

Committee: **Regulatory  
Planning Committee**

Date: **21 June 2017**

Report by: **Director of Communities Economy and Transport**

Proposal: **Proposed extension for the provision of 2No  
classrooms and ancillary accommodation to replace  
existing double mobile classroom, including new Multi-  
use Games Area and associated landscaping.**

Site Address: **Ninfield C of E School, Church Lane, Ninfield, TN33 9JW**

Applicant: **Director of Children's Services, East Sussex County  
Council**

Application No. **WD/3349/CC**

Key Issues: **1. Need  
2. Siting and Design  
3. Impact on Residential Amenity  
4. Effect on Traffic  
5. Effect on Drainage**

Contact Officer: **Katie Rayner, Tel No: 01273 481833**

Local Member: **Councillor Bill Bentley**

---

## **SUMMARY OF RECOMMENDATIONS**

**1. To grant planning permission subject to conditions as indicated in paragraph 8.1 of this report.**

---

## **CONSIDERATION BY DIRECTOR OF COMMUNITIES ECONOMY AND TRANSPORT.**

### **1. The Site and Surroundings**

1.1 Ninfield Church of England Primary School is located in the southern part of the village of Ninfield, approximately 5 kilometres north-west of Bexhill. The main access to the School is by Church Lane, a narrow road to the west of the site that leads north to the A271. To the east of the site is a large community recreation ground which is also used as playing fields by the School. Residential properties lie to the west on the opposite side of Church Lane and the School House borders the southern site boundary, beyond

which lie allotment gardens. Residential properties also border the recreation ground to the east and south-east of the School site.

1.2 The School occupies a site of approximately 0.2 hectares, with the School buildings concentrated at the front of the site and a hard play area to the south-east. The School buildings are single storey and built of red brick with brown-tiled roofs. The original pitched roof School buildings are located at the front of the site and there are various flat and pitched roof extensions to the north, east and south. A temporary mobile unit housing two classrooms is located to the south-east of the main School building, on the southern edge of the existing hard playground area. The Parish play equipment, comprising a zip wire, skate park ramp and children's playground are located beyond the site boundary to the south-east.

1.3 The School site is considered to have a countryside location as it is situated outside of the planning development boundary for the village.

## **2. The Proposal**

2.1 Planning permission is sought for the construction of a permanent extension to the south-east of the main School building, within the area of the existing playground. The extension is proposed to accommodate two classrooms and associated ancillary rooms including stores and toilet facilities. The classrooms are proposed to be located either side of a central entrance and the new building is proposed to be connected to the main School building by a covered canopy walkway. As a result of the proposal the temporary mobile classroom unit located to the south of the playground will be surplus to requirement and removed from the site, in addition to the removal of a small sports store.

2.2 The proposal also includes the provision of a new Multi-Use Games Area, which would be orientated in a north-south direction and located on the eastern boundary of the School site, adjacent to the existing Parish play equipment including a skate park ramp and children's zip wire. The proposed Multi-Use Games Area would measure approximately 35 metres in length with a width of 16 metres and is proposed to be enclosed by a 2 metres high wire mesh rebound fence. It is intended as part of the proposal that the facility is made available for the use of the community outside of School hours. Access to the facility is proposed via gates from the School playground to the west, in addition to a separate community access gate from the recreation ground to the north. No external lighting, including floodlighting, is proposed as part of this scheme.

2.3 The installation of the Multi-Use Games Area within this location will result in the need to adjust the layout of the Parish play area and alterations to the external hard and soft landscaping to accommodate the new formal playground. Further landscaping around the site is proposed to accommodate the development and the removal of the temporary mobile classroom, including new boundary planting and hard surfacing. In addition, it is intended

that the construction access to the site will utilise the existing vehicle access point to the recreation ground, located to the north of the School site.

### **3. Site History**

3.1 Ninfield C of E School has been subject to a number of applications dating back to 1987 when the educational use of the land was approved (Ref: WD/1031/CC). The temporary mobile classroom, which is proposed to be removed as a result of this application, has been in use on the site since 1995 (Ref: WD/1656/CC). Since this time, the unit has been granted further permissions for its retention, including in 2005 for a further 5 years (Ref: WD/1656/CC/1) and 2010 for a further 5 years (Ref: WD/1656/CC/2).

