

Erection of an extension to sports hall, Valence School, Westerham – SE/10/2312

A report by Head of Planning Applications Group to Planning Applications Committee on 7 December 2010

Application by Valence School the erection of a single storey extension to the existing sports hall for spectators and storage use at Valence School, Westerham Road, Westerham, TN16 1QN SE/10/2312

Recommendation: Permission be granted subject to conditions

Local Member(s): Mr R.Parry

Classification: Unrestricted

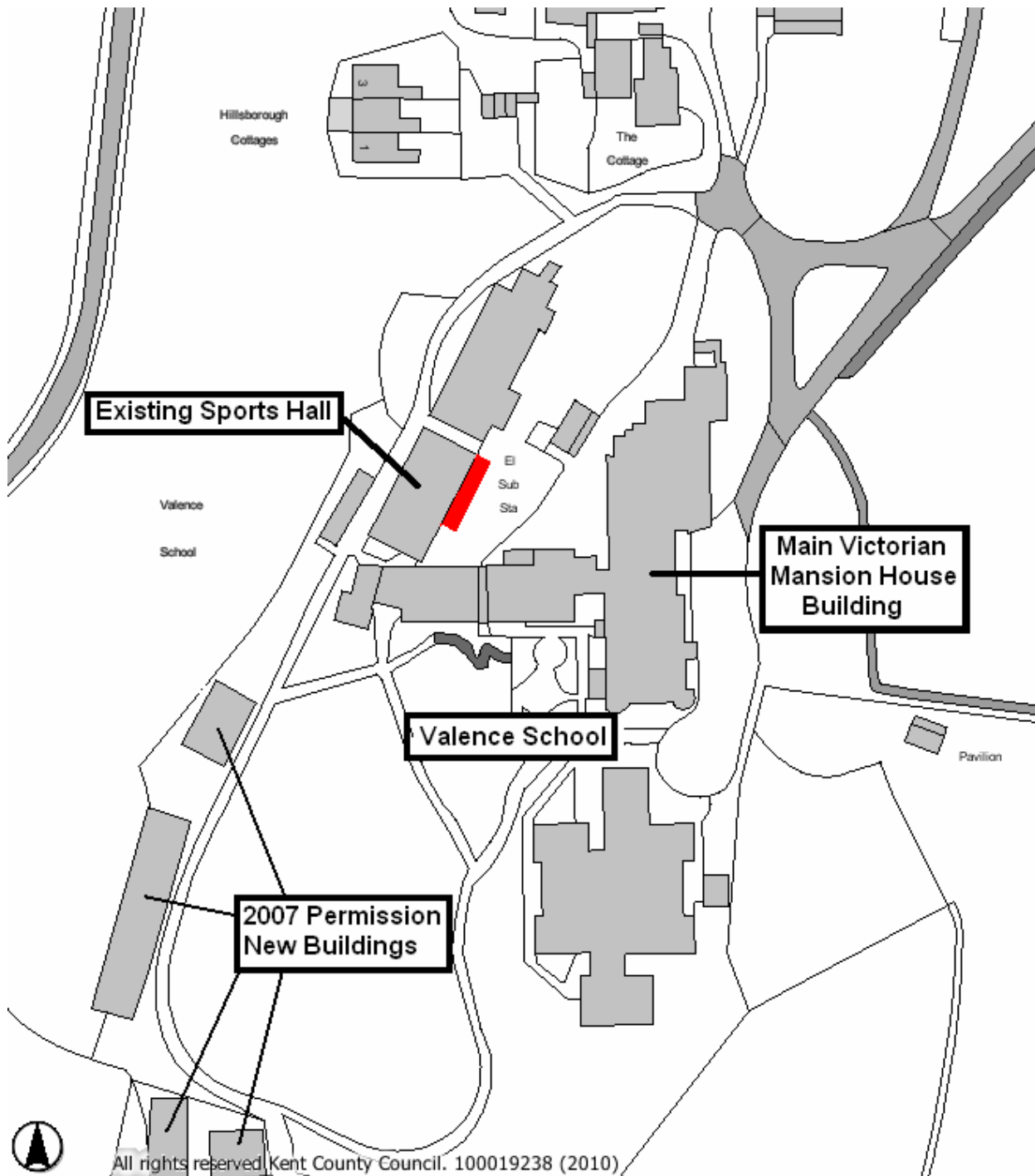
Site

1. Valence School lies to the south of the A25, between Westerham and the village of Brasted. The site lies wholly within the Metropolitan Green Belt, the Kent Downs Area of Outstanding Natural Beauty, the Greensand Ridge Special Landscape Area and a Historic Park and Garden. The site's parkland setting includes gardens and areas of woodland. The school is located towards the top of a ridge, running from south west to north east. The ridge ends immediately to the north east of the school, so that the school buildings and garden terraces are surrounded on three sides by steep slopes. A former KCC social education centre (Mountfield/Horizons site) adjoins the site to the east, the Westerham Golf Course to the east and south east, woodland to the south and west, open fields to the south west and west with some scattered residential properties, and the A25 to the north.
2. The development is proposed to be a single storey extension to the existing sports hall. The sports hall is located within the main developed area of the school site, and to the rear of the original Victorian Mansion House building. The extension is proposed to be on the eastern elevation, facing into the school site, adjacent to a sloped bank area which is enclosed by school buildings.

Background and Proposal

3. The Valence School is a day and residential all-age maintained special school for young people who have a wide range of physical disabilities, complex medical needs and associated communication and learning difficulties. Young people who attend the school are mainly from the South East of England, predominantly from Kent, but including Medway, Sussex, Surrey and the London Boroughs of Bexley, Croydon and Sutton.
