

Reference:	19/00420/BC4M	
Ward:	Chalkwell	
Proposal:	Demolish portacabins, erect part single/ part two storey building for classrooms	
Address:	Chalkwell Hall Infants School, London Road, Leigh-on-Sea Essex SS9 3NL	
Applicant:	Framebuild Ltd	
Agent:	Framebuild Ltd	
Consultation Expiry:	24 th May 2019	
Expiry Date:	25th June 2019	
Case Officer:	Abbie Greenwood	
Plan Nos:	Chalkwell Plan1 Rev E, Chalkwell Plan2 Rev E, Chalkwell Plan5 Rev E, Chalkwell Plan5A Rev E, Chalkwell Plan10 Rev E, Chalkwell Plan11 Rev E, Chalkwell Plan12, SYLVA-DET-8.62AREVD, SYLVA-DET-8.60AREVD, SYLVA-DET-8.03AREVC, SYLVA-DET-8.01AREVD	
Recommendation:	GRANT PLANNING PERMISSION	



1 Site and Surroundings

- 1.1 The application relates to Chalkwell Hall Infants School which is located at the junction of London Road and Leigh Road but also has secondary frontages to Sunningdale Avenue and Rockleigh Avenue. The proposal relates to the 3 demountable classrooms that front onto Sunningdale Avenue only. These are single storey temporary buildings which, the applicant states were installed some 39 years ago and are now reaching the end of their useful life. In front of the demountable facing Sunningdale Avenue is a bike shelter. The school has a pedestrian gate and pedestrian access into the site to the side of the existing classrooms.
- 1.2 Sunningdale Avenue is characterised by Victorian and Edwardian terraces and semi-detached houses. Most are two storey with a gabled roof and feature bays to the street. They are set on a consistent building with small, relatively shallow front gardens. The school site is in the centre of the road on the north side.
- 1.3 The application site has no specific allocation on the Development Management Document's Proposals Map.

2 The Proposal

- 2.1 Planning permission is sought to demolish the existing demountable classrooms and replace them with a new modular timber framed building providing 4 new classrooms and ancillary facilities. The building will be two storeys to the street frontage reducing to a single storey to the rear. The two storey element of the proposal measures 9m wide and 8.7m deep and is flat roofed with a parapet height of 6.3m. The single storey section behind is 9m wide, 24.8 deep with a mono-pitched roof which is 2.8m on the western side and 3.8m on the eastern side.
- 2.2 The building will be clad with red brick slips to the two storey section and rendered to the rear single storey section. The windows and doors will be dark grey Aluminium and the roof will be a grey membrane with aluminium coping edge detail to the two storey section.
- 2.3 The proposal includes closing off the pedestrian access into the school site from Sunningdale Avenue and the removal of the cycle shelter. A tall railing/fence is proposed behind the building line on this frontage to secure the site. The frontage will be enclosed by a low brick wall and landscaped.
- 2.4 The proposal will provide 1 additional classroom but the school have confirmed that there will be no additional pupils or staff. No changes are proposed to the on-site parking arrangements which are accessed from the site's Leigh Road and London Road frontages. It is possible that the zig zags in Sunningdale Avenue in front of the proposed building could be removed to provide additional on street parking in this location as this will no longer form an entrance to the site.
- 2.5 The proposal is supported by a Design and Access Statement. During the course of the application officers have worked with the school to secure improvements to the design of the proposal and reduce its impact on neighbouring properties compared to that originally submitted.

3 Relevant Planning History

- 3.1 12/00799/BC4M – erect single storey side extension, convert store to nurture room and replace existing windows to front – granted
- 3.2 91/0329 – dismantle existing portable buildings and replace with 2 relocatable classrooms – No objection raised (to Essex County Council proposal)
- 3.3 89/0541 – site one relocatable classroom - No objection raised (to Essex County Council proposal)

4 Representation Summary

Public Consultation

- 4.1 84 neighbouring properties were consulted and a site and press notice displayed. Neighbours were re-notified following receipt of revised plans which reduced the scale of the proposal and altered its design to improve it from character and amenity perspectives. Representations have been received from 2 neighbouring properties in regard to the initial submission raising the following issues:

- Impact on neighbour amenity
- Loss of light
- Loss of privacy and overlooking
- The scale should remain the same as the existing building as this causes no amenity issues for neighbours
- The first floor should be reduced in scale to improve light to neighbours
- Problems with accessing plans online

No responses had been received at the time of writing following the re-consultation on the amended plans.

[Officer Comment: These concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.]

- 4.2 The application was called to committee by Councillor Folkard.

