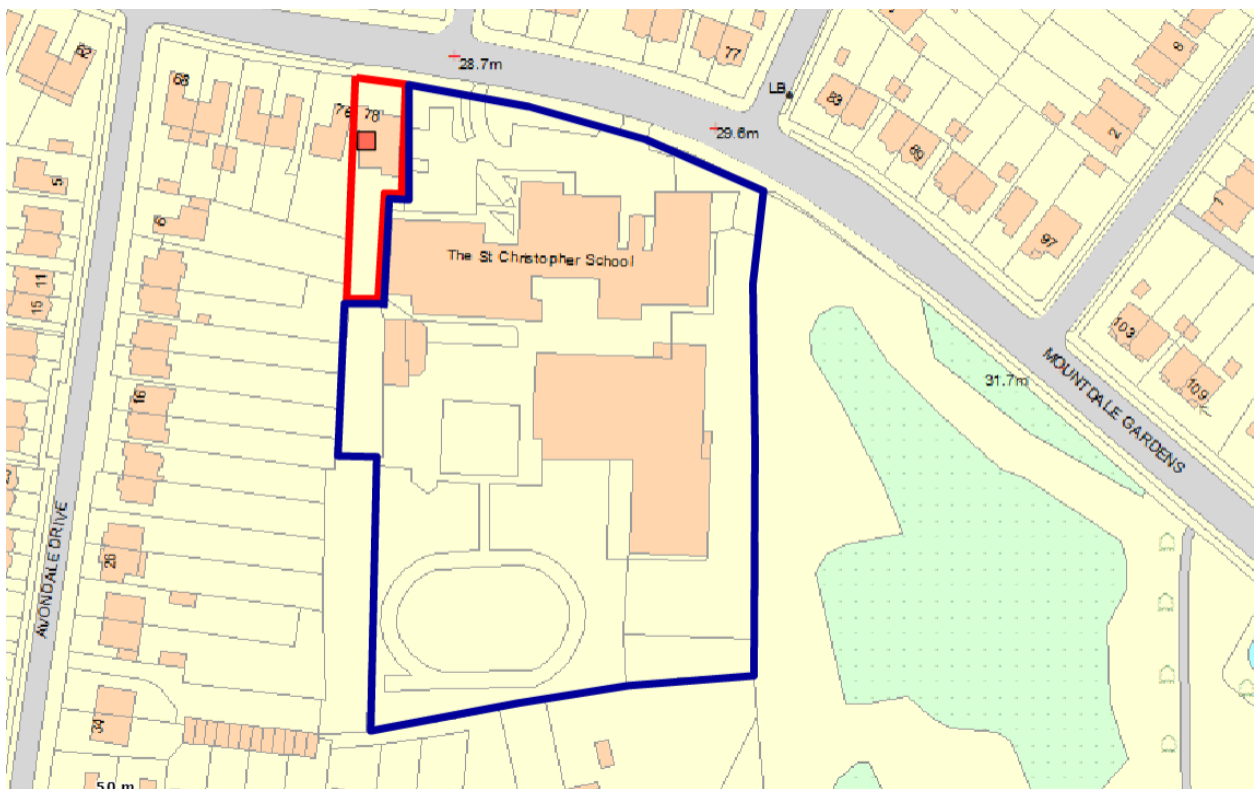


| | | |
|-----------------------------|---------------------------------------------------------------------------------------------|--|
| Reference: | 17/01090/FUL | |
| Ward: | Blenheim Park | |
| Proposal: | Change of use from dwellinghouse (Class C3) to Non-residential education centre (Class D1). | |
| Address: | 78 Mountdale Gardens, Leigh-On-Sea, Essex, SS9 4Aw | |
| Applicant: | The St. Christopher School Academy | |
| Agent: | The Livemore Partnership – Mr Tony Watts | |
| Consultation Expiry: | 15 th August 2017 | |
| Expiry Date: | 17 th August 2017 | |
| Case Officer: | Julie Ramsey | |
| Plan Nos: | 16032-01(-), 16032-02(-), 16032-03(-), 16032-04(-), | |
| Recommendation: | GRANT PLANNING PERMISSION subject to conditions | |



