

# Planning Committee

26 June 2019



<b>Application No.</b>	19/00428/FUL		
<b>Site Address</b>	St James School, Church Road Ashford		
<b>Proposal</b>	Erection of new sports hall facility to include 4 no. badminton courts, fitness suite, 2 no. changing rooms, storage, first aid room and reception area. Demolition of existing multi use games area (MUGA) and provision of an outdoor 5 aside pitch and car park.		
<b>Applicant</b>	St James Senior Boys' School		
<b>Ward</b>	Ashford North and Stanwell South		
<b>Call in details</b>	N/A		
<b>Case Officer</b>	Kelly Walker		
<b>Application Dates</b>	Valid: 27/03/2019	Expiry: 26/06/2019	Target: over 13 weeks Extension of time agreed
<b>Executive Summary</b>	<p>The proposal is for the erection of a new sports hall facility in place of the existing Multi Use Games Area (MUGA) and the provision of an outdoor 5 a-side pitch and car park. The site is located within the Green Belt, within 10m of the Pipeline consultation zone and the main school building and chapel are Grade II listed. There are some protected trees on the site included those on the western boundary. Whilst the proposed sports hall and car park constitute 'inappropriate development' in the Green Belt, it is considered that the educational need for a sports hall for the existing school would clearly outweigh the harm to the Green Belt and that 'very special circumstances' exist to justify the development. The proposed outdoor 5 a-side pitch is considered acceptable in the Green Belt. The development is also considered to preserve the setting of the adjacent listed building and be acceptable in terms of impact on the protected trees. The proposal is also acceptable in terms of the design and impact on the character of the area. It will have a satisfactory impact on the amenity of neighbouring properties and on highway safety and is recommended for approval subject to conditions.</p>		
<b>Recommended Decision</b>	<p>In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, this application should be referred to the Secretary of State with a recommendation to approve subject to conditions.</p>		

## MAIN REPORT

### 1. Development Plan

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:

SP1 - Location of Development  
CO1 - Providing Community Facilities  
LO1 – Flooding  
SP6 - Maintaining and Improving the Environment  
EN1 - Design of New Development  
EN3 - Air Quality  
EN4 - Provision of Open Space & Sport and Recreation Facilities  
EN5 – Buildings of Architectural and Historical Importance  
EN7 - Tree Protection  
EN13 - Light Pollution  
EN11- Development and Noise  
EN15 - Development on Land Affected by Contamination  
SP7 - Climate Change and Transport  
CC1 - Renewable Energy  
CC2 - Sustainable Travel  
CC3 - Parking Provision

- 1.2 It is also considered that the following Saved Local Plan Policies are relevant to this proposal

BE26 -Archaeology  
GB1 - Green Belts

- 1.3 National Planning Policy Framework NPPF (2019)

### 2, Relevant Planning History

18/00440/FUL	Retention of temporary classroom for a further period of 5 years.	Granted 24.05.2018
13/00419/FUL	Erection of a temporary class room for five years starting from the 2013/2014 Autumn Term.	Granted 14.05.2013
13/00281/FUL & 00282/LBC	Application for planning permission and listed building consent for the installation of a lead covered dormer roof section to existing slate covered pitch roof and internal alterations including installation of two mezzanine floors and forming new door openings	Granted 05.04.2013
10/00461/LBC	Planning Permission and Listed Building Consent for the erection of phase 2 of a	Granted 26.07.2010

senior school quadrangle including 2 storey laboratories, classrooms and an assembly hall. Erection of a new junior school quadrangle including classrooms following demolition of existing classrooms. Demolition of St. David's House and adjoining sheds and erection of new Boarding House. Erection of new changing room facilities and new pavilion .

10/00467/FUL	Formation of new all weather sports pitch with wire mesh enclosure to 3 meters high and erection of 10 meter flood lights (variation to planning permission 09/00814/FUL)	Granted 26.07.2010
10/00460/FUL	Planning Permission and Listed Building Consent for the erection of phase 2 of a senior school quadrangle including 2 storey laboratories, classrooms and an assembly hall. Erection of a new junior school quadrangle including classrooms following demolition of existing classrooms. Demolition of St. David's House and adjoining sheds and erection of new Boarding House. Erection of new changing room	Granted 20.09.2011
09/00845/FUL	Demolition of existing modern outbuildings and buildings within the rear courtyard and for the erection of phase 1 of a two storey quadrangle building and rear extension to dining room. Alterations to windows and roof lights to kitchen, servery, art room, room 135 and double height gym.	Granted 09.03.2010
09/00844/LBC	Listed Building Consent for demolition of existing modern outbuildings & buildings within rear courtyard & erection of phase 1 of a two storey senior quadrangle building & a rear extension to form new dining room. Alterations to windows & rooflights to kitchen servery, art room, room 135 & double height gym. Internal alterations including raising 2nd mezzanine floors, replacement of 2 no. staircases, installation of 2 no. passenger lifts & installation of a new first floor in existing gym. Alterations to 2nd floor roof structure & main entrance gates.	Granted 02.02.2010