3.2 In 2015, the Director of Children's Services confirmed that a permanent solution was being investigated for the School, with an estimated implemented for Summer 2016. A temporary permission was therefore granted in 2015 for the use of the unit for a further year, in line with the estimated timescale for the delivery of the permanent accommodation, which subsequently expired on 31 October 2016 (Ref: WD/1656/CC/3). Due to unforeseen delays in the progression of the permanent build, in 2016 a further period of 1 year for the retention of the unit was granted, until 31 January 2018 (Ref: WD/1656/CC/4). This proposal therefore seeks planning permission for the permanent replacement of the temporary mobile classroom through an extension to the main School building.

### **4. Consultations and Representations**

4.1 Wealden District Council: Raise no objection to the proposal and note that the proposed extension is of a contemporary design, adding visual interest and contrast to the traditional School building. The multi-purpose games area is considered to be suitably positioned with palisade fencing surrounding the games court and landscaping which would define and soften the games area. In addition, the proposal does not raise any significant issues in terms of visual impact on the surrounding area, nor would it have a harmful impact on the privacy and amenities of neighbouring properties.

4.2 Ninfield Parish Council: Wish to support the application, however, it is noted that no transport management plan has been submitted with the application. This document is considered necessary ahead of any decision to detail the movement of construction traffic and storage of construction material to ensure minimum impact on the recreation ground and its users. It is also noted that this must take into account the boundary of the cricket pitch, which extends to the footpath adjacent to the School. All access has to be agreed with the Parish Council (as owners of the land) in advance and all damage to the recreation ground must be made good at the end of the construction.

In addition, it is noted that Councillors are waiting confirmation that the zip wire and skate park ramp are to be accommodated within the design and retained. The hours of use of the proposed Multi-Use Games area will also need to be agreed with the Parish Council during term time and out of term

time and the area is for public use. Whilst it is noted that it is important to have regulation on noise levels (and times of work) during construction, post completion the Parish Council consider it would be impossible to provide guidance on noise levels and to enforce such conditions. Furthermore, external lighting should also be downward facing, low level and motion activated to retain the dark skies.

A further representation received from the Parish Council raised concern with regard to the proposed removal of a Beech tree, situated within the existing recreation ground to the east of the proposed extension and wish to see it retained.

4.3 Sussex Police: Raise no objection to the proposal and are satisfied that the new classrooms and accommodation will benefit from the existing measures in place for the security of the site.

4.4 Highway Authority: Raise no objection to the proposal, however, it is recommended that any grant of consent includes conditions ensuring that on-site parking facilities are made available to those using the MUGA outside of School hours, and that a Construction Traffic Management Plan is provided.

4.5 Sport England: Raise no objection to the proposed development as it is considered to meet Sport England exception Policy E3, whereby, the proposed development affects only land incapable of forming, or forming part of, a playing pitch and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any sporting/ancillary facility on the site.

4.6 ESCC Flood Risk Management: Raise no objection to the proposal and note that the proposed development could be drained through infiltration, however it is recommended, provided that the proposed Multi-Use Games Area is to be constructed with permeable surfacing, that any grant of planning permission includes conditions to ensure surface water run off from the development is managed safely, and ground investigation details confirming groundwater levels and infiltration rates are submitted prior to the commencement of development.

4.7 Local Representations: Three letters of objection from the occupiers of properties within the village of Ninfield have been received in response to the proposal. These raise objections primarily on the need for the development at the School, the use of public recreational space and traffic implications and can be summarised as follows: (i) in conjunction with residential planning applications being submitted throughout the village, this proposal is for an even larger replacement building with the inclusion of basketball court, which is a duplication of an existing facility at the recreational ground which is rarely used; (ii) to make provision for the development concerns are raised with regard to the availability of space to continue to accommodate the Skate Park and children's play area; (iii) the land in question forms part of the open space preserved for the use of the village and should therefore be retained for this

use, the School has already encroached on this area, which has resulted in restricting access to the village; (iv) it is considered that it would be better to wait for the development of the proposed housing estate in the area and provide a purpose built School as part of the Conditions of that development; (v) if planning permission were to be granted concerns have been raised with regard to the disruption, noise and inconvenience caused during the construction period; and (vi) the increased traffic that will be an inevitable consequence of this application causing yet more mayhem and danger in the morning and afternoons with people ignoring restrictions and parking illegally to drop off their children.

Other matters raised relate to the need to the development in light of national cuts being made to schools. It was also raised that there are serious issues with drainage in the area, which are considered to have not been addressed within the application.

## **5. The Development Plan policies of relevance to this decision are:**

5.1 The Wealden District Council (incorporating part of the South Downs National Park) Core Strategy Local Plan: No policies of specific relevance to this proposal.

