

Committee: **Regulatory  
Planning Committee**

Date: **22 July 2015**

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

Proposal: **New double mobile classroom located in a gap between the main School buildings to the south of the site. New Multi Use Games Area (MUGA) located to the south east of the playing field and an extension to the car park to provide a further 7 car parking spaces.**

Site Address: **Cradle Hill Community Primary School, Lexden Road, Seaford, BN25 3BA.**

Applicant: **Director of Children's Services**

Application No. **LW/3261/CC**

Key Issues: **i) Need  
ii) Siting, design and landscaping/ecology  
iii) Access for people with disabilities  
iv) Residential amenity  
v) Waste minimisation  
vi) Parking & traffic generation  
vii) Lewes District Council Statutory Planning Register**

Contact Officer: **Julie Cattell - Tel: 01273 481595**

Local Member: **Councillor Carolyn Lambert**

---

## **SUMMARY OF RECOMMENDATIONS**

- 1. The Committee is recommended to approve the application subject to completion of the following procedure:-**
  - a) Receipt of confirmation from Lewes District Council that the application has been placed on the Statutory Register for not less than 21 days and that no further objections raising new issues have been received; and**
  - b) To authorise the Director of Communities, Economy and Transport to grant planning permission following receipt of the above confirmation subject to the conditions as set out in Paragraph 8.2. of this report**

**2. To authorise the Director of Communities, Economy and Transport to refer the application back to this Committee if either new further objections are received or the confirmation from Lewes District Council has not been received within 2 months of the date hereof.**

---

---

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

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

1.1 Cradle Hill Community Primary School is located to the east of Lexden Road and to the south of Lexden Drive in Seaford. It is situated within a predominantly residential area of the northern fringes of Seaford and is approximately 2km north of Seaford Town Centre. The site measures 2.42 hectares and is surrounded by the rear gardens of the residential properties in Lexden Road (West), Lexden Drive (North), Pitt Drive (East) and Quarry Lane (South).

1.2 The School dates from the 1960s and has been extended over time. It comprises one and two storey buildings with flat roofs. The site is arranged with the main School buildings orientated east - west across the northern section of site with the Infant School to the west and the Junior School to the east. To the south of the School building is a large area of outdoor space, an internal courtyard and playing field. The School is built on high ground that slopes from north to south across the site, the total fall being approximately 10 metres and has resulted in the School being accommodated on four different levels over two storeys. In the north east corner of the School site is a Children's Centre, built in 2010/2011.

1.3 The main access into the site is from Lexden Road (to the North West) that has a gradient of 1:19 and leads to a car parking area on relatively level ground.

### **2. The Proposal**

2.1 There are three elements to this planning application: i) A temporary classroom; ii) A new Multi Use Games Area (MUGA); and iii) An extension to the existing car park.

2.2 The temporary classroom is needed to accommodate a 'bulge' Reception Year intake in September 2015 and September 2016. The pupil numbers for the School are expected to increase from 427 to 485.

2.3 The classroom will be located in a courtyard area between two rear 'wings' of the School, facing roughly south-east. The area is partly grassed, partly hard surface, with two mature trees, one ash and one sycamore. The original location of the proposed classroom would have necessitated the removal of both trees. However, in partial response to the comments of the

County Landscape Architect, the proposed location has been amended so that only one tree would need to be removed.

2.4 The classroom is a standard ESCC double unit, 16.98m long x 7.95m wide x 3.1m to the eaves. The felt covered roof is virtually flat, with shallow falls to each side. The walls are finished in textured paint, colour 'ESCC Green'.

2.5 The main entrance to the building is on the west elevation. A ramp will be provided to allow level access. There are eight windows in each of the east and west elevations and a fire escape door with stepped access and two air-conditioning units on each of the north and south elevations. The main entrance door leads to a lobby and toilets. There is a classroom either side of the lobby, each with a store behind the toilet area.

2.6 The MUGA will provide additional hard surface play area for the increased pupil intake. It is to be located approximately 13m from the south-east corner of the school, 35.58m long x 19.25m wide and marked out for a variety of games. It will be enclosed with a 2.4m high double weldmesh fence.

2.7 There is a group of trees close to the proposed location of the MUGA, two of which will need to be removed. An existing sports storage shed will be moved to adjacent the north-west corner of the MUGA.