4. There have been many developments on the site over the past 10 years which are not of direct relevance to this application, but in 2007 the School was granted permission for extensive building works to provide modernised teaching and residential accommodation (SE/07/1914). The development involved the demolition of derelict and substandard buildings, and the construction of a two-storey teaching block, four single storey residential blocks and a modest extension to an existing single-storey teaching block. This proposal subject to rigorous scrutiny due to the location of the school within the Green Belt and Kent Downs AONB, and was the subject of a Members' Site Meeting at the time.

Erection of an extension to sports hall, Valence School, Westerham – SE/10/2312



Erection of an extension to sports hall, Valence School, Westerham – SE/10/2312



Erection of an extension to sports hall, Valence School, Westerham – SE/10/2312

5. This application is for a single storey extension to the existing sports hall. The existing building has yellow brick walls and an aluminium sheeted dual-pitched roof, and covers an area of 336m². The roof is 6.9m high at the apex and 3.5m high at the eaves. The development is proposed to extend the eastern elevation of this building and would measure 18.59m in length and 3.25m in width (60.45m²), with a maximum height of 3.5m and would have flat roof which adjoins the existing building at the eaves. The new space created is proposed to be used as storage space and an area for spectators to overlook the internal activity area of the existing sports hall.
6. Following receipt of an objection on the grounds that the proposal would constitute inappropriate development within the Green Belt, the applicant submitted additional information to demonstrate 'very special circumstances' in accordance with planning policy. Within this information the applicant stated that the Valence School is a designated Sports College, and therefore has key objectives in order to fulfil this status, including providing adequate facilities for current and future pupils. The applicant stresses the point that the current facilities are insufficient and substandard as they do not provide adjacent storage space or spectator viewing, which is an important area to address due to the nature of the students' physical disabilities, and associated health and safety implications. The applicant highlights that the extension would be of a modest size and would not be viewable from any external vantage point due to it being located in an internal enclosed space.
7. The applicant contends that the exceptional needs of the pupils due to the diverse and severe nature of their disabilities make the current accommodation unsuitable, and the requirement to improve the facilities to an acceptable standard constitute very special circumstances.

