

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Regulatory Committee
Date:	17 January 2013
Title:	Retrospective application for continued siting of a single temporary classroom (Ref 70099) for use as a playgroup at Petersgate Infant School, Green Lane, Clanfield, Waterlooville PO8 0JU (Application No: 21013/002) (Site Ref: EHE046)
Reference:	4592
Report From:	Head of County Planning

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1. **Executive Summary**

- 1.1. Planning permission is sought for the retention of a single standard flat roofed temporary building, and outside play space, for a further period of five years to house the Petersgate Pre-School at Petersgate Infant School, Green Lane, Clanfield, Waterlooville.
- 1.2. The issues raised for consideration are potential for noise disturbance to neighbours and concerns that the children are overlooked by residents.
- 1.3. It is considered that the proposal would be in accordance with the East Hampshire District Local Plan: Second Review (Adopted March 2006) (summary attached) as it would not materially harm the character of the area or the amenity of local residents and would be acceptable in terms of highway safety and convenience in accordance with Policies HC3 (Public Services, Community, Cultural, Leisure and Sports Facilities) and CP27 (Design).
- 1.4. It would also deliver an essential social and educational service, as required by Chapter 8 (Promoting Healthy Communities) of the National Planning Policy Framework (Published 27 March 2012).

2. **Site and proposal**

- 2.1. The site is within the school grounds of Petersgate Infant school, in the village of Clanfield. Clanfield is a rural area of Hampshire, to the north of Waterlooville. The site itself covers 104m² in the south east corner of the

school grounds, and occupies a small area of grass. This area is immediately east of the school car park and housing is to the east and south.

- 2.2. The nearest properties are maisonettes, numbered 26, 27, 24 and 25 in Meon Close. The gardens of 26 and 24 abut the site boundary. These houses are approximately within 25 metres of the site. The garden of 73 Walburton Way also abuts the site to the east and the building itself is within 10 metres of the site.
- 2.3. The proposal is for the retention of the single standard flat roofed temporary building which houses the Petersgate Pre-School to provide continuing playgroup services for the local residents. The building has a dedicated area of grass and 36m² of tarmac play area with wooden fencing for secure outside play. The pre-school playgroup currently caters for a maximum of 26 children during any one session. Sessions operate from Monday to Friday from 9.30am to 3.30pm during term times.
- 2.4. Prior to 2007 this playgroup had been housed in the main school building. Due to growth in infant pupil numbers the space that had been occupied by the playgroup needed to be returned to infant classrooms, however continued provision of pre-school playgroup facilities at this location was considered essential as Petersgate Pre-School is in an area where there are limited facilities. To ensure that the playgroup continued, planning permission was granted in 2007 (F21013/001/REG3) to relocate the playgroup from the school building to a modular building in the school grounds. This permission has now expired, and a new permission is requested in order for the playgroup facility to continue running on the school site for a further five years.

3. **Development plan**

- 3.1. East Hampshire District Local Plan: Second Review (adopted March 2006) shows the site as an existing school within the defined Settlement Policy Boundary for Clanfield. The relevant policies are HC3 (Public Services, Community, Cultural, Leisure and Sports Facilities) and CP27 (Design).
- 3.2. National Planning Policy Framework (Published 27 March 2012), Chapter 8 (Promoting Healthy Communities). This section requires local planning authorities to take a proactive, positive and collaborative approach to development, that will widen choice in education and deliver the social, recreational and cultural facilities and services the community needs.

4. **Consultations**

- 4.1. **County Councillor West** has no objection.

- 4.2. **East Hampshire District Council** has no objection subject to a time condition limiting the retention of the building, following which the land being reinstated.
- 4.3. The **Highway Authority** has no objection.
- 4.4. **Clanfield Parish Council** has no objection.

5. **Representations**

- 5.1. There has been one letter of objection from a local resident. The neighbour also objected to the earlier application (F21013/001/REG3).
- 5.2. The grounds of his complaint is primarily of noise; disturbing him within his home and when trying to enjoy his garden and maintain his car in the adjacent car park. Also, the resident has concerns that the children are overlooked by residents.

6. **Commentary**

- 6.1. The number of pre-school places is low in this area, so this playgroup is regarded as a vital service to the community. Maintaining a playgroup on the same site as the infant school is considered to be important for the long term viability of the provision. Therefore, this application has been made to retain the pre-school provision for the benefit of the local community.
- 6.2. During the time of the playgroup being on site, there have been no complaints received of disturbance to the neighbours. However, one formal objection to this application has been received by a neighbouring resident. Whilst not objecting another local resident commented that the lighting seemed always to be on in the classroom and that there was excessive noise in the form of adults shouting. These issues were raised with the school and have been resolved.
- 6.3. In response to the formal objector's comments, the playgroup needed to be re-accommodated within the school site, despite the fact that the children can be seen when playing outside; as it was a vital service provision that successfully met a local need. The exact location for the new playgroup building was decided following observations of the movements of parents and children when being collected from the infant school and the existing use of the school grounds. This resulted in the playgroup having it's own space, whilst being relatively close to the infant school via the footpath, and easily accessible to the car park.
- 6.4. Between the objector's maisonette and the temporary classroom, is an established boundary of tress and shrubs, which helps to screen the building from view. However, it is acknowledged that this boundary does not reduce noise, and the resident feels that they are disturbed by the

noise coming from this playgroup as their garden and house are within close proximity of the site.

