

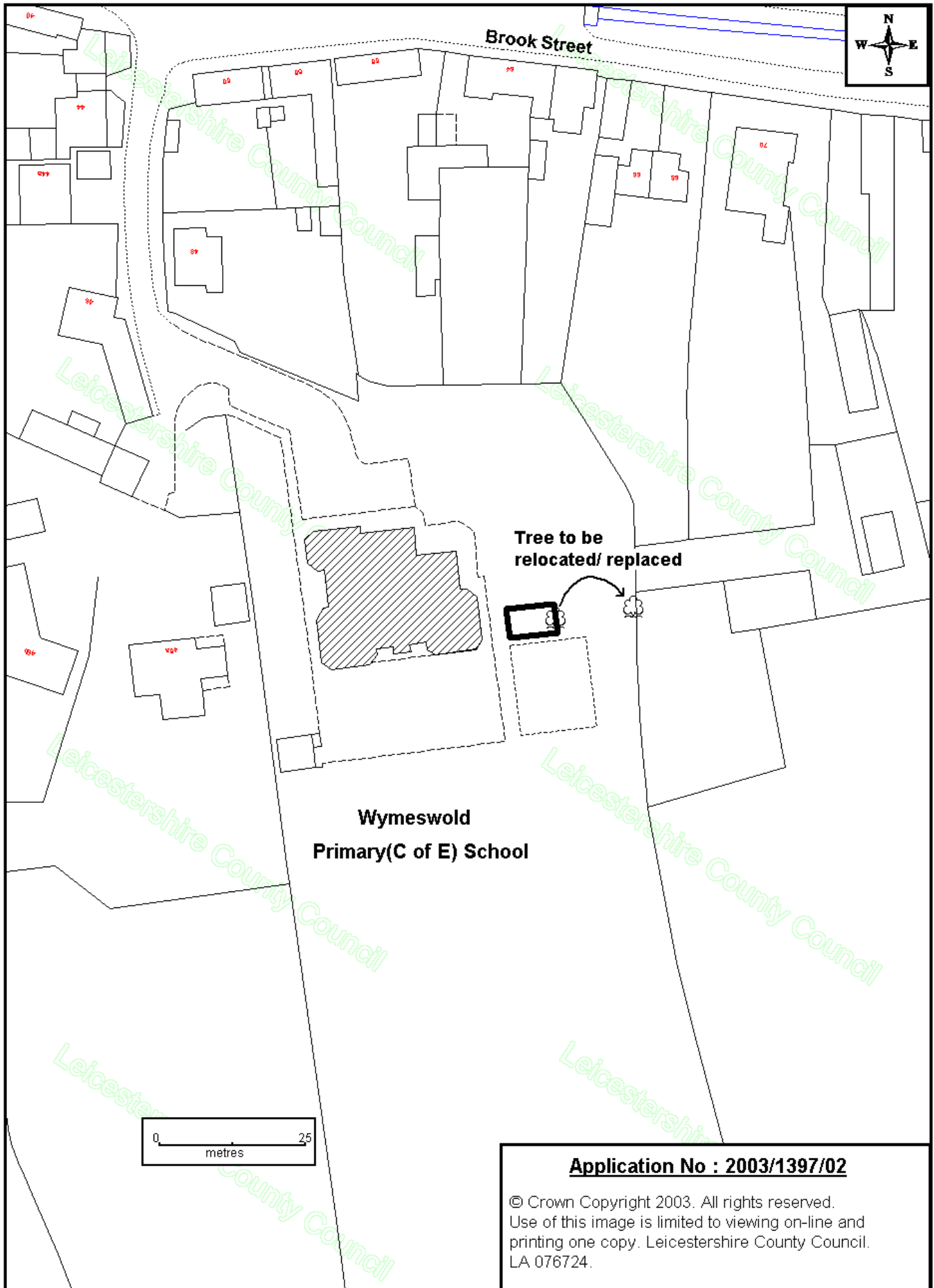
**Item 11(d)****DEVELOPMENT CONTROL AND REGULATORY BOARD****17TH JULY 2003****REPORT OF THE DIRECTOR OF COMMUNITY SERVICES****APPLICATION UNDER REGULATION 3 OF THE TOWN AND
COUNTRY PLANNING GENERAL REGULATIONS****LEICESTERSHIRE COUNTY COUNCIL – SITING OF SINGLE MOBILE
CLASSROOM WITH TOILETS – WYMESWOLD CHURCH OF ENGLAND
PRIMARY SCHOOL, OFF BROOK STREET, WYMESWOLD (CHARNWOOD
BOROUGH)****2003/1397/02 – 12th MAY 2003****Background**

