

Case Officer's Report (Delegated Decision)

Regulation 3 Planning Application

Description of the Proposal: Erection of two temporary classroom blocks on existing playground with access from existing site compound

Site Address: Buckingham Park Primary School, Buckingham Road, Shoreham-by-Sea, BN43 5UD

Application No: WSCC/005/24

Local Member: Emma Evans, Shoreham North

Local Council: Adur District Council

Site Location and Description

Buckingham Park Primary School is located east of Buckingham Road in Shoreham-by-Sea, and vehicular and pedestrian access is provided via Hamfield Avenue. The school lies within the built-up area boundary (as identified within the Adur Local Plan, 2017) and is bordered by residential properties. The main school buildings and playgrounds occupy the western portion of the site, while the school playing field making-up the remainder to the east; beyond which stands the St Nicolas and St Mary CE Primary School to the north-east, and allotment gardens to the south-east.

The site is not located within a designated landscape of historic or ecological interest and is not located within Flood Zone 2 or 3.

Relevant Planning History

WSCC/069/13/SU - New build extensions, and internal remodelling of the existing primary school to provide additional teaching, support and ancillary accommodation; complete with associated hard and soft landscaping works and amenity lighting to school entrance footpath. (Approved 20/09/2013)

WSCC/015/16/SU - Erection of new 2 storey modular teaching block, improvement of car park and footpaths, extension of hard play area and construction of new canopy to the main entrance. (Approved 08/06/2016)

WSCC/037/20 - Replacement of existing outdated play equipment and installation of 212m² of new rubber safety surface (Approved 02/09/2020)

WSCC/021/21 - Small area of porous rubber mulch safety surface 101 sqm. to be laid directly (without need of excavation works) onto grassed area between school buildings, utilising a rarely used muddy area to increase space for outdoor activity (Approved 30/06/21)

Proposed Development

The recently approved and built school building has experienced difficulty in terms of water ingress and repeated attempts to fix the problems have been unsuccessful. It has as a result been determined that more radical interventions are required and the works required are sufficiently extensive that they can only be completed by decanting the pupils into alternative accommodation.

Consequently, the submitted proposal submitted is for the erection of two, 2-storey temporary classrooms, on the existing play area on the north side of the school compound. On completion of the refurbishment work to the existing school building, the temporary classrooms would be removed.

The period sought would allow the classrooms to be used for one academic year (2024-25), with time allowed during the 2024 summer holiday for the construction of the temporary classrooms, and during the 2025 summer holiday for their removal, together with an additional period following the commencement of the school year 2025 to allow for the removal of the site compound – taking the final required period to October 2025.

The works would utilise an existing site compound and access via Buckingham Close. For the period of construction of the temporary buildings, the access from the existing approved site compound would run along the playing field, approximately parallel with the rear line of the residential properties at a distance of between 35 and 50m. The existing compound is located behind a residential building at 7 Buckingham Close, and the proposed internal access route would run behind properties on Fairlawns.

When then works have been completed and the temporary classrooms removed, the site compound would no longer be required and would also be removed, with the current access from Buckingham Close closed up and the site made good.

Environmental Impact Assessment/Habitats Regulation Assessment

The proposed development does not fall within Schedule 1 or 2 of the EIA Regulations, so that neither screening nor EIA are required.

Relevant Planning and Other Policies

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory development plan unless material considerations indicate otherwise (as confirmed in paragraph 2 of the National Planning Policy Framework ('the NPPF')).

The key policies in the development plan that are material to the determination of the application, are summarised below. In addition, reference is made to relevant national planning policy and other policies that guide the decision-making process and which are material to the determination of the application.

Adur Local Plan (2017)

- Policy 1 – Presumption in favour of sustainable development;

- Policy 2 – Spatial strategy;
- Policy 15 – Quality of the built environment and public realm;
- Policy 18 – Sustainable design; and
- Policy 33 – Planning for sustainable communities.

