

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

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Retention of a mobile classroom unit, removal of a mobile unit and replacement with a single storey modular building – AS/09/643

A report by Head of Planning Applications Group to Planning Applications Committee on 8 December 2009

AS/09/643 - Application by Kent County Council Children, Families, Health and Education for the retention of a mobile classroom unit, removal of a mobile unit and replacement with a single storey modular building at Brook Community Primary School, Spelders Hill, Brook, Ashford.

Recommendation: Planning permission be granted subject to conditions

Local Member(s): Mr A.Wickham

Classification: Unrestricted

Site

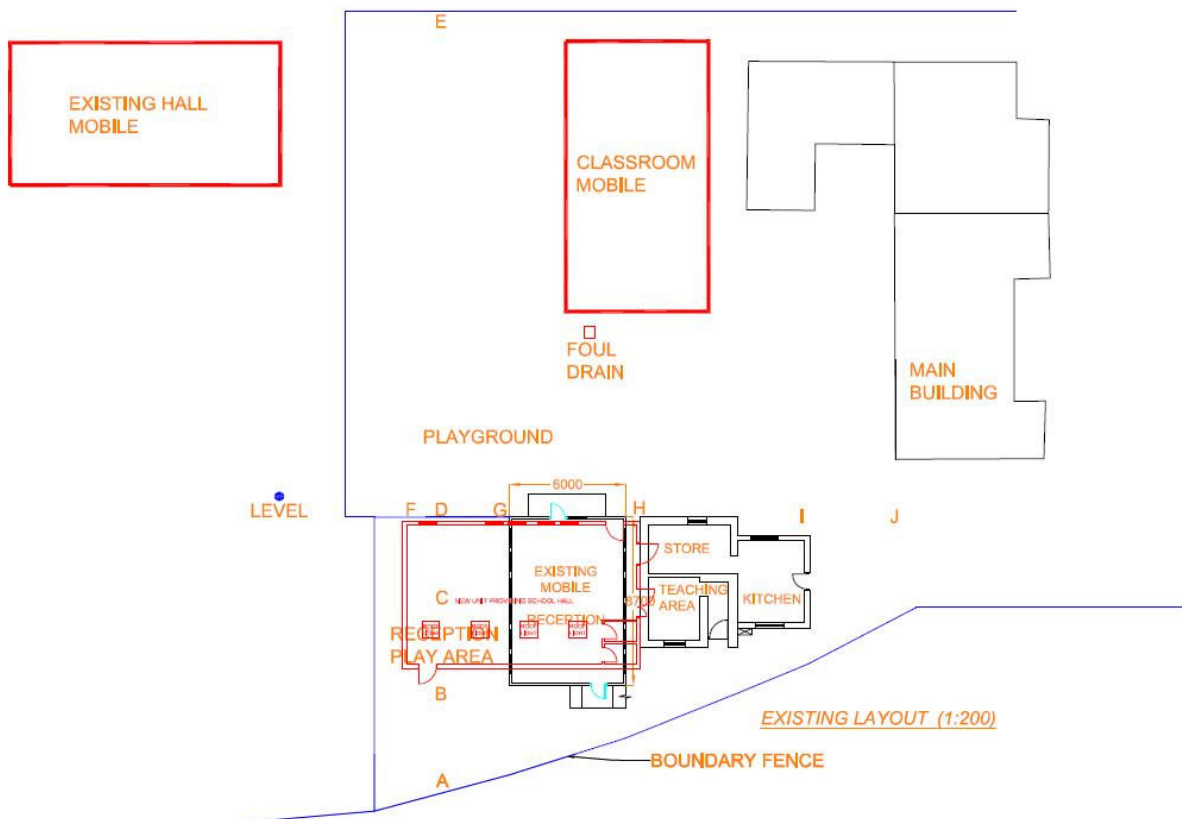