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted on the 19 February 2013. The Core Strategy Local Plan is the key policy document setting out a strategic vision, objectives and spatial strategy for the area up to 2027. Currently, saved development management policies contained in the Wealden Local Plan 1998 remain part of the Development Plan for this area.

5.2 Wealden District Local Plan 1998: Saved Policies GD2 (Development Boundaries), EN27 (Layout and Design of Development) and EN28 (Design of Development for People with Disabilities), TR3 (Traffic Impact of New Development).

Wealden District Council has not formally determined whether its Saved Policies in the Wealden Local Plan are in general conformity with the National Planning Policy Framework (NPPF). However, the above referenced Saved Policies are considered by the County Planning Authority to be in general conformity with the overarching principles of the NPPF.

5.3 National Planning Policy Framework, 2012:

The NPPF does not change the status of the Development Plan as the starting point for decision making and constitutes guidance as a material consideration in determining planning applications. Paragraph 72 advises Local Planning Authorities to give great weight to the need to alter and expand Schools. Part 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change) is also relevant in this case.

5.4 Policy Statement on Planning for Schools Development, 2011:

The national policy statement encourages a positive and collaborative approach to planning applications for state-funded schools, with a presumption in favour of the development of such schools. Pre-application discussions and the use of planning obligations are encouraged to help mitigate adverse impacts of the development and where it is necessary to impose conditions, they should be necessary in order to make the development acceptable and clearly justified, thereby demonstrably meeting the tests set out in the National Planning Practice Guidance (NPPG) 'Use of Planning Conditions'. The policy statement also indicates that the Secretary of State will be minded to consider refusal of any application for state-funded schools to be unreasonable conduct, unless it is supported by clear and cogent evidence.

## **6. Considerations**

### **Need**

6.1 Temporary accommodation has been in use at Ninfield C of E Primary School since 1995, and continues to provide essential teaching space for the pupils currently on the roll at the School. Whilst the mobile classroom, located to the south-east of the site, has been adequately maintained over the years, the nature and form of this type of facility is only considered appropriate for a temporary period and where the need for teaching space persists a more permanent solution is required. This proposal therefore seeks to replace the mobile unit through a permanent extension to the main School building, providing two classrooms and associated facilities. In addition, the applicant is seeking to construct a Multi-Use Games Area and undertake hard and soft landscaping to improve the external spaces and appearance of the School following the proposed changes. The proposal will not result in any changes to the pupil numbers or capacity of the School.

6.2 Local representations received raise concern with regard to the long term need for this development and its prematurity in relation to proposed housing development within the area, and consider that it would be better to wait for the development of this housing to provide a purpose built School. Further concern is raised with regard to the larger replacement building and the duplication of an infrequently used sporting facility already available in the village and located on the recreation ground.

6.3 The primary purpose of this proposal is to effectively replace the mobile classroom facility on the site which has been in use since 1995. The unit at present is detached from the main School building, it does not contain any toilet facilities and the applicant has advised that it no longer meets the overall classroom space requirements, as recommended in Building Bulletin 103. Notwithstanding the above, the unit is considered to be at the end of its useful life and the proposed replacement building is welcomed and will allow the School to provide the appropriate teaching space and facilities to continue to support the pupils at the School.

6.4 Overall, it would be inappropriate to hold the modernisation of the School facilities in abeyance whilst further housing is considered and possibly developed in the area. Furthermore, the proposed building would be sited on part of the existing School playground, the loss of which would need to be compensated for elsewhere on site. This is proposed to be achieved through the provision of a Multi-Use Games Area, which will provide adequate hard play area space and a more formalised physical education facility for the benefit of the School and potential for community use.

6.5 Consequently, given the time the temporary unit has been in use on the site, there is a demonstrable need for the development of the permanent teaching space and improvement to the facilities at the School as proposed. As such, the proposal accords with the provisions of the NPPF and the national Policy Statement on Planning for Schools Development.

### **Siting and Design**

6.6 Ninfield C of E Primary School is located outside of the defined development boundary of Ninfield, the primary purpose of which is to conserve the loose knit character of the area and prevent the intensification of development. Saved Policy GD2 of the Wealden Local Plan resists development outside of the defined development boundaries unless it is in accordance with other policies within the Plans.

6.7 Saved Policy EN27 of the Wealden Local Plan requires development proposals to be of a suitable scale, form and design in relation to the surrounding environment, to respect the character of adjoining development and to create no unacceptable impact on the privacy and amenities of adjoining developments. In addition, Saved Policy EN28 of the same plan requires proposals for development on land used for educational purposes to provide safe and convenient access for people with limited mobility, where it is reasonable and practicable.

