

PART 6: Planning Applications for Decision

1 INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the committee.
- 1.2 Although the reports are set out in a particular order on the agenda, the Chair may reorder the agenda on the night. Therefore, if you wish to be present for a particular application, you need to be at the meeting from the beginning.
- 1.3 Any item that is on the agenda because it has been referred by a Ward Member, GLA Member, MP, Resident Association or Conservation Area Advisory Panel and none of the person(s)/organisation(s) or their representative(s) have registered their attendance at the Town Hall in accordance with the Council's Constitution (paragraph 3.8 of Part 4K – Planning and Planning Sub-Committee Procedure Rules) the item will be reverted to the Director of Planning to deal with under delegated powers and not be considered by the committee.
- 1.4 This Committee can, if it considers it necessary or appropriate to do so, refer an agenda item to the Planning Committee for consideration and determination. If the Committee decide to do this, that item will be considered at the next available Planning Committee, which would normally be the following evening.
- 1.5 The following information and advice applies to all reports in this part of the agenda.

2 MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Committee is required to consider planning applications against the development plan and other material planning considerations.
- 2.2 The development plan is:
 - the London Plan July 2011 (with 2013 Alterations)
 - the Croydon Local Plan: Strategic Policies April 2013
 - the Saved Policies of the Croydon Replacement Unitary Development Plan April 2013
 - the South London Waste Plan March 2012
- 2.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.
- 2.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which

affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.

- 2.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 2.6 Under Section 197 of the Town and Country Planning Act 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 2.7 In accordance with Article 31 of the Development Management Procedure Order 2010, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.
- 2.8 Members are reminded that other areas of legislation covers many aspects of the development process and therefore do not need to be considered as part of determining a planning application. The most common examples are:
 - **Building Regulations** deal with structural integrity of buildings, the physical performance of buildings in terms of their consumption of energy, means of escape in case of fire, access to buildings by the Fire Brigade to fight fires etc.
 - Works within the highway are controlled by **Highways Legislation**.
 - **Environmental Health** covers a range of issues including public nuisance, food safety, licensing, pollution control etc.
 - Works on or close to the boundary are covered by the **Party Wall Act**.
 - **Covenants and private rights** over land are enforced separately from planning and should not be taken into account.

3 PROVISION OF INFRASTRUCTURE

- 3.1 In accordance with Policy 8.3 of the London Plan (2011) the Mayor of London has introduced a London wide Community Infrastructure Levy (CIL) to fund Crossrail. Similarly, Croydon CIL is now payable. These would be paid on the commencement of the development. Croydon CIL provides an income stream to the Council to fund the provision of the following types of infrastructure:
 - Education facilities
 - Health care facilities
 - Projects listed in the Connected Croydon Delivery Programme
 - Public open space
 - Public sports and leisure
 - Community facilities
- 3.2 Other forms of necessary infrastructure (as defined in the CIL Regulations) and any mitigation of the development that is necessary will be secured through A S106

agreement. Where these are necessary, it will be explained and specified in the agenda reports.

4 FURTHER INFORMATION

- 4.1 Members are informed that any relevant material received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