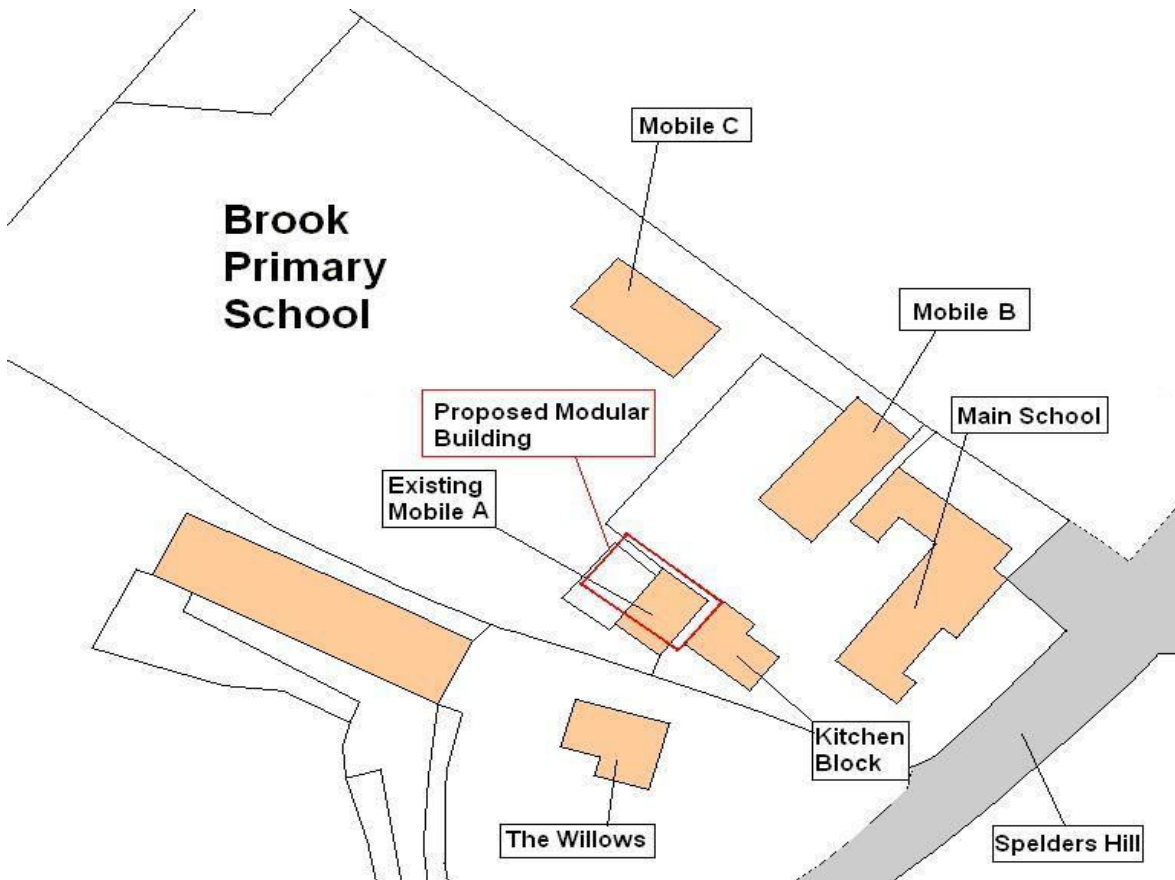
1. Brook Primary School is situated to the south west of the village of Brook, on Spelders Hill. The rectangular site occupies approximately 0.5 hectares and is accessed via Spelders Hill to the south east of the school site. The school grounds are enclosed by open farmland to the north east and north west, and a residential property is situated directly south of the main school buildings.
2. The main school buildings are situated to the south east of the site, adjacent to Spelders Hill. Approximately two thirds of the school grounds are made up of grass playing fields to the north west of the site. There are three mobile classrooms, two of which are subject to this planning application. The entire school site is located within the Kent Downs Area of Outstanding Natural Beauty (AONB).