### **3 Description of Current Proposal**

- 3.1 The application site is located at St James School on Stanwell Road which is a senior boys' school. The area of land which forms the application site totals approx. 8,920 square metres and includes St James School's existing car

park and multi-use games area (MUGA). To the west of the site is Thomas Knyvett and Brooklands College campus, which contains a large sports hall and classroom building located along the boundary with the application site. There is an emergency access route runs from Stanwell Road to the north of the site between Thomas Knyvett College and St James 'Senior School' outside the application site. Residential properties are located further to the south approximately 160 metres in Stanwell Road and over 200 metres to the west in Gordon Road.

- 3.2 The entire site is included within the Green Belt which was classed as strongly performing in the Green belt assessment undertaken as part of the Local Plan Review. An Esso pipeline runs adjacent to the eastern boundary (approximately 10 metres away) from the proposed sports hall. There are two listed buildings on the site, the main mansion and the chapel, which are Grade II listed. The listing notes, '*... 1857. Architect Henry Clutton. Gothic, partly Ruskin inspired. Main block two and a half storeys ragstone with Bath stone dressings and quoins. Plinth, first floor cill band, cornice over first floor, steep gabled coping to dormers. Slate roof. Two front chimneys with shaped stone stacks. Central cross gabled clock and belfry. Ten bays to centre with gabled 2-light dormers; triple cusped lancets below, 3 central bays with variant Gothic glazing and a parapeted square oriel bay on first floor. Flanking lower gabled breaks with stepped windows to gable ends and 4 dormers to returns; the west return has a pointed relieving arch on first floor to 3 windows with shaped upper corners. Main block has central moulded arch doorway with nook shafts and tympanum with Prince of Wales' Feathers. Doorway flanked by smaller windows with crocketed pinnacle shafts.*' The western boundary contains extensive hedging and large mature trees. The trees are protected by a Tree Preservation Order (TPO). A TPO also exists to the east and south of the proposal.
- 3.3 Since the school gymnasium was demolished in 2010 for health and safety reasons, the school has been without bespoke on site internal sports facilities, which the applicants note, '*... is having a considerable negative impact on the sporting requirements of the curriculum.*' With the number of pupils at the school increasing, the school is in desperate need for a sports hall and it would mean that the school would no longer need to provide coaches to other venues. It will also allow for better provision for sports in the school in particular to help with the curriculum and GCSE PE, which is on offer at the school and results are suffering as a result.
- 3.4 The proposal is for the erection of a new sports hall, an outdoor 5 a side football pitch and parking area in place of the existing MUGA. The sports hall building will measure 45 m by 34 m with a total floor area of 1360 sq. m... It will be 11.5 m tall although part of the building containing the ancillary floorspace will be lower at 3.2m..The main sports hall will measure 7.6m in internal height with one main entry point and a small reception area. The building will provide 4 badminton courts or 1 full sized basketball court and a fitness suite. It will have 2 changing rooms with showers and w/c, office space, social area and first aid room. It will be a steel framed building, clad in a mixture of grey and green, with a grey brick finish to match the grey ragstone of the main school building. It will be some 14m from the western side boundary at its closest point, (which has a line of preserved trees along

it) and 32m from the closest part of the listed building to the east. The fencing and flood lighting columns of the existing MUGA will be re-provided around the proposed 5 aside pitch. In addition there will be a car park associated with this use which will provide 29 car parking spaces, 2 of which will be disabled spaces.

3.5 The proposed site layout and elevation plans are provided as an Appendix.

#### **4. Consultations**

4.1 The following table shows those bodies consulted and their response.

<b>Consultee</b>	<b>Comment</b>
County Highway Authority	No objection. Recommends conditions
Council's Historic Advisor	No objection
Sport England	No objection. Recommends conditions
Surrey County Council - Local Lead Flood Authority (SuDS)	No objection. Recommends conditions
Environment Agency	No comments
Thames Water	No objection
The Council's Tree and Landscape Officer	No objection. Recommends a condition requiring an Arboricultural Method Statement to be submitted in regard to tree protection and treatment of the hornbeam hedge.
Sustainability Officer	No objection. Recommends conditions
Environmental Health - Noise	No objection. Recommends conditions
Environmental Health - Lighting	No objection. Recommends conditions
Pollution Control Officer	No objection. Recommends conditions

#### **5. Public Consultation**

5.1 Neighbouring properties were notified of the planning application. In addition a statutory site notice was displayed and a notice published in the local newspaper. No letters have been received.