5 PUBLIC SPEAKING

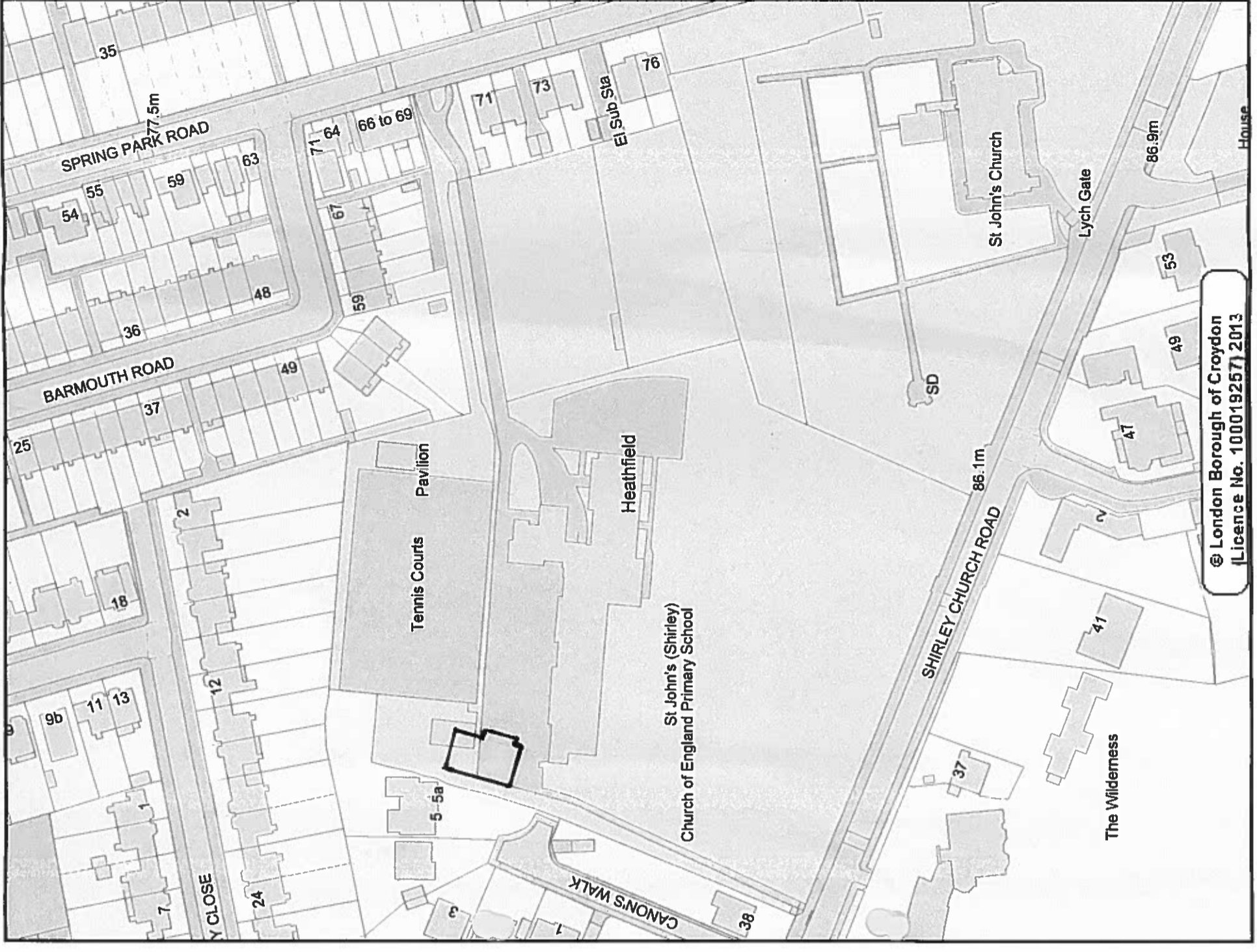
- 5.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Chair's discretion.

6 BACKGROUND DOCUMENTS

- 6.1 The background papers used in the drafting of the reports in part 6 are generally the planning application file containing the application documents and correspondence associated with the application. Contact Mr P Mills (020 8760 5419) for further information. The submitted planning application documents (but not representations and consultation responses) can be viewed online from the Public Access Planning Register on the Council website at <http://publicaccess.croydon.gov.uk/online-applications>. Click on the link or copy it into an internet browser and go to the page, then enter the planning application number in the search box to access the application.

7 RECOMMENDATION

- 7.1 The Committee to take any decisions recommended in the attached reports.



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Scale 1:1250

17-Jul-2015

PART 6: Planning Applications for Decision**Item 6.1**

1 APPLICATION DETAILS

Ref: 15/03173/P
Location: St John's Church of England Primary School, Spring Park Road, Croydon, CR0 5EL
Ward: Heathfield
Description: Retention of temporary classroom building and associated access ramp.
Drawing Nos.: EQ599-110-01, DWG02/AsBuiltPlan Rev A, DWG03/AsBuiltElevations Rev A, DWG04/AsBuiltRamp&Stairs Rev A.
Applicant: Croydon Council
Agent: Grahame Landers, Mouchel Ltd
Case Officer: Billy Tipping

- 1.1 This application is being reported to committee because the ward councillor (Cllr Jason Cummings) made representations in accordance with the Committee Consideration Criteria and requested committee consideration.

