

**Former King's Wood School,
Settle Road, Romford**

in the London Borough of Havering

Planning application no. P1572.15

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Construction of a new primary school providing 2,232 sq m (GEA) of educational floor space (use class D1) comprising primary school facilities, grassed playing pitch and outdoor play facilities, together with associated works, including access, car parking and landscaping arrangements.

The applicant

The applicant is the **Draper's Multi-Academy Trust**. The agent and architect is **Scott Brownrigg**.

Strategic issues

At consultation stage, the principle of a **new school facility** on the site was accepted; however, strategic issues relating to the **design** of the building and its impact on the **Green Belt**, issues on **climate change** and **transport** required addressing for the scheme to be considered fully compliant with the London Plan. Further information has been provided to resolve those issues, as detailed in this report.

The Council's decision

In this instance Havering Council has resolved to grant permission.

Recommendation

That Havering Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal.

Context

1 On 6 November 2015 the Mayor of London received documents from Havering Council notifying him of a planning application of potential strategic importance to develop the above site

for the above uses. This was referred to the Mayor under Category 3D of the Schedule to the Order 2008:

Category 3D

1. Development —

*(a) on land allocated as Green belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and
(b) which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building.*

2 On 16 December 2015 the Mayor considered planning report D&P/3823/01, and subsequently advised Havering Council that whilst the application was generally acceptable in strategic planning terms, the application did not comply with the London Plan for the reasons set out in paragraph 63 of the above-mentioned report; but that the possible remedies set out in the same paragraph could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. On 7 January 2016, Havering Council decided that it was minded to grant planning permission, and on 10 February 2016 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged or direct Havering Council under Article 6 to refuse the application. The Mayor has until 25 February 2016 to notify the Council of his decision and to issue any direction

4 The decision on this case, and the reasons will be made available on the GLA's website www.london.gov.uk.

Update

5 At consultation stage, Havering Council was advised that the principle of development was supported but that the application did not comply with recent changes in London Plan policy. However, the resolution of the issues below could lead to the application becoming compliant:

Principle of development

6 As suggested at consultation stage, a condition has been imposed by the Council to secure the community use of the playing pitch and suitable parts of the school building.

Urban design

7 In response to the comments made at consultation stage, Council officers have clarified that the area of woodland to the east and south is not within the application site and not owned by the applicant. There is an open area within the applicant's ownership to the southeast that will be fenced off separately from the school but will be maintained.

8 Concerns were raised at consultation stage in relation to the extent of the proposed fibre cement board cladding and the Council was encouraged to secure key details of all facing materials and window reveals to ensure the highest possible build quality. Further details regarding the window reveals have been provided and samples of the materials to be used in the building, including the cladding system have been submitted to Council officers, who consider that the building would have a satisfactory high quality external appearance. A condition has also been secured to secure the use of the approved materials and approved plans.

9 The applicant's form and massing strategy raised no specific strategic issues at stage 1 and was supported. However, this was subject to the submission of a view analysis to enable officers to assess the visual/massing impact the proposal would have on the open quality of the surrounding Green Belt. In response to this, the applicant has not specifically submitted a view analysis, but reference has been made to the form of building approved as part of the Learning Village outline. The outline application included an analysis on views selected in consultation with Council's officers and a visual impact assessment, which concluded that the overall impact of the development would have negligible or low impact on the baseline condition due to the minimal change in building footprint and building heights. Given that there has been no increase in building mass compared to the outline school building, and that as noted in the stage 1 report, the building has been aligned along the site's western edge to form part of the larger campus of education facilities, it is the GLA officers' view that the impact on the openness of the Green Belt has been sufficiently mitigated through the design and location of the proposed building.

10 As requested at consultation stage, the applicant has clarified that the lift proposed in the building will not be available for use in the event of an emergency. However, to conform to building control requirements, there are refuge points provided with communication devices installed. In addition to this, provision will be made for a powered "evac chair". The idea of a lift which could be used in the event of a fire was considered at the design stage, however, in providing such infrastructure, the lift would need to be designed to eliminate smoke, have additional insulation, and have different dimensions. Such lift would also require an Uninterrupted Power Supply to be installed and maintained. After reviewing the additional details, it was considered that the school would be satisfactorily equipped to assist wheelchair users in the event of a fire through other means, whilst still meeting all regulations and requirements.