6.8 The proposed extension is to be situated to the south of the existing main School building. This area of the School site has an open aspect with low boundary treatment in the form of a palisade fence, which separates the School from the adjoining recreation ground. Whilst residential views are limited to this area of the site, the site is clearly visible in public views from the recreation ground.

6.9 In order to integrate the extension with the School, it is proposed to be built on an area of playground in close proximity to the existing School buildings and will be connected via a covered walkway. The proposed building will comprise of two south facing classrooms with openable clerestory windows, either side of a central corridor, which will contain separate areas providing cloakrooms, classroom stores and a disabled toilet facility. The building will be single storey in height with two pitched sedum grassed roofs angled inwards towards a central flat roof. The proposed extension is considered to relate well to the existing built form of the site and would be viewed in conjunction with the existing School buildings. Consideration has also been given to the landscaping on the site, including the provision of

green roofs which will soften the building and assimilate it well with the overall character of the area and recreation ground, the details and implementation of which will be secured by condition attached to any grant of planning permission.

6.10 The design of the building is contemporary and has been influenced by aspects of the existing School buildings, through the use of brickwork and dark timber cladding to the external walls with white fascia and soffit boarding. As previously mentioned, the existing temporary mobile classroom will be removed as a result of the proposed extension, which will aid in improving the overall appearance of the School site. Due to the topography of the site and in particular its sloping nature from north to south, the existing stepped access to the rear of the building will be modified to incorporate ramps, providing level access links to the proposed new build and external areas. This will effectively provide access for those with limited mobility around the whole School and direct access to the new classrooms and playground. New stepped access will also be provided to the informal playground area from the proposed extension.

6.11 The Multi Use Games Area is proposed to occupy an area to the south-east of the site, providing a boundary between the School and adjacent recreation ground. The facility will have a slightly elevated position, given the need to locally build up the levels in this area of the site to gain a level playing pitch. The scale and form of the development is typical of this type of facility and would be of adequate size to accommodate one full sized netball court. The detailed design of the facility including the type and colour of proposed material and surface treatment will be secured by condition attached to any grant of planning permission.

6.12 The facility, will be orientated in the north-south direction and will abut the southern site boundary, which is shared with the garden of the privately owned School House, beyond which are allotment gardens. There are also a number of residential properties located to the east of the children's playground approximately 50 metres from the boundary of the existing School site. The existing boundary in this part of the recreation ground is densely vegetated and colonised by a mix of deciduous shrubs which effectively shield the area from residential views; however the proposed facility will be clearly visible from wider views within the recreation ground. The facility is proposed to be enclosed by a 2 metres high colour coated mesh re-bound fence with matching access gates. An 'L' Shaped acoustic barrier is also proposed to be installed to the southern and part of the western boundary of the facility, to provide some noise protection to the surrounding properties.

6.13 Concerns have been raised by local residents with regard to the School's further use of land that forms part of the existing recreation ground, which should be preserved for the use of the Village. In addition, concerns were raised with regard to the impact of the proposed development on the availability of space for the skate park and children's playground. Ninfield Parish Council have also commented regarding the need to ensure the Skate Park facilities and children's zip wire are maintained as part of the design and



wish to see the retention of the Copper Beech tree proposed to be removed to the east of the extension.

6.14 Given the limited space available on the School site at present, in order to accommodate the proposed changes the parish play equipment to the south of the site, comprising of the skate park ramp and children's zip wire are proposed to be rearranged. Whilst the proposal will result in a small loss to the amount of space available for this equipment it would not negate the future use of the equipment by the village. Furthermore, the larger children's playground and equipment beyond this area will remain untouched.

6.15 The proposal will also result in the movement of the eastern School boundary towards the recreation ground to the north. At present, there is a footpath that runs along the edge of the recreation ground, which effectively segregates the School and the recreation ground. The current School boundary sits back from this point and it is intended as part of the proposal that the School boundary will be moved to the edge of the footpath. Whilst the movement of the boundary will result in a small space gain within the School site, it would not encroach on any useable area of the recreation ground and will also retain the perimeter footpath.

6.16 As a result of the change to the eastern School boundary the Copper Beech tree currently located within the recreation ground will be incorporated into the School site. However, it is intended as part of the proposal that this tree is to be removed to accommodate the proposed building and extension to the hard standing, to provide an informal hard play area. Following the concerns of Ninfield Parish Council the applicant has further advised that the retention of the tree in this location would not be viable in the longer term given its proximity to the proposed building and the required extension to the hard standing in this area, which is likely to have a significant adverse impact on the root protection area of the tree. In order to appropriately compensate for the loss of the tree further landscaping measures to the eastern boundary of the site will be secured by Condition attached to any grant of planning permission. It should also be noted that the tree in question is not subject to any Tree Preservation Order.

