

**Renewal of planning consent for existing two classroom mobile unit at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 February 2009.

Application by the Diocesan Board of Education and Kent County Council Children, Families & Education Directorate for the renewal of planning consent for existing two classroom mobile unit at Tunstall Church of England (Aided) Primary School, Tunstall, Sittingbourne.

Recommendation: Temporary planning permission be granted subject to conditions.

**Local Member(s): Mrs. B Simpson & Mr R. Truelove**

**Classification: Unrestricted**

**Site**

1. Tunstall Church of England Primary School is situated alongside the main road (B2163), which runs through Tunstall village. The mobile classroom to which this application relates is located to the north of the school site and lies adjacent to a Public Right of Way. The teaching accommodation at the site currently uses three mobile classrooms (two in addition to the one for which renewal of planning permission is sought) as the main school building is under-sized for the current school roll. The main school building is a Grade II Listed Building and the site adjoins a further Grade II Listed Building, 'The Oast', to the southern boundary. Behind the school, to the west is the Tunstall Memorial Village Hall and associated car park. The application site is located outside the built up area boundary defined in the adopted Local Plan, and the whole site is within the Tunstall Conservation Area. *A site location plan is attached on page D5.2.*

**Proposal**

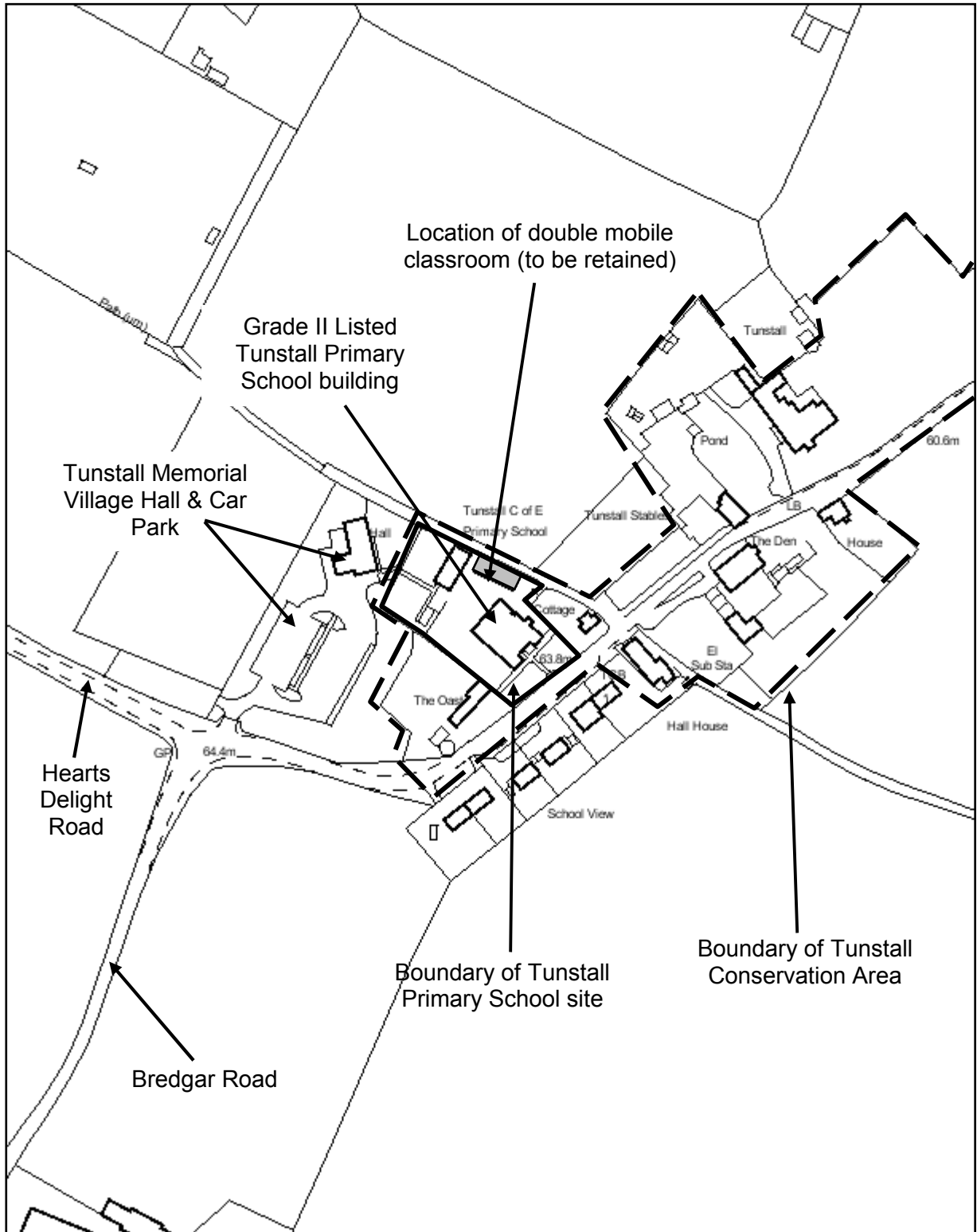
2. The application has been submitted on behalf of the Diocesan Board of Education and KCC Children, Families & Education Directorate and proposes the retention of an existing double (two-classroom) mobile classroom for a further three year temporary period on site. The applicants have provided the following information in support of their application:

