

Planning application for the installation of a modular building to accommodate further teaching and learning space at Maypole Primary School, Franklin Road, Dartford – DA/18/965/CPO (KCC/DA/0104/2018)

A report by Head of Planning Applications Group to Planning Applications Committee on 10th October 2018

Application by Maypole Primary School for the installation of a 4 bay modular building on the school grounds to provide further teaching and learning space at Maypole Primary School, Franklin Road, Dartford – (DA/18/965) (KCC/DA/0104/2018)

Recommendation: Permission be granted subject to conditions.

Local Member: Mrs Ann Allen

Classification: Unrestricted

Site

1. The application site relates to Maypole Primary School, which sits to the south of a residential development in the south western corner of Dartford, very close to the Kent and Bexley border. The school site which totals 2.45 hectares backs onto a larger residential development to the south and is bordered to the east and west by open fields. There is a children's centre and a nursery at the front of the site which share a communal car park with the school. A site location plan is attached.
2. Primary access is at the north of the school site, where the school sits at the end of the Franklin Road. Due to the positioning of this access, a formal drop off and pick up facility is used within the car park. There is also pedestrian and cycle access from Dykewood Close to the south.
3. The application site is within the Metropolitan Green Belt.

Background

4. In 2016, the school expanded from 1FE with 210 pupils, to 2FE with 420 pupils. This expansion did not include any spaces for additional small teaching groups or focused intervention. Therefore, such activities are currently being held in communal spaces such as the school hall and library.
5. This arrangement is considered to be inadequate as it does not afford the levels of privacy and seclusion that are appropriate for such sessions. Furthermore, it prevents the use of these spaces for other school activities.
6. As such, planning permission is now being sought to create formal spaces for the aforementioned sessions.

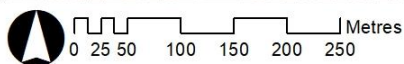
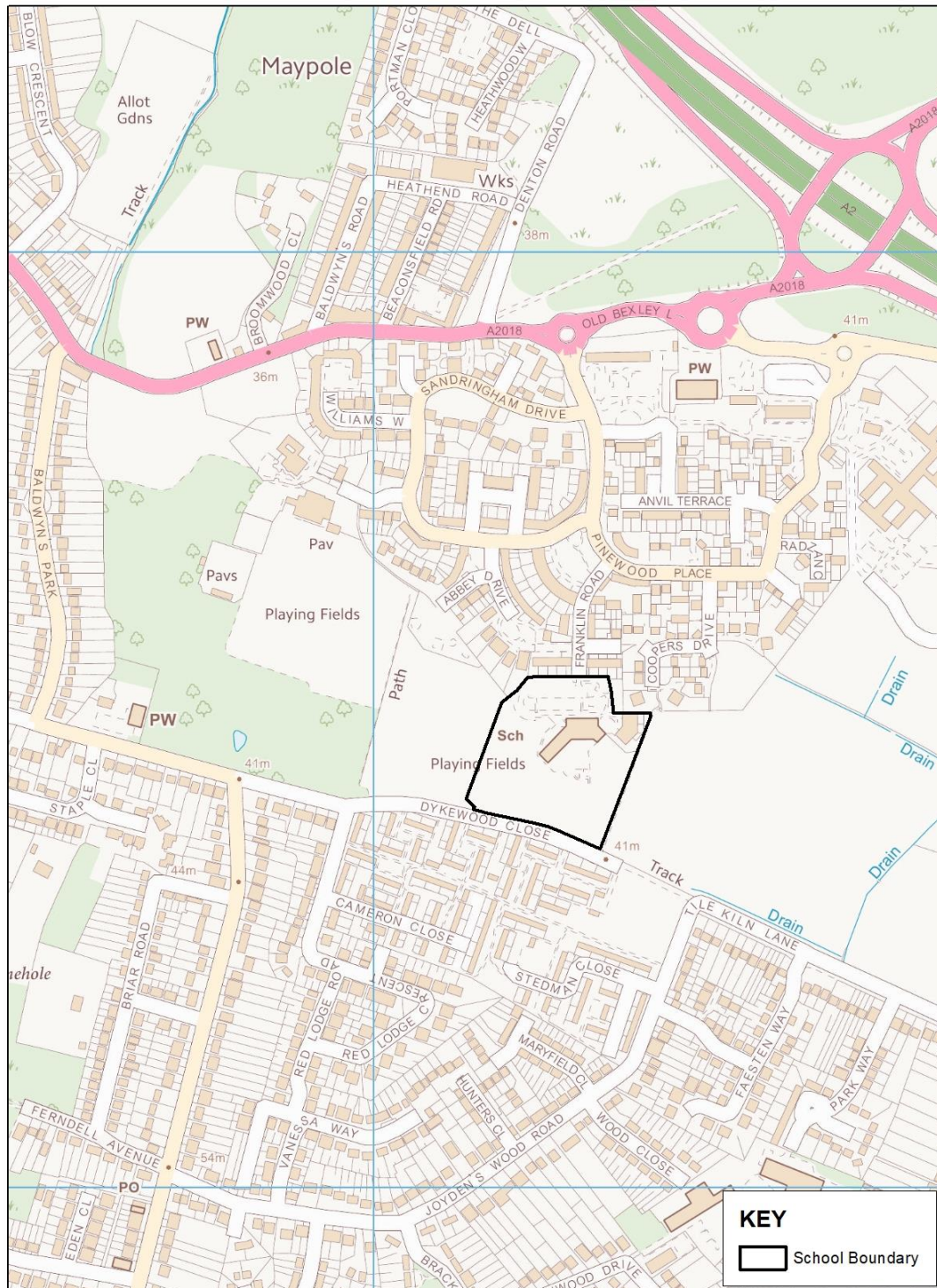
Recent Site History