1 The Proposal

- 1.1 This application seeks planning permission for the change of use from a dwellinghouse (Class C3) to a non-residential education centre (Class D1).
- 1.2 The applicants are The St. Christopher School Academy, which occupy the adjoining school premises. The applicants state that the property would be connected to enhance the provision within the school for the development of pupil life, social and business skills and economic development. The ground floor accommodation would provide an additional area for practical skills based lessons. This would include the provision of larger cooking facilities and food preparation areas. The First Floor would provide administrative support. There are no external alterations proposed. The principle of 'work' related learning in a different environment would be the basis of the facility. Pupils would leave the school premises and have lessons in 'work' tasks, such as preparing, making and packaging food items. There would be a suite of computers available to design labels, marketing posters, complete surveys and gain ideas.
- 1.3 The applicants state that the provision of this facility is considered to be fundamental in allowing the pupils to work in a different environment and gain a greater understanding of the value of money and the world of work, that many of the pupils find it difficult to access.
- 1.4 The existing garden area would be used to develop and grow herbs and vegetables for use in the work experience. The provision of the facility would not increase either pupil or staff numbers and opening hours would reflect those of the main school
- 1.5 Letters of support have been submitted by the applicants from David Amess M.P for Southend West and Brin Martin, Director of Learning.

2 Site and Surroundings

- 2.1 The application site is located on the south side of Mountdale Gardens, west of the junction with Avondale Avenue. The site comprises of a large detached two-storey house with an integral garage and hardstanding for parking to the front, adjacent to the St Christopher's School.
- 2.2 The surrounding area comprises of a mix of residential houses and bungalows properties, with a nursing home opposite to the west and the school to the east.

3 Planning Considerations

- 3.1 The key considerations are the principle of the development, including the loss of the existing dwelling, design and impact on the character of the area, impact on residential amenity and highway implications.

4 Appraisal

Principle of the Development

The National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2, CP4, CP6 and CP8; Development Management Document (2015) Policies DM1, DM3 and DM15 and the Design and Townscape Guide (2009).

- 4.1 Core Strategy Policy CP8 resists development proposals which involve the loss of existing dwellings, supporting the need to safeguard an adequate stock of single family dwelling houses, and to protect the character of residential areas.
- 4.2 Policy CP6 of the Core Strategy (CS) relates to the provision of community infrastructure and indicates that new development should demonstrate that it will not jeopardise the Borough's ability to improve the education attainment, health and wellbeing of local residents by, among others, supporting improvements to existing, and the provision of new, facilities to support the needs of education, skills and lifelong learning strategies.
- 4.3 The Local Planning Authority is sensitive to the needs of the school and recognises that this development would be to the benefit of students with varying disabilities and would seek to support this provision within the Borough. This however, has to be balanced against the subsequent loss of a residential property in the Borough.
- 4.4 The proposal is for an education use and would provide a much needed facility within the Borough and enable appropriate life skills training to be provided in close proximity to the existing special School. It is considered that the use of the building for this purpose would be supported by the education policies and the appearance of the facility would remain residential, which would protect the character of area.
- 4.5 The planning statement accompanying the application states that the dwelling has been on the open market for 18 months although no evidence has been submitted to support this. However, weight should be given to the suitability of the property to be incorporated into the school site, given its location on the boundary and relative ease of access to the site.
- 4.6 It is considered, on balance, that the provision of a specialist domestic environment for the learning of life skills for pupils with disabilities would be acceptable and would be considered to be special circumstances to quantify the loss of a residential dwellinghouse. However it is nonetheless considered that if St Christopher's School no longer require the property for their use, then it would be appropriate that the property returns to residential use and a suitable condition would therefore be attached to ensure that this would happen in the event that St Christopher's no longer need the facility.

Design and Impact on the Character of the Area:

The National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

- 4.7 The key element within all relevant policies is that good design should be a fundamental requirement of new development in order to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management DPD. The Design and Townscape Guide (2009) also states that “the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”
- 4.8 Paragraph 56 of the NPPF states that “good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”
- 4.9 According to Policy KP2 of the Core Strategy new development should “respect the character and scale of the existing neighbourhood where appropriate”. Policy CP4 of the Core Strategy requires that development proposals should “maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”.
- 4.10 Policy DM1 of the Development Management DPD states that all development should “add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”.
- 4.11 The proposed change of use would have a no impact on the design of the dwelling as the external appearance would remain unchanged. The facility is to be accessed from the school on the eastern boundary to which there is an existing door. The location of the dwelling on the boundary of the school would allow the acceptable integration of the dwelling into the school site without detracting from the residential appearance. External signage and other external alterations should be limited and a condition to control these aspects of any further development would be considered reasonable. It is therefore considered that the development would not have any undue impact on the character and appearance of the area.