2.8 The existing car park is currently shared with the Children's Centre on the site and a number of spaces are allocated to its staff. At present, there are often not enough spaces to meet the demand from the staff and visitors of both facilities. As the School will be taking on 2 new staff members, there will be more demand for parking spaces. The proposed car park extension will create 7 additional spaces which will be for use by the Children's Centre only, releasing the spaces currently allocated to it in the existing car park.

2.9 The area to be used for the car park extension includes a grass bank adjacent to a retaining wall to the north of the Children's Centre. Part of the retaining wall will be re-built and the existing boundary fence and gates between the car park and the proposed extension will be relocated further to the east to retain the separation between the School and the Children's Centre. The surface will be of tarmac construction.

### **3. Site History**

3.1 2011 – LW/3037/CC – Granted - Proposed classroom extension within the central courtyard to the south of the main School building.

3.2 2011 - LW/2989/CC – Granted - Provision of four linked 'Eclipse 66' sail shade structures to south of School buildings. Cradle Hill

3.3 2010 – Granted – LW/2960/CC: Installation of Air Source Heat Pump and Solar Collector within the flat roof over the Plant Room to be located to the north west of the Children's Centre.

3.4 2010 – Granted – LW/2848/CCNM/1: Non-material amendment - the omission of cedar boarding between high level windows and the change of plant room double door to a single door at the south west elevation.

3.5 2009 – Granted – LW/2848/CC: A new Children's Centre and pre-School located to the north-east of the existing School building.

3.6 2009 – Granted – LW/2839/CC: Relocation of existing temporary classroom. Application is for planning permission for two years to August 2011 and will be removed once the permanent accommodation is complete.

3.7 2009 – Granted – LW/2809/CC: Proposed 2 storey classroom extension and circulation to rear of existing School building providing 4 replacement classrooms in lieu of two mobile classrooms each currently providing 2 classrooms. The removal of the two mobile classrooms, upon completion. A ground floor, single storey extension to the existing ICT suite to the front of the School. The addition of a single storey entrance foyer, to the west. The addition of a second storey 'bridge' link to the rear of the School linking the new classroom extension and the 2nd floor of the western teaching block. The works include landscaping revisions to the existing car park, lighting to external works and landscape.

3.8 2008 – Granted – LW/2647/CC: Replacement windows and doors.

3.9 2006 – Granted – LW/2499/CC: Proposed new canopy to south elevation.

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

4.1 Lewes District Council – No response received. Clarification has been sought as to whether details of the application were received by the District Council and placed on the Statutory Planning Register.

4.2 Seaford Town Council – No response received.

4.3 Sport England – The MUGA is located on the playing field which can accommodate a number of sports; rounders, athletics, cricket and football. The MUGA will not impact the ability to continue to layout cricket, football and rounders pitches. Nor will it impact on providing an athletics track. This being the case the proposal would meet planning policy exception E5 which states: '*The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field*'. This being the case, Sport England does not wish to raise an objection to this application.

4.4 Highway Authority – Raises no objection and recommends conditions.

4.5 Local Representations – 2 letters of representation have been received, which can be summarised as follows:

Both objectors raise concerns about the parking demand that would be generated by the additional intake; problems with buses being unable to drive up the road due to parking is cited; a lack of signs indicating the location of the School; and a 20mph speed limit and more double yellow lines would help.

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

5.1 Lewes District Local Plan 2003: Saved Policies ST3 (a), (b), (c) & (d), (design, form and setting of development) and T1 (Travel Demand Management). Lewes District Council has undertaken an assessment of the Saved Policies in its Local Plan to evaluate their conformity with the NPPF. Saved Policies ST3 and T1 are considered to be fully consistent with the NPPF.

5.2 East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013: Policy WMP3d (minimising and managing waste during construction, demolition and excavation).

5.3 National Planning Policy Framework 2012; The National Planning Policy Framework (NPPF) does not change the status of the development plan as the starting point for decision making but it does constitute guidance as a material consideration in determining planning applications. Due weight should be given to relevant policies in plans existing before 2012 according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 72 states the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities are advised to give great weight to the need to expand or alter schools. Section 7 emphasises the great importance Government attaches to the design of the built environment and paragraph 109 states the planning system should contribute to and enhance the natural and local environment.