*"The current school roll is 211, structured in seven classes. The Governors of the school are seeking permission to renew planning consent as the mobile unit needs to be retained to enable efficient delivery of the Curriculum to children in their appropriate age groups.*

*We understand that the Local Authority, the Diocesan Board of Education and the Governors of Tunstall CE Primary School want to see a replacement school on a new site rather sooner than later. This is, however, dependent on the Government to provide the necessary funding to achieve this. Under current policies this may be likely to be some time. The Government's 'Primary Capital Strategy Initiative' is currently set to target schools that are failing or schools in deprived areas, which Tunstall is not. The Diocese of Canterbury has repeatedly reiterated that Tunstall is a high priority, but unless Government policies change, the short-time start [of a new school on a separate site] within one year, unfortunately, is not achievable.*

**Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

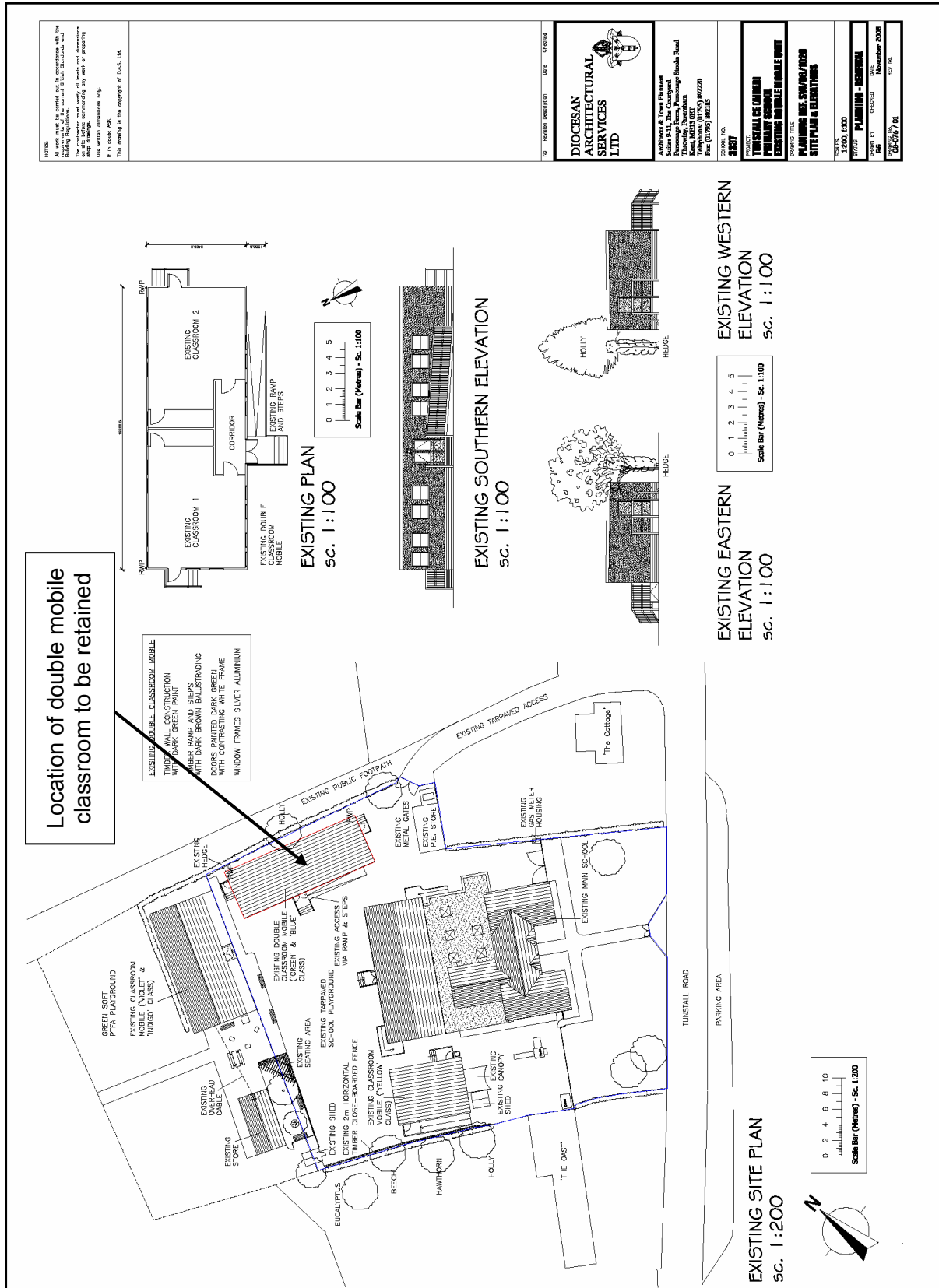
**Site Location Plan**



**Site Location Plan – Tunstall Primary School**  
Scale 1:2500

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

Mobile Classroom Plans



**Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

---

*Tunstall is a successful school despite restrictions imposed on staff and the children. In order to ensure the continuation of the school's presence in Tunstall and in light of the aforementioned scenario, we wish to urge you to grant consent for at least three years."*

3. The current mobile classroom is finished in dark green textured paint with aluminium windows, timber doors and a mineral felt flat roof. Over the years of the classroom's existence on site, it has been refurbished and upgraded to include the needs for those with disabilities, such as the installation of ramped access to the main entrance. The retention of the mobile unit within the site is not proposed to increase either staff or pupil numbers, but seeks to maintain a sufficient amount of teaching accommodation for existing pupils within the site.

**Planning History**

4. This application for the retention of the double mobile classroom relates to the previously granted temporary planning permission SW/06/1026 that was granted for a further two year period from October 2006 to October 2008.

**Planning Policy**

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

- (i) The adopted 2006 **Kent & Medway Structure Plan**:

**Policy SP1** – The primary purpose of Kent's development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development. This will be done principally by, amongst other matters:

- protecting the Kent countryside and its wildlife for future generations;
- protecting and enhancing features of importance in the natural and built environment;
- encouraging high quality development and innovative design that reflects Kent's identity and local distinctiveness and promoting healthy, safe and secure living and working environments.

**Policy EN1** – Kent's countryside will be protected, conserved and enhanced for its own sake. Development in the countryside should seek to maintain or enhance it.