#### **6. Planning Issues**

- Green Belt
- Community Facility

- Loss of existing playing pitch
- Design, Appearance and Visual Impact
- Sustainable Development and Renewable Energy
- Highway Issues and Parking
- Residential Amenity
- Noise
- Light Pollution
- Contamination
- Flooding

## 7. Planning Considerations

### Green Belt

#### a) Background

- 7.1 The site lies within the Green Belt and Saved Local Plan Policy GB1 is relevant as it seeks to ensure only 'appropriate' development is allowed in the Green Belt. The National Planning Policy Framework 2019 (NPPF) states at para 134 that the Green Belt serves five purposes:

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

- 7.2 The NPPF makes it clear at para. 143 that states that the construction of new buildings should be regarded as 'inappropriate' development, which by definition would be considered as harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF para. 144 continues by stating that:-

*'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and other harm resulting from the proposal, is clearly outweighed by other considerations'.*

The following paragraphs assess the proposal on the above basis having regard to the harm to the Green Belt.

#### b) Inappropriate Development

- 7.3 The NPPF makes provision (at para. 145b)) and details some exceptions where new buildings would not be considered as inappropriate within the Green Belt. One of these exceptions would include buildings for the provision of appropriate facilities for outdoor sport and recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within

7.4 The provision of a 5 a-side pitch would comply with this requirement, but not the fencing and lighting surrounding it although it is acknowledged that these are currently on site at the existing MUGA. It is accepted that the 'indoor' sports hall and associated car park does not specifically relate to an outdoor sport or recreational use under para 145b) and is therefore inappropriate development. There is further provision under para 145g) of the NPPF for the limited infilling of previously developed sites, as long as there would be no greater impact on the openness of the Green Belt. However the replacement of the existing MUGA with a sports hall and car park clearly has a greater impact on the openness of the Green Belt and therefore the proposal does not meet this test.

7.5 It is recognised that the construction work associated with the new building and associated car park would be located on existing hard standing areas of the existing MUGA pitches at St James School site. However, it is accepted that the proposed sports hall, parking and associated infrastructure would not be considered as "appropriate" when having regard to the NPPF.

c) Harm

7.6 In assessing Green Belt proposals, it has already been explained that substantial weight must be given to the harm to the Green Belt, which includes the impact on its openness. Given the size of the new sports hall building the scheme would lead to some additional visual harm, in particular due to its overall scale and height of 11.5m. It will be located on the existing MUGA which although has fencing and floodlights, has limited impact on the openness of the Green Belt, given the existing fencing is open in nature. Because the building will be of a substantial size where there are currently no buildings, it will have an impact on the openness of the Green Belt site. The proposed car park would be located on an existing MUGA which is an existing hard surface and will have less impact on openness compared with the sports hall but will still have some harm. As such, the proposal will have an impact on the openness of the Green Belt and conflicts with the purposes of including land within it which will weigh against the proposal.

7.7 The proposed sports hall will be located between existing buildings at the application site and those at the adjoining site on the Thomas Knyvett /Brooklands College site which are also substantial in size. It will also not be clearly visible from the public domain given it is located within the site, a long way back from Stanwell Road, the public highway to the south. Taking into account the characteristics of the site and the location of the new building which would be well screened from public views due to other existing buildings on this site and the Brooklands college and Thomas Knyvett school site adjacent to the west, together with existing trees and planting, the harm to the visual amenity of the locality is considered to be limited. The new 5 a side pitch will be located on the existing MUGA with the existing flood lights being re-positioned and the fencing would be the same as around the existing pitches, as such it would not equate to unacceptable visual harm.

d) Applicant's considerations

7.8 St James School has a real need for indoor sports facilities for educational purposes. The applicants have set out 'their case for this proposal which are

summarised below and draw on the requirements specific to St James School. These are as follows:-

1.) The sports programme and education on offer by the school is already being negatively impacted by the lack of indoor sports facilities and this negative impact will only become more acute moving forwards. It is essential for the viability of the school that facilities are improved, allowing the school to grow, improve teaching and improve the variety and consistency of sports on offer at the school.

