

Retention of a mobile building – The Downs C of E Primary School, Walmer - DO/07/994.

A report by the Head of Planning Applications Group to the Planning Applications Committee on 6 November 2007.

Application by the Governors of The Downs C of E Primary School and KCC Children, Families and Education for the retention and renewal of planning consent for a four classroom mobile building with library, toilet and staff facilities, at the Downs CE Primary School, Owen Square, Walmer.

Recommendation: Planning permission be permitted subject to conditions.

Local Member(s): Mr. T. Birkett and Dr. M. Eddy

Classification: Unrestricted

Site

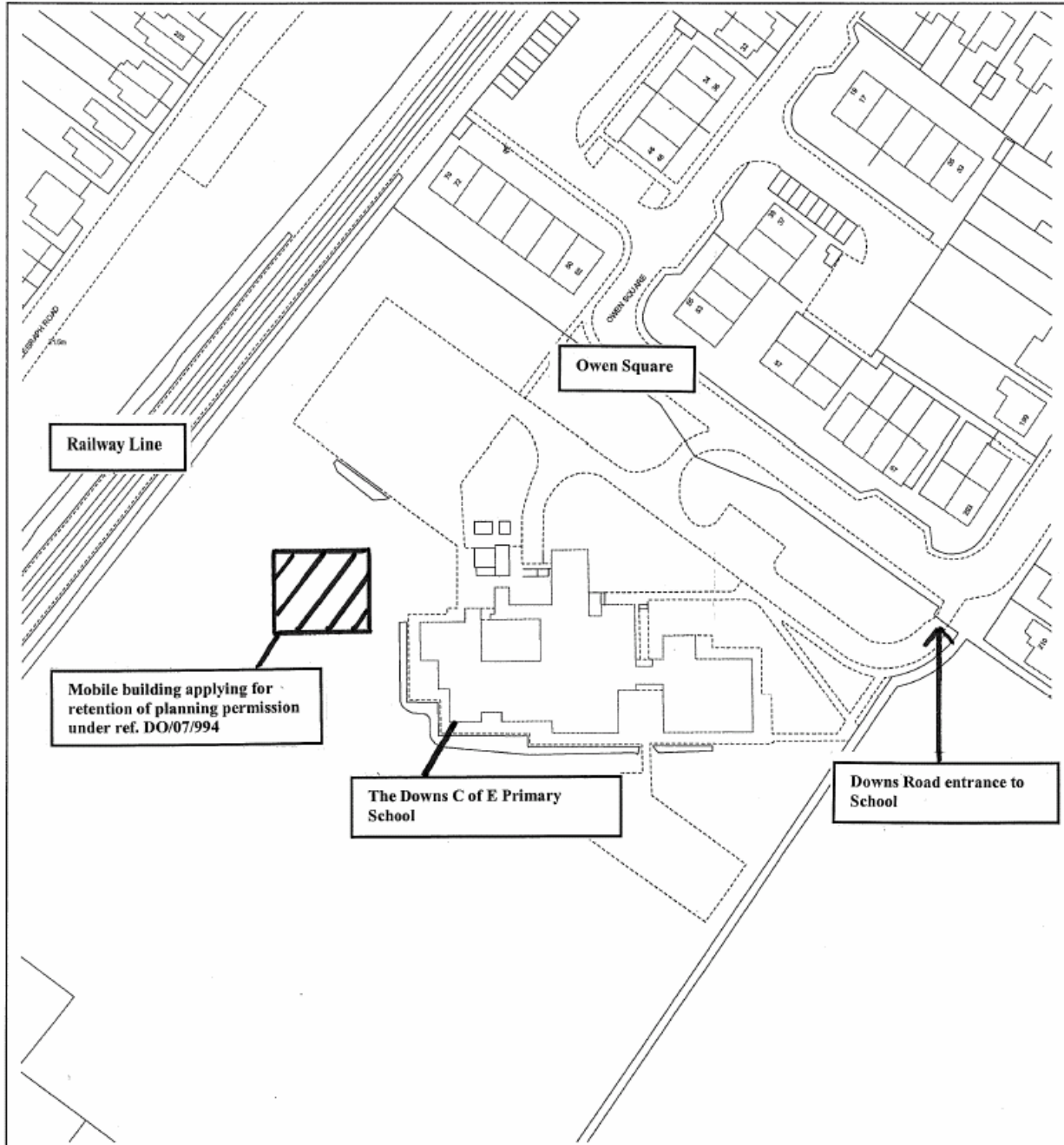
1. The Downs Church of England Primary School is situated on a large site west of Walmer, approximately 1.5km south of Deal in a predominantly residential area. The School site is generally rectangular in shape with the exception of the south west corner of the site where five residential properties are located; a railway line forms the western boundary and the Walmer Science College to the eastern boundary. The School's main access is on Owen Square with an alternative vehicular access from Downs Road. The mobile building is sited to the north west of the main school buildings and is approximately 65 metres from the nearest residential property. The mobile building is surrounded by a number of semi mature trees which help to screen it from view; it remains, however, partially visible from Owen Square. A site location plan is attached.