5.4 Policy Statement on Planning for Schools Development 2011: The policy statement states that the planning system, when dealing with planning applications for state-funded schools should operate positively and there should be a presumption in favour of the development of state-funded schools. The policy statement encourages a collaborative approach to applications, encouraging pre-application discussions and use of planning obligations to help mitigate adverse impacts of developments. Where it is necessary to impose conditions, they should be necessary in order to make development acceptable and be clearly justified, thereby demonstrably meeting the tests set out in Circular 11/95 (now superseded by Planning Practise Guidance 'Use of Planning Conditions'.) The policy statement goes

on to indicate 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 Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that sufficient choice of school places is available to meet the needs of existing and new communities.

6.2 The County Council has identified a shortfall in Reception Year places in a number of areas, including Seaford. Cradle Hill School is anticipating a demand for nearly 60 additional places over the next two academic years. Additional classroom space is required to accommodate a proportion of this total intake.

6.3 The provision of a temporary double classroom on the site is considered by the applicant to be the best solution for the School at this time. The application is seeking a 7 years temporary planning permission. However, it is considered that a 5 years permission is more appropriate for a temporary structure of this type. It is understood that the applicant will continue to review the long term need for permanent accommodation in schools that are experiencing demand for additional places in order to reduce the need for temporary solutions.

### **Siting, design and landscaping/ecology**

6.4 Saved Policy ST3 in the Lewes District Local Plan 2003 sets out a range of considerations to which regard must be given in determining planning applications in relation to the form of development.

6.5 The siting of the proposed classroom building has been determined by the need to maintain an operational link with the rest of the School. Being close to the main body of the School, the proposed classroom unit will have minimal impact on the visual amenity of the site. In terms of design, the building is a standard ESCC temporary classroom, of simple and functional design.

6.6 The County Landscape Architect considers that the site and surrounding area are of moderate landscape/townscape character sensitivity as a typical 20<sup>th</sup> century suburban residential area and is not considered to be a *valued landscape* in the context of NPPF policy. The site is of low visual sensitivity from the wider landscape and of moderate to high sensitivity from surrounding residential properties. There are local views across the School site from the adjacent properties. However, the most significant landscape features on the site are the semi-mature trees.

6.7 The proposed mobile will be located within a courtyard space which contains two trees. A tree survey carried out in 2009 for this site identified these trees to be an ash and a sycamore, of high value and in good condition. As noted above, the location of the classroom has been moved to the south to avoid the loss of one tree; the ash can now be retained. Due to the topography of the site at this point, avoiding the loss of both trees would have resulted in the southern end of the building being raised higher than natural ground level, involving increased adverse visual impact. It is considered that additional tree planting is needed to compensate the loss, which will be secured by a proposed condition. A condition is also recommended to secure protection of the remaining trees during construction.

6.8 The proposed location for the MUGA would not have a significant adverse impact on landscape features or views, although it does involve the loss of two trees. The County Landscape Architect recommends additional tree planting to assist with screening the MUGA.

6.9 The car park location would not have a significant impact on landscape features or views. Consideration has been given to the reuse of materials arising from the car park excavation to create a sculpted meadow area on the flat areas around the existing car park. However, it is understood that that further additions/alterations to the School and its grounds are proposed in the future and at this stage it would be desirable to avoid any works that could have cost or locational implications for future projects.

6.10 The County Ecologist advises that there are no sites designated for their nature conservation interest that are likely to be impacted by the proposal. It is also noted that no information has been provided as to whether any of the trees affected by the development have the potential to support bats or nesting birds. A condition is therefore recommended to cover the eventuality of the discovery of bats or nesting birds, together with an informative drawing attention to the applicant's responsibility to take these matters into consideration under the NPPF and other relevant legislation.

6.11 It is considered that the development, taking into consideration the proposed conditions, accords with Saved Policy ST3 of the Lewes District Local Plan 2003 with regard to siting, design, landscape and ecology.

### **Access for people with disabilities**

6.12 Although there are no specific policies in the Lewes District Plan governing this issue, access to the building is covered by the Building Regulations. Where the measures required to meet the Building Regulations have a physical manifestation, it is appropriate to consider it under Planning legislation.

6.13 As with most standard temporary classrooms, the entrance is raised above ground level. A ramped access is to be provided on the western elevation, which will ensure accessibility for all users of the classroom.

## **Residential Amenity**

6.14 Saved Policy ST3 of the Lewes District Local Plan 2003 requires that consideration be given to the protection of the living conditions of existing and future occupiers of a development, with particular respect to noise, dominance, loss of outlook, light and privacy.

