

Case Officer's Report (Delegated Decision)

Regulation 3 Planning Application

Description of the Proposal: Retrospective application for the siting and use of 1 temporary classroom unit (Variation of Condition No.1 of Planning Permission Ref. WSCC/009/19/HU to allow continued siting and use of temporary classroom for an additional five years)

Site Address: St Johns Roman Catholic Primary School, Blackbridge Lane, Horsham, West Sussex, RH12 1RR

Application No: WSCC/009/24

Local Member: John Milne, Horsham Riverside

Local Council: Horsham District

Site Location and Description

St. Johns Roman Catholic Primary School is a school catering for children aged 4-11 years old with a capacity for up to 210 pupils, located within the built-up area boundary of Horsham (as identified within the Horsham District Planning Framework 2015). The school is accessed from Blackbridge Lane, with residential properties located on Blackbridge Lane and Brookfield close to the north, Tanbridge Park to the east stretching south, with Arunside Primary School located over Blackbridge Lane to the west. Further west approximately 1.13km is the A24, located approximately 900m east is Horsham town centre with the closest train station being Horsham Train Station to the east/northeast, approximately 1.62km away.

The site is not located in an area of increased risk of flooding, or within an area with any historic, landscape or ecological designation.

Relevant Planning History

HU/107/94 – Relocation of a single mobile classroom & extending the hard play area
Site: St Johns R C Primary School Blackbridge Lane Horsham.

HU/257/03 - Continued use/siting of 1 temporary classroom unit without compliance with condition 2 of HU/107/94.

DC/2211/08 - The continued siting and use of a temporary classroom unit (Application approved, 06/11/2008)

WSCC/030/13/HU – The continued siting and use of a temporary classroom unit (Application approved, 19/04/2013)

WSCC/009/19/HU - Retrospective Planning Permission is sought for the continued sitting and use of 1 temporary classroom unit (Application approved, 19/02/2019)

Proposed Development

The application is for a variation of condition to extend the end date of the previous permission to allow the continued retention of a temporary modular classroom that is located to the east of the main school building. The structure is characterised by its flat roof, white casement openings and pebbledash exterior. The southern façade of this unit overlooks the school playground while the eastern elevation of the structure overlooks the playing field at the rear of the site.

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.

The application site falls within the Sussex North Water Supply Zone, which draws its water supply from groundwater abstraction in the Arun Valley. Natural England has issued a Position Statement which states that it cannot be concluded with the required degree of certainty that any new development that would increase the use of the public water supply in this zone, would not contribute to an adverse effect on the integrity of the Arun Valley, a Special Area of Conservation (SAC), Special Protection Area (SPA), and Ramsar site.

HRA screening has been undertaken, which concludes that, without mitigation in place, the proposal will not have a 'likely significant effect' on the designated features of the Arun Valley site, either alone or in combination with other plans and projects. Therefore, an Appropriate Assessment under the Regulations is not 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.

Horsham District Planning Framework (November 2015)

- Policy 1 – Sustainable Development
- Policy 32 – The Quality of New Development
- Policy 33 – Development Principles
- Policy 43 – Community Facilities, Leisure and Recreation

National Planning Policy Framework (December 2023)

- 11 (Presumption in favour of sustainable development)

- 38 (Positive decision making)
- 55 - 57 (Use of planning conditions)
- 97 (Provide social, recreational and cultural facilities)
- 99 (Development at schools);

Consultations

County Councillor: No comments received.

Horsham District Council: No objection.

Horsham Deane Neighbourhood Council: No objection.

WSSC Highways: Advise that the proposal is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

Representations

None received.

Consideration of Key Issues

The main material considerations in relation to this application are:

- need for the development; [e.g. W1 of the WLP]
- residential amenity

Need for the Development

St John's Catholic Primary School has a capacity for 210 pupils. The existing temporary classroom is currently being used as teaching space and pupil projection numbers indicate the need for the temporary classroom will continue. The need to enable development at schools is given 'great weight' under NPPF paragraph 99 and there is a requirement to meet the growing demand for school places. Paragraph 97 of the NPPF also points out the importance of providing social, recreational and cultural facilities. It is therefore considered that the need for the development is afforded great positive weight in the planning balance.

Residential Amenity

The temporary classroom is located a considerable distance from the highway at Blackbridge Lane. Although the closest residents (on Brookfield close) to the application site being are located only 5m away, there is substantial screening on this boundary allowing for very limited views of the building. It is considered that, when combined with the single storey design of the structure, the classroom does not appear as a prominent or overbearing feature within the street scene. As the application relates to an existing structure, it is considered that no additional noise would be generated from its continued use.

Considering the above, the residential amenity is considered of little negative weight in the planning balance.

Other Considerations

No other material considerations.

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 little/moderate/great weight. Against the scheme, residential amenity carries little 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: 21/03/2024	Case Officer's Name: Tyra Money
	Case Officer's Signature: 
Date of Review: 28/03/2024	Reviewer's Name: Andrew Sierakowski
	Reviewer's Signature: 

Appendix 1: Conditions and Informative

Conditions

Duration

1. The temporary classroom unit hereby permitted as identified as E703 on Drawing No. StJCPS/PL - 01 'Site and Location Plan' (dated March 2013) 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 2nd April 2029
 - b. Within three months of the unit 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 to be reconsidered ay the expiry of the extended timeframe.

Approved Documents

2. The development shall not take place other than in accordance with the approved plans:
 - Site Plan and Location Plan (Dwg. No. StJCPS/PL – 01)

Reason: to secure a satisfactory development.

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.