

AGENDA MANAGEMENT SHEET

Name of Committee Regulatory Committee

Date of Committee 24th July 2007

Report Title St. Johns Primary School, Kenilworth - Installation of a Modular Building for Use as a Children's Centre

Summary This application is for the installation of a modular building for use as a children's centre at St. Johns Primary School, Mortimer Road, Kenilworth.

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Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers Planning application registered on 24/5/07.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

- Other Committees
- Local Member(s)
(With brief comments, if appropriate)
- Other Elected Members Councillor A Cockburn – no comments as at 10/7/07.
- Cabinet Member
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)
- Chief Executive
- Legal I Marriott – agreed.
- Finance
- Other Chief Officers

- District Councils Warwick District Council – no comments received.
- Health Authority
- Police
- Other Bodies/Individuals Kenilworth Town Council – see paragraph 2.2.
Police Architectural Liaison Officer – see paragraph 2.4.

FINAL DECISION **YES/NO** *(If 'No' complete Suggested Next Steps)*

SUGGESTED NEXT STEPS :

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

Regulatory Committee – 24th July 2007

St. Johns Primary School, Kenilworth - Installation of a Modular Building for Use as a Children's Centre

Report of the Strategic Director for Environment and Economy

Recommendation

That the Regulatory Committee authorises the grant of planning permission for the installation of a modular building for use as a children's centre at St. Johns Primary School, Kenilworth subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application Number:	W221/07CC017.
Received by County:	24th May 2007.
Advertised Date:	6th June 2007.
Applicant:	Strategic Director for Resources on behalf of Cabinet.
The Proposal:	Installation of a modular building for use as a children's centre.
Site and Location:	St. Johns Primary School, Mortimer Road, Kenilworth, CV8 1FS.
	See plan in Appendix A .

1. Application Details

- 1.1 Planning permission is sought to erect a single storey, brick clad, free standing modular building with a partially covered external play area, on a site within the grounds of St Johns Primary School. The building would be used as a Children's Centre for the locality.

- 1.2 The building would be brick clad with a pitched roof with clay roof tiles and over hanging eaves to match the school building. It would have double glazing and all external finishes would match the school building, for example the guttering doors and windows would be powder coated green.
- 1.3 The new building would cover an area of 166.25 square metres (17.5 metres long and 9.5 metres wide) and be 6 metres tall at its highest point. It would consist of an entrance area, administration office, kitchen, small meeting room, seminar room, health visitor's room, a store room, disabled WC, crèche facility and two children's toilets.

2. Consultations

- 2.1 **Warwick District Council** – no comments received.
- 2.2 **Kenilworth Town Council** – no objection in principle, however, it was suggested a design review might be considered as a 180° change in the position of the building would be of benefit, in order to change the position of the play area in relation to near by houses.
- 2.3 **Councillor Mr A Cockburn** – no Comments as at 10/7/07.
- 2.4 **Police Architectural Liaison Officer** – Police databases have shown that buildings like these have been subject to burglary within Warwick district by way of forcing doors and windows. There is guidance on school security available which they would request the applicant adopt.

3. Representations

- 3.1 Four letters from local residents objecting to this application on the following grounds:-
 - (i) On street parking problems making disabled access to house difficult.
 - (ii) Parking problems resulting in loss of access to drive and garage.
 - (iii) Noise levels during construction and as a result of the buildings use.
 - (iv) Difficulties that residents face when trying to park at the beginning and end of the school day could be extended across the whole day.
 - (v) Extra cars in the street raises the risk of children being involved in road accidents, especially turning left out of Dudley road which is a blind junction.

4. Observations

Site and Surroundings

- 4.1 St Johns Primary School covers 1.65 ha of land off Mortimer Road to the south east of Kenilworth town centre. The existing school is a single storey hipped roofed brick built buildings. The proposed building would cover an area of 166.25 square metres, with an outdoor play area approximately 76 square metres to the south of the Mortimer Road frontage of the school site.
- 4.2 The development site is currently part of a large grassed area along the entire Mortimer Road school frontage. The proposed site is at the southern end of this area and slopes slightly towards Mortimer Road.
- 4.3 There are two mature deciduous trees within the proposed site, and one smaller tree just outside the eastern boundary of the development site.
- 4.4 The proposed site is bounded to the east by Mortimer Road; to the south by privately owned garages and semi detached housing beyond and to the west by a fenced off play area used by the school. The site is fenced on three sides by 1.5 metre high green metal fencing, wooden open post and rail fencing 1.5 metres high and 2.4 metre security fencing, respectively. Access to the site is currently via a pedestrian gate in the fencing on Mortimer Road.