6.17 Consequently, it is considered that the proposal relates well to the existing built form of the site in terms of its scale and design and will provide an overall enhancement to the facilities and appearance of the School. In addition, the provision of the Multi-Use Games Area is suitably positioned within the site and will provide further hard play area for the School and improved sporting facilities. As such the proposal is considered to be in accordance with Saved Policies EN27 and EN28 of the Wealden Local Plan. Furthermore, it is considered that the scale of proposal can be adequately accommodated on the site and would not detract from the open character of the area or impact on the future use of the recreation ground, in accordance with Saved Policy GD2 of the Wealden Local Plan.

### **Impact on Residential Amenity**

6.18 Saved Policy EN27 of the Wealden Local Plan requires, inter alia, development proposals to respect the character of adjoining development and to create no unacceptable impact on the privacy and amenities of adjoining developments by reason of scale, height, form, noise or traffic movements.

6.19 The proposal includes the construction of a Multi-Use Games Area to the south-east of the main School building. While the facility will occupy an area of the recreation ground that currently contains Children's play equipment, the proposal will effectively bring the built development closer to the southern boundary of the site as shared by residential properties, and as such will intensify the use of this part of the site. The nearest residential property is located approximately 30 metres to the south-west of the proposed facility, the garden of which shares its border with the School site. Further residential properties are located to the east of the site in Smiths Close and Stock Meadow which border the recreation ground, approximately 50 metres from the proposed facility. The potential noise impact from the use of the facility on the neighbouring residential properties therefore needs to be considered.

6.20 As set out within the proposal, the applicant anticipates that the facility will have a dual use for the School and Local Community. It is therefore intended that the facility would be for the priority use of the School during term time between the hours of 09.00 and 18.00. Following which it would be made available for the use of the local community, from 18.00 until 21.00 and 09.00 and 18.00 on Saturdays and Sundays. Outside of term time the applicant wishes to restrict the hours of use to between 09.00 and 18.00 hours Monday to Sunday.

6.21 Observations made within the noise assessment indicated that the use of the facility is unlikely to cause unreasonable disturbance to the occupiers of adjoining properties during School hours, given the existing use of the adjoining School site during this period. However, should the facility be used during the evenings or weekends the predicted noise change, based on the baseline monitoring, is likely to result in a substantial adverse impact on the amenity of the adjoining properties and in particular the School House. The applicant has indicated that whilst noise attenuation measures are proposed in the form of an 'L' shaped acoustic barrier, to be installed to the southern and western perimeter of the facility, this would have had a relatively minor impact on noise reduction and it is considered that the provision of further acoustic barriers would be inappropriate at this stage as they do not wish to detract from the open nature of the site and visual appearance of the facility. Furthermore, it is argued that the baseline monitoring of the facility was undertaken during the winter period when the use of the wider recreation ground and associated noise generating activities were at a minimum and therefore it is likely when the facility is considered in the context of the existing recreation space the noise impact in reality may be less.

6.22 In response to the application Ninfield Parish Council have commented on the importance of noise regulation measures; however, they consider it would be difficult to enforce a specific noise level limit on the use of the facility

given the context of its surroundings. It is considered that the proposed acoustic barrier and lack of flood lighting will aid in reducing noise impact and the levels of use of the facility during the winter months. However, there is concern given the outcome of the noise assessment, and proximity of the facility to the residential boundary of the site when compared to the existing activity areas on the recreation ground, that the full impact on residential amenity remains uncertain. It is therefore recommended that a temporary trial period of one year for the hours of use outside of School hours is permitted, which will allow the impact of the evening and weekend use of the facility to be fully understood. Following the trial period the hours of use would revert to between 09.00 and 18.00 Monday to Friday and if it is demonstrated during the trial period that the use of the facility outside of School hours would not give rise to an unacceptable impact on residential amenity then the applicant can apply to vary the permission to allow the permanent use of the facility outside of School hours.

6.23 In consideration of the concerns of Ninfield Parish Council and the need to retain the open nature of the facility, the proposed restrictions to the evening and weekend hours of use are considered reasonable in the circumstances and will enable the potential impact of the facility to be monitored and reviewed ahead of any application to make the hours of use for community use permanent. This approach was adopted in 2012 at Rye College and in 2013 at Ocklynge County Junior School.

