

25 JULY 2023 PLANNING COMMITTEE

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PLAN/2023/0271

WARD: Mount Hermon

LOCATION: The Mascot Harven School of English, Coley Avenue, Woking, Surrey, GU22 7BT

PROPOSAL: Installation of new area of hardstanding to rear of school building (part retrospective).

APPLICANT: Compass Schools

OFFICER: Emily Fitzpatrick

REASON FOR REFERRAL TO COMMITTEE:

The application has been referred to Planning Committee at the request of Cllr Lyons.

SUMMARY OF PROPOSED DEVELOPMENT

The proposal is for the installation of a 10x15m area of hardstanding to the rear of school building.

The proposal is part-retrospective in that the base course has been laid but the tarmac surface had not been put down.

PLANNING STATUS

- Thames Basin Heaths SPA Zone B (400m-5km)
- Urban Areas

RECOMMENDATION

GRANT planning permission subject to conditions.

SITE DESCRIPTION

The application site is a large, three-storey, detached building situated within the urban area of Woking. It benefits from a rear garden and a large parking area to the front of the property.

A Certificate of Lawfulness was granted in 2022 for the proposed use of site as a day school (Class F1). The site was formerly used as an English language school. The site now referred to as Compass Community School Tull Park and is a Special Educational Needs (SEN) School for pupils aged 6-17 years.

RELEVANT PLANNING HISTORY

PLAN/2021/1316 Certificate of Lawfulness for the proposed used as a day school (Use Class F1) (granted 10.06.2022)

PLAN/2020/1204 Proposed use as a non-residential institution within Class D1 where the existing use is within Class D1 (refused 23.03.2021)

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PLAN/2007/1303 Proposed two storey rear extension and single storey side extension following demolition of existing single storey extension. Change of Use to form Class C2 Residential Language School (refused 28.02.2008)

PLAN/2006/1338 Change of use, alterations and two storey rear and side extension to form Class C2 Residential Language School (refused 22.03.2007)

PLAN/1992/0173 Change of Use of premises from Language School to use by Geophysical & Hydrographic Consultants to the oil industry. (Change of use from D1 to B1). Refused

CONSULTATIONS

None relevant

REPRESENTATIONS

Ten letters of representation have been received raising an objection to the proposal and comments as follows;

- Increase in noise (loss of amenity). The installation of tarmac playground (hard surface) will exacerbate this noise and make an intolerable situation for neighbouring properties far worse. Further, it will encourage the children to play ball games which will further exacerbate the noise.
- Rainwater runoff- impact on surrounding properties. It is proposed the 150 square metre tarmac playground will drain around its periphery, something Councils are generally against. More specifically, following rainfall, the runoff will make the surrounding periphery close to the neighbouring fence wet and boggy and this effect is likely to cross the boundaries into the surrounding properties.
- Following the work on the site carried out recently the outlook from the first/ second floors at the front of my house has altered dramatically. From what used to be tarmac at the front with a hedge screening the garden I now look out on tarmac and a poorly gravelled car parking space, the change in contrast is an eyesore. Additionally with the hedge removed I have a clear view through a green fence into the garden. At least one third of the proposed slab is visible. Permission would further erode our outlook which has already been significantly compromised.
- The back of the school already has substantial hard surfaced areas. It is hard to understand as to why an increase is necessary.
- The applicant seeks to downplay the noise disruption, indicating term times and two breaks per day. I would point out that schools are open some 190 day per annum and the age range for the school covers 7 to 17 years of age. This covers 4 to 5 key stages and it is common practice for age ranges not to share the same playtime and/or play area. The vast majority of the neighbours are retired and wish to enjoy their garden in peace and tranquillity.
- I believe that all of the most recent applications to extend facilities in the back garden have been refused by the Council and the Planning Inspector.
- I have run an Early Years Unit and also helped a child with special needs and therefore I know the danger that can result in tarmacking a play area. I am very surprised that the Compass School should even consider it suitable for the children in the school. I should hope that they have the best interest of their pupils and not their pockets.
- I have noted the intention to tarmac over a substantial area at the rear of this development. This I believe will both be an unwanted hazard and the water run off ecologically unacceptable. Could I suggest that for this project to continue, sensible consideration should be given to the use of shredded tyres that offer a porous surface

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and a softer safer surface for the children to play on. Look no further that the surface having been adopted in many parks for children's play areas.