Environmental Health

- 4.3 No objections raised

Highways

- 4.3 There are no highway objections to this proposal as the school will not have additional students or staff as a result of the development.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (2019)

- 5.2 Core Strategy (2007) Policies KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport and Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure)
- 5.3 Development Management Document (2015) Policies DM1 (Design Quality), DM2 (Low Carbon Development and Efficient Use of Resources), DM3 (The Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 5.4 The Design and Townscape Guide (2009)
- 5.5 CIL Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application are the principle of the development, design and impact on the character of the area, impact on neighbouring properties, any traffic and transport issues, impact on trees, sustainability and CIL.

7 Appraisal

Principle of Development

National Planning Policy Framework (NPPF) (2019), Core Strategy (2007) Policies KP1, KP2, CP3, CP4 and CP6, Development Management Document (2015) policies DM1, DM3 and DM15 and the Design and Townscape Guide (2009)

- 7.1 Policy CP6 of the Core Strategy advocates the need to improve educational facilities across the Borough to ensure that the needs of the local community are met. The policy states that subject to the maintenance of satisfactory environmental conditions and residential amenities the Council will support the improvement or expansion of existing public and private education establishments.
- 7.2 The proposed classrooms will replace existing classrooms which are inefficient and reaching the end of their useful life. The proposal will provide a much needed enhanced environment for learning for the children. It is therefore consistent with the objectives of policy CP6 and the principle of the development is therefore considered to be acceptable.

Design and Impact on the Character of the Area

National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) policies DM1 and DM3 and the Design and Townscape Guide (2009)

- 7.3 Paragraph 124 of the NPPF states *'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations and how these will be tested, is essential for achieving this.'*

- 7.4 Policy KP2 of the Core Strategy advocates the need for all new development to “*respect the character and scale of the existing neighbourhood where appropriate and secure improvements to the urban environment through quality design*”. Policy CP4 of the Core Strategy states “*development proposals will be expected to contribute to the creation of a high quality, sustainable urban environment which enhances and complements the natural and built assets of Southend by maintaining and enhancing the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development.*”
- 7.5 Policy DM1 of the Development Management Document advocates the need for good quality design that contributes positively to the creation of successful places. All developments should respect the character of the site, its local context and surroundings in terms of its architectural approach, height, scale, form and proportions.
- 7.6 The proposal will replace the existing dilapidated and energy inefficient demountable classrooms with a new building. The existing buildings are in a poor condition and do not present an attractive frontage to the street. The proposal is a modular timber build which will be a significant improvement in thermal efficiency than the existing buildings. There is therefore no objection to their demolition and replacement.
- 7.7 The proposal is two storeys to the street frontage dropping to single storey to the rear. The front section is a flat roofed design with parapet detail. This section to the front will be clad in brick slips and has tall feature windows to provide an active frontage to the street. It will be set on the same building line as the houses with a landscaped area to the front. The amended design has sought to incorporate various references from the streetscene including the building line, alignment of windows, general proportions and materials.
- 7.8 There is no objection in principle to the increase in scale on the street frontage. The existing single storey building here is under scaled in this context and does not represent an efficient use of the site. The proposed development has referenced the scale and depth of the existing houses and would sit more comfortably in this streetscene. The flat roof has been amended to a parapet to improve the detailing and visual impact to the front and this is a significant improvement. The single storey element to the rear will not be visible from the street. Its form and scale is a similar scale to the existing building and this is considered a reasonable response to the circumstances of the site. The scale and form of the proposal is therefore considered to be acceptable.
- 7.9 The design detail of the proposal has also been amended during the course of the application. The amended proposal has sought to use higher quality durable materials, incorporate large feature windows with deep reveals and feature signage to offset the simplicity of the design and add interest to the streetscene. The amended proposal has also referenced local character including the head alignment and proportion of the windows in the adjacent houses. This would provide a positive response to the streetscene whilst still maintaining a distinct character as an education building. This will help to integrate the proposal with the character of the street and is also an improvement. Further interest and softening will be provided by planting to the frontage which complements the front gardens of the houses in the street. On balance, it is considered that, given the public benefits of this proposal, the amended design is of an acceptable quality.

- 7.10 The overall design of the proposal is therefore considered to be acceptable and the proposal is policy compliant in this regard subject to conditions controlling materials, details, landscaping and boundaries.

Traffic and Transportation

National Planning Policy Framework (2019); Core Strategy (2007) policies KP2, CP4, CP3; Policy DM15 of the Development Management Document (2015) and the Design and Townscape Guide (2009).

- 7.11 Although there will be an increase in the number of classrooms in this location from 3 to 4 the applicant has confirmed that there will be no increase in pupil or staff numbers and no loss of existing staff parking.
- 7.12 The proposal will also remove the existing pedestrian access to Sunningdale Avenue which will remove the potential for school drop offs in this location and may provide increased on street parking availability for the street. It is also noted that the bike shelter in this location will also be removed but the headteacher has confirmed that there is another cycle shelter on site which is adequate to serve the need of staff and pupils and that the shelter to be removed will be re-sited at the junior school site so there will be no overall loss of cycle parking facilities at the site overall.
- 7.13 The Councils Highways Officer has not raised any objections to these proposals. The traffic and highways implications of the proposal are considered to be acceptable and the proposal is policy compliant in this regard.