Planning Policy

8. The Development Plan Policies summarised below are relevant to consideration of the application:
 - (i) **National Planning Policy Guidance 2: Green Belt**

There is a general presumption against inappropriate development within the Green Belt, which is by definition harmful and should not be permitted unless it can be justified by very special circumstances. The construction of new buildings within the Green Belt is inappropriate unless it is for the following purposes:

 - agriculture or forestry
 - essential facilities for outdoor sport and outdoor recreations, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purpose of including land in it.
 - limited extension, alteration or replacement of existing dwellings.
 - Limited infilling in existing villages and limited affordable housing for community needs
 - Limited infilling or redevelopment of major existing developed sites identified in adopted local plans.
 - (ii) **National Planning Policy Statement 7: Sustainable Development in Rural Areas**

The Planning system should seek the conservation of the natural beauty of the landscape and countryside. Development should be well designed and inclusive, in keeping and scale with its location, and sensitive to the

Erection of an extension to sports hall, Valence School, Westerham – SE/10/2312

character of the countryside and local distinctiveness. Nationally designated areas such as Areas of Outstanding Natural Beauty are confirmed as having the highest status of protection and relation to landscape and scenic beauty.

(iii) The adopted **South East Plan 2009: Regional Spatial Strategy Policies**

Note that following the recent successful Cala Homes High Court challenge over the earlier abolition of the South East Plan, the South East Plan now forms part of the Development Plan again. In addition, Local Planning Authorities should have regard to the Department for Communities and Local Government Chief Planners advice that the Government intends to revoke the South East Plan via the Localism Bill. This advice is, however, subject to a further challenge and this advice must carry very little weight until such time as the court decision is known.

Policy SP5 The existing broad extent of the Green Belts in the region is appropriate and will be retained and supported and the opportunity should be taken to improve their land use management and access as part of initiatives to improve the rural urban fringe.

Policy C3 High priority will be given to the conservation and enhancement of the natural beauty of the region's Areas of Outstanding Natural Beauty. In considering proposals for development, the emphasis should be on small-scale proposals that are sustainably located and designed. Proposals which support the economies and social well-being of the AONBs and their communities will be encouraged provided that they do not conflict with the aim of conserving and enhancing natural beauty.

Policy S5 Increased and sustainable participation in sport, recreation and cultural activity should be encouraged by local authorities.

Policy S6 The mixed use of community facilities should be encouraged.

(iv) The adopted **Sevenoaks District Local Plan 2000 Saved Policies**

Policy EN1 Proposals for development must comply with development plan policies unless there are overriding materials considerations. Planning applications should be considered against general development criteria.

- The form of the building to be compatible with the other buildings and the design to be in harmony with adjoining buildings and incorporate materials and landscaping of a high standard.
- The layout should respect the topography of the site and retain important features including trees and hedgerows, new landscaping features will be required in appropriate cases.
- Development should not have an adverse impact on the privacy or amenities of a locality.
- The development does not result in the loss of important buildings or related spaces.
- A satisfactory environment for future occupants.
- A satisfactory means of access and provision of parking to the required standards.

Erection of an extension to sports hall, Valence School, Westerham – SE/10/2312

- Appropriate facilities for those with disabilities.
- The application to be accompanied where appropriate by a planning statement describing the environmental and physical impact of a proposal on the locality and the measures that will be undertaken to mitigate the impact.

Policy EN4A Proposals for all forms of new non-residential development must make satisfactory provision for the safe and easy access of those with disabilities.

Policy EN6 Areas of Outstanding Natural Beauty. Development which would harm or detract from the landscape character of these areas will not be permitted.

Policy EN7 Development within the Greensand Ridge Special Landscape Areas will be permitted only where it would cause no significant harm to the landscape character of the area.

Consultations**9. Sevenoaks District Council:** Comments as follows:

- “The land lies within the 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. This conflicts with government advice in the form of Planning Policy Guidance 2: Green Belt.”

