

Removal of modular building and replacement with a new modular building at St Stephen's Primary School, Tonbridge TM/10/127

A report by Head of Planning Applications Group to Planning Applications Committee on 11th May 2010.

Application by St Stephen's Primary School and Kent County Council Property Group for the removal of an existing modular building and replacement with a new modular building at St Stephen's Primary School, Tonbridge (Ref: TM/10/127)

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mr G Horne & Mr C Smith

Classification: Unrestricted

Site

1. St Stephen's Primary School is located approximately 800m to the south east of Tonbridge Town Centre in a predominantly residential urban area. The main vehicular and pedestrian access to the school is via Royal Rise, which is a residential cul-se-sac. This is a shared access with Hillview Secondary School for Girls. There is also a second pedestrian access to the school via a footpath from Kings Road. This is to the east of the school. A site location plan is attached.
2. This planning application relates to the removal of an existing detached modular building which is sited within the school grounds to the south of the main school and accessed via the footpaths from the main school building. This building is currently used for storage as it is considered by the School to be unsuitable for teaching because of its current condition. It was due to be removed in 2006 (reference TM/01/2413). The application proposes a new detached modular building in the same location.
3. A site plan is attached.

Background

4. There has been a number of planning applications relating to the St Stephen's school site in recent years. Most recently, permission was granted in 2009 (reference TM/09/2220) for the construction of a canopy and alterations to the locations of various windows and doors to the east of the main building together with the installation of low level picket fencing and alterations to the play area. These works have recently commenced at the site.
5. Prior to that, two planning applications relating to proposals to develop a Children's Centre at the site have been made but then withdrawn. In 2008, an application (reference TM/08/1377), for extension and refurbishment of an existing unused classroom within an existing community building to create a Children's Centre was made and subsequently withdrawn by the applicant. The application had proposed an extension to an existing brick building in the south east corner of the site and had also proposed the erection of security fencing to access routes. The brick building is still in use at the site and is referred to in the most recent application as the "Family Matters" building.