Impact on Residential Amenity

National Planning Policy Framework (2019), Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and the Design & Townscape Guide (2009)

- 7.14 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."
- 7.15 The two storey element of the proposal measures 9m wide and 8.7m deep and is flat roofed with a parapet height of 6.3m. This is set 1.5m off the east boundary and 2.5m off the east neighbour and 1.5m off the west boundary and 2m from this neighbour. It does not extend past the main front or rear building line of the adjacent houses. It has two side windows at first floor level. The single storey section behind is 9m wide, 24.8m deep with a mono-pitched roof which is 2.8m high on the western side and 3.8m high on the eastern side.
- 7.16 Concerns were initially raised by officers regarding the originally submitted first floor depth of the two storey projection and the impact this would have on the amenities of the neighbours, in particular light and outlook to the rear bedrooms of 29 and 29a Sunningdale Avenue. The amended proposal has brought the building forward to match the building line of the adjacent houses and reduced the depth of the two storey element so that it no longer extends past the main rear building line of the neighbours.

This has successfully addressed previous concerns relating to loss of light, outlook and sense of enclosure for these neighbours.

- 7.17 The proposal includes two windows at first floor in the flank elevations however, these are noted on the plans as being obscure glazed only so will not result in overlooking. This can be controlled by condition. To the front the windows will be clear glazed but it is considered that the outlook here would be comparable to the existing houses in the street and would not give rise to unreasonable overlooking of houses opposite the site across the public domain. It is considered that the impact of the two storey section on the amenities of neighbours is acceptable.
- 7.18 To the rear the single storey element is of a comparable size and height to the existing demountable in this location. As such it would not result in a material change in the impact of the proposal on the surrounding neighbours in Sunningdale Avenue and Rockleigh Avenue.
- 7.19 In terms of noise and disturbance associated with the school building, it is considered the proposal would be comparable to the existing building and would not cause materially increased impacts on neighbours. The proposed building would be expected to have a better acoustic performance.
- 7.20 Overall therefore, and taking account of the comparative impact of the existing long established demountable building, it is considered that the impact of the proposal on the amenities of neighbouring properties is acceptable and policy compliant in this regard.

Impact on Mature Tree to the rear

National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 Policy DM1 of the Development Management Document (2015) and the Southend Design and Townscape Guide (2009).

- 7.21 The Council seeks to protect trees which make a positive contribution to the amenity of the area from the impact of new development.
- 7.22 There is a large mature tree in the playground to the rear of the site which makes a positive contribution to the setting of the school and the surrounding houses. The agent has confirmed that this tree will not be affected by the proposal and that it will be enclosed by protective fencing during construction. The proposal is therefore acceptable and policy compliant in this regard

Sustainable Development

National Planning Policy Framework (2019), Core Strategy (2007) Policy KP2 Policy DM2 of the Development Management Document (2015) and the Southend Design and Townscape Guide (2009).

- 7.23 Policy KP2 of the Core Strategy requires that “at least 10% of the energy needs of new development should come from on-site renewable options (and/or decentralised renewable or low carbon energy sources).” Policy DM2 of the Development Management Document states that “to ensure the delivery of sustainable development, all development proposals should contribute to minimising energy demand and carbon dioxide emissions”.

This includes energy efficient design and the use of water and energy efficient fittings, appliances and water recycling systems such as grey water and rainwater harvesting.

- 7.24 The Design and Access Statement comments that the existing buildings are very poor in terms of energy efficiency and the agent has confirmed that they cost more to heat than the rest of the school. The proposed timber construction will enable a significant increase in thermal efficiency over the existing building and this saving is a key component of the project justification of need and funding. No proposals for renewables have been put forward for this particular project; however, the school have confirmed that a separate Council project is currently underway which is proposing to install a significant amount of pv's on the main school building.
- 7.25 On balance it is considered that, given the considerable improvement in energy performance and the imminent renewable energy project at the school, the broad objectives of the policies noted above would be met and the proposal is acceptable and policy compliant in this regard with the conditions recommended.

Sustainable Drainage and landscaping

- 7.26 No information has been provided regarding sustainable drainage however the proposal will be comparable to the existing building in this respect and does not include large areas of hardstanding.
- 7.27 An indicative landscaping plan has been provided for the forecourt area in front of the building fronting Sunningdale Avenue which show pebbles and low maintenance shrubs. Given the scale and simplicity of the building it is important to achieve some softening and additional interest in this location. The proposed planting here will be important in ensuring the proposal makes a positive contribution to the streetscene. No detail has been provided in relation to the species or number of plants proposed, however, it is considered that this can be controlled via a condition. The proposal is therefore considered to be acceptable and policy compliant in this regard.