2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- Planning permission was approved in 2010 for the siting of a temporary classroom building and access ramp. This development is the same as the current application proposal.
- This approval was conditioned that it be for a temporary period of 24 months only. The building should therefore have been removed by 17 August 2012. The building was not removed.
- This permission was also conditioned regarding the submission of details regarding sound insulation, the access ramp and landscaping. Although these conditions were never discharged, the details regarding sound insulation and the access ramp have been submitted with the current application and are considered acceptable. Due to the change in circumstances since 2010, further landscaping is now no longer considered required.
- The temporary building facilitates a bulge in school numbers and will be superseded by new wing for the expansion of the school which is scheduled for construction this summer.
- Sport England raises no objection to the temporary classroom.
- The siting, design, layout of the proposed building including the degree of separation between the existing buildings and the proposed building would be sufficient to ensure no undue impact on the residential amenities of the adjoining occupiers.
- Although it is considered regrettable that the building has remained in place without the submission of a further application for planning permission to retain,

and there appears to have been no attempt to discharge the conditions on the permission at the time, the local planning authority should determine the current application on its own merits.

3 RECOMMENDATION

3.1 That the Committee resolve to GRANT planning permission.

3.2 That the Director of Planning is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:

Conditions

- 1) development in accordance with approved plans,
- 2) temporary permission until 31 August 2017, and,
- 3) any other planning obligation(s) considered necessary by the Director of Planning.

Informatives

- 1) Site Notice removal
- 2) Any other informative(s) considered necessary by the Director of Planning.

4 PROPOSAL AND LOCATION DETAILS

Proposal

4.1 Planning permission is sought for:

- the retention of a temporary classroom building and associated access ramp.

Site and Surroundings

4.2 St John's Church is located on the northwestern corner of the junction of Shirley Church Road and Spring Park Road. The associated St John's Church of England Primary School is located to the rear of the school, accessed from Spring Park Road from between residential properties fronting Spring Park Road. However the school's largest boundary is with Shirley Church Road, from which it is most prominently visible. In addition to the residential properties, referred to above, which back onto the site from the east, residential properties in Nursery Close and Barmouth Road back on to the site from the north. To the east properties in Cannon's Walk adjoin the site.

4.3 The school site is designated as Educational Open Space, and the adjacent church site is designated as Local Open Land and one of Croydon's Locally Listed Parks and Gardens. Shirley Church Road is designated as a Local Distributor Road.

Planning History

4.4 The following planning decision is relevant to the application.

- 10/02213/P – Siting of temporary classroom building and associated access ramp.

Granted on 17 August 2010, subject to conditions for the submission of details relating to landscaping, the access ramp and sound insulation. A further condition limited the permission to 24 months.

4.4 The following application is also relevant:

- 15/05570/P – Alterations; erection of a two storey classroom block with a single storey link to the existing school, extension to the main school hall, single storey extension to the staff room, removal of the existing mobile classroom with the area to be returned to a hard play area, conversion of the existing grassed area to the east of the school into a hard landscaped play/PE space and associated works.
Pending determination.

5 CONSULTATION RESPONSE

5.1 The views of the Planning Service are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

5.2 Sport England considers that the temporary classroom building has been erected on land not suitable to for the provision of playing pitches, and therefore does not object to the proposal.

5.3 Environmental Health Noise Team has commented on the submitted acoustic report relating to the air-conditioning plant and sound insulation, and raise no objection to the proposal.

6 LOCAL REPRESENTATION

6.1 The application has been publicised by way of site notices in Blenheim Gardens and Cranleigh Close. The number of representations received from neighbours and local groups in response to publicity of the application were as follows:

No. of individual responses: 1 Objecting: 1 Supporting: 0 Commenting: 0.