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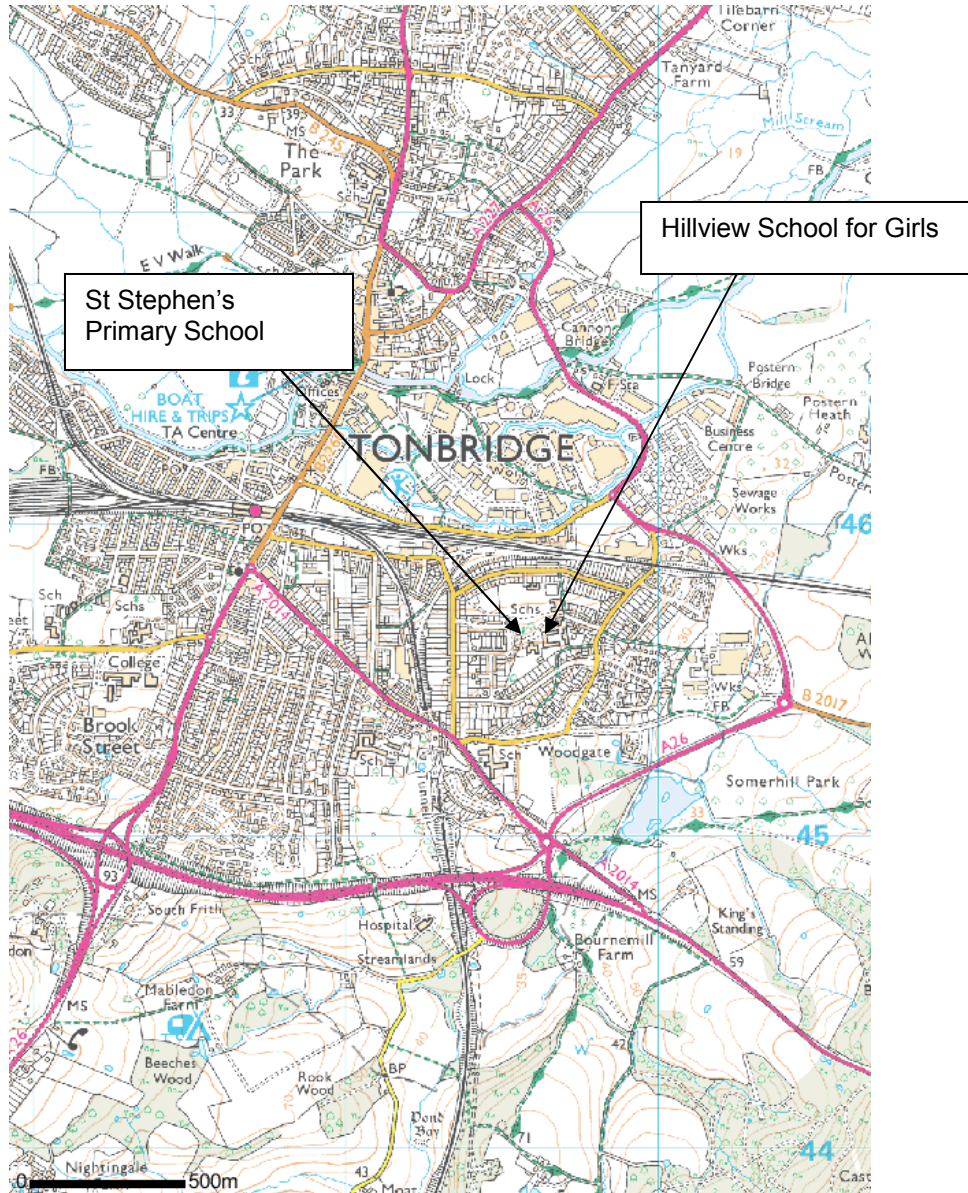
6. In 2007, an application (reference TM/07/2938) for the upgrade and permanent retention of an existing mobile classroom, and refurbishment of existing unused classroom spaces for use as a community Children's Centre was made. This application related to both the brick building (now referred to as the Family Matters building) and the modular building and proposed amendments to and use of the brick building and permanent retention of the modular building for use as a Children's Centre. However, it was subsequently withdrawn by the applicant.
7. The School currently provides a limited number of extended activities from the site in the "Family Matters" Building. They include a weekly Parent and Toddler Group, an Adult Education class and occasional family learning activities. The existing Family Matters building is also used as a breakfast club and afterschool club for the school.

Proposal

8. This report concerns a new proposal to remove the existing modular building at the site, which is currently used for storage and to replace it with a new modular building using the same external colour finish and style. The proposal incorporates new grass turf, planting borders and flower beds around the building. Plans showing the proposals are attached.
9. It is proposed that the new modular building would be constructed with a cream coloured plastic external finish to the walls, a mineral felt roof, white upvc windows and painted timber doors. The access to the building would be via steps and ramps at the east and west elevations. The slope between the main school building and the modular building would be grassed and landscaped.
10. The proposed modular building would measure 16.3 metres by 10.3 metres (excluding access ramps) and would contain an office, counselling room, play therapy room, afterschool club space and toilet and cloakroom.
11. The applicant proposes that the new building would be used to relocate the activities currently carried out within the "Family Matters" building. These activities include the school's breakfast and afterschool club. This takes place within the school term time only and between the hours of 8am to 9.30am and 3.20pm to 6pm. The attendance of this is limited to 24 pupils. It also includes some "community use" activities such as Mother and Toddler Group, Adult Literacy sessions, height and weight checks for pre-school children. These activities take place between 9.30am and midday. The Mother and Toddler Group currently has an attendance of less than 20 children. The adult literacy group has an attendance of no more than 10 at a time. The afternoon activities in the building would not be for community use but for the School's own use for activities such as cooking, play therapy and meetings. The proposal would not result in an increase to the annual intake at the school.
12. The School would like to extend activities carried out to include holiday play schemes at reduced hours between 8am and 6pm, as part of the "extended schools service" and therefore these activities would be outside of the normal school term time. This aspect of the application represents activities not currently undertaken at the school site.

