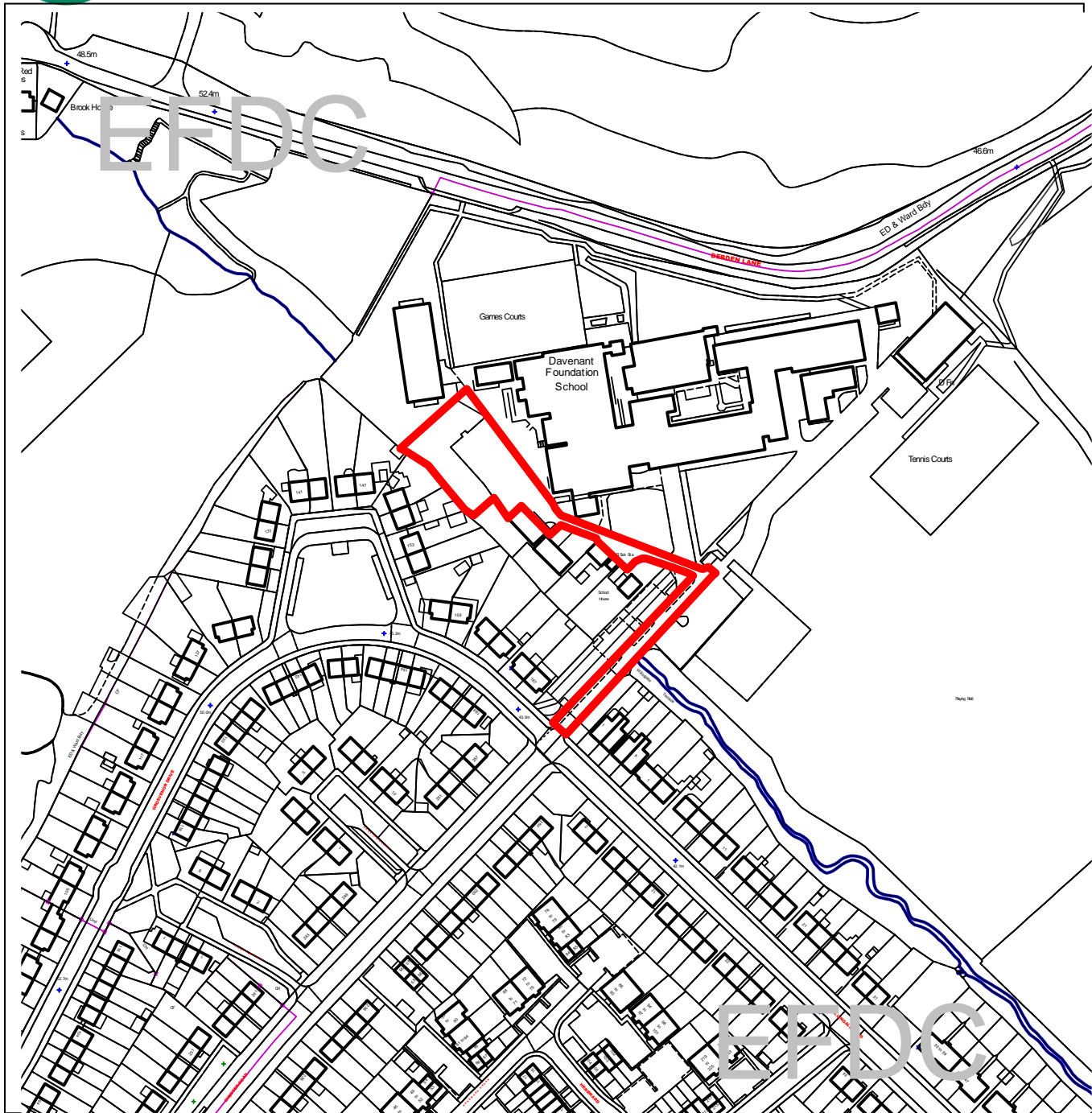




Epping Forest District Council



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Application Number:	EPF/1465/20
Site Name:	Davenant Foundation School Chester Road Loughton IG10 2LD
Scale of Plot:	1:2500

Report Item No: 9

APPLICATION No:	EPF/1465/20
SITE ADDRESS:	Davenant Foundation School Chester Road Loughton IG10 2LD
PARISH:	Loughton
WARD:	Loughton Broadway
APPLICANT:	Davenant Foundation School
DESCRIPTION OF PROPOSAL:	Replacement of existing temporary classrooms with permanent standalone block.
RECOMMENDED DECISION:	Grant Permission (With Conditions)