Proposal

2. The mobile building proposed for retention within this application was originally permitted in 1989 and delivered to site in early 1990. It has remained on site under various temporary planning permissions since this date. The previous permission expired in March 2007.
3. The mobile classroom provides approximately 324m² of floorspace consisting of 4 classrooms, library and activity areas with toilets and some staff facilities. It measures 18m by 18m and reaches a height of 3.3m. The mobile building has a brown textured paint finish with a flat felt roof, timber doors and steps. The mobile building provides essential teaching accommodation for Key Stage 2 pupils in 4 classrooms with the remaining Key Stage 2 and all of Key Stage 1 classes being taught in 10 classes sited within the main school building. The school's roll in September 2006 was 378 increasing to 385 in September 2007 against a pupil admission number of 420. The intake in September 2007 was 50 pupils with a similar intake in September 2006 of 52 pupils.

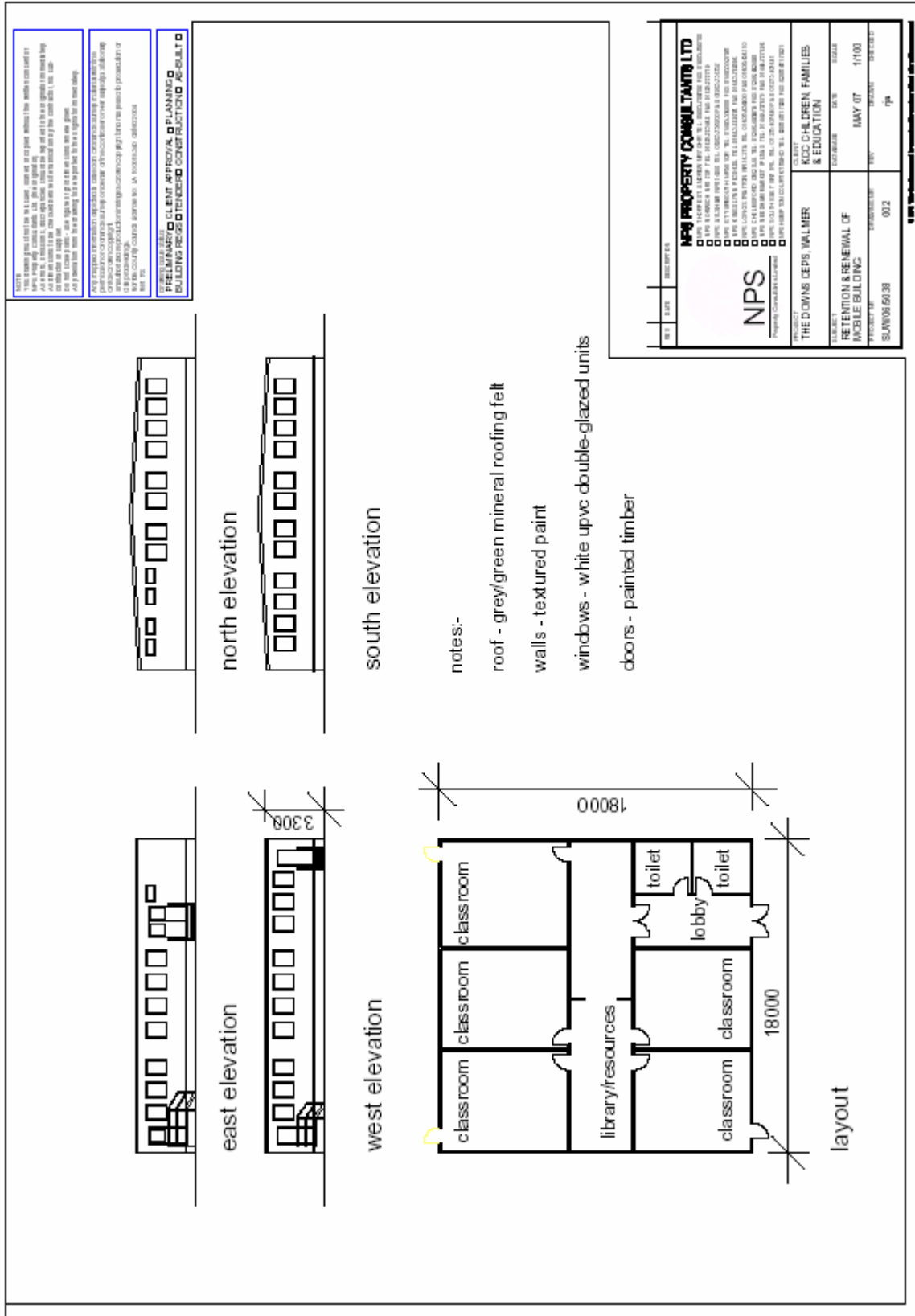
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Site Location Plan