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Location Plan



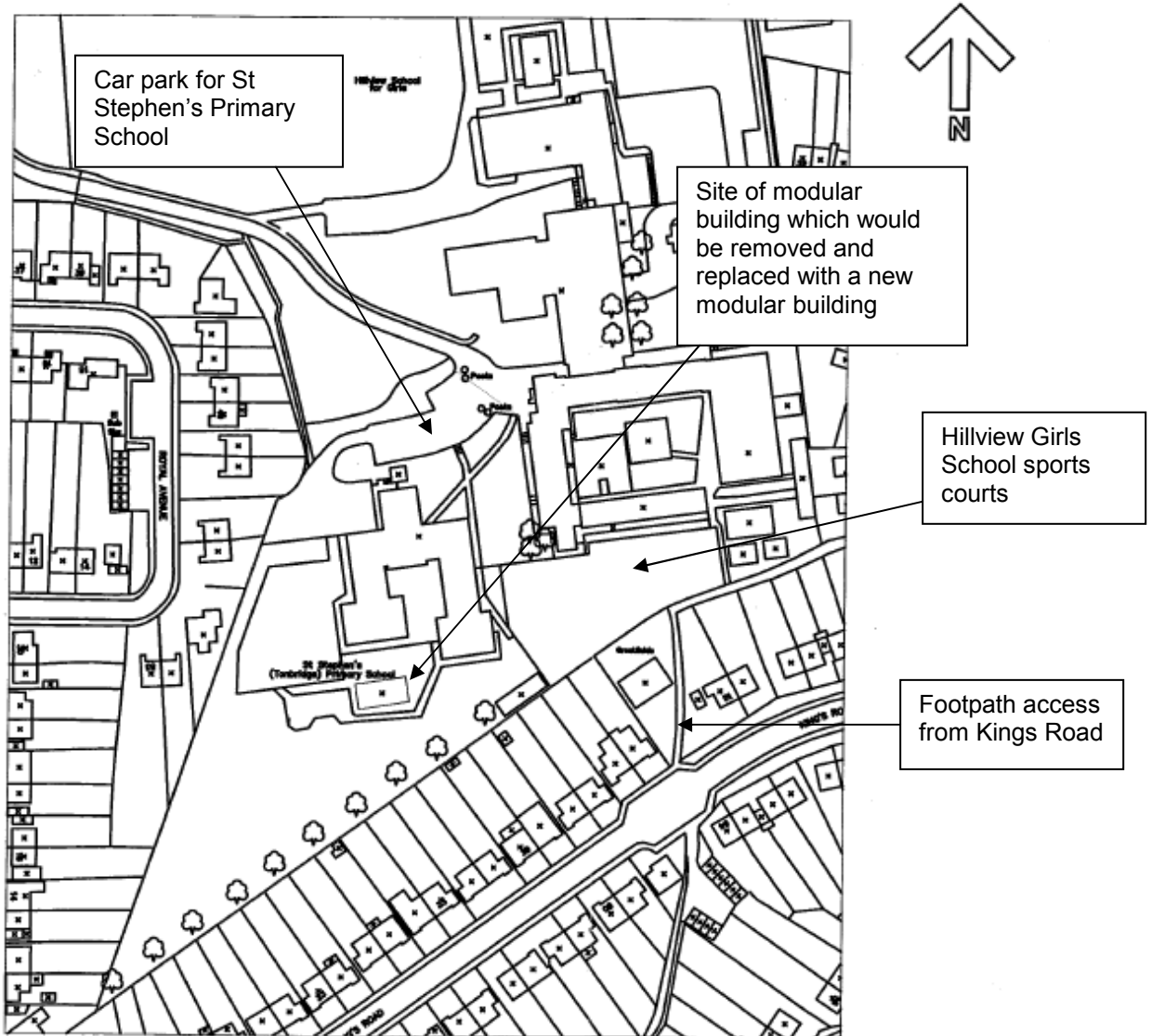
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Application Site Location Plan



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Proposed Site Layout



Figure 1 – Existing view from the playground looking towards the access to the existing modular building and in the background the existing “Family Matters” building.