6.24 Overall, it is considered that subject to the restriction to the hours of use of the facility through the temporary trial period and the provision of the proposed acoustic barrier, the proposed development is unlikely to have a significant impact on the amenities of the occupiers of the adjoining residential properties. As such, the proposal accords with Saved Policy EN27 of the Wealden Local Plan.

### **Effect on Traffic**

6.25 Saved Policies EN27 and TR3 of the Wealden Local Plan require, inter alia, that new development does not create or perpetuate unacceptable traffic conditions and provides satisfactory means of access.

6.26 As previously mentioned, Ninfield C of E School is situated to the south of a large community recreation ground and as a result vehicular and pedestrian access points to the School are limited to the front of the School site via Church Lane. Whilst the existing access points will remain unchanged, additional access by construction vehicles is required to the rear of the site. The applicant has indicated that this would be best achieved through the existing recreation ground vehicle access point via Church Lane and have proposed the use of a temporary track to protect the ground during the construction period.

6.27 One representation received raises concern with regard to the increase in traffic movements in the area post development and during construction. Ninfield Parish Council has also raised concern with regard to the use of the

recreation ground for construction traffic and the storage of construction material and wish to ensure minimum impact on the recreation ground and its users. The Parish Council has also requested that a construction traffic management plan be provided ahead a formal decision on the application and any damage to the recreation ground is rectified following the completion of the works.

6.28 The Highway Authority has commented on the proposal and recognised the need to reduce the risk of vehicular and pedestrian conflict arising during the construction period and have recommended the securing of a Construction Traffic Management Scheme by condition, attached to any grant of planning permission. While the concerns of Ninfield Parish Council are noted, this document is likely to be produced by an appointed Contractor who will work out the logistics of the operations in consultation with the applicant prior to the commencement of work. At this stage it is unlikely that one has been appointed and it would therefore not be practical to request this document ahead of a formal decision, given that it is likely to be subject to change at this early stage. In addition, a condition will be attached to any grant of planning permission to ensure any damage to the recreation ground as a result of the use of the access for construction traffic will be rectified on completion of the works.

6.29 Furthermore, given that the proposal does not seek to increase the capacity of the School site, it is not anticipated that there would be any impact post development on traffic generation and the amenity of neighbouring properties as a result. However, there is potential for the Multi-Use Games Area to be used by the community outside of School hours and whilst the size of the facility will naturally limit the amount of the people using it at any one time, it is recommended that the parking facilities at the School are made available for non-School users of the facility to avoid parking on the surrounding roads. Subject to the provision of conditions as set out above, the proposal is considered to be in accordance with Saved Policies EN27 and TR3 of the Wealden Local Plan.

### **Effect on Drainage**

6.30 The NPPF requires development proposals to not increase the risk of flooding and gives priority to the use of sustainable drainage systems.

6.31 As mentioned, the proposal comprises the construction of a classroom block to the rear of the main School building, on an area of existing hard play, and the construction of a Multi-Use Games Area further to the south-east of the main School building. As such the proposal will result in a small increase in hard surface areas within the site, predominately through the construction of the Multi-Use Games Area. The applicant has indicated that the surface of the proposed facility is to be constructed of a porous tarmac and other external works, including the small increase to the hard play area, are intended to match the existing surfaces. The surface water run off from these areas is proposed to be collected by soakaways.

6.32 One representation received in response to the proposal raised concern with regard to existing drainage issues in the vicinity of the School, which they consider have not been adequately addressed within the application. The Flood Risk Management Team have commented on the proposal and recognise that the School site is located within a low surface water flood risk area with relatively low groundwater levels. It is therefore likely that the site could be appropriately drained as proposed through infiltration. With regard to the concerns of the resident there may be capacity issues with the foul sewer network in the vicinity of the proposed development and it recommended that the applicant consults Southern Water to confirm whether there is sufficient capacity to accommodate any increase in foul discharge. Furthermore, it is recommended that the permeable surface of the facility is secured by condition attached to any grant of planning permission and prior to the commencement of development a ground investigation survey is undertaken to confirm the groundwater levels and infiltration rates, the details of which should be submitted to the County Planning Authority.

6.33 Subject to the provision of conditions securing the use of a porous surface treatment on the Multi-Use Games Area and details of further ground investigation works prior to the commence of the development, the proposed development is considered to be acceptable in terms of managing surface water run off and is not considered to conflict with the provisions of the NPPF.