Following the receipt of additional information from the applicant, the following comments were received

- The proposed development would not harm or detract from the landscape character of the AONB (Policy EN6) as the proposed development would be located against the bulk of the existing building which would minimise the impact within the AONB.
- The proposed development would be located within the grounds of the Valence School facing towards the other school buildings. Accordingly the proposal would not impact upon any residential properties. The materials would be in keeping with the existing building.
- The proposed development would not impact detrimentally upon local amenities or landscape and would incorporate materials in keeping with the existing building. However, the proposed development would add to the built form of the existing building. This would reduce the openness of the Green Belt and accordingly would be inappropriate development within the Green Belt.
- Of the very special circumstances advocated
 - The needs of the pupils would carry a limited degree of weight.
 - The requirement to meet the Sports College Status would not be an issue of relevance to Green Belt Policy.
 - The need for additional storage cannot be seen to be a unique circumstance.
 - Through reducing the openness of the Green Belt, the proposal would be inappropriate development within the Green Belt.
- Whilst the needs of the pupils does carry some weight, it does not represent very special circumstances that would outweigh the harm to the green belt.

**Erection of an extension to sports hall, Valence School,
Westerham – SE/10/2312**

Westerham Parish Council – Raises no objection.

Local Member

10. The local County Member for Sevenoaks West Mr R. Parry was notified of the application on 12 August 2010

Publicity

11. The application was advertised by the posting of a site notice and the notification of 4 neighbours, and no representations have been received.

Discussion

12. 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 Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
13. This application has been reported for determination by the Planning Applications Committee following the receipt of an objection from the District Council. The initial objection was submitted on the grounds that the development was within the Green Belt and therefore constituted inappropriate development which would harm the openness of the Green Belt and conflict with national Planning Policy Guidance 2 (PPG2). The applicant submitted a statement from the headmaster, and a statement from the agent, which argued very special circumstances for the proposal. However, following this the District Council reaffirmed their objections with a report stating that they object on the grounds that (a) the proposal is inappropriate development which would harm the openness of the Green Belt, and (b) the justification provided does not constitute very special circumstances that would outweigh the harm to the Green Belt.
14. The proposed development would be located within a designated Area of Outstanding Natural Beauty (AONB) and a Special Landscape Area (SLA) protected by current planning policy. The objections received do not raise a concern about the impact on these designations. The proposed development would be located within the built form of the school, would be facing towards other school buildings and therefore would not be visible from any vantage point outside the school site, and indeed the immediate enclosed area. It is a relatively minor addition to the existing building and would not have any adverse landscape or visual impact. For these reasons I am of the opinion that these issues need not be discussed further and that the primary planning issue for discussion relates to the impact on the Green Belt designation.

Inappropriate Development Within the Green Belt

15. Planning policy for developments within the Metropolitan Green Belt is informed by Planning Policy Guidance 2: Green Belts (PPG2), which seeks to maintain tight planning controls over development within this designation. PPG2 states that the aim of the planning policy is:

Erection of an extension to sports hall, Valence School, Westerham – SE/10/2312

- 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
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
16. This planning application proposes a modest extension to an existing building. The extension would be located on an area of land that is enclosed on three sides by buildings, and trees on the fourth side. The extension is proposed to be constructed of matching materials, and is only as high as the eaves and existing side elevation wall. Therefore, if the development were built it would not be visible from any position, other than the immediate surrounding area within the school site and it would not prevent access to the countryside or wider views from the Green Belt land. Therefore, I am of the opinion that the proposal does not conflict with the aims and objectives of the Green Belt designation and constitutes a limited infill extension to an existing development, and is therefore not inappropriate development.
17. The District Council has communicated that their opinion on this case is that building within the Green Belt, whilst not visible from the wider landscape, would still constitute inappropriate development as it would encroach spatially by introducing an additional amount of built form. Modest extensions to Green Belt schools in other districts are often assessed in terms of fact and degree (location, visibility, size and materials), and these are the factors used to decide the extent to which the development impacts on the openness of the Green Belt and whether or not it is inappropriate development.
18. The strict interpretation of PPG2 would allow limited extension to dwellings, but this exception would not extend to this development as it is for a school, and if strictly complied with, no extension or modest expansion of any existing school premises would ever be acceptable under PPG2 criteria. . Clearly the purpose of the Green Belt is not to prevent organic expansion and improvements of existing and necessary community facilities that happen to operate in area that has subsequently been covered by blanket Green Belt designation. Whilst it may be possible to interpret the other PPG2 exception *“other uses of land which preserve the openness of the Green Belt and which do not conflict with the purpose of including land in it”* as extending to this situation, if the strict approach is to be adopted, then this proposal would constitute inappropriate development and it would be necessary to demonstrate ‘very special circumstances’.

