

SECTION '2' – Applications meriting special consideration

Application No : 12/00951/RECON

Ward:
Bromley Town

Address : The Ravensbourne School Hayes Lane
Hayes Bromley BR2 9EH

OS Grid Ref: E: 540682 N: 168046

Applicant : The Ravensbourne School

Objections : NO

Description of Development:

Removal of condition 1 of permission granted under ref. 07/02691 which requires the permitted mobile classroom to be removed by 30.09.2012

Key designations:

Local Distributor Roads
Locally Listed Building

Proposal

Planning permission is sought for the removal of condition 1 which was attached to the original permission granted under ref. 07/02691. The condition required the temporary building to be removed by 30th September 2012.

In the design and access statement, the Agent states that the modular building continues to provide an essential classroom facility for the school.

Location

The application site is located to the northern side of Hayes Lane. The site comprises a complex of buildings to the south western end and playing fields to the north. The main school building (which fronts onto Hayes Lane) is Grade II Listed. The school is accessed via Hayes Lane. The school site is designated as Urban Open Space.

Comments from Local Residents

At the time of writing this report no local objections have been received.

Comments from Consultees

No external consultations have been made with regard to this application.

Planning Considerations

The application site is defined as Urban Open Space. In determining the application the main policies are C7, BE1, BE8 and G8 of the Unitary Development Plan, which relate to educational and pre-school facilities, design of new development, statutory listed buildings and Urban Open Space.

Policy BE1 sets out the design principles that would be applied when considering proposals for new development. Development should respect the scale, form and materials of adjacent buildings and should not detract from the attractive townscape that the Council wishes to secure. BE8 states that development should not harm the setting of a listed building.

In respect to education issues the Council will support applications for new or extensions of existing educational establishments provided that they are located so as to maximise access by means of transport other than by car.

Therefore the main issue in the determination of this application is the impact on the Urban Open Space. Policy G8 of the Unitary Development Plan states that permission will only be permitted under the following circumstances:

- (i) the development is related to the existing use (in this context, neither residential nor indoor sports development will normally be regarded as being related to the existing use: or
- (ii) the development is small scale and supports the outdoor recreational uses or children's play facilities on the site; or
- (iii) any replacement buildings do not exceed the site coverage of the existing development on the site.

Circular 11/95 'The Use of Conditions on Planning permissions is also relevant in this case.

Planning History

There is a large amount of planning permission on the site. Since the grant of planning permission for the temporary siting of the modular classroom (which this application seeks to extend) the following applications have been submitted by the school:

- 12/00323- Retention of detached single storey storage building (due to be heard by Plans-Sub Committee on 10th May 2012)
- 11/03827- planning permission refused for the retention of gates and fencing with roller spike wire above on Cromwell Close frontage
- 10/01328/ELUD- Lawful development certificate granted for the continued use of floodlights with compliance with condition 8 of ref. 91/01549 (granted for all weather pitch) which restricts lux intensity levels
- 10/00694- planning permission and listed building consent granted for single storey extension to provide food technology room
- 10/00672- planning permission granted for single storey extension to existing gym

- 09/01193- planning permission refused and later allowed on appeal for variation of condition 7 of 91/01549 to allow floodlights to until 21.30hrs 5 evenings a week
- 09/01193 and 08/02934- planning permission and listed building consent granted for repairs to roof
- 07/03517- planning permission granted for replacement bicycle shelter.

Conclusions

The previous application stated that temporary permission was sought for the modular building. The previous officer report to Members stated that given the type of building proposed, it was recommended that permission be only for 5 years in order to reassess the situation at that time. Now that the 5 year period has expired that Local Planning Authority must decide whether the modular building in the manner installed is acceptable to warrant the grant of permanent permission.

Circular 11/95 states that the use of temporary conditions are suitable “where a proposal relates to a building or use which the applicant is expected to retain or continue for a limited period, or because it is expected that the planning circumstances will change in a particular way at the end of that period, then temporary permission may be justified”. The basis for justifying the grant of permission for the modular building was that the building was only required for a limited period of time and given the temporary design of the building, Members may consider that the container would be an unacceptable long term solution to the classroom requirements of the school. Members may consider that the temporary style and design of the building makes it inappropriate to be sited at the school indefinitely.

In terms of the impact on the open character of the Urban Open Space, the development accords with Policy G8 in that it relates to the existing use (the school). It is considered that the openness of the Urban Open Space would not be compromised given its location within the existing complex of building and away from the playing fields. On balance, the size of the development is considered acceptable in principle. The proposal is unlikely to have a detrimental impact on the amenities of nearby neighbours on Hayes Lane given the substantial distance from the building. These considerations remain unaltered since the temporary grant of planning permission in 2007, but the impact of the temporary style and design of the building in close proximity to the road and Grade II listed building must be taken into account.

There are three options presented to Members:

- to refuse the removal of Condition 1 which would result in the modular building having to be removed by 30th September 2012
- to impose another temporary condition which would allow the school additional time to seek alternative classroom accommodation within the site or in order to look at revising the building to allow for a more attractive design (an additional 24 months is suggested)
- grant the removal of Condition 1 which would enable the modular building to be sited in its present location permanently

Background papers referred to during production of this report comprise all correspondence on file ref. 12/00951, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

0 D00002 If Members are minded to grant planning permission the following conditions are suggested:

1 The mobile classroom hereby permitted shall be removed and the land reinstated to its former condition on or before 30.09.2014.

Reason: In order that the situation can be reconsidered in the light of the circumstance at that time in the interests of the amenities of the area.

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

1 The permanent retention of the existing modular building, by reason of its design and prominent siting would impact detrimentally on the setting of the visual character of the street scene and setting of the Grade II Listed Building, thereby contrary to Policies BE1 and BE8 of the Unitary Development Plan.

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