## **7. Conclusion and reasons for approval**

7.1 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 The proposed development will result in the permanent replacement of the temporary classroom accommodation on the School site, which has been in use since 1995. The replacement building provides a much needed upgrade to the facilities provided within the temporary classroom and is considered to be well sited within the School and has been designed to complement the existing buildings. Subject to the provision of a condition limiting the hours of use of the proposed Multi-Use Games Area, the provision of the facility will enhance the physical education opportunities of the School whilst providing additional hard play space and is not expected to have an unacceptable impact on local residential amenity in terms of its siting and design or noise. Furthermore, the provision of soft landscaping on the site will aid in integrating the development with the character of the surrounding area and subject to the management of the construction traffic the proposal is not considered to result in any adverse impact on the locality in terms of traffic movements. As such, it is considered that the proposal accords with Saved Policies GD2, EN27, EN28 and TR3 of the Wealden District Plan 1998.

7.3 In determining this planning application, the County Council has worked with the applicant and agent in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has

considered these in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.4 There are no other material considerations and the decision should be taken in accordance with the Development Plan.

## **8. Recommendation**

8.1 To recommend the Planning Committee to grant planning permission subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of the development hereby permitted a Construction Traffic Management Scheme shall be submitted to and approved in writing by the Director of Communities, Economy and Transport and shall include the following details:
  - The anticipated number, frequency and types of vehicles used during construction. The hours of delivery/collection should avoid peak traffic flow times and AM/PM peak School travel times;
  - The methods of access and egress and routeing of vehicles during construction;
  - The parking of vehicles by site operatives and visitors;
  - The loading and unloading of plant, materials and waste and any storage of plant and materials to be used in the construction of the development and the erection and maintenance of security hoarding;
  - the provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
  - Details of public engagement both prior to and during construction works.

The development shall be carried out in accordance with the approved Construction Traffic Management Scheme, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interest of highway safety and amenity, in accordance with Saved Policies EN 27 and TR3 of the Wealden Local Plan 1998.

4. Prior to the commencement of the development hereby approved, details of the temporary construction access surface shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The temporary surface shall be removed within one week of the completion the development hereby approved and the land restored to its former physical state, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of highway safety and to safeguard the appearance of the recreation ground in accordance with Saved Policies TR3 and EN27 of the Wealden Local Plan 1998.

5. Prior to the commencement of the development hereby approved, an Ecological Design Strategy (EDS) addressing enhancement of the site for biodiversity shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The EDS shall include the following details:
  - Purpose and conservation objectives for the proposed works;
  - Review of site potential and constraints;
  - Detailed design(s) and/or working method(s) to achieve stated objectives;
  - Extent and location/area of proposed works on appropriate scale maps and plans;
  - Type and source of materials to be used where appropriate, e.g. native species of local provenance;
  - Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
  - Persons responsible for implementing the works;
  - Details of initial aftercare and long-term maintenance; and
  - Details of monitoring and remedial measures;

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To provide opportunities for the enhancement of biodiversity on the site, in accordance with the Council's responsibilities under the Natural Environment and Rural Communities Act 2006 and Part 11 of the National Planning Policy Framework 2012.

6. Prior to the commencement of the development hereby approved, details of the proposed scheme for the management of surface water on the site, including ground investigations confirming groundwater levels, infiltration rates and soakage testing, in accordance with BRE365, shall be submitted to and approved by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure surface water runoff from the development is managed safely and to reduce the risk of flooding, in accordance with the provisions of Part 10 of the National Planning Policy Framework 2012.

7. Prior to the commencement of development above ground, details of the design and materials to be used for the surfaces and fencing of the Multi Use Games Area shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure an appropriate appearance of the Multi Use Games Area in the locality, in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

8. Prior to the commencement of development above ground, details of the proposed green roofs shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To integrate the development effectively into the surrounding environment, in accordance with Saved Policy EN27 of the Wealden Local Plan.

9. Prior to the occupation of the development hereby approved, full details of both hard and soft landscaping works, including the additional measures to compensate for the loss of the Copper Beech tree on the eastern boundary of the site, noting schedules of plants, species, plant size and proposed number/densities where appropriate and a programme of implementation and management for the works including the green roofs, shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. These works shall be carried out as approved and shall be maintained thereafter in accordance with the approved management plan, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To integrate the development effectively into the surrounding environment and provide suitable compensatory planting for the loss of the beech tree on the eastern site boundary, in accordance with Saved Policy EN27 of the Wealden Local Plan.

