

Case Officer's Report (Delegated Decision)

Regulation 3

Description of the Proposal: Installation of temporary Portakabin modular building to be used as additional classroom facility. Proposal includes landscaping around the buildings to allow for fire tender access (Variation of Condition 1 of planning permission WSCC/026/21 to allow the continued siting and use of temporary classroom for an additional two years).

Site Address: Manor Green College, Lady Margaret Road, Crawley, West Sussex, RH11 0DX

Application No: WSCC/039/23

Local Member: Councillor Alison Cornell

Local Council: Crawley Borough Council

Site Location and Description

Manor Green College is located between the A24 and Ifield Drive, within the western Built Up Area Boundary of Crawley (as defined within the Crawley Local Plan 2015 – 2030). The site is accessed from Lady Margaret Road to the north and can also be accessed from the south via the A23, which also serves as the main access to Ifield Community College to the south. The school complex to which the application site relates is divided into two complexes with the College being within the western side of the site and the Primary School to the east.

The application site is not located within an area designated for its landscape, historical or ecological interest and there are no areas within the site that are at increased risk from flooding. The site is bounded by a row of mature trees to the south and the closest neighbouring properties are located 90m to the southeast of the application site, beyond the A23.

Relevant Planning History

WSCC/028/14/CR - Proposed single storey extension (to Manor Green Primary School) and proposed single storey freestanding teaching building with covered walkway and new emergency vehicular access (at Manor Green College). Twelve additional car parking space provided within existing shared car park and existing footpath re-aligned (granted 09/07/14);

WSCC/028/14/CR NMA1 - Altered route of approved walkway and altered location of car parking 2.4m east of approved

location to that approved under WSSC/028/14/CR (granted 22/01/15);

WSSC/065/15/CR

- Variation of Condition 2 of planning permission WSSC/028/14/CR (granted 25/11/15), and;

WSSC/026/21

- Installation of temporary Portakabin modular building to be used as additional classroom facility. Proposal includes landscaping around the buildings to allow for fire tender access (granted 29/07/2021).

Proposed Development

The application seeks permission for the retention of the classroom building (by way of variation of Condition No. 1 of Planning Permission Ref. WSSC/026/21) for an additional two years. The applicant has provided a landscaping plan as part of their submission.

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.

Under 'The Conservation of Habitats and Species Regulations 2017 (as amended)', all planning applications that potentially affect the protected features of a European Habitat Site require consideration of whether the plan or project is likely to have significant effects on that site.

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.

Crawley Borough Local Plan (2015-2031)

Policies:

- SD1 (Presumption in favour of sustainable development);
- CH2 (Principles of good urban design);
- CH3 (Normal requirements of all development);
- CH6 (Tree Planting and Replacement Standards), and;
- IN1 (Infrastructure Provision).

National Planning Policy Framework (2021)

- 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);
- 95 (Development at schools);
- 128 (Aspects of design quality); and
- 132 (Design).

Consultations

County Councillor (Cllr Alison Cornell): No comment received.

Crawley Borough Council: No objection.

WSSC Tree Officer: No objection (following re-consultation).

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 onsite for an additional 2 years to accommodate current pupils at the school by way of variation of

Condition No.1 of Planning Permission Ref. WSSC/026/21. The need to enable development at schools is given 'great weight' under NPPF, paragraph 95 and in accordance with Policy IN1 of the Crawley Borough Local Plan (CBLP) (2015), existing infrastructure services and facilities are to be protected where they contribute to the neighbourhood or town overall, unless an equivalent replacement or improvement to services is provided or there is sufficient alternative provision in the area.

The classroom is being used for general teaching and continues to be required to deliver the national curriculum. West Sussex County Council has a programme currently which is set to replace relocatable units on school sites with permanent buildings, however, this unit has not yet been included within this programme as it is considered "low priority" when compared to other ageing temporary units across the county.

The extension to the timeframe for use of this building would allow the school to accommodate its current pupil numbers and continue to deliver the National Curriculum. Therefore, it is considered that there is a clear educational need for the facility and, as a result, the proposal is considered to comply with Policy IN1 of the CBLP and is afforded substantial weight with regard to need in the planning balance.

Siting, scale and appearance

The temporary modular unit is located to the south of the main school buildings. The unit is well contained within the school boundary and is afforded some visual screening by mature vegetation along the southern site boundary with the adjacent A23. The building is characterised by its single storey design and is considered to be of a subservient scale when considered within the context of the other buildings within the wider site.

Visually, the building is of a utilitarian design that remains in acceptable condition. The temporary classroom unit has been situated in this location for in excess of two years and continues to serve the school without any identified impacts upon neighbouring amenity or the character of the surrounding area as WSSC has not been made aware of any complaints or concerns raised by local residents since its installation in 2021.

Therefore, its continued use for the proposed timeframe would not likely result in any significant impacts upon the visual amenity of nearby residents or the character of the wider area.

As a result, the development is considered to comply with both the NPPF and CBLP with regard to its siting, scale and appearance, and is afforded moderate weight accordingly.

Other Considerations

Other considerations in relation to this application are:

Arboriculture: Following review of the submitted Hard and Soft Landscape Plan, the WSSC Tree Officer has confirmed that the submitted information is satisfactory. This

plan can be included in the approved documents in Condition No 2, set out in Appendix 1.

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 of the development carries moderate weight. There are no factors that weigh against the proposal in the planning balance. 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).

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: 28/11/2023	Case Officer's Name: Edward Anderson
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	Case Officer's Signature: 
Date of Review: 29/11/2023	Reviewer's Name: Andrew Sierakowski Reviewer's Signature: 

Appendix 1: Conditions and Informative(s)

Conditions

Time Limited Permission

1. The temporary classroom unit hereby permitted as identified on Drawing No. MCG420060289 UA 'Location Plan' (dated 20 April, 2021) 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, on or before the period ending two years from decision issue unless otherwise agreed in advance by the County Planning Authority.

Reason: To ensure the temporary status of the proposal.

Approved Plans

2. The development shall not take place other than in accordance with the approved plans:
 - Elevation and Floor Plans (Drawing Number: HD/12224/01)
 - Block/Location Plan (Drawing Number: MCG420060289 UA)
 - Site Plan (Drawing number: MCG420060287 UA)
 - Educational Needs Statement (Received: 19/06/2023)
 - Hard and Soft Landscaping Plan (Drawing Number: 221142-TMA-ZZ-L-DR-10 01, dated 30/11/2022).

Save as varied by the conditions hereafter.

Reason: to secure a satisfactory development.

Informative(s)

- 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. All works to or around trees must be conducted in accordance with British Standard: BS: 3998:2010 Tree work – Recommendations. Independent arboricultural advice may be required to demonstrate that all working methodologies can be employed out without adverse damage to trees.