Background

3. Brook Primary School is a small, Victorian, brick building and has three mobile buildings on the school grounds. There have been mobile buildings on site since the early 1980s (Map shows mobiles lettered A - C). The planning history of the site is predominantly concerned with these mobiles.
4. Mobile A is a two-bay mobile unit first placed in 1983 and given temporary permission until 1988. The justification was based upon a lack of basic amenities, including a school hall. The application indicated that no permanent building was being programmed.

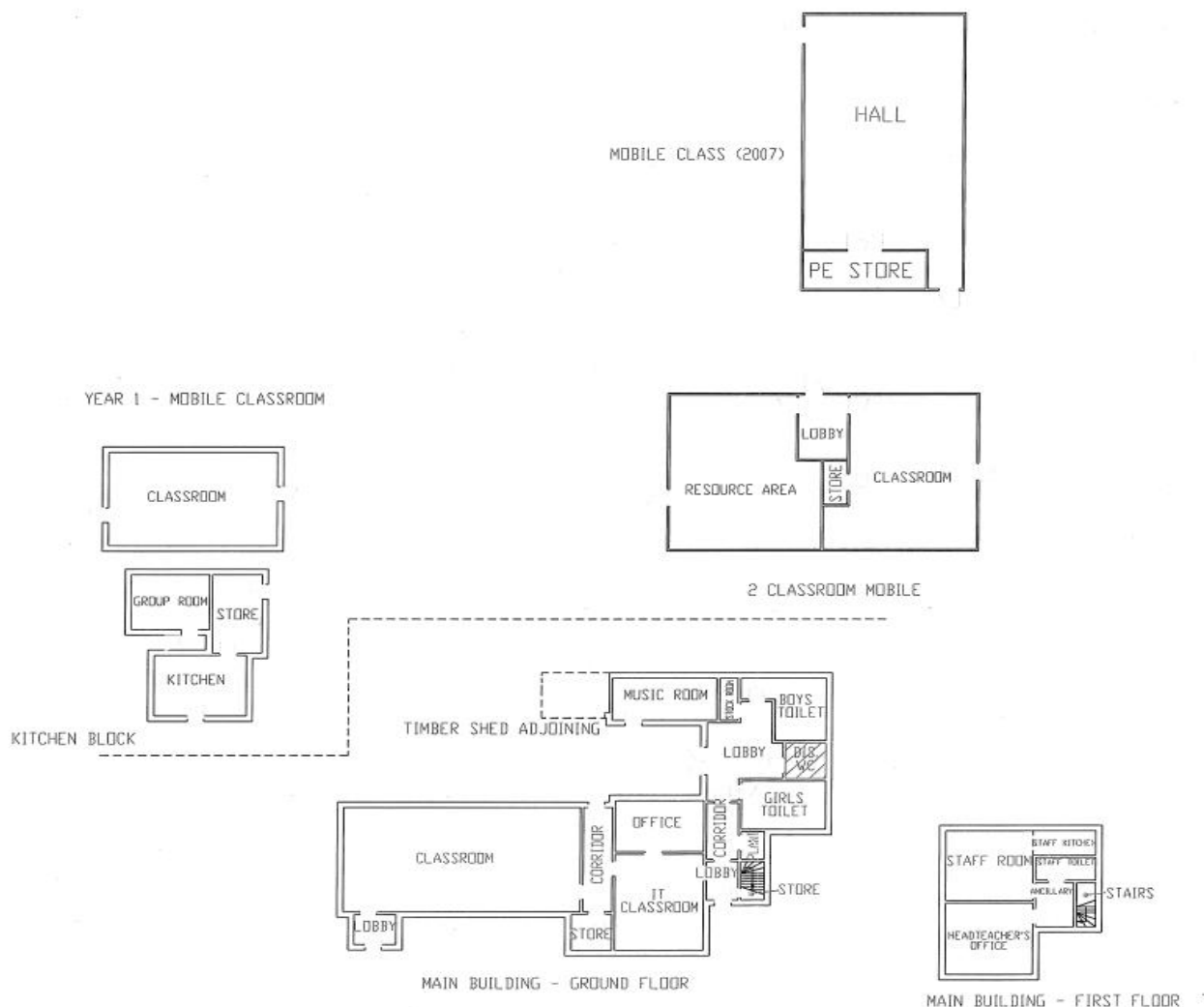
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Existing School Room Use

- Mobile B was placed earlier than A, but the earliest record is an application for retention in 1985. This was justified on identical grounds to the 1983 application, citing a lack of basic amenities. Permission was granted for a temporary period, expiring in 1988.
- In 1989 an application was submitted for the retention of Mobiles A and B. This application faced objections from Ashford Borough Council due to the lack of a sufficient justification for the continued siting of temporary buildings. The applicant justified the application on the grounds of insufficient funding, and the need to release accommodation within the main school buildings for P.E. and dining. Permission was granted for a temporary period, expiring in 1993.
- In 1993 a new mobile building was proposed to provide accommodation for pre nursery pupils. This application was withdrawn as the applicant was unable to overcome highway concerns relating to parking.
- In 2003 a further application was made in which the applicant proposed the replacement of Mobile A with a 5-bay mobile classroom (similar to the current proposal). This application

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drew objections due to the impact the larger mobile would have had on the neighbouring house 'The Willows'. Concern was also raised about parking on the road by parents dropping off children. The applicant amended the plan so that the new mobile would instead replace Mobile B. Permission was granted for a temporary period, expiring in 2008, and this mobile is proposed to be retained within this current application.