National Planning Policy Framework (Dec 2023)

- 11 (Presumption in favour of sustainable development)
- 38 (Positive decision making)
- 55 - 57 (Use of planning conditions)
- 96 (Healthy, inclusive and safe places)
- 99 (Development at schools)

Consultations

Adur and Worthing Council: No objection.

Adur and Worthing Council Environmental Health Officer: No comments received.

Sport England: No objection subject to condition removing the temporary access route and restoring the playing field thereafter.

WSSC Highways: No objection.

WSSC Fire and Rescue: No objection subject to installation of gate, security to enable fire access and temporary pathway.

County Councillor (Emma Evans): No response received.

Representations

None received.

Consideration of Key Issues

The main material considerations in relation to this application are:

- need for the development; and,
- residential amenity

Need for the Development

The proposal seeks the siting of two, 2-storey temporary classrooms until October 2025 to enable decanting of pupils from an existing building which requires extensive work. The proposed temporary classrooms and refurbishment works to the existing buildings will not result in, or facilitate, any alterations to the capacity of the school and on completion of works, the school would provide for the same level of pupil access as at present, with no changes to building footprint.

Policy 33 of the Adur Local Plan (2017) seeks to support improvements to community facilities to ensure they meet the needs of local communities. The new temporary classrooms are required for general teaching to enable the school to deliver the national curriculum. In addition, the need to enable development at schools is given 'great weight' under NPPF paragraph 99.

It is considered that there is a clear educational need for the proposal and, as a result, the proposal is considered to comply with Policy 33 of the ALP and is afforded great positive weight in the planning balance.

Sitting, scale and appearance and Residential Amenity

Policy 15 of the Adur Local Plan (2017) requires that development should be well designed with regard to the prevailing character of the surrounding area and not result in an unacceptable level of harm the amenity of nearby properties.

The temporary classroom units are to be located on the northern boundary of the school which is made up of a combination of 2m chain-link fencing and close boarded fencing and limited vegetation. They would be approximately 6m from residential boundaries, although they would be approximately 20m from property facades of Fairlawns and 45m from the facades of those properties of Upper Shoreham Road. The classroom units are flat-roofed, and block like in design, with white uPVC fenestration, standing at 7m in height and contain windows on the upper floors.

Visually, the building is of a utilitarian design that is acceptable for its location within the built-up area and is unlikely to result in any significant impacts upon the visual amenity of nearby residents or the character of the wider area.

Although the units are two-storey in height and have residential properties directly to the north, there is some screening from the existing boundary treatment. In addition, the residential properties also have various sheds in their gardens which would help screen the temporary classrooms. The windows could be used to overlook neighbouring properties gardens and therefore, a condition would be placed on the decision notice requiring those windows on the northern elevations to be obscure glazed.

Subject to the inclusion of such a condition, the erection of the two temporary classroom blocks would not be likely to give rise to any unacceptable impacts on the amenity of surrounding residential properties.

As a result, the development is considered to comply with both the ALP and NPPF with regard to its sitting, scale and appearance and its impact on residential amenity, and is afforded little negative weight in the planning balance.

Other Considerations

The WSSC Fire and Rescue Service have requested amendments to ensure the safe supply of water and access for firefighting purposes and as a result a new gated access, pathway from the new gate to the existing tarmacked area have been

proposed. These matters have been addressed by the applicant and can be secured by conditioned.

Overall Conclusion

Overall, it is considered that the proposed development accords with the statutory development plan when read as a whole. Furthermore, there are no material considerations in this case that indicate a decision other than in line with the statutory development plan, that is, the granting of planning permission.

In favour of the proposal, the need for the development carries great weight. Against the scheme, its sitting, scale and appearance and its impact on residential amenity carries little negative weight. Therefore, on balance, it is considered that the benefits of the proposal greatly outweigh the disbenefits and, as such, the proposed development constitutes sustainable development (as defined in paragraphs 7 and 8 of the NPPF).

