

- a) **DOV/17/01522 - Erection of a single storey extension, 1.8-metre security fence and widening of existing crossover (mobile classrooms to be removed) - Brewood School, 86 London Road, Deal**

Reason for report: The number of contrary views.

- b) **Summary of Recommendation**

Planning permission be granted

- c) **Planning Policies and Guidance**

Core Strategy Policies

- CP1 – advises that Deal is a secondary focus for development in the District; suitable for urban scale development.
- DM13 – Parking provision should be design-led, based upon an area's characteristics, the nature of the development and design objectives, having regard for the guidance in Table 1.1 of the Core Strategy.

National Planning Policy Framework (NPPF)

- Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.
- Paragraph 14 of NPPF sets out a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the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; or specific policies in the NPPF indicate development should be restricted.

The Council has recently identified the need to undertake a Local Plan Review on the basis that some of its evidence base and needs assessment criteria pre-dates the NPPF. However, the Council does not have a specific land use policy relating to the extension of schools. In effect therefore, the relevant paragraphs in the NPPF provide the policy backdrop against which this decision should be made.

- Paragraph 17 of the NPPF sets out 12 Core Planning Principles which, amongst other things, seek to: proactively drive and support sustainable economic development; secure high quality design and a good standard of amenity for all existing and future residents; and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
- Paragraph 56 attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 58 advises, amongst other things, that decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping.

- Paragraph 64 advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- Paragraph 69 of the NPPF advises that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in planning decisions. Planning decisions, in turn, should aim to achieve places which promote: (amongst other things)
  - opportunities for meetings between members of the community who might not otherwise come into contact with each other; and
  - safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion.

The Kent Design Guide (KDG)

- The Guide provides criteria and advice on providing well designed development.

d) **Relevant Planning History**

14/00374 - Granted, for the erection of a temporary portable building on the site to be used for a maximum of 12 months. This building has 2 classrooms.

15/00531- Granted, for the retention of a mobile classroom on the land and the erection of one mobile classroom (existing workshops and sheds to be demolished). The building had two further classrooms and is required to be removed from the site by end of July 2018.

e) **Consultee and Third Party Responses**

Tree Officer: the development would result in the loss of a highway tree, a replacement tree should be provided within the front garden area of the site. Further diversity of species within the front boundary hedge should be provided. A condition should be imposed to ensure the landscaping scheme is suitable and fully implemented.

Environmental Health: within the last 5 years we have received three complaints reporting minor disturbances. The complaints were unsubstantiated and no further action was taken. Therefore there is no objection to the proposed application.

Community Safety: Comments awaited.

KCC Highway Services: No objection, the proposed extension to the school is unlikely to have a severe impact on the highway that would warrant a recommendation for refusal on highway grounds, subject to the provision of the two additional staff parking spaces; access to all the staff spaces being maintained, and provision of the drop-off/pick-up area. I shall therefore be pleased to receive an amended plan showing the additional staff parking and unfettered access to the same.

Following the receipt of an amended plan (BWD-PL-003 rev B) it is advised that 'there is unlikely to be a severe impact on the highway that would warrant a recommendation for refusal on highway grounds' conditions are suggested.

Deal Town Council: Object as over intensification of a residential site, will have a devastating impact on the area and will cause major traffic issues

Third Party: 21 letters of objection have been received, the comments are summarised as follows;