Click on the link below to view related plans and documents for this case:

http://planpub.eppingforestdc.gov.uk/NIM_websearch/ExternalEntryPoint.aspx?SEARCH_TYPE=1&DOC_CLASS_CODE=PL&FOLDER1_REF=639155

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out and retained strictly in accordance with the following approved plans: DAVEN-IWD-XX-00-DR-A-2200 Rev P1 and 2400 Rev P1, and DAVEN-IWD-XX-XX-DR-A- 2000 Rev P1, 2200 Rev P1, 2500 Rev P1, 2502 Rev P1 and 2503 Rev P1
- 3 Prior to the commencement of the development, details of flood mitigation measures to the building to protect against surface water flood risk shall be submitted to and approved by the Local Planning Authority. The works as agreed shall be fully incorporated into the development prior to the first use of the building.
- 4 No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan, Arboricultural Method Statement and site monitoring schedule in accordance with BS:5837:2012 (Trees in relation to design, demolition and construction - Recommendations) has been submitted to the Local Planning Authority and approved in writing. The development shall be carried out only in accordance with the approved documents unless the Local Planning Authority gives its written consent to any variation.
- 5 The development be carried out in accordance with the specifications detailed in the Drainage Layout sheet 1 and 2 (Revision P1) DAVEN IWD XX XX DR C 6000and DAVEN IWD XX XX DR C 6001 submitted with the application unless otherwise agreed in writing with the Local Planning Authority.

- 6 The proposed use of this site has been identified as being particularly vulnerable if land contamination is present, despite no specific former potentially contaminating uses having been identified for this site. Should any discoloured or odorous soils be encountered during development works or should any hazardous materials or significant quantities of non-soil forming materials be found, then all development works should be stopped, the local planning authority contacted and a scheme to investigate the risks and/or the adoption of any required remedial measures be submitted to, agreed and approved in writing by the local planning authority prior to the recommencement of development works. In such instances, following the completion of development works and prior to the first occupation of the site, sufficient information must be submitted to demonstrate that any required remedial measures were satisfactorily implemented or confirmation provided that no unexpected contamination was encountered.
- 7 If any tree, shrub or hedge shown to be retained in the submitted Arboricultural reports is removed, uprooted or destroyed, dies, or becomes severely damaged or diseased during development activities or within 3 years of the completion of the development, another tree, shrub or hedge of the same size and species shall be planted within 3 months at the same place, unless the Local Planning Authority gives its written consent to any variation. If within a period of five years from the date of planting any replacement tree, shrub or hedge is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree, shrub or hedge of the same species and size as that originally planted shall, within 3 months, be planted at the same place.
- 8 No deliveries, external running of plant and equipment or demolition and construction works, other than internal works not audible outside the site boundary, shall take place on the site other than between the hours of 07:30 to 18:00 on Monday to Friday and 08:00 to 13:00 on Saturday and not at all on Sundays, Public or Bank Holidays without the prior written permission of the Local Planning Authority.
- 9 Wheel washing or other cleaning facilities for vehicles leaving the site during construction works shall be installed and utilised to clean vehicles immediately before leaving the site. Any mud or other material deposited on nearby roads as a result of the development shall be removed.
- 10 The demolition of the existing buildings shown on the approved plans as being removed, and the construction of the car parking area in the same area, shall be carried out as a single operation with the construction of the building hereby approved such that the use of the new parking area commences within one month of the new building being first brought into use.

This application is before this Committee since the recommendation is for approval contrary to an objection from a Local Council and at least one non-councillor resident, on planning grounds material to the application (Pursuant to The Constitution, Part 3: Scheme of Delegation to Officers from Full Council)).

Description of Site:

Davenant School is accessed from the north-eastern end of Chester Road where the entrance forms a crossroads with Grosvenor Drive and Willingale Road. Pedestrian access is also available from the northern site boundary from Debden Lane. School buildings and parking areas are concentrated on the northern part of the site with extensive playing fields to the south. Other than the access road, the site lies wholly within the Green Belt.

Other than residential neighbours in Grosvenor Drive and Willingale Road, the site is surrounded by open ground, including wooded areas to the north and west.

Description of Proposal:

The application proposes demolition of two blocks of temporary classrooms on the south-western boundary of the site, and construction of a single storey building as a replacement, and resultant alterations to parking.

The proposed building comprises six classrooms with ancillary facilities served off a central corridor with entrances in the two end elevations. The structure is finished with brick and rendered elements and has a flat roof 4.2m high. It lies around 11m from the boundary with residential gardens, retaining existing trees on the boundary.