7. Planning permission was granted in 2013 for the expansion of the school (DA/13/1203). Since then, the planning permissions below have been granted to vary certain elements of the scheme:
 - DA/14/234 – Amendment to the school hall extension
 - DA/14/541 – Relocation of the proposed Multi Use Games Area (MUGA)

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Site Location Plan

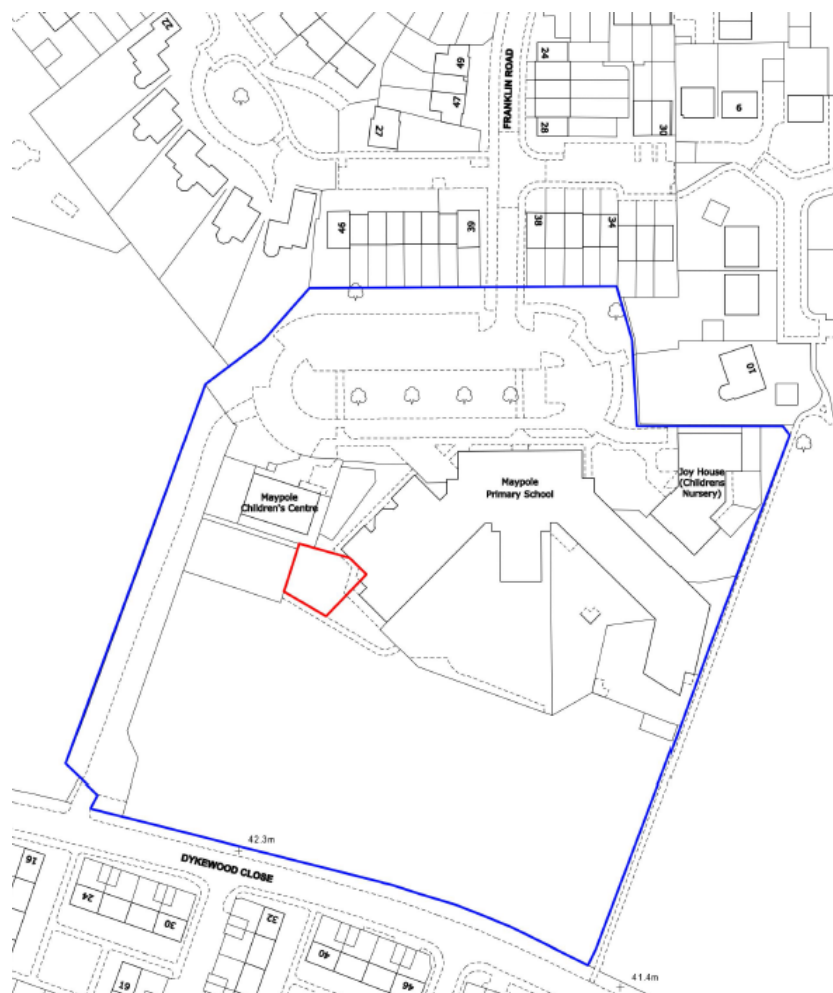


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Site Location Plan



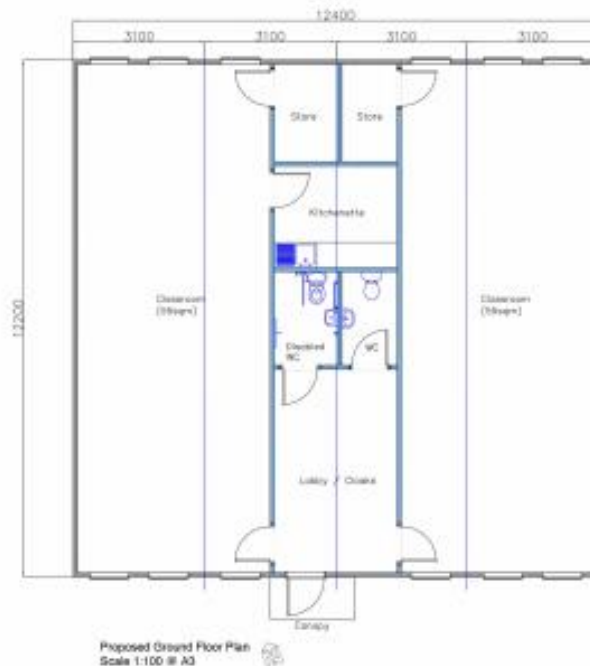
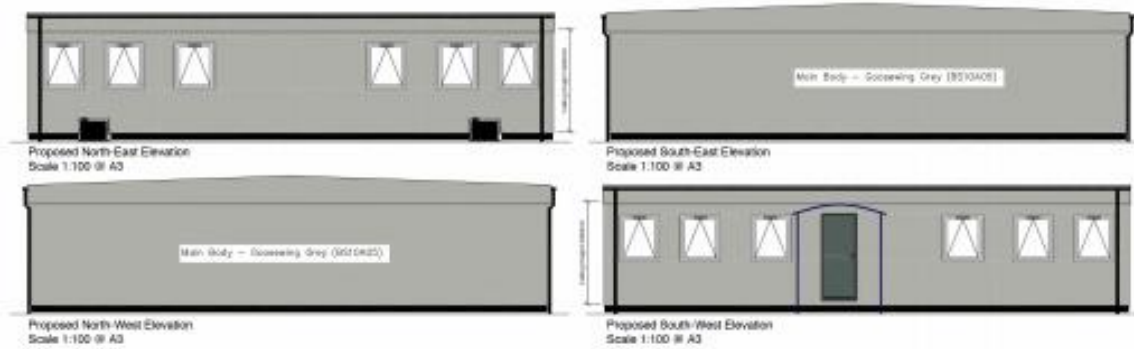
Proposal

8. The proposal seeks to site a permanent modular building on the school grounds to accommodate focused intervention; primarily counselling and well-being sessions.
9. The building would consist of an entrance lobby, two classrooms, toilets, a small office and storage space, totalling 151m². It would sit to the west of site between the MUGA and the west wing of the main school building on an open area of grass.
10. The building would be single storey in keeping with the main school building, with a maximum height of 3.2m. A standard, modular design is proposed with a grey colour palette. Elevations and floor plan are attached.