Visual Impact

- 4.5 The development would be located on the grass to the south of the southern frontage of the school and would be visible from on Mortimer Road. The building would be brick clad in the same style as the school building and would harmonise with the existing modern extension to the school.
- 4.6 The building would be partially screened by the three existing trees on the site and further proposed landscaping which would help to minimise the visual impact of the development.

Impact on Neighbour Amenity

- 4.7 The development would be set back from Mortimer Road and therefore would have a limited impact residential properties on the opposite side. The development would also be on the boundary of the school site and some privately owned garages. The land adjoining the garages is in residential use.
- 4.8 It is proposed to locate the main entrance to the northern elevation of the building and the outdoor play area will be located on the south side of the building. An objection from the occupiers of 2 Mortimer Road, on the grounds that the noise from the children playing so close, and will disturb the sleep of a night shift worker in the house. At present children use the open space directly behind the proposed development to play and it is not unreasonable to expect noise to be emitted from a school site at anytime between 8.30 am and 4.00 pm. It is considered that the noise/disturbance that the development would cause would not significantly add to the overall disturbance caused by the school at present. Therefore, the proposal would not to have an unacceptable adverse

impact on the amenity of nearby uses and residents, and so should be permitted.

Parking and Traffic Issues

4.9 Residents have raised a number of issues regarding parking issues on Mortimer Road and adjoining roads. It is feared by local residents that problems with parking on the street will be increased by this new development as no new parking would be provided by the development. The school has a limited number of officially marked parking bays on site and the site is accessible by foot and public transport. Paragraph 51 of PPG 13: 'Transport' states that:-

"51. In developing and implementing policies on parking, local authorities should:

- 1. ensure that, as part of a package of planning and transport measures, levels of parking provided in association with development will promote sustainable transport choices;*
- 2. not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls;..."*

This application supports this, and supersedes the district wide policy TR7 Parking in the Warwick District Local Plan 1995. The application accords with Policy DP8 Parking of the emerging Warwick District Local Plan as it is in a sustainable location which encourages people to walk or use public transport.

4.10 Further there would not be a major rise in car journeys to the site as the services would only be used by the local residents, who can easily access the site by foot or public transport.

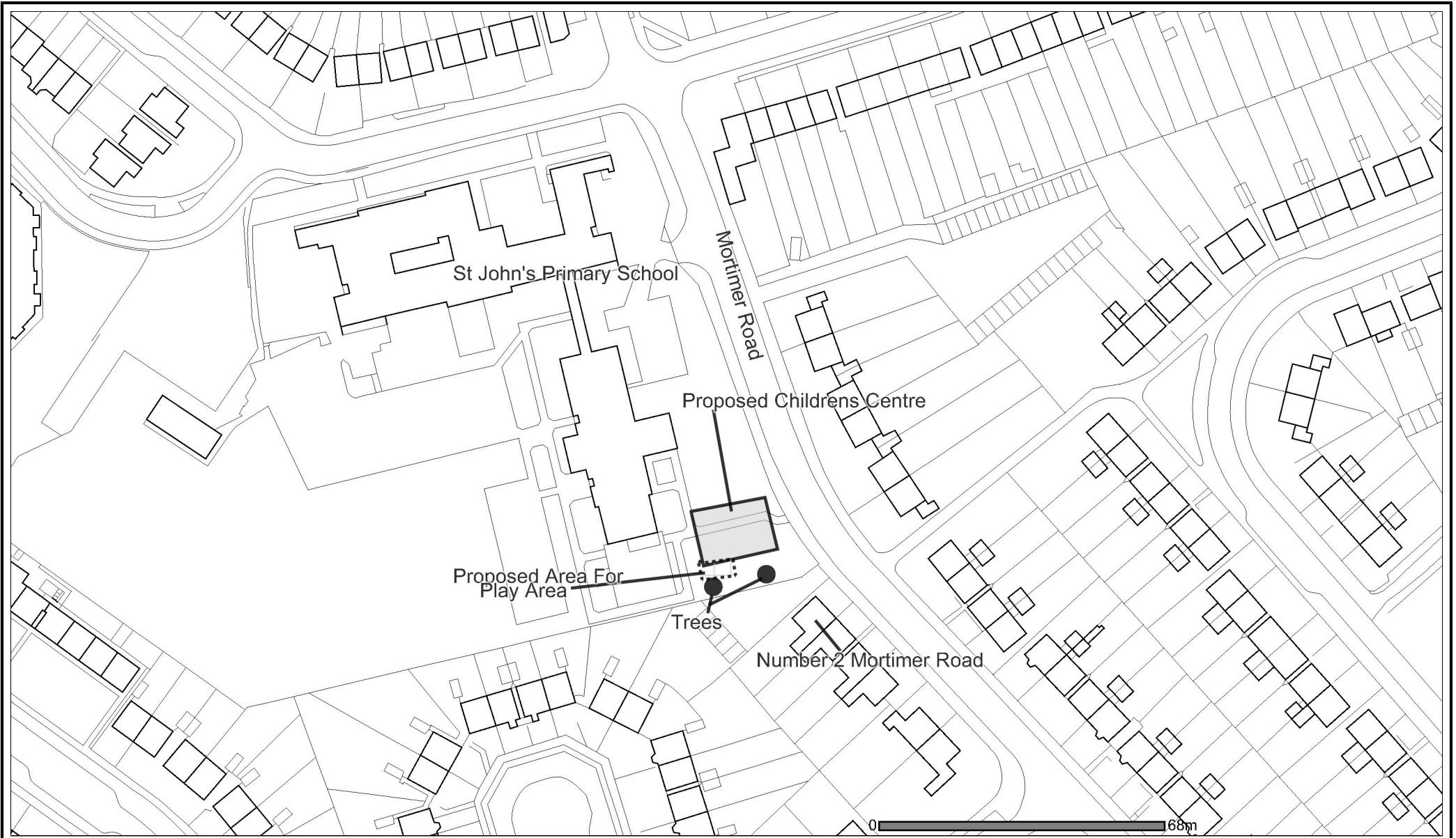
4.11 Concern has also been raised about children's safety on the road. The children's centre would be open from the hours of 8:00 until 18:00 with activities and services provided at different times. Therefore, any extra car movements would be spread throughout the day therefore reducing the problems caused by everyone arriving at once. Not all children using the site will leave the site in peak school hours or leave at the busiest times of day and therefore there would be limited additional car use caused during peak times.