Recommendation (Delegated Decision)



For the reasons given above, it is recommended that planning permission is granted under delegated powers subject to the conditions set out in Appendix 1.

Factors taken into account

Crime and Disorder Act 1998: No implications arise from this development.

Human Rights Act 1998: Article 8 of the European Convention safeguards the respect for family life and home whilst Article 1 of the first protocol concerns the non-interference with the peaceful enjoyment of private property. Both rights are subject to conditions and interference with these rights may be permitted if the need to do so is proportionate. In this particular matter, the interests of those affected by the planned development have been fully considered as have the relevant considerations which may justify interference with particular rights. All of these are set out within the body of the report and are examined in the context of relevant planning considerations.

Equality Act 2010: The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act 2010. Officers considered the information provided by the applicant, together with the responses from consultees and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Date of Report: 17/05/2024	Case Officer's Name: Chris Bartlett
	Case Officer's Signature: 
Date of Review: 20/05/2024	Reviewer's Name: Andrew Sierakowski
	Reviewer's Signature: 

Appendix 1: Conditions and Informative(s)

Conditions

Commencement

1. The development to which this permission relates shall be begun not later than the expiration of 3 years from the date of this permission.

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

Approved Plans

2. The development shall not take place other than in accordance with the approved plans:
 - Location Plan (dated 11-Jan-2024);
 - Temporary Classrooms - Location Plan (Project Ref 10008192 Rev P1);
 - Temporary Classrooms - Location Plan (Project Ref 10008192 Rev P2);
 - Proposed Site Plan Phase 1 (Project Ref 10008192 Rev P7);
 - Temporary Classrooms – Block 1 Elevations (Project Ref 10008192 Rev P1);
 - Temporary Classrooms – Block 2 Elevations (Project Ref 10008192 Rev P1);
 - Proposed layout two storey double classroom plan (dwg HD/13630/01 Rev A);
 - Budget Quotation Template document (dated 23rd May 2024);
 - Ultima Building System document (Certificate number 02/S030) and;
 - Tree Protection Plan (Ref204071/TTP/MH/Phase1)

along with information submitted with the application submitted with the application including the Planning Statement (dated January 2024) save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Time limit

3. The temporary classroom unit, site compound, temporary pedestrian gate and temporary access path hereby permitted as identified on 'Proposed Site Plan Phase 1 (Project Ref 10008192 Rev P7)' shall be removed from the site and the land restored to its former condition, or to a condition to be agreed in writing by the County Planning Authority, either:
 - a. On or before the period ending 30th October 2025
 - b. Within three months of the units becoming surplus to the educational accommodation need at the school, or
 - c. Within three months of the first occupation of any new permanent replacement accommodation at the school, whichever occurs soonest.

Reason: To allow for the justification of the temporary development.

Obscure windows

4. The top floor, north-facing windows of the temporary classrooms hereby approved shall be fitted with obscure glazing or fitted with obscure film.

Reason: To ensure impacts on residential properties is minimised.

Reinstatement of pitches

5. The access route hereby approved shall be removed from the land by no later than 30th October 2025 and the playing field thereafter be restored to at least equivalent condition to existing in accordance with a scheme and timetable that has first been submitted to and approved in writing by the Local Planning Authority in consultation with Sport England.

Reason: To ensure the site is restored to a condition fit for purpose.

Temporary access use

6. The temporary gate and access path from Fairlawns shall only be used for fire and rescue purposes only. The temporary gate and access path from Fairlawns shall not be used for any other use, including that for school activities.

Reason: To ensure impacts on residential properties is minimised.

Informative

- A. The County Planning Authority has acted positively and proactively in determining the planning application by identifying issues of concern and considering whether planning conditions could be used to satisfactorily address them. As a result, the County Planning Authority has been able to grant planning permission, in accordance with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.
- B. The applicant is advised to consider undertaking an existing condition agronomy assessment. An agronomy report to inform the restoration scheme for the playing field will be required to satisfy the above condition.