9. In 2006 another mobile was proposed to be installed on site. This was proposed to be located on the school field, adjacent to the boundary with 'The Willows'. Due to objections raised, the plan was amended to move the mobile to the other side of the playing fields, and is labelled Mobile C on the site plan. The justification for this application was to create accommodation to be used as a school hall. Concerns were also raised about parking and traffic; therefore additional parking was created for teaching staff at the front of the school. The planning permission for this mobile expires in 2011.
10. Brook County Primary School occupies a small site and most of teaching space is within mobile classrooms. Pupil numbers have increased at a fast rate over the last twenty years: the initial total was 22, this increased to 33 in 1993, then 51 in 2003 (and at the time this was expected to rise to 60 by 2004). The current application indicates that the current roll is 84 pupils which this applicant has stated has a potential to reach a maximum of 105.

Proposal

11. The application proposes the replacement of the 2-bay Mobile A with a 5-bay steel-fabricated, modular building, and the retention of Mobile B. The replacement building is proposed to be of a higher standard of materials and construction than regular mobile buildings, and the applicant is applying for permanent permission for this building. This building is proposed to be linked to the kitchen block, and to be used as a hall for dining and other activities. The applicant indicates that this will free up space in Mobile C to be used as a larger classroom area, and would negate the need for the catering staff to take the school meals across the grounds on trolleys, by having the dining hall linked to the kitchen.
12. In response to objections received, and subsequent negotiations, the applicant amended the proposal in order to minimise the impact on the occupiers of 'The Willows'; the plans were amended to move the mobile 1m further into the site, and to remove the windows on the facing elevation, opting instead for roof lights. Planting has also been proposed to be incorporated along the elevation facing 'The Willows' in order to screen the mobile.

Planning Policy

13. The Development Plan Policies summarised below are relevant to consideration of the application:
 - (i) The adopted **South East Plan 2008**
 - Policy CC1** Seeks to achieve and maintain sustainable development within the region.
 - Policy CC4** Expects that all development will adopt and incorporate sustainable construction standards and techniques.

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- Policy CC6** Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
- Policy S3** States that local planning authorities, taking into account demographic projections, should work with partners to ensure adequate provision of pre-school, school, and community learning facilities.
- Policy BE1** Management for an Urban Renaissance, Local Authorities will promote and support design solutions relevant to context and which build upon local character and distinctiveness and sense of place.
- Policy C3** High priority will be given to conservation and enhancement of natural beauty in the region's Areas of Outstanding Natural Beauty (AONBs) and planning decisions should have regard to their setting. Proposals which support the economies and social well being in the AONBs and their communities will be encouraged provided that they do not conflict with the aim of conserving and enhancing natural beauty.

(ii) The Ashford Borough Local Development Framework Core Strategy 2008

- Policy CS1** Seeking sustainable development and high quality design and application of key planning objectives.

Consultations

14. **Ashford Borough Council:** raise no objection.

Brook Parish Council: raise no objection.

Divisional Transport Manager raises no highway objection as the application does not propose to increase demand for car parking as there will not be an increase in pupil numbers at the site.

Local Member(s)

15. The local County Member for Ashford Rural East, Mr A. Wickham, was notified of the application on the 3 November 2009. No comments have been received to date. The application was made before the County Council elections and the then local County Member, Mr C. Findlay, was notified of the application on 3 June 2009. No comments were received.

Publicity

16. The application was advertised by the posting of a site notice and the notification of 3 neighbours.

Representations

17. Two letters of representation were received from local residents.
One resident commented as follows:

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- The change in the buildings may result in an increase in pupils; the Headmistress has assured that the school had reached its maximum number for the school site.
- Access and parking is dangerous and any increase in numbers would exacerbate these problems.

On resident objected as follows:

- Whilst not objecting to the buildings structurally, objection is raised to the use (assemblies, dining, P.E. and music) which would generate considerable noise in a building very close to his house. The current mobile is used as a classroom, which is a quieter use.
- Why cannot the main school brick building be used for the school hall?
- The capacity of the school will rise and add to the traffic and parking problems.

After receiving additional information, the resident submitted a second letter responding to the amended proposals showing the replacement building without windows, moved slightly, with planting, and information from the applicant that attempts to address his noise concerns.