This is also encouraged in local policy terms. Policy CO1 supports improvements to existing facilities to enable them to adapt to changing needs and the NPPF paragraph 94 under the section “Promoting healthy and safe communities” states that *LPAs should a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.*’ . There is a strong need to support the raising of education attainment levels generally.

2.) As noted before, the school’s previous sports hall was demolished in 2010 for health and safety reasons and since this time the school has been without suitable facilities. Three alternatives to reinstating an indoor sports provision on site have been identified –

- do nothing,
- find an alternative site, or
- share facilities with the adjacent college.

7.9 Option one results in coaches being used on a regular basis to transport students to other venues which results in increased pollution. Stopping this would help to improve air quality; Spelthorne Core Strategy sets out that the biggest single contributor to poor air quality in Spelthorne is road traffic. Therefore a reduction in the amount of additional journeys that the school currently makes would be supported by Policies EN1 and EN3. Option two is not feasible given that non-green belt sites in walking distance to the school, which could accommodate a sports hall would be very expensive or are not available and as such this option to use a substitute site is not a suitable alternative. Option three to share the facilities at the adjacent site would result in 3 educational institutions using the same facilities, for which there would not be the capacity or flexibility given St James School requires the new sports hall for a full sporting programme.

3.) The proposal would result in improved opportunities, to improve the health and well-being of pupils, by providing a consistent access to improved sports education. It would also provide for a wider range of sports and other extra curriculum activities, giving pupils opportunities that would otherwise not be available to them. The time wasted by pupils and staff in travelling to facilities off site would no longer occur. The applicants note that furthermore the facility will improve the teaching of PE GCSE to help improve the attainment level and allow the opportunity for an A level or BTEC in PE to be introduced. In addition, the facilities could be used to meet a local need for the community out of school hours, which would provide a local sports provision supported by Policy SP6.



- 7.10 It is considered that the points outlined above are significant factors to which substantial weight should be given as 'very special circumstances' when having regard for development located on Green Belt land.
- 7.11 To conclude, the proposed sports hall and associated car park constitutes inappropriate development in the Green Belt and this, in itself weighs against the merits of the scheme. The proposal will also lead to a loss of openness in the Green Belt which weighs against its merits. However, it is considered that the considerations put forward in favour of the development by the applicant are very significant, particularly the educational need for a sports hall in this existing school site which is entirely within the Green Belt and the other associated health and reduction of travel/pollution benefits. The considerations in favour of the development are considered to clearly weigh heavily in favour of the proposal in accordance with the NPPF. However, as stated above, para 144 states that the very special circumstances will not exist "*unless the potential harm to the Green Belt by reason of inappropriateness, and other harm resulting from the proposal, is clearly outweighed by other considerations*" The report will now consider the "any other harm below"..

#### Loss of existing playing pitch

- 7.12 The proposed development involves the loss of existing playing pitches (MUGA) on the land upon which the new sports hall is proposed. As the proposal involves the loss of a playing pitch which was used within the last 5 years, it has been necessary to consult Sport England as a Statutory Consultee. Sport England has raised no objection. Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its own playing fields policy, which states:

*'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:*

- all or any part of a playing field, or*
- land which has been used as a playing field and remains undeveloped, or*
- land allocated for use as a playing field*

*unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'*

- 7.13 A new 'four-court' sports hall and artificial grass pitch (AGP) are proposed which would result in the loss of the existing MUGA. Sport England has assessed this against the policy and note that, '*...This application relates to the provision of a new indoor/outdoor sports facility or facilities on the existing playing field at the above site. It therefore needs to be considered against exception 5 of the above policy, which states:*

*'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'*

- 7.14 Sport England notes that, '*The submitted documentation sets out the schools educational need for a sports hall while Sport England's Facilities Planning Model has highlighted a deficit of sport hall space within the Spelthorne.*

*Although the proposal would result in the reduction in the outdoor facilities at the school (loss of the existing AGP/MUGA), there does not appear to be any community use of this facility. This appears to be confirmed by the school and Sport National Governing Bodies. The proposed sports hall would be able to incorporate some of play lost on the AGP/MUGA, particularly tennis, therefore the impact of the loss of this facility would be mitigated to some extent. The proposed sports hall and AGP would be available for community use therefore provided it is designed and constructed in line Sport England's guidance Sport England considers that there are benefits to outweigh the loss. This view, however, is on the basis that long-term community use is secured in a Community Use Agreement (CUA)."*

7.15 Therefore Sport England conclude they do not wish to raise an objection to this application as it is considered to meet Exception 5 of the above policy. The absence of an objection is subject to the imposition of a condition to require a community use agreement:

7.16 Paragraph 97 of the NPPF is set out below:

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

*The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use*

Therefore with no objection from Sport England it is considered that the loss of the existing playing pitch is mitigated by the proposed new sports hall and is acceptable in this particular case. The proposal also complies with paragraph 97 of the NPPF.