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Elevations and Floor Plan



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Planning Policy

11. The most relevant Government Guidance and Development Plan Policies summarised below are pertinent to the consideration of this application:

- (i) **National Planning Policy Framework (NPPF) July 2018** and the **National Planning Policy Guidance (March 2014)**, sets out the Government's planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to policies in the NPPF, the greater weight that they may be given).

There is an expectation within the NPPF that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take into account the local circumstances, to reflect the character, needs and opportunities of each area. Furthermore, Local Planning Authorities should approach decision on proposed development in a positive and creative way and look for solutions rather than problems. Decision makers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this proposal, the following NPPF guidance and objectives are of particular relevance:

- Achieving the requirement for the creation of spaces which are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and
 - The great importance the Government attaches to Green Belts, with the fundamental aim of Green Belt Policy being to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belts being their openness and permanence; and
 - That great weight should be given to the need to create, expand or alter schools.
- (ii) **Policy Statement – Planning for Schools Development (15 August 2011)** which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. In particular, the Policy states that the Government wants to enable new schools to open, good schools to expand and all schools to adapt to improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.
- (iii) **Development Plan Policies**

Dartford Borough Council Core Strategy Document (2011)

Policy CS13 Seeks to resist inappropriate development within the Green Belt, in accordance with the NPPF.

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Policy CS21 Seeks the provision of community facilities that are close to the population they serve and come forward in a timely fashion. Dual use of facilities is sought.

Dartford Development Policies Local Plan (2017)

Policy DP1 **Presumption in Favour of Sustainable Development:** States that the Plan is written in accordance with national objectives to deliver sustainable development. A positive approach to considering development proposals will be had, reflecting the presumption in favour of sustainable development contained in the NPPF and the development needs of the Borough set out in the Core Strategy.

Policy DP2 **Good Design in Dartford:** Development will only be permitted where it satisfies the locally specific criteria for good design in the Borough by (a) reinforcing and enhancing localities to create high quality places, (b) ensuring heritage assets are retained, re-used and respected, (c) facilitating a sense of place through a mix of uses and careful design, (d) providing clear pedestrian and cycle linkages and permeability, active frontages and a mix of buildings and spaces. Provides further advice about determining planning applications in relation to scale, massing, form, materials, Conservation Areas and areas of heritage sensitivity, inclusive, safe and accessible places, management of natural resources and flood alleviation, and appropriate signage and advertisements.

Policy DP5 **Environmental and Amenity Protection:** Development will only be permitted where it does not result in unacceptable material impacts, and consideration must be given to potential amenity/safety factors such as air and water quality, traffic, access and parking, anti-social behaviour and littering, and intensity of use (amongst other matters).

Policy DP21 **Securing Community Facilities:** New community facilities will be permitted where they are in an appropriate location and of a type and scale to reflect the needs of the communities they will serve.

Policy DP22 **Green Belt in the Borough:** Sets out 12 aspects against which development in the Green Belt will be assessed, including the consideration of inappropriate development, which by definition is harmful to the Green Belt and would only be approved in Very Special Circumstances; criteria against which to assess harm to the Green Belt; criteria to assess development considered as potentially not inappropriate by the NPPF; those developments that support Core Strategy Policy CS13; the re-use of existing permitted permanent buildings; taking account of the character and scale of existing buildings; criteria relating to extensions to buildings or infilling of previously developed sites; the replacement of buildings; ensuring no loss of the best and most versatile agricultural land; criteria for

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proposals for farm diversification; the use of land for horses or the erection of stables; outdoor sports and recreation uses; and the infrastructure required for such uses.

Consultations

12. **Dartford Borough Council** – Raises no objection subject to a condition ensuring that the proposed building is used for the stated purpose of various intervention sessions and not in order to accommodate a greater pupil intake. Furthermore, they state the following:

“The County would not want consented development (it is was deemed VSC exist) to be used for general school expansion without further liaison by KCC with DBC about future education demand arising in the planning area”

KCC Highways and Transportation – No objection subject to the submission and approval of a construction management plan.