10. Unless otherwise agreed in writing by the Director of Communities, Economy and Transport, the Multi Use Games Area hereby approved shall not be used at any time other than between the hours of:



During term time:

- (i) 0900 and 2100 Monday to Friday inclusive; and
- (ii) 0900 and 1800 on Saturdays, Sundays, Bank and Public Holidays,

Outside of term time:

- (i) 0900 and 1800 Monday to Sunday, Bank and Public Holidays;

Subject to a 12 month temporary period outside of normal School hours (0900 - 1800) commencing with the first use of the Multi Use Games Area between the hours of 1800 and 2100 Monday to Friday or 0900 and 1800 Saturday, Sundays, Bank or Public Holidays.

The Director of Communities, Economy and Transport shall be notified of the date of the first use of the Multi Use Games Area outside of School hours, as set out above. After the expiry of the 12 months from the first use of the Multi Use Games Area, its use shall revert to between the hours of 0900 and 1800 on Monday - Friday inclusive, excluding bank and public holidays, unless varied by another permission.

Reason: To allow sufficient time to assess the effect of noise from the use of the Multi Use Games Area outside of School hours, between the hours of 1800 and 2100 Monday to Friday and 0900 and 1800 Saturday, Sunday, Bank and Public Holidays, in order to safeguard the amenity of neighbouring residents, in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

11. Unless otherwise agreed in advance and in writing by the Director of Communities, Economy and Transport, the Multi Use Games Area shall not be used other than for outdoor sport and play.

Reason: To protect the Multi Use Games Area from inappropriate use and to maintain the quality of and secure the safe use of the sporting facility.

12. At all times when the Multi Use Games Area hereby permitted is being used by non-School users outside of normal School hours, the School's existing car park shall be made available for users of the Multi Use Games Area.

Reason: To ensure parking facilities are available for users of the Multi Use Games Area, in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

13. The rating level of noise emitted from the air source heat pump as permitted shall be 10dB below the measured background noise level at all times. The noise levels shall be determined at position R7 as shown on Plan A1 of the Noise Report dated February 2017 (Ref: RFE-0125-17-2). The measurements and assessment shall be made according to BS 4142: 2014 Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Reason: In order to safeguard the amenity of the occupiers of neighbouring residential properties, in accordance with Saved Policy EN27 of the Wealden Local Plan.

14. In this condition `retained trees` means an existing tree which is to be retained in accordance with the approved plans and particulars and paragraphs (a) and (b) below shall have effect until the completion of the development hereby permitted.
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Director of Communities, Economy and Transport. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 Tree Works.
- (b) If any retained tree is removed, uprooted or destroyed, becomes seriously damaged or diseased or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Director of Communities, Economy and Transport.
- (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and to BS 5837: 2012 Trees in Relation to Design, Demolition and Construction before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor any fires lit, and the ground levels within those areas shall not be altered, nor shall any excavation be made, or operations carried out without the prior written consent of the Director of Communities, Economy and Transport.

Reason: In the interests of visual amenity and in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

15. Any damage to the recreation ground as a result of its use for the construction of the development hereby approved, shall be rectified within one month of the completion of the works and land restored to its former physical condition, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To safeguard the amenity and use of the recreation ground, in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

## INFORMATIVES

1. The Applicant's attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended) particularly with regard to the protection of bats and nesting birds, which may be affected during the proposed operations.

2. The applicant has advised that the development hereby permitted does not include the use or provision of any floodlighting or artificial illumination. Floodlighting of the Multi Use Games Area would require the submission of a separate planning application and given the proximity of the facility to the residential properties it is unlikely that planning permission would be granted.
3. The applicant's attention is drawn to the need to submit a formal application for connection to the public sewerage system if required in order to service the development. Please contact Southern Water, Southern House, Sparrowhawk, Otterbourne, Hampshire, Tel. 0330 303 0119.

#### Schedule of Approved Plans

8858/200 - Location Plan, 8858/201A - Existing Ground Floor Plan, 8858/209 - Existing Elevations, 8858/210 - Construction Access, 8858/211 - Long and Cross Sections of MUGA, LLD1016/01 - Tree Constraints Plan, Figure No 1 - Site Habitat Plan, 8858/202 C - Proposed Ground Floor Plan Overall Scheme, 8858/203 B - Proposed Ground Floor Plan Extension , 8858/208 A - Proposed Sections, 8858/207 A - Proposed Visuals, 8858/206 B - Proposed Elevations

RUPERT CLUBB

Director of Communities, Economy and Transport  
13 June 2017

#### **BACKGROUND DOCUMENTS**

Planning Application File WD/3349/CC  
The Development Plan  
National Planning Policy Framework  
Policy Statement on Planning for Schools Development