- I would like to point out that the parking area at the front of the building, from the south-west corner of the house, west to the road and north to the border with Cintra was impermeable tarmac (and remains so). However, the parking area west to the road and south to Pendeen was of permeable construction, a thin layer of gravel or tarmac permeated with moss and weeds. This area has been replaced recently, by the applicant, with impermeable tarmac. I am not aware of any permission being requested or approved for this change.
- My objection is on the grounds of ecology and loss of amenity and the development is unnecessary. The plan submitted "As Existing" shows the house, front and side tarmac and the paving at the rear already occupy some 50% of the site. I calculate that the new area of tarmac covers some 10% of the area. This means approaching 60% of this large plot will be covered by the house and impermeable hard surfaces and is clearly environmentally harmful. The applicant fails to point out that the school is for special needs children who would be better served with a permeable/ rubberised play area that would be safer for them and be less noisy.
- The laying of the area, as shown beyond the existing paved area, moves the noise problem closer to Cintra and Heathside Gardens where the back gardens are short.
- The applicant states that the "lack of fencing, lighting...means the visual impact will be limited." This statement is disingenuous, in view of the fact, that the Compass School has recently installed bright lighting on all four sides of the house and re-fenced the entire perimeter with wire fencing.
- Over the years there has been an incremental increase in the area of hard standing around the Mascot. The front garden has now only one narrow flower border and the remainder is impermeable tarmac, 120 sq.m of which has been laid recently by the Applicant to cover a section of car parking which was broken up and therefore porous; the rear garden already has a 75 sq.m. non-draining play area built some years ago, and now the Applicant is applying to build a further 150 sq.m of impermeable play area. I understand that this increase in impermeable, non-draining hard standing goes against the Planning Authority guidelines. The garden of the house, Cintra, to the north of the Mascot is lower than the Mascot rear garden and could be affected by rainwater runoff from the proposed tarmac topping.
- The hard surface will intensify the noise from the pupils using the garden compared to the noise generated from the original turf. Excessive noise coming from the rear garden has always been a problem and has been cited by the Department of Environment Inspectors among reasons for rejecting previous appeals against planning refusals.
- For over 40 years as a school the lawn has been used and played on by countless pupils and shown no signs of wear and tear. There is already a large area of hard standing at the rear of the building of about 75 sqm. The proposed new hardstanding adds an additional 150sqm which extends the play area to within a few metres of the neighbouring residential gardens. The plan submitted with the application does not show the close proximity of our house and our very short back garden to the proposed new hard standing.
- Reference made to PLAN/2003/0996 for a block of flats in local vicinity with amendments to reduce area of tarmac. Using this as a precedent I would hope that the Council will refuse the latest application, which I oppose on the basis that this would increase substantially the levels of traffic and noise pollution in Coley Avenue.

Officers acknowledge the above comments, impact to residential amenity, noise impact and impact on flood risk will be assessed in the relevant sections below. With regards to reference made concerning hardstanding to the front of the application site, fencing and

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lighting this does not form part of this application and so no further assessment would be made on these aspects.

RELEVANT PLANNING POLICIES

National Planning Policy Framework (2021):

Section 2– Achieving Sustainable Development

Section 4- Decision making

Section 12- Achieving well-designed places

Section 14- Meeting the challenge of climate change, flooding and coastal change

Woking Core Strategy (2012):

CS9- Flooding and water management

CS19- Social and community infrastructure

CS21- Design

CS25- Presumption in favour of sustainable development

Woking Development Management Policies Development Plan Document (2016):

DM7- Noise and Light Pollution

Supplementary Planning Documents (SPDs):

Parking Standards SPD (2018)

Woking Design (2015)

Outlook, Amenity, Privacy and Daylight (2008)

PLANNING ISSUES

1. The main issues to be considered in the determination of this application is the impact on character of the area, residential amenity, noise impact and impact on flood risk.

Impact on Character of the Area

2. Paragraph 5.175 says the Core Strategy seeks to achieve a sustainable community for Woking and improve upon the wellbeing of its people. This requires an effective balance between the provision of housing and employment and providing the necessary infrastructure to support the growth. Social and community infrastructure includes schools (amongst a long list). Paragraph 5.176 says the provision of adequate community facilities and social and community infrastructure is critical as it has a direct bearing on the well-being of the community.
3. Policy CS21 'Design' says proposals for new development should create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated.
4. The proposal concerns the laying of an area of hardstanding to the rear of the application site, the proposal is part-retrospective in that, at the date of the Officer's site visit, the perimeter of the proposed hardstanding had been laid out but the tarmac surface had not been laid. The proposed footprint would be approximately 15m in width x 10m in depth. The proposed materials would be of tarmacadam construction. The proposal would be adjacent to a small existing area of hardstanding and a larger chequered slab patio surrounded by lawn. The rear area as existing serves as recreational space for the students. The proposal would not change the use of this area other than the surface from lawn to tarmac. Given the

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siting at the rear the proposal would not be viewed from the street scene and considered to cause no adverse impact to the character of area. The overall area of soft landscaped area for the setting of the Mascot building is considered to remain appropriate.