**Policy QL1** – All development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.

**Policy QL6** – Development within Conservation Areas should preserve or enhance their character or appearance. Development which would harm the character or appearance of a Conservation Area will not be permitted.

**Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

---

**Policy QL8** – Listed buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced. Development which would adversely affect them will not be permitted.

**Policy QL11** – Existing community services will be protected and enhanced as long as there is a demonstratable need for them.

(ii) The adopted 2008 **Swale Borough Local Plan**:

**Policy SP1** – In meeting the development needs of the Borough, proposals should accord with principles of Sustainable Development.

**Policy E1** – Development proposals should, amongst others, respond positively by reflecting the positive characteristics of the features of the site and locality; protect and enhance the natural and built environments; well sited and of a scale, design and appearance that is appropriate to its location; cause no demonstratable harm to residential amenity and other sensitive uses.

**Policy E6** – The quality, character and amenity value of the wider countryside of the Borough, will be protected and where possible enhanced.

**Policy E14** – Proposals affecting the setting of a Listed Building(s), will only be permitted if the buildings special architectural or historic interest, and its setting, is preserved.

**Policy E15** – Development within, affecting the setting of, or views into and out of a Conservation Area, will preserve or enhance all features that contribute positively to the area's special character or appearance.

**Policy E19** – The Borough Council expects all development proposals to be of high quality design.

**Policy C1** – The Borough Council will permit proposals for new or improved community facilities.

**Consultations**

6. **Swale Borough Council**: has raised no objection to the proposal, but notes that they are keen for a permanent solution to be found.

**Tunstall Parish Council**: makes the following comments, as set out below:

- “Parish Councillors have reviewed the application. Ideally they would like permission to be refused. However, Councillors appreciate that the school could not continue to function without these buildings and, therefore, have no option but to agree this application, but with one condition. We would like it to be for one year only pending positive action on the part of the Local Authority and the Diocese for a new school;
- Our reluctance is caused by the fact that these buildings are old, are not in a good state of repair and have outlived their usefulness. The School struggles to fulfil the demands of the National Curriculum on a very cramped site and it is to the credit of the School, led by the Headteacher, and working with her staff that it is so successful;

### Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

---

- Both the Local Authority and the Diocese accept that new buildings, probably on a new site are essential but nothing would appear to be happening. This application gives the Local Authority and Diocese another five years before anything has to be done and this is not acceptable. Under the new Department for Children, Schools and Families criteria, why should successful schools be penalised?
- Tunstall Parish Council would, therefore, like to request that the Local Authority and Diocese develop, with some urgency, a definite proposal for this school and that permission for this mobile classroom be given for one year only pending an outline plan for the new school”.

**The County Conservation Architect:** has raised no objection to the proposal.

**Tunstall Memorial Hall Management Committee:** makes the following comments, as set out below:

- “This application is for a temporary planning permission that was granted originally at least 20 years ago, i.e. potentially extending the life of this unit to at least 25 years. The building is an eyesore and would not be permitted as a permanent development in the Tunstall Conservation Area. This appears to be an abuse of the temporary planning provisions to ‘get around’ a permanent solution to the re-location of this school, as promised in the past;
- The school now has 210 pupils in 7 classes on a very restricted site requiring three mobile units each with a temporary planning permission, to provide 5 of these classrooms. Playground provision is not very limited since the third mobile classroom was installed 5 years ago and was criticised by Ofsted. The school has approximately 50-60 pupils from the Parish with the remaining 150-160 travelling considerable distances to the school with an undesirable environmental impact, plus attendant traffic problems, uncontrolled by the School. In summary, the School has outgrown the site and needs to be relocated to a larger purpose built development suitable for this millennium. Granting this application is confirming the acceptability of the status quo for another 5 years, which objectively cannot be a sound planning decision”.