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Planning Policy

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

(i) **Kent & Medway Structure Plan 2006**

Policy QL1 Quality of development and design – Developments, individually or taken together should respond positively to the scale, layout, pattern and character of their local surroundings.

Policy QL11 Existing community services and recreation facilities will be protected as long as there is a demonstrable need for them

Policy SP1 Seeks to conserve and enhance Kent's environment ensuring a sustainable pattern of development and encourage high quality development and innovative design that reflects Kent's identity and local distinctiveness and promoting healthy, safe and secure living and working environments.

(ii) **Dover District Local Plan 2002**

Policy DD1 Requires proposals that are acceptable in terms of layout, siting, scale, architectural style, materials, spatial and visual character of the area, landscaping, privacy and amenity.

Policy CF2 Planning permission for mobile classrooms will only be granted where there is a proven short term need; they are located so as to minimise visual harm; and their siting would not result in the loss of or damage to important trees.

Consultations

5. **Dover District Council** – Raises no objection to the renewal of planning permission for a further two years to allow alternative accommodation to be sought. This should be through an appropriate extension to the main school building. However, Dover District Local Plan Policy CF2 does not support the renewal of planning permissions for a period longer than 5 years. The extended renewal will allow the retention of the mobile classroom for a total of 19 years since the original planning permission. Within this period, no attempt has apparently been made to find a permanent solution to the ongoing shortage in permanent accommodation. For these reasons, it is considered that the proposed renewal is contrary to Dover District Local Plan Policy CF2.

Walmer Parish Council – Raises objection to another extension of planning consent for the retention of the temporary building. Applications for further time extensions simply perpetuate the lack of progress on the provision of a permanent purpose-built building. Furthermore the Parish Council's understanding of the decision notice reference number DO/05/54 was that the mobile building would have been removed by 31 March 2007.

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Divisional Transportation Manager – Raises no objection.

Environment Agency – Raises no objection.

Local Member

6. The local County Members Mr. Birkett and Dr. Eddy were notified on 13 August 2007 and have commented as follows: We support the proposal to retain the mobile classroom for a limited period but would ask the applicant to give urgent consideration to a replacement in bricks and mortar as soon as possible.

Publicity

7. The application was advertised by the posting of a site notice and the notification of 18 neighbouring properties.

Representations

8. No letters of representation have been received.

Discussion

9. 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 in considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (4), Government Guidance and other material planning considerations arising from consultation and publicity.
10. The planning application seeks the retention of a mobile building currently located within the grounds of The Downs C of E Primary School for a further period of 3 years. The mobile building has been on site for 17 years and provides teaching accommodation for 4 class groups. The main issues to consider when determining the application are: the impact the proposal has in terms of its siting, design and overall appearance, and the question of the School's requirement for the building to enable the effective operation of the school in the short-term.

Siting, design and appearance

11. The school is sited within a residential area and bounded to the west and east by a railway line and the Walmer Science College respectively. The site is not within any environmental or planning constraint areas and does not impact on any listed buildings. The positioning of the mobile building allows it to be well screened by mature vegetation and trees and is only partly visible from the front elevation of the School in Owen Square; it is also sited close to the main school buildings.
12. In considering the design of the mobile building, I highlight that the development consists of a mobile building similar in construction to a number of other units used across the County in schools, albeit in this case it is larger than the average mobile classroom. Kent and Medway Structure Plan Policies SP1, QL1 and Dover District Local Plan Policy DD1 all seek proposals that are well designed and appropriate in the context of the existing