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Figure 2 – Existing view of existing modular building from the east



Figure 3 – Existing view of the modular building from the west



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Figure 4 –View of area of land (taken in March 2010) across Hillview School grounds between the St Stephen's School security gate and the footpath access from Kings Road.



Figure 5 –View of area of land (taken in April 2010) across Hillview School grounds between the St Stephen's School security gate and the footpath access from Kings Road.



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Planning Policy

13. The Development Plan policies summarised below are relevant to consideration of the application:

(i) **The South East Plan (2009):**

- Policy SP3 Seeks to focus well designed development in urban areas in order to foster accessibility to services and avoid unnecessary travel.
- Policy CC1 Seeks to achieve and maintain sustainable development in the region.
- Policy CC6 Seeks to create sustainable and distinctive communities via development which respects the character and distinctiveness of settlements and promotes a high quality built environment.
- Policy BE1 Seeks to promote and support design solution opportunities with new development that are relevant to context, local character and distinctiveness and sense of place.
- Policy S3 Seeks to encourage adequate provision of pre-school, school and community learning facilities linked to widening and deepening participating through better accessibility and developing and shaping healthy sustainable communities. The policy encourages mixed use approaches that include community facilities alongside formal education facilities and seeks to ensure access for all sections of society to education facilities at locations with good public transport access.
- Policy S6 Seeks to encourage mixed use of community facilities to make effective use of resources and reduce travel and other impacts.

(ii) **The Tonbridge and Malling Borough Council Local Development Framework Core Strategy 2007:**

- Policy CP1 Seeks proposals for new development that will result in a high quality sustainable environment.
- Policy CP2 Seeks to encourage new development that generates a significant number of trips to be well located relative to public transport, cycle and pedestrian routes, make use of a choice of transport modes, be compatible with the character and capacity of the highway network and ensure accessibility.
- Policy CP24 Seeks to encourage development to be well designed and high quality and respect the site and its surroundings in terms of scale, density, layout, siting, character and appearance.

Consultations

14. **Tonbridge & Malling Borough Council** raises no objection to the proposals although they would welcome a more permanent solution.

The **Divisional Transportation Manager** raises no objection.

Public Rights of Way raises no objection.

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Local Member(s)

15. The local County Member(s), Mr G Horne and Mr S Smith were notified of the applications on the 20th January 2010.

Publicity

16. The application has been advertised by the posting of site notices at two locations and the individual notification of a number of neighbouring properties.

Representations

17. One neighbour representation (via email and letter) has been received objecting to the proposal for the reasons included below (where relevant to the decision making process and material planning consultation):
- Now that the School's annual intake is falling the building should be removed rather than replaced
 - Considers that the existing after school club building is adequate and expresses concern about what would happen to that building if the activities are relocated into the new building.
 - Concerns about whether the proposal includes (or would lead to) the establishment of a Sure Start Children's Centre at the site and uses that are unrelated to the school's activities. These concerns relate to the additional impact of traffic and congestion on the Kings Road and additional use of the footpath between Kings Road and St Stephen's School.
 - Concerns about lack of privacy for property against users of the footpath between Kings Road and St Stephen's School.
 - Concerns about the history of planning applications and recent development at the site, in particular relating to the establishment of community uses at the school, the access arrangements for the school, privacy and the existing security and fencing arrangements to the east of the main school site.