1. The Wymeswold Church of England Primary School is situated off Brook Street on the south side of the Village of Wymeswold. There is a surrounding residential development on three sides.
2. This temporary single mobile is required as an additional teaching area. This is because the number of pupils on the school's roll has risen in recent years resulting in class sizes of 36 and 37 in Key Stage 2. As these classes currently occupy classrooms assessed to hold only 27 pupils, an additional teaching area is required. As the numbers are forecast to drop after 2 years it should be possible to remove the classroom after that time.

Description of Proposal

3. It is proposed to stand a single mobile classroom with toilets to the east of the main school building alongside a tarmacked playing area. There are playing fields beyond rising to the south with a hedgerow boundary to the east.
4. The classroom will be constructed of Stenni Panel aggregate cladding with a mineral finish felt roof. The cladding will have a Boston Brick external colour treatment.
5. The proposal would not lead to any increase in the number of staff employed at the site (the current number of teaching staff is 5.4 FTE)

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Tree to be relocated/ replaced

Wymeswold Primary(C of E) School

0 25 metres

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6. A small tree of only 2-3 years of age will need to be relocated/replaced as a result of the classroom. It will be situated amongst the current vegetation along the eastern boundary of the school.

Planning Policy

7. *Policy CF3* of the Deposit Local Plan for Charnwood Borough states that planning permission for the development of existing educational land and buildings will be granted if the proposed buildings are in keeping with the scale and character of surroundings and that significant trees and open space important to the locality should not be lost.

Consultations

Charnwood Borough Council – Planning

8. No objection

Wymeswold Parish Council

9. No objection. However, it is considered that mobile classrooms are not the most satisfactory form of teaching area and this development should be used for a temporary period only. Reference is also made to a metal storage container positioned to the north of the building. It is felt that this is an eyesore and should be removed

Director of Highways, Transportation and Waste Management

10. No objection

Publicity

11. This proposal has been advertised by site notice dated 16th May 2003 and letters have been sent to immediate neighbours. No letters of representations have been received in the timescale prescribed.

Assessment of Proposal

12. The site is well contained within the existing school grounds and substantially screened by existing buildings and boundary vegetation. There would be no residential properties overlooking the site and so the proposal would not have any detrimental effects on the amenities of neighbouring properties. One small tree will need to be relocated/replaced as a result of the development. It is a young 2-3 year old tree that if removed would not have an impact on surrounding area.
13. The metal storage container referred to by the Parish Council is in fact a classroom extension, erected by the school under the provisions for 'permitted development'. This will not be removed in the near future. There is to be no

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increase in staff or pupils and therefore no additional parking is required. Consequently, as the application seeks consent for a two-year period only, planning permission should be granted on that basis.

Recommendation

Permit subject to the following conditions

1. This permission is limited to the period expiring on 31st July 2005. Immediately on the expiry of that period the building hereby permitted shall be removed, and the ground upon which it stood should be reinstated to a condition that has been previously agreed by the Director of Community Services.
2. Unless otherwise agreed in writing by the Director of Community Services, the mobile classroom hereby permitted shall be treated and retained with a Boston Brick external colour finish.
3. Except for the one tree indicated on the plan, 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 the Director of Community Services.
4. Before the development hereby permitted is commenced including site works of any kind, a scheme for the planting of a replacement tree shall be submitted to and agreed in writing by the Director of Community Services. The scheme shall include details of the size, type and location of the tree. The agreed scheme shall be carried out within 6 months of the development being ready for occupation and the Director of Community Services shall be notified in writing when the development is ready for occupation.
5. The temporary classroom hereby permitted shall only be occupied by the school in association with 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. 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.
2. To safeguard the appearance of the locality.
- 3&4. To enhance the appearance of the development in the interests of visual amenity.
5. 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.

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Policies and Proposals of the Development Plan Relevant to the Decision

None

Circulation Under Sensitive Issues Procedures

Mr. A.M. Kershaw, CC

Officers to Contact

Miss. L.M.D. Thomas (Tel. 0116 265 7292)

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.