

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 1 of planning permission WSCC/010/19/AW to allow the continued siting of the temporary classroom for an additional five years).

Site Address: Rose Green Infant School, Hawkins Close, Bognor Regis, PO21 3LW

Application No: WSCC/014/24

Local Member: Dawn Hall

Local Council: Arun District Council

Site Location and Description

Rose Green Infant School is located on the eastern side of Hawkins Close; a predominantly residential area within the built-up area boundary of Bognor Regis, as defined within the Arun Local Plan, 2018, and situated in-between the parishes of Aldwick and Nyetimber. The main school building sits centrally within the school site with hardstanding to the northwest and southwest, providing parking areas and play areas respectively. The school site is surrounded by residential properties and benefits from a mixture of mature trees and hedgerows along its northern, eastern and southern boundaries.

The single-storey temporary classroom to which the application relates is located adjacent to the northern site boundary and is attached to the main school building via a canopy. The closest nearby receptors are those on the southern side of Frobisher Road, including a child daycare and two storey residential properties 15m to the north, and the rear gardens of properties along the northern side of Nytimber Lane, some 23m to the east.

The school does not fall within any landscape, historic or ecologically designated area. and falls within an area at a low risk of flooding (flood zone 1).

Relevant Planning History

- AW/230/08 – The continued siting and use of a temporary classroom unit (approved 11/11/2008).
- WSCC/101/13/AW – Amendment of condition 1 of planning application AW/230/08 to allow the continued siting and use of 1 temporary classroom unit (approved 16/12/2013).

- WSSC/066/14/AW – Replacement of existing entrance canopy and provision of canopy outside newly formed classrooms (approved 21/10/2014).
- WSSC/010/19/AW – Retrospective application for the siting and use of 1 temporary classroom unit (approved 14/03/2019).

Proposed Development

The proposal relates to the single-storey temporary building located along the northern site boundary of the school grounds. The building is characterised by a flat roof, white casement openings and a modular roughcast exterior around. Two concrete platforms with accompanying rail and steps provide access to the entrances within the southern and western elevations. The temporary unit to be retained is understood to have been installed in the mid 90's. Planning permission was granted for temporary period, with various applications for its subsequent temporary retention allowed, the latest expiring 14th March 2024 (WSSC/010/19/AW).

The application seeks to vary Condition No. 1 of Planning Permission Ref. WSSC/010/19/AW to allow the continued siting and use of the temporary classroom for an additional five years.

Environmental Impact 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.

Arun Local Plan 2011 – 2030 (2018):

- Policy SC SP1 (Sustainable Development);
- Policy D SP1 (Design);
- Policy D DM1 (Aspect of Form and Design Quality), and;
- Policy INF SP1 (Infrastructure Provision and Implementation).

Bognor Regis Neighbourhood Plan (2015):

- Policy 8a – Design Excellence

National Planning Policy Framework (December 2023):

Relevant paragraphs include the following:

- 7 (The purpose of the planning system);
- 8 (Achieving sustainable development);
- 11 (presumption in favour of sustainable development);
- 17 (The plan-making framework);
- 32 (Preparing and reviewing plans);
- 38 (Positive decision making);
- 55 (Use of planning conditions);
- 92 (Healthy, inclusive and safe places);
- 93 (Provide social, recreational and cultural facilities);
- 99 (providing sufficient school places and giving great weight to the need to create, expand and alter schools);
- 128 (Aspects of design quality), and;
- 132 (Design);

Consultations

County Councillor (Dawn Hall): No comments received.

Arun District Council: No comments received.

Aldwick Parish Council: No objection.

WSSC Highways: No objection.

Representations

None received.

Consideration of Key Issues

The main material considerations in relation to this application are:

- need for the development, and;
- siting, scale and appearance.

Need for the Development

The proposal seeks the continued siting of the temporary classroom on-site for an additional 5 years by way of variation of Condition No. 1 of Planning Permission Ref. WSSC/010/19/AW. The applicant states that the retention of the building is required in order to accommodate current pupil numbers at the school (262 pupils as of 2018) which are anticipated to remain consistent at the school for the foreseeable future.

West Sussex County Council has a programme to replace relocatable units on school sites (with permanent buildings), prioritised against the County's Asset Management Plan. The replacement of this temporary classroom with a permanent structure is not

of high priority compared to other units across the County. The temporary classroom is currently used for general teaching and will continue to be needed to provide the necessary 'roofs over heads' to deliver the national curriculum.

Further, Policy INF SP1 of the Arun Local Plan states that development proposals which provide or contribute towards the infrastructure and services needed to support development to meet the needs of occupiers and users of the development and the existing community will be supported. In addition, paragraph 99, of the NPPF gives great weight to the need to create, expand and alter schools to provide sufficient school places. In this case, the retention of the temporary classroom would allow the school to continue the delivery of national curriculum, albeit for a continued temporary period.

Therefore, the need for the development is demonstrable as per the objectives of the Arun Local Plan and the NPPF. As a result, the need for the proposal is considered to carry substantial weight in favour of the development when considered within the planning balance.

Siting, scale and appearance

Policy D DM1 of the Arun Local Plan 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 unit is well contained within the site and is set back from the adjoining highways behind the existing school buildings and boundary treatment that borders the site. The structure is of a flat roof, single storey design that appears to be in acceptable condition. In the context of the surrounding architectural features within the school site, the unit is considered to be of a suitable scale and mass. Visually, the building is of a utilitarian design that remains in acceptable condition for its location within the Built Up Area.

The temporary modular unit is located to the northeast of the main school buildings, within the north-eastern corner of the school boundary. Adjacent land uses include the residential properties and child day care on Frobisher Road some 15m to the north and adjacent neighbours some 23m to the east along Nyetimber Lane.

The temporary classroom unit has been situated in this location for an excess of 20 years and continues to serve the school without any identified impacts upon neighbouring amenity or the character of the surrounding area. WSCC have not been made aware of any complaints or concerns raised by local residents since its installation, and its continued use for an additional five years is unlikely to result in any significant impacts upon the visual amenity of nearby residents or the character of the wider area.

The visual appearance of the building should be weighed against the educational need for the facility and, as it stands, the structure remains in an acceptable condition whilst still being required by the school for educational use. The applicant is encouraged to consider the replacement of this unit with a permanent structure should the school require a long-term solution.

As a result, the development is considered to comply with both the NPPF and Arun Local Plan with regard to its sitting, scale and appearance, and is afforded moderate weight accordingly.

Other Considerations

There are 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 substantial weight and the siting, scale and appearance carries moderate weight. There are no matters that weigh against the proposal.

Therefore, on balance, it is considered that the benefits of the proposal significantly outweigh any disbenefits and, as such, the proposed development constitutes sustainable development (as defined in paragraphs 7 and 8 of the NPPF) and for the purposes of paragraph 11.

Recommendation (Delegated Decision)

For the reasons given above, it is recommended that planning permission is granted under delegated powers subject to the conditions/refused under delegated powers for the reasons 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: 01/05/2024	Case Officer's Name: Edward Anderson
	Case Officer's Signature: 
Date of Review: 02/05/2024	Reviewer's Name: Andrew Sierakowski
	Reviewer's Signature: 

Appendix 1: Conditions and Informative

Conditions

Time Limited Permission

1. The temporary classroom unit hereby permitted as identified as E880 on Drawing No. RGLS/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 5 years from the date of this decision;
 - 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 at the expiry of the extended timeframe.*

Informatives

- 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.