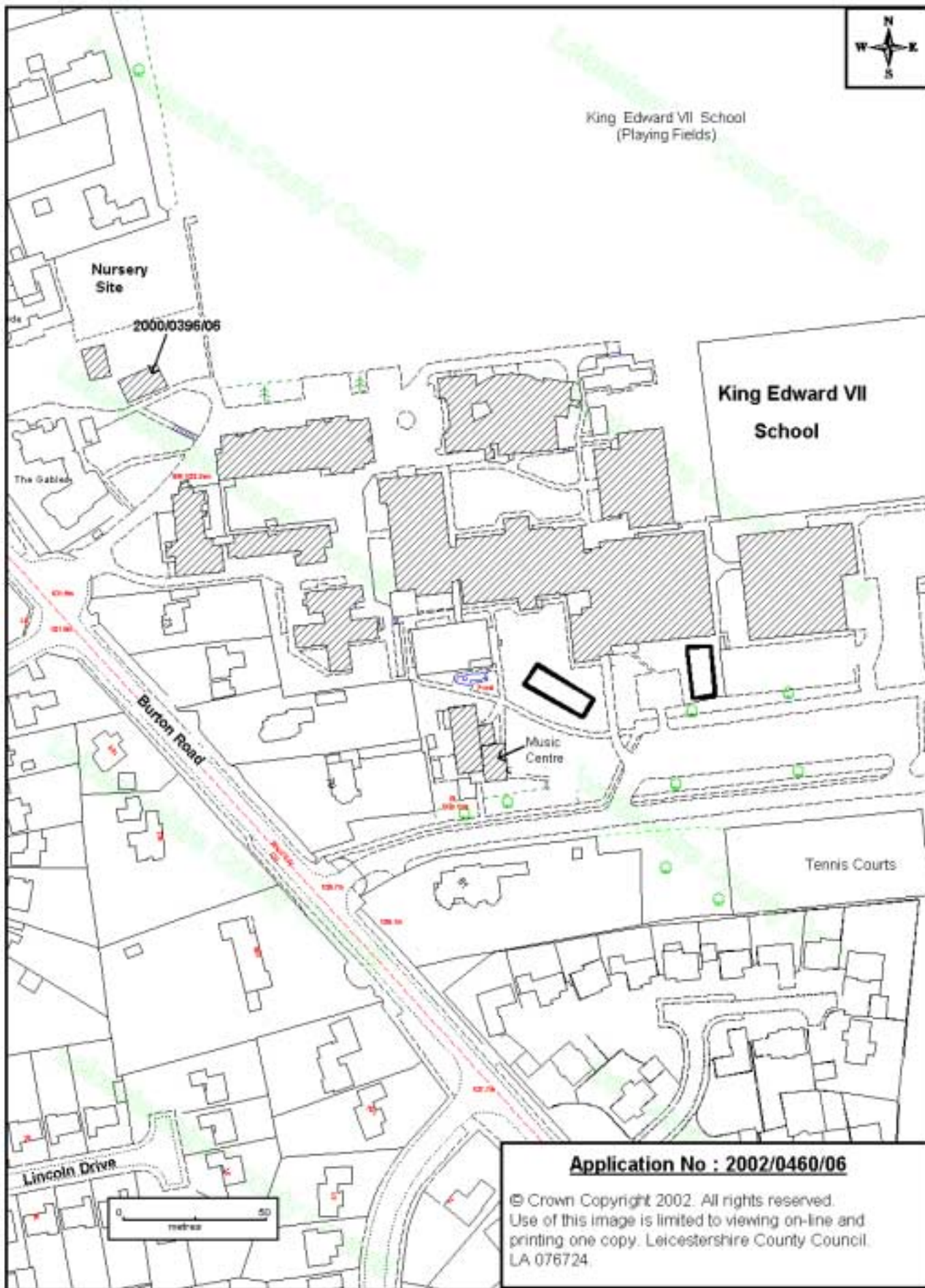


**DEVELOPMENT CONTROL AND REGULATORY BOARD****18TH JULY 2002****REPORT OF THE ACTING DIRECTOR OF PLANNING AND
TRANSPORTATION****APPLICATION UNDER REGULATION 3 OF THE TOWN AND
COUNTRY PLANNING GENERAL REGULATIONS****LEICESTERSHIRE COUNTY COUNCIL – SITING OF TWO DOUBLE MOBILE
CLASSROOMS, KING EDWARD VII SCHOOL, BURTON ROAD, MELTON
MOWBRAY (MELTON BOROUGH)****2002/0460/06 – 18th June 2002****Background**

1. King Edward VII School occupies a large campus to the east side of Burton Road, to the south east side of Melton Mowbray. It incorporates the grounds of the former Sarson High School. Planning permission was granted in July 2000 for the extension of the existing music centre on the south west side of the school campus, in place of a single mobile classroom. In August 2002, consent was granted by this Board for the siting of an additional double mobile classroom on the north west side of the school buildings, adjacent to a private day nursery.
2. It is now intended to provide two additional double mobile classrooms for Sixth form accommodation. There are nearly 2000 pupils at the school, of which the sixth form pupils form an ever-increasing percentage. It is calculated that there will be 642 sixth formers in September 2002, being 81 more than previously expected. As a result, the existing sixth form accommodation is proving to be inadequate, and there is no spare accommodation elsewhere on the campus.