Discussion

18. This application is being reported to the Planning Applications Committee because of the neighbour representation objecting to the application.
19. Development Plan policies require proposals to be acceptable in terms of the site, context, design and impacts. Decisions are required to be in accordance with the Development Plan unless material considerations indicate otherwise. The relevant South East Plan and Tonbridge and Malling Borough Council development plan policies are set out above.
20. In my opinion, the main determining issues for this application relate to the acceptability of the site and design, and use of the facility together with access and amenity impacts of the proposal. These matters are discussed below.

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Site and design

21. The proposal would require the removal of an existing modular building at the site. That building is no longer suitable for use and has fallen into disrepair. It has come to the end of its useful life and requires removal from the site.
22. The proposed building would be at the same location at the school as the existing building, although it would be slightly larger. The existing building has a footprint of 15m (length) by 7.5m (width) with three access points on the northern, eastern and western elevations. The new building would be 16.3m (length) by 10.3m (width) with two access points to the eastern and western elevations. The height, design and style including the colour would be the similar to the existing building.
23. The principle of a modular building for educational use in this location has already been established and I am satisfied that the site and design of the proposal is acceptable in this location, although given the type of building I do not consider that it should be regarded as a permanent development.

Uses

24. It is proposed that the new building would house activities which the applicant says are already being carried out at the school. This includes a breakfast and afterschool club for children that attend St Stephen's School and community uses such as the Mother and Toddler Group, Adult Literacy sessions, height and weight checks for pre-school children. The School would also like to offer an "extended schools service" from the building to include holiday play schemes and these activities would not be in the school term time. These are new uses, although akin to the existing educational use.
25. The proposal therefore includes an extension to the range of educational activities that exist at the site. South East Plan (2009) Policies S3 and S6 encourage mixed use approaches that include community facilities alongside formal educational facilities, linked to making effective use of resources, making facilities accessible to all sections of society and developing and shaping healthy sustainable communities. There is policy support for community facilities as mixed use approaches where there is good transport access.
26. Other policies (South East Plan (2009) Policies CC6, BE1 and Tonbridge and Malling LDF Core Strategy (2007) Policies CP24, require development to be well designed and to respect the site and its surroundings. I am satisfied that the site and design is appropriate to the surroundings (as discussed above) and that the proposed uses are akin to the educational use that exists at the site. However, the amenity impacts concerning access and residential amenity need to be considered further. These aspects are discussed below.

Access

27. The main vehicular access to St Stephen's School is via Royal Rise leading to the St Stephen's School car park. There is also pedestrian access via a footpath from Kings Road. Neighbour representation expresses concern about the access arrangements for the school and congestion in the vicinity of the school site (and the neighbouring school site), in particular, that this proposal would add to congestion. However, the number of additional users generated by this proposal is limited to those that would use the holiday club activities and are therefore outside of the school term time. At these times, the normal term time traffic movements to and from the school site would not be occurring.

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28. The pedestrian access to St Stephen's is via a Public Right of Way (PROW) into a triangular piece of land between Hillview Secondary School for Girls and St Stephen's School. This piece of land is used as a waiting area for parents picking up their children from St Stephen's School. The area adjoins the rear gardens of a number of properties along Kings Road and the neighbour representation indicates particular concern about the use of this pedestrian access, both in relation to the existing activities at the site and also this planning application.
29. However, the applicant proposes that all access to the proposed modular building outside of school term time would be via the St Stephen's School vehicular entrance via Royal Rise and not via the pedestrian access from Kings Road. This would be controlled by keeping the access gates between the St Stephen's School playground and the adjoining triangular piece of land locked. The proposal would not therefore result in additional use of the pedestrian access from Kings Road to the site as a result of the summer holiday use. I am satisfied that access to the site via the vehicular entrance can be adequately controlled via appropriate planning conditions.
30. South East Plan (2009) Policy S3 and Tonbridge and Malling LDF Core Strategy (2007) Policy CP2 seek to encourage development proposals that are well placed relative to public transport, cycle and pedestrian routes and that make use of a choice of transport modes. The area is well served by public transport bus routes and the proposal appears to allow a choice of transport modes. Planning policy also seeks to encourage mixed use approaches of such sites, making more effective use of resources (South East Plan (2009) Policies S3 and S6). The Divisional Transportation Manager and Public Rights of Way Officer did not raise any objection in relation to the proposals and I therefore conclude that the existing highway access and public right of way arrangements are acceptable in planning terms.