#### Local Members

7. Mrs B. Simpson and Mr M. Truelove, the local County Members were notified of the application on the 15 December 2008.

#### Publicity

8. The application was publicised by an advertisement in a local newspaper, the posting of a site notice, the notification of one neighbouring residential property and the notification of the adjacent Village Hall.

#### Representations

9. I have received no letters of representations to date in connection to this application.

**Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

---

**Discussion**Introduction

10. The application seeks planning permission to retain an existing double (two classroom) mobile classroom to meet a current shortfall in permanent teaching accommodation at Tunstall Church of England Primary School. The application is being reported to the Planning Applications Committee as a result of the views expressed by Tunstall Parish Council and Tunstall Memorial Hall Management Committee, as identified in paragraph (6) above, mainly in terms of the temporary nature of the units to be retained and the length of time in which 'temporary' planning permission has been renewed over the years by the County Planning Authority.
11. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (5) 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 the 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. In this particular case, I consider that the key considerations are: -
  - siting and appearance issues with regards to the building's retention on the character and appearance of the wider Tunstall Conservation Area, and any potential impact on the setting of the Grade II Listed building(s);
  - the continued need for the mobile classroom within the existing site and the temporary nature of the proposal; and
  - the future re-development / relocation of the existing school;

Siting and Appearance

12. The mobile classroom which this application relates to is located to the north of, and within the setting of the Grade II Listed main school building. A further Grade II Listed Building (The Oast) is located adjacent to the school site to the south-west, but it is noted that the mobile classroom to which this application relates to is not within the curtilidge or setting of 'The Oast'. The mobile is located tightly against the boundary of the site with an existing Public Right of Way leading off Tunstall Road to the open countryside beyond. The entire school site is located within the Tunstall Conservation Area.
13. Members should note that there would be no change to the mobile classroom's location as a result of the renewal of temporary planning permission.
14. In considering the impact of the retention of the mobile unit on the setting of the Listed Building, it is noted that the mobile unit does little to preserve or enhance the special historic and architectural merits of the existing school building. Similarly, I note that this is the case with the other two mobile units current located on site which have previously been granted temporary planning permission by the County Planning Authority. However, from an assessment of the Grade II Listed school building I consider that whilst the whole of the building is Listed, I consider that the flint road-facing façade of the building is that which is of most historic and architectural importance. It is noted that the original school building has been extended to the rear over many years on an

**Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

---

incremental basis, comprising of a mix of flat roof and pitch roof extensions which are of no particular architectural merit and detract from the quality of the original building.

15. As noted above, I consider that the front façade of the main school building is the most important feature from a historic and architectural perspective, and that it provides an important feature on the local street-scene within the Tunstall Conservation Area. Accordingly, significant weight should be given to preserving the setting, character and appearance of the front façade of the building. However, given that the mobile classroom to be retained in this instance is located in a relatively discreet location to the rear of the main school building, and would not be widely visible from the street-scene, I do not consider that the setting of the Listed Building would be detrimentally affected through the mobile unit's retention for a further temporary period. I consider that whilst arguably the retention of the mobile classroom would not preserve or enhance the setting of the Listed Building, its retention for a further temporary period would only have a marginal impact on the overall setting of the Grade II Listed Building. Accordingly, I would not raise an objection to the retention of the mobile unit for a further temporary period when considering the proposal against the objectives of Policy QL8 of the Kent and Medway Structure Plan or Policy E14 of the Swale Borough Local Plan.
16. As noted above, the application site is located directly within the Tunstall Conservation Area. It is therefore important to consider the potential impact of the mobile classrooms retention for a further temporary period on the character and appearance of the wider Conservation Area. In this instance, I note that the mobile building would appear of a different scale, character and appearance to other buildings within the Tunstall Conservation Area which predominantly consist of a mix of pitched roof residential properties, some of which are Listed due to their special characteristics. I further note that the mobile unit to which this application relates is of typical mobile classroom type construction, similar to those found on many educational sites across the County. Given the buildings form, I accept that the mobile classroom would do little to preserve or enhance the character or appearance of the overall Conservation Area. The views of the Tunstall Memorial Hall Management Committee with regard to the building being 'an eyesore' and not otherwise suitable for locating within a Conservation Area are noted in this particular case.
17. However, as previously discussed it is considered that the mobile classroom is relatively well screened by established vegetation which runs along the boundary of the adjacent Public Right of Way. It is also well screened from the wider Conservation Area by the existing built-development of the school building and adjoining residential properties. Under the circumstances, I do not consider that the mobile classroom has a noticeable prominence in the Conservation Area, or indeed on the overall street-scene when viewed from outside of the site. That said, I do not consider it appropriate for the building to be retained in situ indefinitely despite its discreet location, and if permission is granted it should only be on a temporary basis only. On balance, whilst I consider that the retention of the mobile unit does little to preserve or enhance the character and appearance of the Conservation Area, I am satisfied that given the building is in a relatively discreet location, in this instance, I do not consider that the development would be contrary to Policy QL6 of the Kent and Medway Structure Plan and Policy E15 of the Swale Borough Local Plan.
18. As previously identified, the location of the mobile classroom directly adjoins the boundary of the school with an existing Public Right of Way. I am mindful of the need to



**Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

---

preserve views from Public Rights of Way across open countryside, but consider that the temporary retention of the classroom would not have a detrimental impact on the existing right of way, particularly given that the mobile unit would be located in an existing built up area on the edge of Tunstall which is currently occupied by various forms of built development. Similarly, I do not consider that the mobile unit's retention would have a significant impact on the open countryside, even though the site is defined as being outside of the limits of built development in the Local Plan. Accordingly, I would not raise an objection to this proposal and consider that it broadly meets the objectives of Policy EN1 of the Kent and Medway Structure Plan and Policy E6 of the Swale Borough Local Plan

19. In this instance, Members should note that there are no direct residential amenity issues to consider on the basis that the mobile classroom unit does not directly abut any residential boundaries and has been on site in its present location for a considerable period of time (circa. 20 years).

Continued Need for Mobile Classroom and Temporary Nature of Proposal

20. I am aware that there are long-term plans to re-locate the school off-site with new purpose built school, but due to Government funding arrangements such proposals have not come forward to date. Whilst it is unfortunate that the building to which this application relates, and indeed the other two mobile units, have been on site for a long period of time, I am mindful of the School's need for this particular mobile classroom to be retained in order to maintain essential teaching facilities for two of its seven year groups.
21. Members will note that Policy QL11 of the Kent and Medway Structure Plan supports the continued retention of existing community facilities. Without the guarantee of alternative teaching accommodation at the site to house two of the schools existing seven year groups, I am mindful of the acute need of the school to retain this current teaching facility. Accordingly, I consider significant weight should be given to this Policy in this instance.
22. The application is seeking the renewal of temporary planning permission for a further three year period in which the applicants are hopeful that the current situation can be resolved through the bringing forward of a new school site. Whilst I note that the Parish Council has expressed a desire for permission to be granted for a one year period only, I consider that such time would not be either sufficient or realistic for the applicants to bring forward development proposals and obtain the necessary consents for work to proceed. In particular, it is not feasible to acquire a site, obtain all the necessary consents and construct a new school within a one year timeframe. Moreover, I consider that such a strict timescale would in no way help to bring that process forward because the funding policy and availability of funds is beyond the direct control of the applicants in this case. Under the circumstances, I am mindful of the need to retain teaching facilities at the site, albeit on a temporary basis, and reluctantly agree the further retention of the mobile classroom for a period of up to three years would be appropriate.

Future re-development / re-location of School

23. As previously highlighted, both the Parish Council and Memorial Hall Management Committee have noted that the current school is operating on an extremely tight site with less than ideal teaching facilities. Members will note that the applicants have

**Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

---

expressed the desire for the school function to be re-located to a new purpose built site, but in the absence of Government funding for this project, this has not been possible to date.

