounding the planned move off site; the special needs of the pupils (in terms of classroom space and accommodation); and the increase in pupil numbers that have created an immediate problem. Therefore, the use of temporary classrooms is justified in these circumstances, although that cannot be achieved without some conflict with Green Belt objectives, whichever site is used, and some impact on the openness of the Green Belt by default. I am satisfied that the long term goal of the applicant is to provide a permanent solution off site, meaning that the mobile buildings will not be in place on Green Belt land for any longer than is necessary.
31. The siting and design of the proposed buildings, in my opinion, does not have a significant impact on the openness of the Green Belt, nor threaten the access to and use of the countryside. The site is wholly enclosed and fenced off and the modular buildings would not be obvious visually from any aspect. I would advise that both units are granted a 5 year temporary permission. Although this is not a desirable solution, removal of the existing units would seriously affect the service provided by the School to the community.
32. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of the following conditions condition
- the buildings be removed and the site restored within 5 years of the grant of planning permission.
  - The additional modular unit matches the existing building in colour, style and finish
33. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informative
- the mobile classrooms have been granted temporary permission on Green Belt land on the basis of very special circumstances which outweigh any potential harm, and on the understanding that the post 16 facilities will be provided off site in the future.

Case officer – Jeff Dummett
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Background documents - See section heading
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