- The intensity of the use of the site will increase, with more pupils, staff and noise and disturbance
- There is always a lot of anti-social behaviour from the students e.g. verbal abuse, physical threats, staff and students smoking on the road
- The pupils pose a hazard to traffic and themselves
- There is already limited car parking provision in the area
- On-street car parking provision would be reduced
- Grange Road is heavily congested, the drop off area will make congestion worse
- Unsuitable use in this location,
- Over development, over-bearing and out of character with the low-key residential neighbourhood
- There is already limited amenity space for the pupils to relax in, to reduce the space further will exacerbate the situation and tension
- The development may cause drainage and flooding problems
- Immediate neighbours will not be able to enjoy the quiet peace of their gardens and properties
- The security fencing is likely to compromise access by emergency services
- Hours and days of construction should be controlled
- Parking for construction vehicles should be restricted to within the site
- Other sites such as Walmer School (empty) should be considered
- The 2.4m high fence would be oppressive and harmful to the appearance of the street scene, the proposed hedgerow will not hide the fence
- There is a special needs school development in Cowper Road, which is next to Grange Road, the cumulative impact should be considered
- The school is not a good neighbour, there was no public consultation before the application was submitted, there is no local leadership
- Where will the bins be stored?
- The existing Dulok (fencing) activity area adversely impacts on residential amenity by balls repeatedly hitting the fence and causing reverberating noise.

Third Party: 1 letter of support has been received, the comments are summarised as follows;

- The drop off area will help to ease congestion,
- The proposed extension is in keeping with the original style of the building and does not overlook or impact neighbours,
- I have not witnessed or experienced any anti-social behaviour,
- Brewood has historically been a children's home and a school for children with special educational needs, it has never been a residential dwelling.

- f) 1. **The Site and the Proposal**
- 1.1 The site lies within a wholly residential area of Deal. The area has a uniform character with linear and perimeter block development. The scale and form of surrounding development is characterised by detached and semi-detached detached dwellings, situated in spacious plots. There is a variety of residential development within close proximity to the site; variations include sizes, designs,

materials and ages. It is noted that the properties in the street do not have many common architectural features. There is a strong building line and the dwellings are generally set back from the public highway by mature front gardens. There is a sense of openness and 'softness' within the area which is achieved by spaces surrounding the dwellings and the presence of mature vegetation.

- 1.2 The application site (no.86) is known as Brewood School. The host building is detached, two storeys (with a dormer on the front roof slope). It is a fine mid Victorian building, having a civic appearance. It is an attractive period building, with architectural merit. The material pallet includes traditional materials such as a slate roof, red bricks, iron rain water goods and stone window cills. However, the windows are upvc. There are a number of subservient extensions on the rear and side of the building which have been added over a period of time.
- 1.3 The application site is located on London Road which is a busy road and a main route into Deal. It is sited on a prominent corner plot, with Grange Road adjacent to the northern boundary, no. 3 Grange Road to the west, London Road to the east and no. 88 London Road to the south. There is a low boundary wall (approx. 1m high) surrounding the front and front/side of the site with mainly a grassed area and footpath behind.
- 1.4 The building is used as a school for children with special/additional educational needs. It is owned and managed by Horizon Care and Education Group. Planning permission is being sought for the erection of a single storey extension to the rear of the building, which would front onto Grange Road. It would be an 'L' shaped extension projecting 11.5m from the rear elevation and would be 18m wide. It would provide three classrooms, admin/reception area, a meeting room and a toilet. The existing temporary classrooms would be removed from the site. The car parking area to the west will also be re-arranged to accommodate staff and visitor parking (10 spaces in total), a drop off area with in and out access will be provided adjacent to Grange Road. In addition a security fence is proposed around sections of the site. The original scheme showed it to be 2.4m in height but this has now been amended to 1.8m in height and will be erected set in from the eastern (onto London Road) and north boundary (onto Grange Road). The fence will be set back from the boundary by 1m. Within this 1m strip a mixed native landscape buffer will be planted. On the boundaries with 88 London Road and 3 Grange Road a 1.8m high acoustic fence will be erected.
- 1.5 The applicant has confirmed that at present the school has a maximum of 30 pupils. The proposed extension will increase the school role to 42 (an increase of 12). However, at any one time only 24 pupils will be on site. From the current situation this will be an increase of 9 pupils on site. The remaining 18 pupils will be taught off site in various locations. The number of staff will also increase, from 18 to 21. At any one time there will be 18 members of staff (this includes admin staff) at the premises, which is an increase in 3 staff members.
- 1.6 The additional car parking provision will increase from 6 to 10 spaces.

## 2. **Main Issues**

### 2.1 The main issues are:

- The principle of the development
- The impact on the character and appearance of the area
- The impact on neighbouring properties
- The impact on the highway network

## **Assessment**

### Principle

- 2.2 The site is situated within the urban boundary and policy CP1 advises that Deal is suitable for urban scale development. The primary land use surrounding the site is residential. The school is a long-established use within this area. It is also a use that is usually compatible with residential areas. The extension would in part replace an existing temporary classroom(s). Therefore there is no objection to the principle of this development subject to the consideration of the site specific matters and impacts.

### Character and Appearance

- 2.3 Brewood School comprises a large building, located on a prominent corner plot, and it visually stands out amongst the adjacent dwellings. The surrounding character of the site is mixed residential but it is reasonable to conclude that a prevailing characteristic is one of relatively large dwellings in commensurate sized plots.
- 2.4 The design and scale of the proposed extension is considered to be proportionate in respect to the scale and design of the host building. The north (side) elevation will be situated 3m back from Grange Road and stepped back from the face of the side elevation of the host building. Therefore, it would not be imposing in the street scene or dominate the appearance of the host building. The materials used include a slate roof, facing red bricks, white upvc fascias, soffits and windows, black upvc gutters and downpipes. The elevation fronting Grange Road would use facing red bricks to match existing, the south east and west elevations would use a 'plasticol' steel finish. The new extension will replace an existing mobile classroom, which was located on the site for a temporary period.
- 2.5 The creation of a vehicular access shown as part of the proposed development will require the removal of a mature hawthorn tree in the highway. This tree will need to be removed to facilitate the access. To offset this loss, a condition should be imposed to secure the planting of a specimen tree within the front garden area. The applicant has agreed to this and is willing to accept a condition relating to the provision of the tree. The plans as originally submitted proposed a Laurel hedge within the buffer strip. The tree officer has advised that further diversity in species choice would enhance its aesthetic appeal along with its benefits to wildlife. Suitable species for consideration have been suggested. This includes Fagus, Ilex and Acer campestre. The applicant has agreed to this and is willing to accept a planning condition requiring details to be submitted. Any such condition should include details of a planting plan with a written specification; schedules of species, sizes and proposed numbers/densities.
- 2.6 The 1.8m high security fencing will be sited adjacent to the London Road (south) boundary and will wrap around the corner into Grange Road extending up to the 'in' access point. Concern was raised by officers at the pre-application stage regarding the visual impact of this fence. The fence would erode the open appearance of this prominent corner plot and would detract from the visual appearance of the street scene. Mitigation measures have been discussed and it has been negotiated that the security fence would be sited 1m back from the edge of the site, the 1m strip will form a landscaped

buffer of a mixed native hedgerow, which will help to screen and soften the visual impact of the fence.

- 2.7 The applicant has explained that the security fence is required in order to create an additional safe area of play for the children and to help ensure that the correct access points from the school grounds are used. The need for the fence and the mitigation measures on balance make the proposal acceptable.

#### Impact on Residential Amenity

- 2.8 Concern has been raised by local residents relating to noise disturbance and anti-social behaviour from the school pupils. Residents have explained that anti-social behaviour can constitute loud inappropriate language in public places, loitering outside the school premises and sometimes on the edge of the pavement and on garden walls, dropping and throwing litter and kicking balls into private gardens.
- 2.9 It is acknowledged that anti-social behaviour harms communities and can severely impact people's way of life. Chapter 8 of the NPPF explains that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Paragraph 69 advises that decisions should aim to achieve places which promote meetings between members of the community who might not otherwise come into contact with each other which could include mixed-use developments. It also goes on to advise that decisions should aim to promote safe environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion.
- 2.10 The residents are concerned that the expansion of the school will exacerbate alleged existing anti-social behaviour. The Council's Environmental Health Officer has advised that over the last 5 years the team has received three complaints from local residents regarding anti-social behaviour, but they were unsubstantiated.
- 2.11 The scheme has been designed to help manage the movement of pupils around the school and into the public domain. The 'dulok' security fencing will prevent pupils jumping over the low retaining wall and into the path of the fast-moving traffic on London Road. The vehicle drop off point will ensure pupils enter the school premises from Grange Road. The layout of the new extension will create a court yard enclosure which will also encourage pupils to stay within the school premises.
- 2.12 The development will result in 9 extra pupils and 3 extra members of staff at the site. It is concluded that together with the design mitigation measures that the increase in numbers will not materially exacerbate the alleged anti-social behaviour to which the letters of objection refer.
- 2.13 The built form of the development also needs to be considered. The fencing along and inside the boundaries has been reduced in height to 1.8m. This is an acceptable height and would not result in an unacceptable loss of natural light or outlook to the immediately adjacent dwellings no.3 Grange Road and no.88 London Road. The boundary fence would be an acoustic one (details to be submitted) which would help to mitigate the noise impact.
- 2.14 The use of the car parking area adjacent to no.3 would be intensified but the acoustic boundary fence should help off-set any potential additional noise impact. Parking already takes place adjacent to this boundary.

- 2.15 The residential amenities of the adjacent neighbours in terms of natural light received, outlook and enclosure would not be harmed by the siting and scale of the new classroom.
- 2.16 In the light of the concerns raised by the responses to the consultation of the application, the applicant has been asked to provide further information setting out how the concerns may be allayed.

#### Impact on the Local Highway Network

- 2.17 Local residents have raised concerns relating to congestion in Grange Road and the lack of car parking facilities. It should be noted that there are double yellow lines in front of the building on London Road, therefore parking and drop off/pick up is encouraged in Grange Road. It is acknowledged that the additional access point would result in the loss of a car parking space on the street but it is considered that the benefit of the drop off area and the additional on-site car parking spaces would counteract this harm.
- 2.18 Kent County Council Highway Services were consulted and they requested an amendment to the original plan to include the following; removal of the motorbike spaces and to provide two additional staff parking spaces; removal of the bollards, to ensure that access to all the staff spaces are maintained; and provision of the drop-off/pick-up area. The amended plan (no. BWD-PL-003 Rev B) has been submitted and the Highway Authority has advised that the proposed extension to the school is unlikely to have a severe impact on the highway that would warrant a recommendation for refusal on highway grounds. Conditions have been suggested which include a construction management plan.

#### Conclusion

- 2.19 It is reasonable to conclude from the third-party representations that there are concerns that the operation of the school to date has resulted in anti-social behaviour by the school pupils. However these concerns have not been substantiated by the Council's Environmental Health team. Additional advice from the Council's Community Safety Unit is awaited. The number of pupils at the site will only increase by 9 at any one time and any additional perceived harm which may arise will be tempered by the new managed flow of children around the school building and the new drop off and pick up zone. The extension will not unduly harm residential or visual amenities and the visual impact of the security fence will be softened by the landscape buffer strip.

g)

#### **Recommendation**

- I PERMISSION BE GRANTED subject to the following conditions set out in summary;
- i) commencement within 3 years, ii) built in accordance with approved plans, iii) materials samples to be submitted, iv) details of specimen tree, v) details of native hedge row in buffer strip, vi) landscaping to be provided and maintained, vii) details of the acoustic fence, viii) fence to be erected and maintained, ix) Construction management plan to include; routing of construction vehicles, parking and turning areas for construction vehicles, timing of deliveries, wheel washing facilities, temporary traffic management, x) surface water drainage, xi) provision and retention of; vehicle parking spaces, drop off and pick up facilities, cycle parking facilities, 2m x 2m pedestrian visibility splay, xii) completion of the access and vehicle crossing prior to the first use of the building.

II Any outstanding matters to be delegated to the Head of Regeneration and Development.

Case Officer

Rachel Humber