#### Community Use

7.15 Strategic Policy SP5 contained in the CS & P DPD seeks to ensure that provision is made for services and facilities to meet the needs of the community and the proposed development would comply with this main policy objective.

7.17 Local Plan policy CO1 of the CS & P DPD is concerned with providing community facilities in order to meet local needs. Under this policy, a community facility would be sport and leisure facilities and is supportive of new and existing community facilities. This policy makes direct reference to:-  
*a) supporting the provision of new facilities for which a need has been identified in locations accessible to the community served;*  
*b) supporting improvements to existing facilities to enable them to adapt to changing needs.*

- 7.18 Having regard to the above policy, it is evident that the new sports hall and 5 aside pitch facility would be entirely consistent with its objectives. The applicant has made reference to the opportunity for prospective community use of the proposed sports hall building and 5 aside pitch. The applicant notes that in addition to the benefits to the school, it is proposed that when not in use by the school, the new indoor sport facility and 5 aside pitch could be made available for public use. Although specific details of other community uses have not been provided, they have requested hours of operation and a condition restricting hours of use of the facilities, pitches and therefore flood lights would include the following hours:-

The sports hall building and facilities:-

8.00 and 22.30 hours on Monday to Friday, and between  
8.30 and 20.00 hours on Saturdays, and between  
9.30 and 20.00 hours on Sundays.

The new 5 a side pitch-

8.00 and 21.30 hours on Monday to Friday, and between  
8.30 and 20.00 hours on Saturdays, and between  
9.30 and 20.00 hours on Sundays.

It should also be noted that these are the same hours of use as permitted for the site next door at Thomas Knyvett and Brooklands College site. In addition Sport England (as noted above) has raised no objection to the loss of the existing pitches, provided the school enter into a community use agreement so encourage the use of the facilities by other members of the community. As such, the proposal is considered to accord with Policy CO1.

Design, Appearance and Visual Impact

- 7.19 The new sports building is inevitably a large structure that would be prominent visually in the context of the St James school site. However, its visibility from outside the site and other adjoining public buildings in Stanwell Road is very limited as noted above.
- 7.20 The proposed building has a foot print of some 1360 sq. m. The sports hall will be rectangular in shape with the longest side measuring 45m in length and located alongside the side boundary with Thomas Knyvett and Brooklands site to the west. It has a width of 34m on the ground floor. The taller part of the building covers the sport hall only with the ground floor level also having other facilities including the reception area, changing rooms, etc. The building measures 11.5 m in total height which includes the void above the sports hall
- 7.21 The building will be a steel frame structure, with the main part of the sports hall being clad. The applicants note that this will consist of, *'... a playful and randomised pattern of grey, green and green/yellow panels which graduate up the volume from darker to lighter tones, responding to the trees which form a backdrop to the proposal.'* The scale and massing of the building are consistent with the type of buildings already located at the adjacent school site to the west. The use of a grey brick finish segregating the 3 section of panels was chosen to be in keeping with the colour of the grey ragstone of the main school building and the brick buildings surrounding it. The lower level will

have a timber box, clad with black vertical timber cladding to match the existing workshop block and infilled with the same grey, green yellow/green panels. Areas of glazing will allow natural light to penetrate the building and the main entrance will also be made of timber. Subject to the imposition of a condition to secure further details of materials, it is considered that the proposed development would comply with Policy EN1 of the CS & P DPD on design.

- 7.22 The application also includes the re-provision of some of the existing 10m tall floodlighting columns, which will be relocated from the existing MUGA pitches to provide light to the new 5 aside pitch. Currently, given there is a very large area of outdoor pitches which are all flood lit, the proposal will result in a reduction in the number of floodlighting columns within the site as a whole. It is considered that this provision would generally be regarded as acceptable.
- 7.23 The new 5 aside pitch, surfacing, fencing and floodlights surrounding it, will be located on the site of an existing much larger MUGA pitch which already has these things, including the 3m high open style palisade boundary fencing. As such it will have reduced visual impact compared to the current situation. In addition, it will have limited visual impact given its context within the school grounds. Therefore, it is considered to be acceptable and conditions are recommended to control the use of the 5 aside pitch and the floodlights and is considered necessary in the interests of protecting the amenity of nearby residents.