Description of Proposal

3. One of the double mobile classroom would be located to the south an existing single storey, flat roofed extension to the school, close to the modern sports centre. This is an open lawn overlooking the adjacent car/coach park and access roads. There are a number of semi-mature trees around the edge of the grass and at the front of the site with the car park.
4. The second mobile classroom would be sited on an enclosed lawn that is surrounded by mature trees and hedgerows on the south west side of the school. It would be overlooked by existing single-storey flat roofed buildings and close to pedestrian routes through the site.



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5. Both sites are well contained within the school campus, although the first one has an open aspect to the main car and coach parking area. They would not be visible from surrounding properties beyond the school boundaries and are well related to existing built development.

Planning Policy

6. Proposals for new development within the built-up limits are subject to a number of criteria, as set out in Policy OS1, of the Melton Local Plan adopted (1999). This relates to such matters as the scale, appearance, impact on amenities, and parking provision.
7. Policy CF2 of the Local Plan states that planning permission normally will be granted for new education facilities on land used for education purposes, subject to satisfactory siting, design, parking, access and amenity considerations.

Consultations

Melton Borough Council - Planning

8. No objection, as the proposed mobile classrooms are located within the site and as such are not particularly visible from any public vantage points. However, it is recommended that extensions to the main school buildings should be considered for their long term replacement.

Publicity

9. The proposal has been advertised by site notices posted on the 24th June 2002. Any representations will be reported at the Board meeting.

Assessment of Proposal

10. The proposal needs to be assessed against criteria set out in Policies OS1 and CF2 of the Local Plan. The scale and form of the proposed classrooms fits well into the pattern of existing development on this side of the school campus, much of which is single storey in height and has flat roofs. The two buildings will not be visible from outside the school boundaries and do not have any adverse impact on the existing surrounding development. Subject to the retention of existing vegetation, there should be no loss of visual amenity.
11. The school benefits from substantial off-street parking facilities, including coach parking for contracted school buses. There is adequate parking for staff, visitors and older pupils. Whilst the number of sixth formers is increasing significantly, this should not have an adverse impact on the availability of the spaces. Notwithstanding the request of the Borough Council to give consideration to long-term permanent accommodation, the proposals are considered to be acceptable in this instance.

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Recommendation

Permit subject to the following conditions:

- 1 This permission is limited to the period expiring on 31st July 2007. Immediately on the expiry of that period the buildings hereby permitted shall be removed, unless in the meantime a further planning permission has been granted in writing by the County Planning Authority.
- 2 Within two months of being placed on site, the mobile classrooms shall be treated and thereafter maintained in a dark brown external colour finish, unless otherwise agreed with the Director of Planning and Transportation.
- 3 None of the existing trees, shrubs or hedges on the site shall be topped, lopped, uprooted or felled without the prior express consent in writing of Director of Planning and Transportation.
- 4 The temporary classrooms hereby permitted shall only be occupied by the school in association with and ancillary to the Leicestershire Education Authority's educational activities on the site and for no other purpose within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any other Order revoking or re-enacting that order)..

Reasons

1. The materials to be used in the construction of the buildings makes them unsuitable for a permanent permission and to enable the County Planning Authority to reconsider the situation at the end of this period.
2. To ensure a satisfactory external appearance and grouping of materials, in the interests of visual amenity.
3. To enhance the development and to safeguard the appearance of the locality.
4. To ensure that the use of the premises remains compatible with the existing development in this locality and to enable the County Planning Authority to assess the impact of any alternative or additional uses.

Policies and Proposals in the Development Plan Relevant to the Decision

Melton Borough Local Plan, Policies: - OS1 and CF2

Circulation Under Sensitive Issues Procedures

Lt. Col. P. A. Roffey, DL, CC

Officers to Contact

Mr. C. J. Noakes (Tel. 265 7053)
Mr. J. R. Hockney (Tel. 265 7013)
E-Mail: planningcontrol@leics.gov.uk

DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all preceding applications.

EQUAL OPPORTUNITIES IMPLICATIONS

Unless otherwise stated in the report there are no discernible equal opportunities implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Education and the Director of Property will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970 and the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984.

You are advised to contact the County Council's Assistant Personnel Officer (Disabled People) if you require further advice on this aspect of the proposal.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 54A OF TOWN AND COUNTRY PLANNING ACT 1990

Members are reminded that Section 54A of the 1990 Act requires that:

"Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. the Structure Plan or any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are:

- Section 70(2) : determination of applications;
- Section 77(4) : called-in applications (applying s. 70);
- Section 79(4) : planning appeals (applying s. 70);
- Section 81(3) : provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
- Section 91(2) : power to vary period in statutory condition requiring development to be begun;
- Section 92(6) : power to vary applicable period for outline planning permission;
- Section 97(2) : revocation or modification of planning permission;
- Section 102(1) : discontinuance orders;
- Section 172(1) : enforcement notices (the phrase occurs also in the new s. 172 which is substituted by the Planning and Compensation Act 1991, but not in the new provisions relating to planning contravention notices (new s. 171C) and breach of condition notices (new s. 187A);
- Section 177(2) : Secretary of State's power to grant planning permission on enforcement appeal;
- Section 226(2) : compulsory acquisition of land for planning purposes;
- Section 294(3) : special enforcement notices in relation to Crown land;
- Sched. 9 para (1) : minerals discontinuance orders.