6.15 The proposed classroom will be 50 metres away from the rear garden boundary of the nearest residential property to the west (in Lexden Road) and 75 metres away from the rear garden boundary of the nearest residential property to the east (in Pitt Drive). Therefore, given these distances, it is not considered that any detrimental daylight/sunlight or privacy issues will arise as a result of the proposal.

6.16 The proposed air conditioning units could lead to a noise nuisance outside of School hours. In order to avoid this, it is recommended that the use of the air conditioning units is generally restricted to School hours and it is proposed to secure this by condition.

6.17 The proposed new MUGA will be 20 metres away from the rear/side boundaries of the nearest residential properties to the east (Pitt Drive), 76 metres from properties to south (Quarry Lane) and 90 metres from west (Lexden Road). Although the MUGA is required to accommodate the additional pupil intake, it is unlikely that the use of it or any other part of the School grounds will lead to excessive noise disturbance over and above the existing levels. There is the potential noise impact of balls hitting the fence, which will enclose the MUGA. However, as detailed above, the MUGA is situated some distance from nearby residential properties. It is considered that any additional noise and disturbance will still be within acceptable limits that would be expected in an outdoor games area on a school site.

6.18 Overall, it is considered that the proposal will not lead to a loss of amenity for adjoining and nearby residential occupiers and will therefore comply with Saved Policy ST3 in respect of residential amenity.

## **Waste minimisation**

6.19 Policy WMP3d of the Waste and Minerals Plan 2013 seeks to ensure that the waste hierarchy is taken into consideration during construction works and encourages those involved in the development process to minimise and 'design out' waste.

6.20 A basic Waste Minimisation Plan was included in the supporting documentation, but it does not cover the excavated material from the car park or MUGA. It is considered that a more detailed Plan is required and an appropriate condition is proposed.

## **Parking & traffic generation**

6.21 Saved Policy T1 of the Lewes District Local Plan 2003 states that planning applications for any development will only be granted if the proposal provides for the demand for access that it creates. Although the Highways Authority has not objected to the proposal, residents in Lexden Road have raised concerns about the potential increase in short-term parking and impact on traffic movements that could arise as a result of the increase in pupils at the School. It is considered, however, that the rationalisation of the car parking arrangements for the School and the Children's Centre will have a positive impact on the local area.

6.22 Furthermore, there is no evidence to support the contention that people parking along the street are connected with the School. Even so, as there are no parking restrictions in place other than the standard zig-zag markings outside the School, there is no control over on-street parking in the area. It should also be noted that there are signs in Lexden Road indicating that there is a school in the vicinity.

6.23 It is recognised that parking and traffic movements generated by schools can lead to problems for neighbourhoods. It is understood that the Parking Team will be carrying out a review of school road markings in Seaford, commencing later this year.

6.24 In addition, it is considered appropriate that the School's existing Travel Plan should be updated to reflect the increase in pupils, and a condition is recommended to secure this.

6.25 It is considered that, within the confines of the current planning application, these measures will go some way to address the concerns raised by the residents in the medium and longer term.

## **Lewes District Council Statutory Planning Register**

6.26 At the time of writing the report, it is not clear whether details of the application have been placed on the Lewes District Council Statutory Register. It is a requirement that the documents are available on the Statutory Register for a period of not less than 21 days. In the event that this requirement has not been fulfilled, it is recommended that the decision is delegated to the Director of Communities, Economy and Transport to grant planning permission subject to there being no further new objections raising different issues, received following the placing of the documents on the Statutory Register.

## **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 proposal is to install a temporary classroom, a MUGA and additional car parking at this School. The impact of the proposed development is considered acceptable. The proposal therefore complies with Saved Policy ST3 (a), (b), (c) & (d), (design, form and setting of development) and T1 (Travel Demand Management) of the Lewes District Local Plan 2003, WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and the relevant parts of the NPPF.

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) (Amendment No. 2) Order 2012.

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

## **8. Recommendation**

8.1 The Committee is recommended to approve the application subject to completion of the following procedure:-

- a) Receipt of confirmation from Lewes District Council that the application has been placed on the Statutory Register for not less than 21 days and that no further objections raising new issues have been received; and
- b) To authorise the Director of Communities, Economy and Transport to grant planning permission following receipt of the above confirmation subject to the conditions as set out in Paragraph 8.2. of this report.
- c) To authorise the Director of Communities, Economy and Transport to refer the application back to this Committee if either new further objections are received, or, the confirmation from Lewes District Council has not been received within 2 months of the date hereof.