Very Special Circumstances

19. In response to the Green Belt objection from the District Council, the applicant and agent submitted additional information to demonstrate very special circumstances to override the classification of the proposal as inappropriate development, which is summarised above in paragraphs 6 and 7.
20. The report from the officer at the District Council states that little weight can be attached to the needs of the pupils. However, in my opinion the needs of the pupils should be given considerable weight when assessing against Green Belt policy.
21. Valence School provides specialist education and facilities for children with severe and wide-ranging disabilities. A large number of the pupils have wheelchair requirements, and some are classified as requiring significant or total care. The school buildings have been renovated and updated over the past few years to accommodate this specialist

Erection of an extension to sports hall, Valence School, Westerham – SE/10/2312

function. It has been identified that the facilities within the sports hall fall short of what is required, and in the worst case analysis constitute a health and safety risk. In my opinion it would be inequitable not to attach some weight to the needs of the pupils and the ongoing aims of the School as a whole to provide appropriate and updated facilities for this school. In particular, it would be wrong to discriminate against this particular long established special school in terms of access to new and upgraded facilities, without which it might not be able to continue to operate and meet current standards, simply because it operates from a site that has since been included within the blanket designation of Green Belt. The purpose of the Green Belt is to contain existing areas of urban development within their existing built up confines by maintaining largely open land between them – in this case between the built up area of Greater London and the built-up areas of the established surrounding towns and villages. Whilst Green Belt policy aims to preserve the openness of these largely undeveloped ‘in between areas’, the intention is clearly not to prevent the continued operation and success of those community services that already operate within the Green Belt.

22. The School caters for pupils from a large catchment area, therefore strategically, the special residential nature of the facilities is important to more than the immediate locality. This alone demonstrates that the needs of the pupils are very specialist and cannot readily be provided at many other locations. Evidence of the significant weight attached to their needs is demonstrated in the fact that the pupils are sent to this school, rather than to their nearest mainstream school, and this should be considered when assessing the importance of the needs of the pupils as a material consideration within the planning application.
23. Whilst the minor impact of this modest building extension on the Green Belt in physical and visual terms is not in itself a reason to justify the proposed development, the fact that the extension would be well contained within the inner part of an established built development means that the impact on the openness of the wider Green Belt would actually be so insignificant as to be imperceptible. Under the circumstances, I would contend that this negligible physical impact does in this particular case lend support to the case for demonstrating adequate very special circumstances to justify setting aside the normal Green Belt policy presumption against further built development in principle. Therefore, in my opinion, this, together with the reasons given by the School to justify the proposal do outweigh the very limited harm to the openness of the Green Belt.

Conclusion

24. In my opinion, due to the minor scale of the proposal, the location, design and materials used, the development would not constitute inappropriate development within the Green Belt to a significant enough degree as to clearly conflict with the aims and objectives of Green Belt policy. In particular, the prime purpose of the Green Belt is to prevent the coalescence of urban areas by maintaining open areas of land in between and the proposed extension would have an imperceptible impact in reducing such openness, given that the development constitutes a limited infill extension. Moreover, it faces inwards towards existing buildings on an existing developed and long functioning school site, and would not be visible from any external viewpoint. Notwithstanding the above opinion, if the building were to constitute ‘inappropriate development’, I am satisfied that the School has demonstrated ‘very special circumstances’ that outweighs what in this particular case is only very limited material harm to the Green Belt.

Recommendation

**Erection of an extension to sports hall, Valence School,
Westerham – SE/10/2312**

25. I RECOMMEND that PERMISSION BE GRANTED subject to conditions:

- The standard time condition for implementation;
- The development to be completed in accordance with the approved plans;

Case officer – Jeff Dummett	01622 221058
-----------------------------	--------------

Background documents - See section heading
--