Local Member

13. The local County Council Member, Mrs Ann Allen, was notified of the application on 25 July 2018.

Publicity

14. The application was publicised by the posting of a site notice at the front of the school, an advertisement in the local newspaper and the individual notification of 11 residential properties.

Representations

15. At the time of writing this report, 2 letters of representation have been received. Both are from the residents of Dykewood Close which sits to the south of the site. The key points raised can be summarised as follows:
- Traffic in the area is bad due to the number of pupils attending the school
 - This proposal will encourage further expansion of the school
 - The school gates and drop off/pick up zone are never open which exacerbates the traffic issue
 - Construction of the building started prior to the planning application being determined
 - The operations of the school have a general negative impact on the local amenity and therefore there is not a good relationship between the school and local residents.

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Discussion

16. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 10 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 my opinion, the key material planning considerations in this particular case comprise design, the impact of the development on the Green Belt, and the impact on local amenity.

Design

17. Planning permission is being sought for a permanent permission for the modular building. Whilst arguably its single storey flat roofed form is similar to the adjacent children's centre building it is not in keeping with the main school building. Moreover the design and appearance of the building and its construction are clearly that of a temporary building. Although I accept the need for the accommodation, given the nature of the building I do not consider that a permanent permission is appropriate in this instance. I therefore consider that if permission is granted it should be for a temporary period of 5 years in order that the position can be reviewed.

Green Belt

18. Any development which can be considered to adversely impact the openness of the Green Belt is considered to be inappropriate development. There is strong policy presumption against inappropriate development in the Green Belt unless very special circumstances exist. The proposed development, by virtue of its siting and design, is considered to be inappropriate development and therefore when determining this application it must be considered whether a case of very special circumstances apply which would outweigh the harm by way of inappropriateness and any other harm resulting from the proposal.
19. Whilst the development does represent inappropriate development which is by definition harmful, it is important to consider how great the impact on the Green Belt's openness it would have. The proposed building is of a small size, single storey height and would be situated in an already established school site. Its positioning would be close to the existing school buildings and away from the more open parts of the site and the visual impact would be minimal. I would therefore consider that the impact on the openness would be minimal in relation to the existing school buildings. Furthermore, there is a clause in NPPF paragraph 145 which supports development in the Green Belt comprising the extension of a building provided it does not result in disproportionate additions over or above the size of the original building. It could therefore be argued that, were this proposal for an extension to the existing school building and not of a freestanding nature, this clause would apply and the building would not be considered to be inappropriate development.

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20. However, as the proposal is for a building of a free standing nature, and would have an impact on the openness of the Green Belt, albeit minimal, it is important to consider whether very special circumstances exist that are sufficient to outweigh this harm.
21. The applicant prepared a statement outlining why very special circumstances should apply in this instance, this largely relies on the need for the development. Whilst the school has sufficient formal learning spaces to cater for the recent expansion, it has become apparent that there is a need for space for activities which fall outside of the regular patterns of teaching and learning, but are still essential to student health and wellbeing. Such activities include, but are not limited to speech and language therapy, nurture groups, pastoral support work, family sessions and counselling.
22. The aforementioned activities are currently taking place on a daily basis in communal areas such as the library and the school hall. The applicant considers that such accommodation does not afford the privacy, seclusion and security to carry out such sessions effectively. Furthermore, this is preventing these spaces being used for more appropriate activities.
23. I do agree with the assertion that the current arrangements are unsustainable and there is a clear need for the school to establish some formal accommodation for focused intervention. The need for the development, combined with the minimal impact on the openness of the area would lead me to conclude that this application should not be refused on the grounds of Green Belt policy.