#### Impact on the setting of the listed buildings

- 7.24 Section 66 of the Listed Buildings Act 1990 requires authorities, when determining applications which affect a Listed building and its setting, to have 'Special regard to the desirability of preserving the building or its setting or any special features of architectural or historic content which it proposes'. This is also reflected in Policy EN5 of the C S & P DPD which states that the Council will seek to preserve its architectural and historic Interest by f) requiring development proposals for any sites affecting the setting of a listed building to have special regard to the need to preserve its setting. Para 192 of the NPPF states:

*'In determining applications, local planning authorities should take account of:*  
*a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.'*

- 7.25 The applicants have submitted a Heritage Statement which assesses the listed buildings and their relationship with the proposed and it concludes that, *'...The listed buildings on site are of architectural importance through the direct link to the renowned architect Henry Clutton and as an example of a purpose-built Victorian school. The grouping of buildings together strengthens the site's significance. The materials and architectural detail of the building are a good example of the later Gothic revival period and its manifestation in educational buildings. The rear of the site is of much lower importance due to*

*the modern development that has taken place in the latter half of the 20th century. The planning strategy has clearly favoured the entrance sequence and the setting of the listed buildings to the south east side of the site.'*

- 7.26 The Council's Conservation and Listed Buildings Officer has been consulted and raises no objection on the setting of the listed school building noting that, '*... There are two listed buildings on the site, the main mansion and the chapel, the frontage building nearest the access drive is not listed but is of design merit. The rear of the school is very poor aesthetically, being made up of a disparate group of buildings of varying quality, there is also the all-weather pitches. The proposal for a sports hall where shown would not in principle, harm the setting of the main building or the chapel. It would be a large structure with a flat roof,*

*The suggested coloured cladding is startling, but not out of keeping considering neighbouring buildings and several protected trees in the locality. Big 'sheds' are not easy to slip into an existing complex of buildings but this treatment indicates a use other than warehousing or out of town shopping facilities, so I consider it acceptable.... In terms of this proposal's effect on the setting of the listed school and chapel, I have no concerns'*

- 7.27 Although the proposed sports hall is large it is located on the existing sports pitches and is adjacent to some existing lower more temporary style buildings of no distinct character of design and is located some distance from the listed buildings themselves. As noted above, the Council's Historic Advisor has raised no objection and it is considered that the proposal will preserve the setting of the listed buildings in accordance with section 66 of the Listed Buildings Act 1990. The proposal accords with Policy EN5 of the CS & P DPD and the NPPF.

#### Renewable Energy

- 7.28 The applicants have submitted an Energy Strategy Report which outlines the use of Solar PV Panels to comply with the intentions of policies CC1.
- 7.29 The Sustainability Officer has been consulted and raises no objection. A condition would be imposed on any consent issued to ensure that the sustainability measures would be fully capable of meeting the 10% of energy demands from the on-site energy sources in accordance with Policy CC1.

#### Highway Issues and Parking

- 7.30 Vehicular access to St James School will remain as existing from Stanwell Road. The train station is a short walk away just off the High Street where a bus service also operates.
- 7.31 Whilst the planning application makes provision for an additional 29 car parking spaces, there is also an existing car park within the application site, closer to the entrance to the site. The proposal will serve the existing school facility during the day and term time and other community uses during the evening and when not used by the school. As such, the proposal is not considered to cause a marked change in the intensify of the use of the site. This is supported by the submitted Transport Statement which notes that a trip generation assessment has been undertaken to determine the likely level

of vehicle trips associated with the proposal. It suggests that there would be no material change in the number of vehicle movements when compared with the existing use and therefore the proposal is unlikely to lead to a detrimental impact on the local road network. Although it is acknowledged that the use would also involve vehicular movements at the evening and weekends when the school is not using the proposed facilities. The assessment concludes that, '*...the proposals are not considered to have any adverse effects on the highways or transportation network. As such, the development is considered acceptable on transport grounds.*'

- 7.32 The County Highway Authority (CHA) has raised no objection to the scheme and has recommended a condition to ensure construction vehicles do not access the school site during start and finish times for the pupil's safety. As such the proposal is considered to be acceptable and accords with Policy CC2.