- 6.5. Whilst it is regrettable that the resident feels that their amenity is compromised, the disturbance is limited to the noise being generated when the children are playing outside. The playgroup is only open between the hours of 9.30am to 3.30pm, Monday to Friday during term times. Therefore, the potential for disturbance is limited to small bursts, within the working week. This is not regarded as unacceptable and is in accordance with Policies HC3 (Public Services, Community, Cultural, Leisure and Sports Facilities) and CP27 (Design).
- 6.6. In addition, the pre-school places are needed in this locality but there is no teaching space within the context of the main building. This is a key consideration when considering the merits of this application as guided by the National Planning Policy Framework (Published 27 March 2012), Chapter 8 (Promoting Healthy Communities).
- 6.7. On balance it is considered that the proposal would be in accordance with the East Hampshire District Local Plan: Second Review (Adopted March 2006) (summary attached) as it would not materially harm the character of the area or the amenity of local residents and would be acceptable in terms of highway safety and convenience in accordance with Policies HC3 (Public Services, Community, Cultural, Leisure and Sports Facilities) and CP27 (Design). It would also deliver an essential social and educational service, as required by Chapter 8 (Promoting Healthy Communities) of the National Planning Policy Framework (Published 27 March 2012).
- 6.8. In determining this planning application, the Local Planning Authority has worked with the agent in a positive and proactive manner in accordance with the requirement in the National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012. All representations to the consultation were given to the agent in a timely manner thereby providing the agent with the opportunity to see and address the issues raised where possible.

7. **Recommendation**

- 7.1. That planning permission for the retrospective application for continued siting of a single temporary classroom (Ref 70099) for use as a playgroup at Petersgate Infant School, Green Lane, Clanfield, Waterlooville be granted, subject to the conditions listed in Integral Appendix B.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

Retrospective application for continued siting of a single temporary classroom (Ref 70099) for use as a playgroup at Petersgate Infant School, Green Lane, Clanfield, Waterlooville PO8 0JU (Application No: 21013/002) (Site Ref: EHE046)	County Planning The Castle, Winchester SO23 8UD
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CONDITIONS

Time Limit

1. The development hereby permitted shall be for a limited period only, expiring on 31 December 2017 or when the education use ceases, whichever is the sooner. At the expiration of this period the building shall be removed and the land reinstated to its former condition (grass) as soon as possible.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 and to secure the visual amenity of the locality, as the building is not considered suitable for permanent retention.

Plans and particulars

2. The development hereby permitted shall be carried out and completed strictly in accordance with the approved plans, specifications and written particulars identified within the decision notice.

Reason: To ensure that the development is carried out in accordance with the approved details.

Advice Note

In determining this planning application, the Local Planning Authority has worked with the agent in a positive and proactive manner in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012. All representations to the consultation were given to the agent in a timely manner thereby providing the agent with the opportunity to see and address the issues raised where possible.

*Annexe to Reasons for Conditions
(as required by Article 31 of the Town and Country Planning
(Development Management Procedure) (England) Order 2010)*

NATIONAL PLANNING POLICY FRAMEWORK (PUBLISHED 27 MARCH 2012)

Chapter 8. Promoting healthy communities.

EAST HAMPSHIRE DISTRICT LOCAL PLAN REVIEW (ADOPTED 2006)

HC3 (Public Services, Community, Cultural, Leisure and Sports Facilities)

Development of new public services, community, cultural, leisure and sports facilities or proposals to improve existing facilities will only be permitted if it:

- a) is easily accessible to the community they are intended to serve, by means other than the car, including where possible, by public transport;
- b) is of an appropriate scale and in keeping with the surrounding area; and
- c) does not cause undue disturbance to local residents.

CP27 Design (inter alia)

The District's built environment must be of an exemplary standard and highly appealing in terms of visual appearance. All new development will be required to respect the character, identity and context of the district's towns, villages and countryside and must help to create places where people want to live, work and visit.

New development will be required to:

- d) ensure that the layout and design of development contributes to local distinctiveness and sense of place, and is appropriate and sympathetic to its setting in terms of its scale, height, massing and density, and its relationship to adjoining buildings, spaces around buildings and landscape features;
- e) ensure that development makes a positive contribution to the overall appearance of the area by the use of good quality materials of appropriate scale, profile, finish, colour and proven weathering ability;