No. of petitions received: 1 objecting containing 6 signatories.

6.2 The following councillor made representations:

- Cllr Jason Cummings [objecting].

6.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in substance in the next section of this report:

Objections

- Visual impact on Cannons Walk.
- Detrimental impact on outlook from adjoining residential properties.
- Suitable available space elsewhere in the school grounds.
- Lack of landscaping, as required by previous permission.
- Potential noise nuisance from air conditioning units.

6.4 The following issue was raised in representations, but is not material to the determination of the application:

- The conditions attached to the previous permission, see 4.4, above. [Officer Comment: whilst the failure to comply with the requirements relating to the previous permission is regrettable, this application should be considered and determined on its merits].

7 MATERIAL PLANNING CONSIDERATIONS

7.1 The main planning issues raised by the application that the committee must consider are:

1. The principle of development
2. The character and appearance of the area.
3. Amenities of the occupiers of adjoining property.

The principle of development

7.2 Chapter 8 of the National Planning Policy Framework (NPPF) describes a range of facilities that local authorities should provide to facilitate healthy communities. Paragraph 72 states that 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 should give great weight to the need to create, expand or alter schools. Policy 3.18 of the London Plan (Consolidated with Alterations since 2011) recognises the pressing need for more school places in London. Policy RO9 of the Croydon Replacement Unitary Development Plan (The Croydon Plan 2006) Saved Policies 2013 (the UDP) allows development on Educational Open Space subject to certain criteria. Policy CS1 of the UDP permits the development of new community facilities (including education) provided it does not conflict with the Council's aim of respecting the character of the residential area and there is no undue detrimental impact on residential amenity. Policy SP5.9 of the Croydon Local Plan: Strategic Policies 2013 (CLP1) states that the Council will support the expansion of primary schools to meet the needs of the community and its growing population.

7.3 Croydon Council is experiencing considerable pressure to supply sufficient school places for the expanding school population. Opportunities for the creation of entirely new schools within the borough are extremely limited, so the option of expanding existing schools is being explored. St John's Church of England Primary School has been identified as a school with potential scope for expansion within its existing site. This is currently being progressed through a planning application for a new wing which is currently under consideration; see 4.4, above. The temporary building is therefore to house the existing bulge in the school size, but will become superseded and surplus to requirement if and when the application is approved and the proposed development takes place.

7.4 If the pending application is approved during the spring it is anticipated that the building work will take place over the summer period. Clearly the summer break is the ideal opportunity to carry out any work which would directly impact on the operation of the existing school. The new building would then need to be decorated and fitted out for educational use. Permission is sought to retain the existing building to the end of the summer break next year to allow time for all this work to take place.

Clearly if the building and fit out progresses well, the temporary classroom could become redundant and surplus to requirement before this time. Whilst it is considered regrettable that neither the temporary nature of the previous permission, nor the submission of the details required by condition were adhered to, if planning permission for an extension to the school is granted (see 4.4, above) this building would become redundant. So compliance with a temporary consent is not considered likely to be an issue.

- 7.5 Policy RO9 allows educational development on Educational Open Space where there is an identified need and harm to open space is minimised. It is considered that a need has been established. Harm to open space is considered further in paragraph 7.8, below.
- 7.6 The proposal would facilitate the continued operation of the school, prior to any expansion work taking place. The principle of development is therefore considered acceptable and is in line with the NPPF, Policies 3.18 of the London Plan 2011(with 2013 Alterations), Policy CS1 of the Croydon Plan (2006) Saved Policies 2013 and Policy SP5.9 of the Croydon Local Plan: Strategic Policies (2013), subject to the considerations below.