Traffic and Transport Issues

The National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP3 and Development Management Document (2015) Policy DM15.

- 4.12 The proposed facility has parking to the front for 2 vehicles, however the staffing and pupil numbers are to remain the same and access would be from the main school site.

It is therefore considered that parking within the site would not be a requirement as staff would park within the school site and pupils would be dropped off and picked up as normal from the main school site. Therefore the parking provision is considered to be adequate for the use of the facility and would accommodate the needs of visitors and deliveries specifically to the site.

Impact on Residential Amenity:

National Planning Policy Framework (2012), Core Strategy (2007) Policies KP2 and CP4; Development Management Document (2015) Policy DM1.

- 4.13 Policy DM1 of the Development Management Document requires all development to be appropriate in its setting by respecting neighbouring development and existing residential amenities “having regard to privacy, overlooking, outlook, noise and disturbance, sense of enclosure/overbearing relationship, pollution, daylight and sunlight.”
- 4.14 The use of the site for the use as education centre would result in an increased number of people present within the detached house at any one time but this would be limited to school operating hours in term-time only. There is no overnight accommodation proposed. These elements would be subject to a condition to this effect. While the day time use would be greater than most domestic properties, it is considered that this would be between normal school/business hours and within school term time and considering the close proximity of the main school building there would not be any material increase in noise and disturbance to neighbouring occupiers.

5 Conclusion

- 5.1 On balance the proposed development is considered to be acceptable in principle and have an acceptable impact on visual amenity in the streetscene. It is not considered that the proposal would result in material harm to residential amenity and there are no highways/parking issues arising.

6 Planning Policy Summary

- 6.1 The National Planning Policy Framework (2012)
- 6.2 Core Strategy Policies KP2 (Development Principles), CP4 (The Environment and Urban Renaissance), CP3 (Transport and Accessibility), CP6 (Community Infrastructure) and CP8 (Dwelling Provision).
- 6.3 Development Management Document (2015) Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management).
- 6.4 Design & Townscape Guide (2009)
- 6.5 CIL Charging Schedule 2015

7 Representation Summary

7.1 Consultation responses

No responses received

Public Consultation

7.2 Seven neighbours were consulted and no letters of representation were received.

8 Relevant Planning History

8.1 **1999** - Convert existing garage into habitable room and erect part single/part two storey side extension including integral garage and balcony at rear and widen vehicular access to Mountdale Gardens – APPROVED – ref 99/0438

9 Recommendation

9.1 **Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:**

01 The development hereby permitted shall begin not later than 3 (three) years from the date of this decision.

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 16032-01(-), 16032-02(-), 16032-03(-), 16032-04(-),

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

03 The use hereby permitted shall be carried on only by St Christopher School Academy Trust for the purpose of education. When the premises cease to be occupied for educational purposes, the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed. The premises would then return to a residential (Class C3 use).

Reason: Permission has been granted taking into consideration the special circumstances of this case. The local planning authority needs to control future use of the premises if the education use of the premises ceases to ensure compliance with, DPD1 (Core Strategy) 2007 policy K2, CP4, CP8; Borough Local Plan 1994 policies U7 and H4 and SPD1 (Design and Townscape Guide).

04 The Class D1 use allowed by this permission can only be carried out as an ancillary use to The St Christopher School Academy and for no other purpose unless agreed in writing by the Local Planning Authority.

Reason: Planning permission for unrestricted use within Class D1 cannot be granted in this case because of the special circumstances of the application and it would therefore fail to comply with the National Planning Policy Framework (2012), Core Strategy 2007 policy CP8.

05 The premises shall not be used outside the following hours: -

8am to 4pm Monday - Friday and at no time on Saturdays, Sundays or Bank Holidays or within the Essex County Council school holiday dates.

Reason: To protect residential amenity and general environmental quality in accordance with the National Planning Policy Framework (2012), Core Strategy 2007 policy KP2 and CP4.

Informative

You are advised that as the change of use to your property equates to less than 100sqm of new floorspace the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.