24. Members will also note that it is for the Planning Applications Committee to determine the current proposal as opposed to have a direct influence over the re-location of the school onto a new site, or the re-development of the existing site with permanent classroom accommodation. Accordingly, as discussed above, I recommend that temporary planning permission be granted for a further period, together with an informative to the applicants that the County Planning Authority would wish to see replacement permanent-build classroom accommodation built either at the current site, or on a new site at the earliest possible opportunity.

**Conclusion**

25. In conclusion, I consider that the retention of a previously permitted mobile classroom would not have a significant detrimental impact on the setting of a Grade II Listed Building, most notably the building's important front façade, neither would it have a significant detrimental impact on the character and/or appearance of the surrounding street-scene within the Tunstall Conservation Area. I further consider that the proposed mobile classroom retention would not have a significant detrimental impact on the adjacent Public Right of Way, nor would it have a significant impact on the open countryside. I consider that the applicants have been able to demonstrate a clear case of need for the building to be temporarily retained in order to maintain an essential community facility, for which I note that Structure Plan Policy supports. Taking into account the provisions of the Development Plan and material considerations raised from consultees as outlined in paragraph (6), I consider that the retention of the mobile classroom to be acceptable for a further temporary period of 3 years.
26. I further consider that the applicants should be made aware, by way of a suitable informative, of the urgent need to resolve the temporary classroom accommodation at Tunstall Primary School within this three-year time window.

**Recommendation**

27. I RECOMMEND that TEMPORARY PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- temporary consent for period of 3 years from date of permission;
  - removal of classroom unit from site at expiration of 3 year period and the subsequent restoration of the site thereafter;
  - the development be carried out in accordance with the permitted details.

AN INFORMATIVE be added to advise the applicants that the County Planning Authority would wish to see urgent action taken to resolve the temporary classroom accommodation at Tunstall Primary School during the three-year temporary consent timescale.


Case officer – Julian Moat	01622 696978
----------------------------	--------------

Background documents - See section heading
--

**Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

**Appendix 1 – Photographs of Existing Mobile Classroom**

(Supplied by the applicants in support of the mobile classroom retention application)

<p><b>NOTES:</b>                  All work must be carried out in accordance with the current Building Regulations, current British Standards and Building Regulations.                  The contractor must verify all people and equipment are fully trained and competent in carrying out any work or planning work within the regulations only.                  If in doubt ASK.                  THE DRAWING IS THE PROPERTY OF DAB, Ltd.</p>					
<p>No. Revision Description Date Checked</p>		 <p><b>DIOCESAN ARCHITECTURAL SERVICES LTD</b></p> <p>Architects &amp; Town &amp; Country Planners                  2015-2016, The Courtyard                  Pennington Farm, Yarmouth Road                  North Yorkshire YO21 2JH                  Leeds, YO21 2JH                  Telephone: (01756) 882220                  Fax: (01756) 822116</p>			
<p>PROJECT:  <b>TUNSTALL OF CEJ RC                  PRIMARY SCHOOL                  EXISTING MOBILE CLASSROOM RETIT</b></p>		<p>DATE: 08/11/2016</p>			
<p>DESIGNER:  <b>PUBLIC PATHS - DESIGN</b></p>		<p>DATE: 08/11/2016</p>			
<p>CHECKED BY:  <b>DATE: 08/11/2016</b></p>		<p>REVISED BY:  <b>DATE: 08/11/2016</b></p>			



**EXISTING DOUBLE CLASSROOM MOBILE WITH ACCESS RAMP AND STEPS**

**EXISTING SOUTHERN ELEVATION**



**EXISTING NORTH WESTERN ELEVATION**



**EXISTING EASTERN ELEVATION**

EXISTING HOLLY WITHIN HEDGE  
 EXISTING PUBLIC FOOTPATH