Community Infrastructure Levy (CIL)

Charging Schedule (2015).

- 7.28 Although this application is CIL liable, in this instance the chargeable amount has been calculated as a zero rate as applicable to the school use.

8 Conclusion

- 8.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the proposed development, which would enable an improved learning environment consistent with local and national planning policies for education provision, would be acceptable and compliant with the objectives of the relevant development plan policies and guidance. The principle of the development is found to be acceptable and the proposal has an acceptable design, scale and the impact on the amenities of neighbouring properties. The highways, tree and sustainability impacts of the proposal are also acceptable. This application is therefore recommended for approval subject to conditions.

9 Recommendation

GRANT PLANNING PERMISSION subject to the following conditions

01 The development hereby permitted shall begin not later than three years of 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 Chalkwell Plan1 Rev E, Chalkwell Plan2 Rev E, Chalkwell Plan5 Rev E, Chalkwell Plan5A Rev E, Chalkwell Plan10 Rev E, Chalkwell Plan11 Rev E, Chalkwell Plan12, SYLVA-DET-8.62AREVD, SYLVA-DET-8.60AREVD, SYLVA-DET-8.03AREVC, SYLVA-DET-8.01AREVD

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

03 The materials for the external surfaces of the development hereby approved shall be EBS Sanded Red Stock Brick slips with mortar joints, white through colour render, single membrane bonded roof (grey) with aluminium coping to two storey section, grey (RAL 7004) double glazed aluminium windows and doors and a matching brick boundary wall unless alternative materials are previously submitted to and agreed in writing with the Local Planning Authority. The detailing of the proposal shall be carried out only as specified on drawings reference SYLVA-DET-8.62AREVD, SYLVA-DET-8.60AREVD, SYLVA-DET-8.03AREVC, SYLVA-DET-8.01AREVD

Reason: To safeguard the visual amenities of the area, in accordance with Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) Policy DM1 and advice contained within the Southend Design and Townscape Guide (2009).

04 The first floor flank windows in the north east and south west elevation of the two storey element of the development hereby approved shall be permanently glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and permanently fixed shut up to a height of not less than 1.7m above first floor level before the occupation of the development hereby approved and shall be retained as such in perpetuity. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

Reason: To protect the privacy and environment of people in neighbouring residential properties, in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy CP4, Development Management Document (2015) policy DM1, and advice contained within the Design and Townscape Guide (2009).

05 No development above ground floor slab level shall take place until full details of both hard and soft landscape works to be carried out at the site have been submitted to and approved in writing by the local planning authority. The approved hard landscaping works shall be carried out prior to first occupation of the development and the soft landscaping works within the first planting season following first occupation of the development, unless otherwise agreed in writing by the local planning authority. The details submitted shall include, but not be limited to:-

- i means of enclosure, of the site including any gates or boundary fencing;**
- ii. permeable hard surfacing materials;**
- iii. details of the number, size and location of the trees, shrubs and plants to be retained and planted together with a planting specification**
- iv. details of measures to enhance biodiversity within the site;**

Any trees or shrubs dying, removed, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed with the Local Planning Authority

Reason: In the interests of visual amenity of the area and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015)

06 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no rooftop plant or telecommunications equipment or other similar erections shall be fixed to the exterior of the building without the receipt of express planning permission from the local planning authority.

Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

07 Construction Hours for the development hereby approved shall be restricted to 8am – 6pm Monday to Friday, 8am - 1pm Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of visual amenity and the amenities of neighbours and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy (2007) and Policy DM1 of the Development Management Document (2015).

08 Before the development hereby approved is commenced, tree protection measures for the mature tree adjacent to the north west corner of the application site, shall be protected with temporary protective fencing in full accordance with BS 5837:2012 Trees in relation to design, demolition and construction-Recommendations. The protective fencing shall be maintained throughout the construction of the development.

Reason: To safeguard the health of existing trees which represent an amenity feature in accordance with Core Strategy (2007) policies KP2 and CP4, policy DM1 of the Development Management Document (2015) and advice contained in the Design and Townscape Guide (2009).

09 Prior to occupation of the development hereby approved, an energy strategy for the development, which fulfils the objectives of Core Strategy Policy KP2, including a timeframe for implementation, shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken and completed in full accordance with the approved scheme and timeframe.

Reason: To minimise the environmental impact of the development through efficient use of resources and better use of sustainable and renewable resources in accordance with the National Planning Policy Framework (2019), Core Strategy (2007) policy KP2 and CP4, Development Management Document (2015) policy DM2 and the Southend Design and Townscape Guide(2009).

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.

Informatives

01 You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the proposal.

02 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, 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.