- Moving the mobile and including planting would not reduce the noise impact.
- The roof lights would spill light towards his property during the darker winter months.
- Does not accept that the noise levels will be no greater than is experienced at present, due to the different activities that will be taking place in the classroom next to his house.
- The main school building could be used as a hall, with the classroom moved into the proposed building, thereby minimising noise disturbance.

Discussion

18. 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 the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
19. The application can be considered in two parts; the first part in considering the retention of Mobile B, and the second part considering the replacement of Mobile A with a steel-fabricated modular building. As no objections were received in relation to the retention of Mobile B, I will approach this part of the application first.

Mobile Unit B

20. Mobile B is a 5-bay mobile classroom which was installed in 2003. The temporary planning permission for this mobile expired in 2008 and is proposed to be retained in this application. The mobile incorporates a classroom and a resource room, as well as a storage area.

Siting, Design and Appearance

21. The mobile classroom is located directly behind the main school buildings. It is not visible when approaching the school from the South along Spelders Hill, nor is it visible from the nearby residential properties. As the mobile classroom is located against the boundary with open farmland, it is visible when approaching the school from Brook Village to the North. Therefore it is in a prominent location from the North East, looking across open country towards the North Downs.

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22. The current location is the most appropriate for this mobile, in my opinion, as this position was chosen in the 2003 planning application. In that application the mobile was originally proposed to be adjacent to the boundary with 'The Willows', but due to concerns over impact on the neighbour the plans were amended to move the mobile to the current location.
23. Due the prominent location of the mobile building, and its age and colour, the applicant agreed that if permission is granted then the mobile classroom would be repainted in order to improve its appearance and reduce the impact that it would have on the AONB. The mobile building is currently finished in light green paint which is beginning to flake. Should planning permission be granted then the building would be repainted in dark green to match the mobile unit that is located on the school playing field.

Impact on AONB

24. The site lies entirely within the Kent Downs Area of Outstanding Natural beauty. Development within an AONB is subject to strict policies giving priority to conservation and enhancement of natural beauty. However, Policy C3 of South East Plan also states that regard must be given to proposals that support the economies and social well being of the communities within the AONB. Brook Primary School serves a wide area and is an important community facility. Therefore, proposals that support the school are in accordance with policy as long as they do not adversely affect conserving and enhancing the natural beauty of the AONB.
25. The mobile unit currently houses one classroom and a resource area, as shown on the Room Use Plan. Removing the mobile unit, without there being an adequate alternative, would result in the displacement of the pupils who use this facility. The adverse affect removing the unit would have on this important community facility would be unacceptable on policy grounds. Policy S3 of the South East Plan states that local planning authorities, taking into account demographic projections, should work with partners to ensure adequate provision of pre-school, school, and community learning facilities. In the interest of conserving and enhancing the natural beauty of the AONB, the applicant has proposed to repaint the mobile building dark green.

Mobile Unit A

26. The planning application proposes to remove Mobile A and replace it with a five-bay steel-framed modular building with a permanent connection to the existing kitchen and storage block. The replacement building would be set down into the ground on permanent foundations to provide a level access from the playground and to the kitchen block. The new building would sit lower than the existing mobile.

Location

27. The applicant has chosen the proposed location for the new building so that it would be adjacent to the kitchen block and a permanent connection can be made. The new building would be used as the school hall for dining, thereby negating the current practice where the kitchen staff wheel the school meals across the grounds to Mobile C.
28. The proposed location for the modular building would place it over the footprint of the existing mobile classroom. However, as the plans demonstrate, the new building would be larger and at a perpendicular orientation to the existing mobile. This means that it would extend further long the line of the fence with 'The Willows' property.

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Overlooking

29. In order to overcome issue of overlooking due to the size and location of the modular building, the applicant proposes to remove the windows from the elevation facing 'The Willows', and instead install roof lights to allow light to enter. In my opinion, this would remove any risk of the garden and patio area of 'The Willows' being overlooked, and go some way to reducing the risk of noise emanating from the use of the building.