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pattern of development in the local area. The single storey flat roofed construction method of this building does not make a positive addition to the character of the surrounding built environment, but one should also consider that the main school buildings are also predominantly of single storey flat roofed construction. However the issue to consider in this instance is whether a further period of retention would detract significantly from the character of the surrounding built environment to warrant refusal. It is also worth considering the fact that when this application was initially considered, it was deemed to be acceptable in terms of siting, design and appearance, albeit for a short-term period. In addition to this, the level of screening afforded to the mobile building today is substantially more comprehensive than 17 years ago. A recent condition survey of the mobile building resulted in some minor repairs and remedial works, and as a result it has been classified as being in a satisfactory condition for continued use.

13. Given the details discussed above, I consider the removal of the building to be the preferred solution, but in light of the limited impact that it has on the surrounding locality in terms of siting, design and visual appearance, I do not consider there to be sufficient justification to refuse the application. Furthermore, in my view, the location of the mobile building can be considered as a good siting for future permanent expansion of the school, as and when a permanent extension can be secured.

Need

14. Development of this nature cannot be considered as suitable for permanent siting in this or any location within the school grounds. The mobile building has benefited from 17 years of near continuous planning consent, which cannot be considered as a temporary time period, as should be the case with planning permissions of this type. As a consequence, the development is not in accordance with Dover District Local Plan Policy CF2, which does not support the renewal of temporary planning permissions for periods longer than 5 years. The fact that recurring planning applications for the retention of the mobile building have been approved over the last 17 years would appear to demonstrate that the school's roll has settled at around the current number. Ordinarily this would be sufficient justification for appropriate permanent accommodation to be provided.
15. In response to a request made to the applicant regarding a timeframe for the provision of permanent accommodation, the applicant advises that the County Council is committed to replacing temporary classrooms with permanent accommodation and that the complex continues to be under consideration for replacement as part of the School's Modernisation Programme. Government funding for the impending Primary Capital Investment will also be targeted at removing temporary buildings at Primary Schools, however this funding will be directed in the first instance at schools with mobile buildings in the worst condition. Given the recent survey that stated that the mobile building is in a satisfactory condition, and that it appears unlikely that any future investment funding would be confirmed prior to 2010, the applicant is requesting a further period of consent of 3 years.
16. It has already been mentioned that in the main school buildings there is only sufficient accommodation for 10 classes, leaving a shortfall of 4 classrooms, library and staff facilities currently in mobile accommodation. That would clearly demonstrate that the mobile building provides vital and a well-established teaching and ancillary space that is undoubtedly required for the effective operation of the school. It would appear therefore, that circumstances dictate that refusal of the application would render it impossible for the School to operate effectively, demonstrating that there is clear and

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justifiable short-term requirement for the mobile building's continued retention.

Conclusion

17. Whilst I consider that the design of the proposed development is not acceptable in this location as a permanent solution to the shortfall in teaching accommodation, I do accept that the proposed development is well screened and is not overtly detrimental to the surrounding visual amenity. Furthermore, I consider that the applicant has demonstrated that there is a proven short-term need for the development to allow the effective functioning of the school. On balance, I am of the opinion, that the short-term need for the mobile building, which provides an essential community service, outweighs the poor design quality of the proposal and the effect of a further period of temporary planning permission. Therefore, I recommend that the consent be granted for a further three years only, subject to conditions. Considering in three years' time the mobile building would have been on site for approaching twenty years (and coupled with the recent condition report where the building was only classified as satisfactory), the continued retention for any period exceeding 3 years would severely jeopardise the School's ability to provide primary education in acceptable teaching conditions. Accordingly, I strongly advise that the applicant urgently promote the school for consideration within the County Council's Modernisation Programme for Schools.

Recommendation

18. I RECOMMEND that PLANNING PERMISSION BE PERMITTED subject to conditions, including conditions covering:

- The removal of the mobile building by the 30 November 2010 and the land reinstated to its former use.
- The development to be carried out in accordance with the permitted plans.

19. I FURTHER RECOMMEND that the applicant be advised of the following informatives:

- The applicant is advised that the further period of retention of three years be on the proviso that urgent progress be made with regard to the development of a scheme to provide appropriate permanent teaching accommodation at the earliest opportunity.
- The Director of Children, Families and Education be strongly advised to include this school in the Modernisation Programme for replacement of the temporary accommodation.

Case officer – Adam Tomaszewski	01622 696923
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Background documents - See section heading
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