5. Conclusion

- 5.1 The proposed development accords to the relevant policies in the development plan. It is considered that the benefit of the increase in services offered to the local community, as a result of the development, outweighs any possible negative visual impact and impact on the neighbouring dwellings.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

10th July 2007



Scale 1: 1250

Ref No. W221/07CC017

Drawn Ruth Bradford

Regulatory Committee - 24 July 2007

Subject

St Johns Primary School Children's Centre



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Strategic Director for
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Regulatory Committee – 24th July 2007

**St. Johns Primary School, Kenilworth - Installation of a
Modular Building for Use as a
Children's Centre**

Application No: W221/07CC017

1. The development hereby permitted shall be commenced no later than 3 years from the date of this permission.

Reason: To comply with the provisions of section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the details submitted with application Reference No. W221/07CC017 and in accordance with the approved plans comprising plans Reference Numbers 5535/04B, 5535/01B and 5535/03 and details approved in accordance with the conditions attached to this planning permission, unless these conditions require or allow or the County Planning Authority agrees in writing to any modifications.

Reason: In order to define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

3. No development shall take place until samples of the materials / bricks / tiles to be used in the construction the external walls and roof of the building hereby permitted have been submitted to and approved in writing by the County Planning authority. The development shall then be carried out in accordance with the approved details.

Reason: In order to ensure the satisfactory appearance of the completed development.

4. The development hereby permitted shall not be commenced until full details of landscape proposals for the site have been submitted to and approved in writing by the County Planning Authority. These details should include a planting plan showing existing trees to be retained along with new planting, written specifications, schedules of plants noting plant locations, species, sizes and proposed numbers and densities where appropriate.

Reason: In order to ensure the satisfactory appearance of the completed development.

5. The landscaping scheme approved pursuant to Condition 4 of this consent, shall be implemented in the first planting season following the completion of the development hereby approved and unless otherwise agreed in writing by the County Planning Authority, should any trees or shrubs planted as part of the landscape scheme, die, be removed become damaged or seriously diseased within five years of the initial planting they shall be replaced in the next planting season with others of a similar size and species

Reason: In order to ensure the satisfactory appearance of the completed development

Development Plan Policies Relevant to this Decision

The Emerging Warwick District Local Plan :

- (i) Policy DP2 Amenity.
- (ii) Policy DP8 Parking.

The Adopted Warwick District Local Plan

- (i) District Wide Policy TR7 – Car Parking.

Reasons for the Decision to Grant Permission

The development hereby permitted is in accordance with the relevant provisions of the development plan and there are no contrary material considerations sufficient to justify refusal of planning permission.

Note: The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the application report and minutes of the Regulatory Committee.