The impact on the character and appearance of the area

- 7.7 Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development. Further paragraph 61 states that securing high quality and inclusive design goes beyond aesthetic considerations. Planning decisions should, therefore, address the connections between people and places and the integration of new development into the natural and built environment. Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan (Consolidated with Alterations since 2011) state that development should make a positive contribution to the local character, public realm and streetscape. It should incorporate the highest quality materials and design appropriate to its context. Policies UD2 and UD3 of the UDP require the siting, layout and form of new development to respect the character and appearance of existing areas. Policy SP1.1 of CLP1 indicates that the Council will require all new development to contribute to enhancing a sense of place and improving the character of the area. Policies SP4.1 and SP4.2 of CLP1 also require development to be of a high quality which respects and enhances local character.
- 7.8 The application site is in a corner location towards the rear of the school. The temporary class room building is not prominent in public views in this location. It is only particularly visible in views from Canon's Walk, a residential close of six properties to the west. It is single storey in nature and located approximately 1.5m from the boundary, which previously had a considerable degree of planting which screened much of the temporary building. There remains some degree of planting adjoining other elevations of the building. In such circumstances and given the temporary nature of the remaining life of the building it is not considered that there is sufficient detrimental impact on the character and appearance of this area to merit a refusal of the application. Further, given the remaining short life of the building a planting condition would not take effect before the building was removed.
- 7.9 The site of the temporary classroom is on the opposite side of the school grounds to the Local Open Land and the Locally Listed Park and Gardens

7.10 Consequently, it is concluded that the proposal would accord with the intentions of the NPPF, Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan (Consolidated with Alterations since 2011), Policies UD2 and UD3 of the UDP and Policies SP1.1, SP4.1 and SP4.2 of CLP1.

Amenities of the occupiers of adjoining property

7.11 Policy 7.6 of the London Plan (Consolidated with Alterations since 2011) states that development should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. Policy UD8 of the UDP states that “Privacy and amenity of occupiers of surrounding buildings ensuring that both new and existing occupiers are protected from undue visual intrusion and loss of privacy...” and will have regard to the “maintenance of sunlight or daylight amenities for occupiers of adjacent properties”.

7.12 Policy EP1 of the UDP states that polluting developments, including noise, will only be permitted providing they do not have an adverse impact on the amenity of the users of surrounding land.

7.13 The temporary class room building is located towards the northwestern corner of the site and backs onto side boundary of the front garden area of 5/5a Canon’s Walk. The principle entrance door to the building, and access ramp, are on the opposite, west facing elevation facing the school’s own yard. There are other openings on the flank elevations with none on the rear. Therefore the level of activity affecting neighbours would be very low, and as a result, no overlooking would occur. The siting of the temporary classroom, adjacent to a front garden, but off the boundary, and some 10m from the nearest residential, front, window would not be detrimentally affected.

7.14 The previous approval was conditioned that details of sound insulation should be submitted for approval to the Council. The applicant has submitted a noise assessment relating to the air conditioning plant and sound insulation with the current application. This has been considered by the Council’s Noise Team who consequently raise no objection to the proposal on these grounds.

7.15 The previous approval was also conditioned regarding the submission of a landscaping scheme. The officer’s delegated report relating to this approval stated:

“It is however suggested that a condition be attached in respect of additional soft landscaping behind the rear of the building to help maintain and enhance the boundary treatment which would help soften any glimpses of the building from 5 Canon’s Walk and the surrounding residential properties.”

7.16 As referred to above, see 7.8, the boundary at this time had a considerable degree of planting, screening the building from the adjoining occupier. The reference to ‘glimpses of the building from 5 Canon’s Walk...’ was intended to infill the remaining gap in the planting. As this planting is no longer present, it is not considered that this is any longer necessary. Further, given the short life remaining for the building, there is insufficient time for the planting to create an impact.

7.17 The proposal is therefore considered acceptable with regard to Policy 7.6 of the London Plan (Consolidated with Alterations since 2011) and Policy UD8 of the Croydon Plan (2006) Saved Policies 2013.

Other Planning Issues

7.18 The previous approval was also conditioned regarding the submission of details of the access ramp to ensure it was fit for purpose. These have now been submitted and the ramp is considered acceptable.

7.19 Sport England raise no objection to the siting of the temporary classroom as it is not considered that there is a loss of a playing pitch in this corner of the school grounds in close proximity to a residential property.

Conclusions

7.20 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION.