

Development Control Committee
Meeting to be held on 8 December 2021

Electoral Division affected: Ormskirk
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West Lancashire Borough : application number LCC/2021/0044
Three double classroom temporary units, temporary pedestrian access, playground area and fencing, Asmall County Primary School, Tennyson Drive, Ormskirk (retrospective application)

Contact for further information:
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Executive Summary

Application - Three double classroom temporary units, temporary pedestrian access, playground area and fencing, Asmall County Primary School, Tennyson Drive, Ormskirk (retrospective application).

Recommendation – Summary

That planning permission be **granted** subject to conditions controlling duration of development, working programme, hours of use of the building and restoration of the site.

Applicant's Proposal

The application is for the retention of three double classroom units, a temporary pedestrian access and small area of playground. Each unit measures approximately 19 metres by 8.5 metres by 3 metres in height. The units have a flat roof with white plastisol walls and white uPVC windows. The units will be required for approximately 18 months. The pedestrian access and area of playground have been surfaced in tarmac and cover an area of approximately 15 metres by 15 metres.

Description and Location of Site

The development is located at Asmall Primary School which is located off Tennyson Drive which is a residential road approximately 1 km north west of Ormskirk town centre.

The temporary classroom units are located on part of the school field immediately to the west of the main school building. A number of houses on Tennyson Drive and Wordsworth Close back onto the school site. Unit 3 is approximately 6 metres from the rear boundary of these properties with Units 1 and 2 being located at slightly greater distance.

Background

History: A number of planning permissions have been granted at this school for additional teaching accommodation none of which are directly relevant to the current proposal.

Planning Policy

National Planning Policy Framework (NPPF): The following paragraphs are particularly relevant to this proposal: 11 (definition of sustainable development), 95 (supply of school places), 99 (protection of playing fields) and 130 (design).

West Lancashire Local Plan

Policy SP1 Sustainable Development Framework for West Lancashire

Policy GN1 Protected Land

Policy GN3 Criteria for sustainable development

Consultations

West Lancashire Borough Council : No observations received.

Lancashire County Council (LCC) Highways Development Control: No observations received.

Sport England: No objection subject to a condition being imposed requiring the removal of the classroom units within a period of 18 months from the date of the permission and the restoration of the site to a playing field of at least equivalent quality to its historical condition.

United Utilities: No objection subject to a condition relating to surface water drainage.

Representations – The application has been advertised by site notice and neighbouring residents informed by individual letter.

Four representations have been received. Two residents commented that the buildings have already been installed and are concerned that their comments are only being sought at this stage. One further representation is also concerned about the visual impact of the building/loss of view and impact on house prices. One representation has been received who supports the development but is concerned that residents were not informed before the classrooms were installed.

County Councillor Hennessey supports the application.

Advice

A fire at Asmall Primary School in summer 2021 has rendered six areas of the school inoperable including the areas used for the nursery classes. There was therefore an urgent requirement to install these temporary classroom units in August

2021 to ensure continuity of teaching accommodation until the existing school can be rebuilt. It is estimated that the rebuilding works will take approximately 18 months and they are already underway. Once the damaged areas of the school have been rebuilt, the temporary units will be removed.

The application site is designated as protected land by Policy GN1 of the Borough Plan. This policy states that development on protected land will only be permitted where it retains or enhances the rural character of the area such as for low intensity leisure and tourism uses, horticulture or agriculture related development. The proposal would conflict with this policy. However, the whole of the school site outside of the main buildings is subject to Policy GN1 and therefore there is no part of the school site that could be used for the temporary buildings without conflicting with the policy. The conflict with the policy is therefore considered to be outweighed by other factors including the need for the development and its temporary nature.

The main issue relates to the impact of the temporary classrooms on the local residents on Tennyson Drive and Wordsworth Close. Several of the houses on these roads back onto the school site and have views of the units.

Policy GN3 of the West Lancashire Local Plan sets out criteria for sustainable development including design/setting. It states that development should retain or create reasonable levels of privacy, amenity and sufficient garden/outdoor space for occupiers of neighbouring dwellings and have regard to visual amenity through sensitive design, materials and boundary treatments.

The temporary classrooms are quite close to the rear boundaries of several properties. However, due to the layout of the school site including the outdoor recreational space, the grass playing field on the western side of the site was the only location that could readily be used to accommodate the classroom units. Whilst they will be clearly visible from several properties, it is considered that sufficient separation distance to the properties has been retained. Taking into account that they are of single storey design and that they will only be required for a relative short, temporary period, the impacts on residential amenity are acceptable. The design of the buildings is functional and whilst not appropriate for a permanent development, is considered acceptable as a temporary solution. The proposal is therefore considered acceptable in terms of Policy GN3. A condition should be imposed in relation to the hours of use of the buildings. The condition that is recommended provides for more restricted hours than the 06.00 – 22.00 Monday to Friday and 09.00 – 14.00 Saturdays and Sundays that has been proposed by the school.

The buildings are located on part of the playing field that was previously marked out as a football pitch. Development affecting such areas would normally be contrary to Sport England's playing fields policy. However, Sport England are mindful of the circumstances that have led to the development and do not wish to raise objection provided that a condition is imposed requiring the buildings to be removed after the 18 month period and the site restored to a playing field. Sport England have also requested a condition requiring a community use agreement for the restored playing fields. However, the playing field was never previously open for community use and therefore such a condition is not necessary to make the development acceptable and is therefore not recommended.

The surface water from these buildings flows to the public sewer. United Utilities have requested that if this is the case, the flows to the sewer should be restricted to a rate of 5 l/ second. However, this would require the installation of significant below ground infrastructure to store storm waters. Given that this is a temporary short term development with a small surface area, it is considered that an unrestricted discharge to the sewer is appropriate in this case.

Subject to conditions limiting the life of the development and restoration of the site following removal, the development is considered acceptable in relation to the policies of the National Planning Policy Framework and the West Lancashire Local Plan.

In view of the scale, location and nature of the development, it is considered that no Convention Rights set out in the Human Rights Act 1998 would be affected.

Recommendation

That planning permission be **Granted** subject to the following conditions:

Working Programme

1. The development shall be carried out in accordance with the following documents:
 - a) The Planning Application received by the County Planning Authority on 20th August 2021.
 - b) Submitted Plans and documents:
 - Plan 90-64-0001 Rev S2 P1 - Location Plan
 - Plan 70-30-0010 Rev S2 P1 - Proposed Temporary Units
 - Plan 70 - 60-0201 Rev S2 P2 - Proposed Site plan

Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies SP1 and GN3 of the West Lancashire Borough Local Plan.

2. The classroom units authorised by this permission including all foundations and services shall be removed from the site by not later than 30th March 2023.

Reason: To provide for the removal of the buildings within the approved timescale and in the interest of local and visual amenities and to conform with Policy GN3 of the West Lancashire Borough Local Plan.

3. The use of the buildings authorised by this permission shall not take place outside the hours of:

07.30 to 18.30 hours, Mondays to Fridays [except Public Holidays]

The buildings shall not be used on Saturdays, Sundays or public holidays

Reason: To safeguard the amenity of local residents and adjacent properties/landowners and land users and to conform with Policy GN3 of the West Lancashire Borough Local Plan.

4. Within six months of the buildings being removed from the land, the site shall be restored to a school playing field. The restoration works shall include the removal of all areas of tarmacadam footway and playground and their foundations, levelling and placement of soils so that the levels of the site correspond with the adjacent areas of the playing field, cultivation of topsoil's, the removal of any stones or other debris likely to compromise the use of the site as a playing field, seeding with an appropriate grass seed mix or laying of turf and provision of pitch markings and goal posts.

Reason: In order to ensure the reinstatement of the playing pitch and to conform with Policy GN3 of the West Lancashire Borough Local Plan.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Ext
LCC/2021/0044	November 2021	Jonathan Haine, Planning and Environment, 01772 5534130

Reason for Inclusion in Part II, if appropriate

N/A