The building sits on what is currently a car park and replacement parking is proposed in the area vacated by the temporary classrooms. The plans indicate this results in the net loss of 8 parking spaces from this area.

Relevant History:

One of the blocks of temporary classrooms being replaced was subject of a planning permission issued in 2009, at which time the other block was shown on plans as already in situ.

Policies Applied:

Adopted Local Plan:

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan currently comprises the Epping Forest District Council Adopted Local Plan (1998) and Alterations (2006).

The following policies within the current Development Plan are considered to be of relevance to this application:

CP2	Protecting the quality of the rural and built environment
GB2A	Development in the Green Belt
GB7A	Conspicuous development
NC1	SPA's, SAC's and SSSI's
DBE2	Effect on neighbouring properties
DBE9	Loss of Amenity
LL10	Adequacy of landscape retention

NPPF (February 2109):

The revised NPPF is a material consideration in determining planning applications. As with its predecessor, the presumption in favour of sustainable development remains at the heart of the NPPF. Paragraph 11 of the NPPF provides that for determining planning applications this means either;

- (a) approving development proposals that accord with an up-to-date development plan without delay; or

(b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, but policies within the development plan need to be considered and applied in terms of their degree of consistency with the Framework.

In addition to paragraph 11, the following paragraphs of the NPPF are considered to be of relevance to this application:

- 13 Protecting Green Belt land – paragraphs 143 - 145
- 14 Meeting the challenge of climate change, flooding and coastal change – paragraphs 155 - 165

Epping Forest District Local Plan (Submission Version) 2017:

On 14 December 2017, the Council resolved to approve the Epping Forest District Local Plan (2011-2033) – Submission Version ("LPSV") for submission to the Secretary of State and the Council also resolved that the LPSV be endorsed as a material consideration to be used in the determination of planning applications.

The Council submitted the LPSV for independent examination on 21 September 2018. The Inspector appointed to examine the LPSV ("the Local Plan Inspector") held examination hearings between 12 February and 11 June 2019. As part of the examination process, the Council has asked the Local Plan inspector to recommend modifications of the LPSV to enable its adoption.

During the examination hearings, a number of proposed Main Modifications of the LPSV were 'agreed' with the Inspector on the basis that they would be subject to public consultation in due course. Following completion of the hearings, in a letter dated 2 August 2019, the Inspector provided the Council with advice on the soundness and legal compliance of the LPSV ("the Inspector's Advice"). In that letter, the Inspector concluded that, at this stage, further Main Modifications (MMs) of the emerging Local Plan are required to enable its adoption and that, in some cases, additional work will need to be done by the Council to establish the precise form of the MMs.

Although the LPSV does not yet form part of the statutory development plan, when determining planning applications, the Council must have regard to the LPSV as material to the application under consideration. In accordance with paragraph 48 of the Framework, the LPAs "may give weight to relevant policies in emerging plans according to:

- a) The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- b) The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given)."

Footnote 22 to paragraph 48 of the NPPF explains that where an emerging Local Plan is being examined under the transitional arrangements (set out in paragraph 214), as is the case for the LPSV, consistency should be tested against the previous version of the Framework published in March 2012.

As the preparation of the emerging Local Plan has reached a very advanced stage, subject to the Inspector's Advice regarding the need for additional MMs, significant weight should be accorded to LPSV policies in accordance with paragraph 48 of Framework.

The following policies in the LPSV are considered to be of relevance to the determination of this application, with the weight afforded by your officers in this particular case indicated:

POLICY	WEIGHT AFFORDED
SP1 Presumption in favour of sustainable development	Significant
SP6 Green Belt and District Open Land	Some
T1 Sustainable transport choices	Significant
DM2 Epping Forest SAC and Lee Valley SPA	Significant
DM3 Landscape Character, Ancient Landscapes and Geodiversity	Significant
DM4 Green Belt	Significant
DM9 High Quality Design	Significant
DM15 Managing and reducing flood risk	Significant
DM16 Sustainable Drainage Systems	Significant
DM21 Local environmental impacts, pollution and land contamination	Significant
DM22 Air quality	Significant

Consultation Carried Out and Summary of Representations Received

Date of site visit: 17 December 2020
 Number of neighbours consulted: Seventeen
 Site notice posted: No, not required

Responses received: Two responses have been received from neighbours:

151 GROSVENOR DRIVE – building too close to the fence and concerned at adequate provision for parking being made, the previous application having been granted subject to replacement parking being provided.

147 GROSVENOR DRIVE – concerned at potential noise from the building and asks whether the windows can be non-opening where they face houses, and seeks reassurances that existing trees on the boundary will be retained, and that the existing drainage pipe along the boundary can be protected against further blockages / damage.

The LOUGHTON RESIDENTS ASSOCIATION have commented to the built form, describing it as bland and lacking depth and concerned about the flat roof potentially leaking in the future and the deterioration of the rendered elements.

Parish Council: Loughton Town Council OBJECTED to this application on the grounds that *whilst members recognised the need to replace the demountables that are at the end of their useful life. The design for the proposed new build was only marginally better than the existing temporary buildings resembling a 1950s factory. The design would not be in keeping with the existing buildings close to it.*

The Committee appreciated the need to keep the profile low due to its close proximity to neighbouring residential properties but felt the architects could produce something more appropriate and sustainable maybe with a green roof.

Comments by the EFDC Tree & Landscape section would also need to be followed.

Main Issues and Considerations:

It is evident that the existing buildings are at the end of their useful life and need to be replaced. The teaching space is being used regularly when the school is operating, and officers accept that the loss of the facilities could not be easily absorbed into other teaching spaces on the site. Thus, a need for classroom space is established.

This is relevant to the location of the site within the Green Belt. In considering the development in the context of paragraph 145 of the NPPF, it is accepted that extensions and alterations to buildings, and replacement of buildings can be considered as not inappropriate, provided such works are not disproportionately larger than the original.

In this regard, the building provides 50% more teaching spaces than the existing structures, and is provided with its own welfare and storage facilities. The building can be considered as not unduly larger than what it replaces. The building is sited within the previously developed part of the site thereby minimising the spread of development into the wider Green Belt. The need for modern teaching facilities to replace the poor quality existing buildings can also be considered to be material to assessing the special circumstances that support this development in the Green Belt.

The application proposes a permanent building to provide a long-term solution. The building is not in a prominent or public location and while noting comments about its functional appearance made by consultees, officers consider the overall built form to be acceptable in the context of the wider school setting.

In terms of potential impact on surrounding residents, the building is set around 11m from the boundary with the adjoining houses resulting in little physical impact on terms of daylight and overshadowing. The entrance points are located away from the residential boundary to avoid students congregating close to dwellings, and the general use of the classrooms would not generate such activity as to justify the neighbour's request for non-opening windows, particularly as this would require mechanical ventilation with attendant noise from the equipment.

Residential neighbours are partially screened by the row of established trees along the shared boundary. These lie within the grassed area which will not be altered as part of the proposal. Subject to conditions, the tree screen can be expected to be retained in the present form.

The building is to be built on an existing hard surface area which currently provides parking. Replacement parking is shown on the site of the existing temporary buildings, but this is a slightly smaller area and results in the loss overall of 8 – 10 parking spaces. This needs to be considered in the context of the wider site where at a conservative estimate around 120 parking spaces are available. The site does not lie within an area of parking stress at times when the school is operational and the loss of a small number of parking spaces overall has little impact on the operation of the site and local highway conditions. It should be noted that the Highway Authority have not objected to the application.

The site lies within a location at some risk of flooding and a drainage culvert runs in the area of land between the development and the boundary with residents, which is part of the reason the existing and proposed buildings are set off the boundary. A Flood Risk Assessment accompanies the application and indicates adequate provision for surface water run off from the hard surfaces created by the development. The drainage culvert serves a wide catchment area which raises the

possibility of a surface water flood risk to the building which would require flood protection measures to be incorporated into the design of the building. As this is a matter of detailed design, this can be adequately addressed by a condition at this stage.

Conclusion:

The development represents a reasonable response to the need to replace the existing temporary classrooms on the site which are beyond their recommended usable lifespan. While the new building is larger than the footprint it replaces, this accommodates sufficient space for the building to function on a permanent basis rather than a like for like temporary replacement. In Green Belt terms, the increased space is not disproportionate, does not impact on the wider openness and character and recognises the special circumstances faced by the school.

In terms of the amenities of the neighbours, the building is set well off the boundary with the adjacent properties and focusses entrances away from the boundary. While the built form has raised some comments, the siting means there is limited visual impact from the external finishes and built form.

While a net loss in parking spaces is noted, the overall parking provision on the site is considered ample for the usual needs of a school of this scale.

Subject to conditions therefore, officers consider that the proposal complies with relevant planning policy and it is recommended that planning permission be granted

Should you wish to discuss the contents of this report item please use the following contact details by 1pm on the day before the meeting at the latest:

***Planning Application Case Officer: Ian Ansell
Direct Line Telephone Number: 01992 564481***

or if no direct contact can be made please email: contactplanning@eppingforestdc.gov.uk