Visual Impact on the neighbouring property

30. 'The Willows' is approximately 7m from the closest point of the proposed development. The properties are separated by a 1.8m high fence which has established mature trees alongside it. Due to the topography, the ground level of the proposed development is higher than the ground level at the fence. The proposed new building would therefore be partially visible from the garden and patio of 'The Willows'. The existing mobile extends closer to the fence, and is higher than the proposal; however this is not visible from the patio of the neighbouring property.
31. The applicant explored alternatives in order to reduce the visual impact that the modular unit would have on the neighbouring property. This included rotating the modular building 90 degrees so that the shortest elevation is facing 'The Willows'. This option was ruled out as the position would require a large portion of the hard-court playing surface being taken up, and would not allow sufficient room for emergency services, and other service vehicles, to access the school playing field.
32. The applicant then submitted plans that moved the proposed building away from 'The Willows' as far as would be practicable - taking into account the internal layout of the building and the need to connect to the kitchen block. Although this amendment has only moved the unit approximately 1m, this would allow for a scheme of planting against the blank elevation facing 'The Willows'. Planting would assist in providing mitigation in screening the building from the neighbouring property.
33. The neighbour has also raised concerns over light spilling from the roof lights during the winter months. The applicant has responded stating that the use of hall will normally be during school hours of 09:00am to 15:15pm. In my opinion, there would not be a significant impact from light pollution due to the removal of the windows on the southern elevation, and the limited use of building.

Noise

34. The main point of concern of the objection relates to the proposed use of the building as a school hall and the potential for adverse noise impacts. The objector has stated that the current mobile unit is used as a classroom, with organised and supervised quieter 'classroom' activities. He is concerned that using the new building as a hall would increase the noise impact on his property as it would be used for 'noisier' activities.
35. As stated previously, the applicant has amended the plans to remove the windows from the elevation facing the neighbouring property. That would reduce the risk of noise emanating, especially during the summer months when windows are likely to be opened. Also, the applicant has stated that the new building is of a higher standard of materials and construction than the existing timber mobile building, and would therefore provide better sound insulation.

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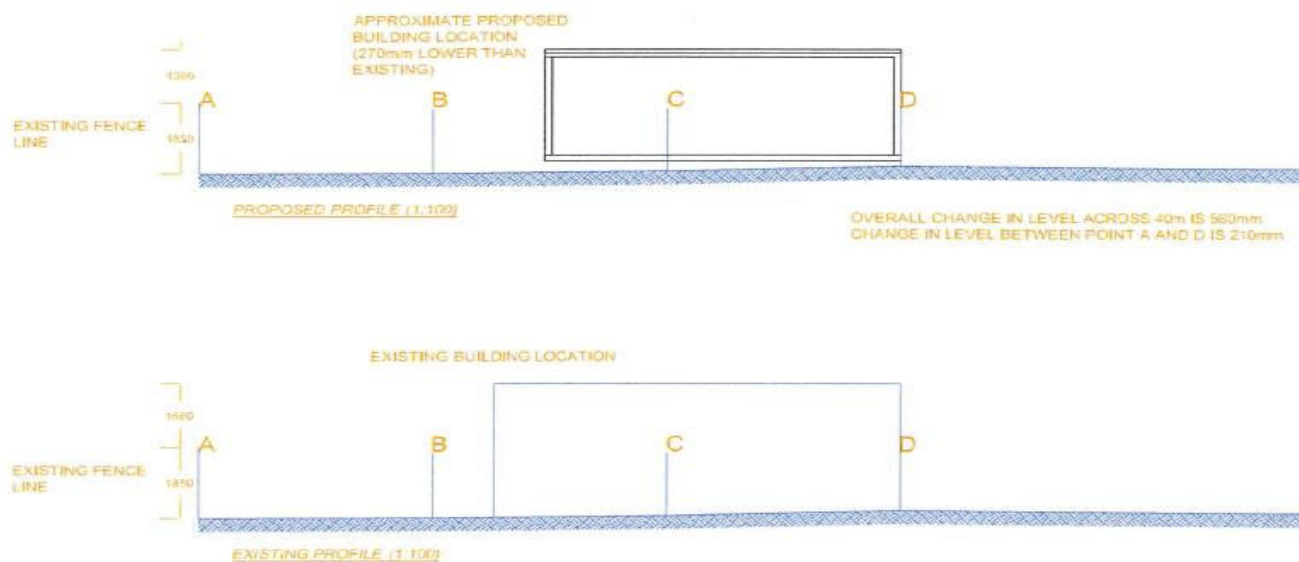
36. In response to the argument relating to the actual 'use' being the source of the noise, the applicant argues that the noise levels experienced would not be significantly higher than what exists at present. The surrounding area is currently used as a playground, and as such, noisy activities are inevitable and existing. The school hall would be used for dining and other activities, such as physical education, but this already takes place in the school field adjacent to the neighbouring property during the summer months. The applicant has stated that music lessons take place in the music room (which can be seen on the School Room Use Plan).
37. The application indicates that the use of the new building would be during normal school hours. During these hours it can reasonably be expected that neighbouring properties would be subject to some degree of noise from the general day-to-day activities on the school site. The new building would be used as a hall, and would move a source of noise closer to 'The Willows' from its current location approximately 25m away. In order to mitigate this, and limit the impact, I would advise that the hours of use of this building are limited to normal school hours. Any activities after this time would be more appropriately conducted within the main school building, thereby reducing the noise nuisance on the occupants of 'The Willows'.