Climate change adaptation

11 The applicant has responded to the stage 1 comments with respect to sustainable drainage techniques. All green infrastructure methods of sustainable drainage have been discounted and the applicant is proposing an underground tank.

12 The reasons for rejecting green infrastructure techniques are not considered to be compliant with London Plan Policy 5.13. The applicant's sustainability consultant has suggested that the flat roof cannot accommodate a green roof due to the use of PV panels. However, there is good evidence that the two are compatible and that a green roof assists with the efficiency of the PVs. The Elliott Wood response also rules out any surface water features due to land levels, this again is disputed. Although the land drops away to the north and east, there is scope within the site to design in areas of landscaping to act as rain gardens which are designed to maximise their rainwater attenuation properties. It would also be feasible to design landscaping to include shallow surface depressions and swales to absorb, store and slow down rainfall run-off for occasional storms. The applicant has shown no real commitment or endeavour to investigate and deliver these techniques on a site where they would be relatively easy to incorporate.

13 Therefore, and as advised by GLA officers, a planning condition (condition 24) has been imposed by the Council to ensure that no development shall commence until a sustainable drainage regime meeting the requirements of London Plan Policy 5.13 has been submitted to and approved by the London Borough of Havering Lead Local Flood Authority.

Climate change mitigation

14 At consultation stage, it was noted that the scheme fell short of the London Plan targets in relation to energy and the applicant was advised to consider the scope for additional PV panels to achieve further carbon reductions. The applicant was also asked to provide BRUKL sheet, including efficiency measures alone to support the savings claimed as well as further information on overheating and cooling and on the solar array in order to verify compliance with London Plan Policy 5.2.

15 The dynamic overheating assessment, the requested tables and BRUKL information have all been provided. The applicant has advised that a potential maximum of 120 sq.m. of PV panels is required to meet the 35% reduction target and has shown that the roof could accommodate additional PV panels. The applicant should install the additional PV panels in order to maximise the on-site savings.

16 A condition (condition 25) has also been secured to ensure compliance with LDF and London Plan policies on sustainability and energy efficiency.

Transport for London's comments

17 Adequate clarifications or revisions have been made or suitable conditions secured to address the matters raised at consultation stage with regard to travel plans and construction logistics. Although TfL also recommended securing contributions to address identified deficiencies in pedestrian and cycling infrastructure and to promote more sustainable forms of transport given the concerns highlighted about parent pick-up and drop-off, it is disappointing that this does not appear to have been advanced. With regard to the comments on the lack of cycle parking and electric vehicle charging points, the applicant has revised details of the application to make provision of these, although it is not clear that these will bring the application into accordance with London Plan standards. For the avoidance of doubt, and to implement paragraph 6.25 of the planning committee report, alterations to conditions 6 and 7 have been agreed with Council officers to ensure that parking would be provided in accordance with the London Plan Parking Standards.

18 All matters raised by TfL at consultation stage have now been adequately addressed and the application is considered to accord with London Plan Policies 6.3, 6.9, 6.12 and 6.13.

Response to consultation

19 Havering Council consulted 250 nearby occupiers of the application. The application was also advertised by way of site and press notice. A total of eight representations were received. The six letters of objection raised issues about the on-going parking problems for residents and users of the school; the increase in traffic from parents dropping off and collecting children causing congestion; highway safety concerns. The two representations (one on behalf of 9 signatories) that support the development welcomed the provision of permanent new classrooms in an area where schools are oversubscribed.

20 In relation to the objections and points raised, these have been addressed in the Council report and strategic matters about the principle of development and transport have been addressed in this report and the initial stage 1 consultation.

21 The statutory consultees did not object to the proposal. As the application lies in an area of archaeological interest Historic England recommended a condition.

Legal considerations

22 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice.

Financial considerations

23 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance emphasises that parties usually pay their own expenses arising from an appeal.

24 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

Conclusion

25 The Mayor is recommended to allow Havering Council to determine the application itself, subject to any action the Secretary of State may take and, does not wish to direct refusal.

26 Further information has been exchanged with the Council, and the issues raised at stage 1 have been satisfactorily addressed.

for further information, contact the GLA Planning Unit (Development and Projects team):

Stewart Murray, Assistant Director – Planning

020 7983 4271 email stewart.murray@london.gov.uk

Colin Wilson, Senior Manager – Development & Projects

020 7983 4783 email colin.wilson@london.gov.uk

Hermine Sanson, Case Officer

020 7983 4290 email hermine.sanson@london.gov.uk