8.2 The grant of planning permission should be 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 temporary building hereby permitted shall be removed and the land restored to its former physical state of an area of tarmac and planted

area by 31 August 2020, or as otherwise agreed in accordance with a scheme submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: The appearance of development is only considered appropriate for a temporary period.

3. No development shall take place until full details of measures to protect the trees to the north of the proposed location of the temporary classroom and to the west of the proposed MUGA have been submitted to and approved in writing by the Director of Communities, Economy and Transport and these works shall be carried out as approved. Such details shall be in accordance with BS5837:2012 and shall also include a drawing showing the location of the service runs for water, foul water and electricity supplies.

Reason: In order to protect the tree in the interest of visual amenity in accordance with Save Policy ST3 of the Lewes District Local Plan 2003

4. No development shall take place until plans and full details of both hard and soft landscaping works have been submitted to and approved in writing by the Director of Communities, Economy and Transport and these works shall be carried out as approved. These details shall include:
  - Replacement tree planting (2 for each tree to be removed) - species, maturity and location to be agreed;
  - Car parking layout
  - Hard surfacing materials
  - Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc)
  - Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc.)

The landscaped areas shall be maintained thereafter.

Reason: To secure appropriate landscaping at the site in the interests of the amenity of the locality and the landscape character of the site.

5. No development shall take place until surveys have been undertaken to assess the three trees that are to be removed for i) bat roost potential and ii) nesting birds. If either are found to be present, no works are to be carried out until measures to protect the bats and/or birds have been put into place. The surveys shall be carried out by a Suitably Qualified person and any measures recommended by such person shall be carried out strictly in accordance with the advice given.

Reason: In order protect these species in accordance with the National Planning Policy Framework and Natural Environment and Rural Communities (NERC) Act 2006.

6. Within six months of the first occupation of the temporary classroom hereby approved, an updated School Travel Plan which addresses the increase in pupil and staff numbers accommodated by that temporary classroom shall be submitted to and approved in writing by the Director of Communities, Economy, and Transport. The School Travel Plan shall include targets for reduced car use, and an on going monitoring programme to ensure these targets are met. The updated School Travel Plan shall be implemented and thereafter maintained and/or developed in accordance with the approved details.

Reason: To increase awareness and use of alternative modes of transport for school journeys and reduce congestion at school delivery and collection times in accordance with Saved Policy TR1 of the Lewes Local Plan 2003.

7. No works shall commence on site including the carrying out of any works of demolition until a detailed strategy and method statement for securing and demonstrating that the amount of construction waste resulting from the development has been reduced to smallest amount possible has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The statement shall include details of the extent to which waste materials arising from the excavation and construction activities will be reused on site and demonstrating that maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be disposed of for reuse, recycling, composting or other method in accordance with the best practicable environmental option. All waste materials from the demolition and construction associated with the development shall be reused, recycled and dealt with in accordance with the approved strategy and method statement.

Reason: To minimise the amount of construction waste to be removed from site for final disposal in accordance with Policy WMP 3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan (2013).

8. The four air conditioning units hereby approved shall only be operated between the hours of 0730 and 1730 on Mondays to Fridays, inclusive, during term times and at no other times, in the evenings, weekends, Bank or Public Holidays except for works of essential maintenance or which are to respond to an emergency, frost control or as otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In order to protect the amenity of adjoining residential occupiers in accordance with Saved Policy ST3 of the Lewes Local Plan 2003

9. The development shall not be occupied until the additional parking area has been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway

#### INFORMATIVE

1. The Applicant's attention is drawn to the provisions of:-

The Wildlife and Countryside Act 1981.  
Conservation of Habitats and Species Regulations 2010 (as amended).  
(Protection of certain wild animals in particular bats and nesting birds)  
and the National Planning Policy Framework

#### Schedule of Approved Plans

8807/02 - Car Park Plan, 8807/04 - Exterior Elevations, 8807/05a - New MUGA Layout, 27.03.15 Rev A - Design and Access Statement, 8807/01b - Location Plan, 8807/03b - Ground floor plan

RUPERT CLUBB

Director of Communities, Economy and Transport

14 July 2015

#### **BACKGROUND DOCUMENTS**

Lewes District Local Plan 2003

East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013

National Planning Policy Framework

Planning Application file LW/3261/CC