Impact on the amenity of neighbouring properties

- 7.33 The location of the site, in particular given its distance from residential properties results in the proposal not having an impact on the amenity of neighbouring properties in relation to overlooking, loss of light or in terms of overbearing impact grounds
- 7.34 The 5 a-side pitch will be located in place of the existing MUGA, and consequently will take up a much smaller area than at present. This pitch will be no closer to residential properties than the current pitches. In addition, the existing flood lights will be relocated to be used for the proposed 5 aside pitch, there will be a reduction in the number of lighting columns at the site which will in effect reduce the impact that they have. The Council's Environmental Health officer has raised no objection. On noise and light grounds. Nevertheless, a condition is recommended that would limit the hours of use and operation of the floodlights and use of the 5 aside pitch and sports hall which would limit the levels of activity and disturbance associated from the community use of the sports hall and pitch which would be designed to protect residential amenity.

Noise and light

- 7.35 As far as noise is concerned, the new sports hall design and use of materials would ensure that it would be insulated and as a result it is not anticipated that noise would emanate from the structure to give rise to any noise concerns. The details of the construction will be a matter dealt with under Building Control regulations. An hours of use condition would ensure noise and disturbance is not created during unsociable hours by community use of the sports hall and pitch. However as noted above the site is not located particularly close to external neighbouring residential properties.
- 7.36 The applicant has provided an acoustic assessment of the mechanical noise of a ground source heat pump which is shown to be satisfactory on noise grounds. The assessment has considered available guidance and has used the appropriate guidance when assessing the likely impact on the nearest noise sensitive properties including residential properties, the one directly to the south of the application site on the grounds of the school and also the adjacent educational building at Brooklands site.

- 7.37 Furthermore, noise from the proposed mechanical plant would be considerably below the existing ambient noise levels. The assessment therefore concludes that provision of the mechanical plant, as proposed, will not create a significant impact or cause an adverse effect in acoustic terms. The existing floodlight will be relocated but the new pitch will be within the footprint of the existing MUGA pitches as such it will have not greater impact. The Council's Environmental Health officer has raised no objection to the proposal in terms of noise and lighting impacts but has recommended conditions As such, subject to an hours of use condition, the proposal will be acceptable on noise and light grounds and accords with Policy EN11 on noise and EN13 on light.

#### Flooding

- 7.38 The applicants have submitted a Flood Risk and Drainage Assessment which has confirmed that the site is located within Flood Zone 1 and that the use of land is considered acceptable for this flood zone. The FRA has investigated the possibility of groundwater flooding and this would be low risk. The Environment Agency was consulted as part of the application but they have responded to say they do not wish to make comments on this application. Therefore the application is considered to be acceptable on flooding grounds and would comply with adopted policy LO1 contained in the CS & P DPD.
- 7.39 The report notes that they intend to use a soakaway and permeable paving for the sustainable drainage design. Surrey County Council (SCC) as the Lead Local Flood Authority has been consulted and following the submission of an updated Flood Risk and Drainage Assessment, no objection is raised subject to the imposition of conditions. As such the proposal is considered to be acceptable from a flooding and drainage point of view.

#### Contamination

- 7.40 The Council's Pollution Officer has raised no objection to the application based upon the material supporting the application. However, the site is located within land adjacent to a historic landfill site, known as Clockhouse Lane landfill. Consequently it is considered necessary to impose a standard planning condition and associated informatives to ascertain the levels of contamination on the site, in accordance with paras. 178 and 179 of the NPPF and Council Policy EN15.

#### Trees and Wildlife

- 7.41 The current application has been accompanied by an Arboricultural Assessment which has examined the location, species quality and implications of the proposal on the trees located nearby. None are required to be removed and are unlikely to be affected by the proposal. However tree protection fencing will be required during the consultation phase and the report suggests the existing sports fencing could be used for this. The Council's Tree Officer has been consulted and raises no objection to the proposal but does recommend the imposition of a condition requiring an Arboricultural Method Statement with particular regard to tree protection and the proposed treatment of the hornbeam hedge. As such the proposal is considered to be acceptable on these grounds.

### Finance Considerations

- 7.42 Under S155 of the Housing and Planning Act 2016, Local Planning Authorities are now required to ensure that potential financial benefits of certain development proposals are made public when a Local Planning Authority is considering whether or not to grant planning permission for planning applications which are being determined by the Council's Planning Committee. A financial benefit must be recorded regardless of whether it is material to the Local Planning Authority's decision on a planning application, but planning officers are required to indicate their opinion as to whether the benefit is material to the application or not. However in this instance, there are no financial considerations which are material in the determination of this planning application.