Impact on Residential Amenity

5. Policy CS21 says proposals for new development should be designed to avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations, light or other releases. Paragraph 4.16 of Policy DM7 (Noise and light pollution) says it is appreciated that development will often result in some additional degree of light or sound which is not necessarily harmful and can add to the atmosphere of a place. However, when the degree of light or sound becomes such that it is respectively considered light or noise pollution, it can have significant impacts on the environment and the quality of life enjoyed by communities and individuals.
6. The proposed hardstanding would be sited approximately 2.2m from Cintra to the north. Originally this area was laid to lawn. A strip of lawn serving as a buffer between the hardstanding and the shared side boundary is retained. The area as existing already serves as outdoor recreational space for the school and no change in this use is proposed. It is not considered that the proposal would materially exacerbate the existing intensity of use of the rear garden area purely because of a change in surface. Notwithstanding this, a condition (Condition 03) can be attached to control the hours of use.
7. Boundary screening comprises of fencing and dense hedgerow/ tree cover, this would remain in-situ. The proposal would be approximately 6m from the rear boundary (east) shared with No.13 Heathside Gardens, that boundary screening would remain unaltered. The assessment as above would apply. The proposal would be approximately 9.8m from the south side boundary shared with Pendeen. Fencing serves the boundary here.
8. Officers acknowledge comments from neighbours raising concerns as to the proposal exacerbating noise. However, the proposal concerns the change in surface only and any impact can be mitigated by restricting the hours of use of the additional hardstanding to 8am-6pm Monday through to Friday. This would be considered an acceptable mitigation measure given the existing site and use.
9. Overall, officers consider that the proposal would not cause "significant harm" to residential amenity which is the appropriate test in Policy CS21.

Impact on Drainage/Flood Risk

10. The application site is not designated as being at risk of either fluvial flooding or surface water flooding. Neighbour comments were received raising concerns over increased surface runoff as a result in the provision of increased hardstanding and loss of lawn. The provision of proposed hardstanding would be approximately 150m² with the surrounding lawn acting as a soakaway, given there are no flooding constraints no further information would be required. Impact to drainage would be considered acceptable.

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Local Finance Considerations

11. The Council introduced the Community Infrastructure Levy (CIL) on 1 April 2015. As the proposed development would not result in new build gross floor space of more than 100 sqm it is not liable for a financial contribution to CIL.

CONCLUSION

12. Overall, it is considered that the proposal would have an acceptable impact on the character of the area and use of the site as a school, on neighbouring amenity, noise impact and flood risk. The proposal therefore accords with Policies CS9, CS19, CS21 and CS25 of the *Woking Core Strategy* (2012), Policy DM7 of the *Development Plan Document* (2016), Supplementary Planning Documents; *Woking Design* (2015), *Outlook, Amenity, Privacy and Daylight* (2008) and the *National Planning Policy Framework* (2021) and is recommended for approval. In considering this application the Council has given regard to the provisions of the development plan, so far as material to the application and to any other material considerations. In making the recommendation to grant planning permission it is considered that application is in accordance with the development plan of the area.

BACKGROUND PAPERS

1. Site visit photographs taken 04.05.2023

RECOMMENDATION

PERMIT subject to the following conditions:

01. The development hereby permitted shall be carried out in accordance with the approved plans listed below:

Site Location Plan received 22 March 2023

DWG No: Plan A1 Site Plan received 22 March 2023

DWG No: Plan A2 Proposed Site Plan received 22 March 2023

Reason: For the avoidance of doubt and to ensure that the development is completed in accordance with the approved plans.

02. The external finishes of the development hereby permitted shall be as set out under Materials of the application form and on the approved drawings.

Reason: To protect the visual amenities of the area.

03. The hardstanding hereby approved can only be used between the hours of 08:00am and 18:00pm Mondays to Fridays inclusive, not at all on Saturdays, Sundays, Bank or Public Holidays.

Reason: To protect the environment and amenities of the occupants of neighbouring properties.

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Informatives

01. The Council confirms that in assessing this application it has worked with the applicant in a positive and proactive way, in line with the requirements of the National Planning Policy Framework 2021.
02. The applicant is advised that Council Officers may undertake inspections without prior warning to check compliance with approved plans and to establish that all planning conditions are being complied with in full. Inspections may be undertaken both during and after construction.
03. The applicant is advised that under the Control of Pollution Act 1974, works which will be audible at the site boundary will be restricted to the following hours: 8.00 a.m. - 6.00 p.m. Monday to Friday; 8.00 a.m. - 1.00 p.m. Saturday; and not at all on Sundays and Bank Holidays.