Amenity impacts

31. The site of the proposed modular building would be approximately 20m from the boundary of residential property in Kings Road and would be partially screened by the existing tree line along that boundary. Given the overall site context comprising existing single storey school buildings at the site, I am satisfied that there are no adverse amenity impacts from the siting and design of the proposed modular building.
32. The proposal seeks to rely on the existing access routes to the school, including the vehicular access via Royal Rise and the pedestrian access route from Kings Road to St Stephen's School. Part of the pedestrian access route from Kings Road is a PROW which runs alongside residential property and the remainder is across Hillview Girls School land (see figure 4). The fencing arrangement of this route channels pedestrians to St Stephen's School alongside the boundaries with residential property in Kings Road. The facade of these properties range between 10m and 20m from the boundary fence line, beyond which is the access route between the PROW and the school site, the closest being 49a Kings Road, the facade of which is 10m from the boundary. There is an existing impact on residential amenity from use of the pedestrian routes to St Stephen's School when users of the access across this land are able to see directly into neighbouring properties and concern has been expressed about loss of privacy that arises from this overlooking. Tonbridge and Malling LDP Core Strategy (2007) Policy CP24 requires development to respect the site and its surroundings and to not be detrimental to the built environment and amenity of a locality.

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33. The main objection that arises from the neighbour representation is that this proposal would add to the overlooking impacts. As this relates largely to existing use of these access routes, this is essentially a “good neighbour” issue that needs to be managed by St Stephen’s and Hillview Schools. Since receiving this planning application, there have been recent improvements to the fencing design (height and type) (shown in figure 5) which generally assist to protect the privacy of neighbouring properties and reduce overlooking. However, notwithstanding this, I am satisfied that there would be no additional impacts to overlooking to these properties arising from pedestrian access to the proposed modular building outside of school term time, as the gates to the St Stephen’s School would be kept locked and this access route would not be used.

Conclusion

34. The existing modular building at the site is due to be removed. However, its removal has been linked to a proposal for a slightly larger replacement modular building in the same location. The proposed modular building is relevant to the site context and the design responds to the surrounding school buildings. It is proposed that the building be used predominantly by the School, but also for a limited number of community and extended school activities, and this mixed use of facilities accords with the Development Plan policies which seek to encourage mixed uses. No objections have been received from Tonbridge and Malling Borough Council (although they would welcome a more permanent solution) or the Divisional Transportation Manager in relation to highway impacts. The remaining concerns raised by neighbouring representation relate to the impacts of the proposal to residential amenity, in particular overlooking of property impinging on privacy. I am satisfied the recent amendments to the fencing arrangement at the site have reduced this impact and that these matters can also be controlled by planning conditions governing access arrangements to the site. I therefore conclude that the transfer of existing activities from the “Family Matters” building to the proposed modular building, together with the extended use of the building outside of term time to allow holiday club activities, would be appropriate in this location.

Recommendation

35. I RECOMMEND that:

PERMISSION BE GRANTED for the removal of the existing modular building and replacement with a new modular building, SUBJECT TO CONDITIONS that include the standard time condition, the development be carried out in accordance with the permitted plans, that the building be removed and the site reinstated within a 5 year period, a restriction of site hours to between 0800 hours and 1800 hours Monday to Friday and a requirement for access for activities carried out outside of the normal school term time to be via the main school site entrance via Royal Rise.

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| Case officer – H Mallett | 01622 221075 |
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| Background documents - See section heading |
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