Design

38. The replacement modular building can be regarded as being of a similar appearance and design as other mobile classrooms across the County, despite being constructed of more stable and long-lasting materials. It would be replacing a mobile classroom that has been on site for a number of years and is looking dated.
39. The site lies entirely within the Kent Downs Area of Outstanding Natural beauty. Development within an AONB is subject to strict policies giving priority to conservation and enhancement of natural beauty. However, Policy C3 of South East Plan also states that regard must be given to proposals that support the economies and social well being of the communities within the AONB. Brook Primary School serves a wide area and is an important community facility. Therefore, proposals that support the school are in accordance with policy as long as they do not adversely affect conserving and enhancing the natural beauty of the AONB.
40. The new modular building would be sited on an area that currently houses a mobile classroom. Whilst the new building is larger, replacement of the older mobile building would have a reduced visual impact on the AONB overall. In particular, the new building would be set lower than the existing building and would not be visible from the road, or the wider area. The existing building stands approximately 3.2m above ground level whereas the replacement building would stand at approximately 2.93m.

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Section Drawing - Mobile A

Need

41. The planning stance regarding mobile buildings is that they not suitable for retention for anything other than a short term period, and are only justified where they would be meeting a short term need. The applicant has indicated that this building is designed to last for a longer period than the traditional timber mobiles and they would like to apply for permanent permission. They have justified this as the School would be building a permanent connection from the kitchens to the new building, and they are not willing to commit to this expense and alteration to the kitchen if they will have to remove the hall in five years.
42. The need for the building has also been justified on health and safety grounds. The applicant has stated that there is at present a significant risk to the kitchen staff and children, because they have to wheel all hot meals across the school grounds to the mobile unit on the playing field 30m away. The objector has stated that the main school building could be used as a dining hall; however, the applicant explains that the health risk would be raised as the trolley would have to be wheeled through the school's doors and corridors. The door and corridor that would need to be used, is currently the access in and out of the main building. Policy S3 of the South East Plans states that adequate facilities must be provided for schools and communities, and it is apparent that the current inadequate arrangements for dining at Brook Primary School would be improved by the proposal. Therefore, I am of the opinion that the need for the unit is justified by current planning policy.

Length of permission

43. The application proposes the new modular building is granted permanent permission. The justification is based upon the installation of permanent foundations, a link being built between the existing kitchen block, and the need for a permanent school hall. The modular building is a refurbished unit which is currently located on another school site. The design

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and appearance is similar to other mobile classrooms located across the county. The general position is that these mobile classrooms are of a design and construction that is not suitable for permanent retention. This stationing of mobile classrooms is given tighter scrutiny in locations such as this due to the protection given to the AONB.

44. Therefore, I consider it is necessary to recommend that any permission for this building is granted for a temporary period only, in order to allow the impact on the AONB, and the neighbouring property, to be reviewed at the end of the period. Whilst the need for a school hall is recognised, as well as the permanent foundations being provided, the modular design of the unit and its outward appearance is not suitable for permanent retention.

Conclusion

45. Whilst I am satisfied that the need is justified for the creation of a new school hall. The temporary appearance of the steel-framed modular building (despite its superior building materials to traditional mobile units) is not suitable for permanent retention, and regard must be given by the School in the longer term to providing facilities for the number of pupils it has. Therefore, I consider that the most appropriate solution is to grant a temporary consent for a period longer than five years; this would enable the School time to work out a permanent alternative.

Recommendation

46. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the following conditions

- temporary permission for both buildings;
- the development to be carried out in accordance with the permitted details;
- limiting the use of the new building as a hall to during normal school hours and term-time only;
- within six months the mobile unit to be retained is painted dark green.

Case officer – Jeff Dummett	01622 221071
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Background documents - See section heading
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