### Conclusion

- 7.43 As noted above, this proposal represents inappropriate development in the Green Belt and substantial weight is given against the scheme due to the harm this causes to the Green Belt. The protection of the Green Belt is a national policy objective and the Government attaches substantial weight to it, with permanence as a key element. The scheme can only be approved in very special circumstances. These will not exist "*unless the potential harm to the Green Belt by reason of inappropriateness, and other harm resulting from the proposal, is clearly outweighed by other considerations*". Full consideration has been given to the harm to the Green Belt and any other harm. It is felt that the applicants' considerations in favour of the proposal weigh heavily in favour of the application and it is therefore concluded that very special circumstances exist to warrant allowing inappropriate development that causes harm to the Green Belt. The application is therefore recommended for approval.
- 7.44 However it should be noted that DCLG Circular 02/2009 "The Town and Country Planning (Consultation) (England) Direction 2009" requires that where an authority is minded to approve certain types of Departure applications, they should be first referred to the Secretary of State for Housing, Communities and Local Government. This Direction applies to any application for planning permission where the proposal is considered to include inappropriate development on land allocated as Green Belt and which consists of:-
- (a) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more or;
  - (b) any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.
- 7.45 This application is considered to be a Departure because it involves the erection of an inappropriate building on Green Belt land and the Direction would apply because the sports hall would exceed 1,000 square metres. The regulations state that 'where a local planning authority does not propose to refuse an application for planning permission to which the Direction applies, the authority shall consult the Secretary of State in order for him to decide whether it should be called for his own determination. Therefore, if the Planning Committee is minded to approve the application, it will need to be referred to the Secretary of State before a final decision can be made.



## **8. Recommendation**

8.1 In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, refer to the Secretary of State with a recommendation to approve subject to the following:

8.2 GRANT subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: - This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings  
23574A/01B, 02B, 04D, 06A, 07E, 08E, 9B and 10C received on 27 May 2019 and amended plan no. 03E and 15G received on 14 May 2019.

Reason: - For the avoidance of doubt and in the interest of proper planning

3. No development above damp-proof course level shall take place until details of the materials and detailing to be used for the external surfaces of the building are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. No development shall take place until:-
  - (i) A site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.
  - (ii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

Reason: - To protect the amenities of future occupants and the environment from the effects of potentially harmful substances.

#### NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected by Contamination: Guidance to Help Developers Meet Planning Requirements" providing guidance can also be downloaded from Spelthorne's website at [www.spelthorne.gov.uk](http://www.spelthorne.gov.uk).

In accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. Prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: - To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

6. Following construction of any groundworks and foundations, no construction on the buildings shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for the proposed building to meet the requirement for the scheme. The agreed measures shall be implemented with the construction of the building and thereafter retained.

Reason: - To ensure that the development is sustainable and complies with Policy SP7 and CC1 of the Spelthorne Development Plan Core Strategy and Policies DPD.

7. During school term time, no HGVs associated with the construction of the development shall access or depart the site within thirty minutes of school day start and end times nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Church Road during these times.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy

8. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to sports hall, artificial grass pitch and ancillary facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

9. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
  - a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
  - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a maximum discharge rate of **1.0 l/s** should infiltration drainage be proven unsuitable.
  - c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
  - d) A plan identifying any remedial works to be completed to the existing on site surface water network to ensure it is correctly functioning.
  - e) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
  - f) Details of drainage management responsibilities and maintenance regimes for the drainage system.
  - g) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

10. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

- 11 The rated noise level from any plant, together with any associated ducting shall be at least 10 dB (A) below the background noise level at the nearest noise sensitive property as using the guidance contained in BS414292015)..

Reason: - In the interest of the amenity of neighbouring residential properties.

- 12 That the use of the 5 aside pitch hereby approved, as well as the use of the flood lighting serving this pitch shall not be used for the purposes hereby permitted before 08.00 and 21.30 hours on Monday to Friday, between 08.30 and 20.00 hours on Saturdays, between 09.30 and 20.00 hours on Sundays. and at no time during a bank holiday.

Reason: To safeguard the amenity of neighbouring properties.

- 13 That the use of the sports hall hereby approved, shall not be used for the purposes hereby permitted before 8.00 and 22.30 hours on Monday to Friday, and between 8.30 and 20.00 hours on Saturdays, between 9.30 and 20.00 hours on Sundays and at no time during a bank holiday.

Reason: To safeguard the amenity of neighbouring properties.

- 14 An Arboricultural Method Statement shall be submitted to an approved by the Local Planning Authority with particular regard to tree protection and the proposed treatment of the hornbeam hedge. and shall be carried out strictly in accordance with the approved details

Reason:- To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009.

Informatives to be attached to the planning permission

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
2. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
3. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
4. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc., may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.