Impact on Local Amenity

24. Local residents expressed within their representations that unacceptable adverse amenity impacts are being experienced due to the operations of the school, with particular emphasis that the expansion of the school to 420 pupils should not have gone ahead. Furthermore, there was some concern over whether this application was now a means to further expand the school, when it is already oversubscribed. Dartford Borough Council mirrored this concern somewhat, with a request for a condition which prohibits the building being used for any additional pupil intake.
24. Planning permission for the expansion of the school has already been granted and as such it is not appropriate or relevant to discuss the planning merits of the expansion in the consideration of this planning application. However, in light of the concerns raised it should be stated that this application is only intended to provide facilities which were not included as part of the expansion scheme. Should the school wish to further increase the school role, another full planning application would need to be submitted for consideration by the County Council, which would include further engagement with local residents and the Borough Council. Any such application would have to be considered against Development Plan Policy and be determined on its planning merits.
25. In respect of the current application when being considered in isolation from the possible concerns caused by the expansion, I would regard this proposal to have limited impacts on local amenity. This is mainly because the proposal does not include any increase to the school roll, and the building would sit at a good distance (some 65m)

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away from any residential properties so any additional noise associated with the use of the new building would in my view be negligible.

26. There would be potential impact on the visual amenity for the residents of Dykewood Close as the view across the school playing field would be altered. However, given the location of the building alongside the existing building and its small scale of some 150m², I would consider any visual impact to be minimal. Furthermore, as the building would be away from the site boundary which is interspersed with trees, the view across the open school playing field would not be significantly impacted. I therefore consider the proposal to be acceptable in terms of local amenity.

Other Matters

27. As detailed in the previous paragraphs, local residents expressed concern over the impact that the earlier school expansion has had on the local area. Whilst the general impacts on amenity have been addressed above, concerns were also made regarding the traffic associated with drop-off and pick-up times. In particular there were concerns that the school is not utilising the drop off/pick up zone which was considered necessary for the expansion of the school. When queried on this point, the School expressed that use of the zone was becoming unsafe due to irresponsible parking.
28. This proposal does not include the increase in school roll, and I would therefore consider it to be neutral in terms of traffic impacts. This view was supported by KCC Highways, who requested that traffic be monitored throughout construction by way of a Construction Management Plan. However, it is evident and has been confirmed by Highways Officers in the past that neglecting to use the drop-off and pick up zone does potentially impose an unacceptable impact on the local highway network.
29. This matter is currently being investigated and liaison is being undertaken with the School and Highways Officers to find an acceptable solution. In the meantime, it is important that only the traffic impacts of the current proposal are considered, independent of any other matters which are ongoing at the school. Given that the current proposal would not cause generate any additional highway movements or impact on the highway, I do not consider it appropriate to refuse the proposal on highway grounds.
30. Finally, representations that advised the construction of the building had started prior to the application being determined. Investigation confirmed this to be the case. The School were advised that this represented a planning contravention and operations should cease immediately and I subsequently received confirmation from the agent that they had. Clearly this application must be considered on its merits in the context of the Development Plan policies and other material considerations regardless of the fact that construction has already commenced in advance of this application being determined.
31. The above matters have been reported to the County Council's Regulation committee so that they can be appropriately monitored and addressed.

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Conclusion

32. I conclude that there is a justified need for the development, which in this instance outweighs the potential harm from inappropriate development and I do not consider it would have a significant impact on the openness of the Green Belt and associated policy. Furthermore, whilst there are some amenity concerns with the general operations of the school, these are not relevant to this current application. I therefore do not consider there to be any material consideration which would warrant refusal of the application.
33. The development is in accordance with the general aims and objectives of the relevant Development Plan Policies and the principles of the National Planning Policy Framework and therefore my recommendation is that planning permission be granted subject to conditions.

Recommendation

34. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- The development to be carried out in accordance with the permitted details.

35. I FURTHER RECOMMEND that the following INFORMATIVES be added:

- The applicant must not use the building for any use other than for intervention sessions as set out in the application details. Should future school expansion be required, this must not go ahead without the submission of a full planning application to Kent County Council.

Case Officer: Alice Short	Tel. no: 03000 413328
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Background Documents: see section heading
