

REGULATORY COMMITTEE  
19<sup>th</sup> APRIL 2006

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**DEVIZES: PROPOSED RETENTION OF A DOUBLE MOBILE CLASSROOM  
WITH TOILETS AT SOUTHBROOM INFANTS SCHOOL, THE GREEN, DEVIZES  
(Application No. K.53365)**

**Purpose of Report**

1. To consider the above application and to recommend that conditional planning permission be granted.

**The Site**

2. Southbroom Infants School is sited on Southbroom Road in Devizes.
3. The location of the mobile classroom (ref: WCC449(88)) is on an area of recreational grassland to the south and rear of the school's frontage.
4. The school is well-screened along all its boundaries by mature vegetation which ensures that the development is not visible from the public highway.
5. A location plan is attached at **Appendix 1** and a site plan at **Appendix 2**.

**Planning History**

6. In brief, the planning history of the site is as follows:

<u>K.11578</u>	Planning permission granted in 1988 for a temporary period of five years for the siting of a double mobile classroom with toilets.
<u>K.35310</u>	Planning permission granted in 1993 for a temporary period of five years for the retention of one single and one double mobile classroom, both with toilets.
<u>K.35310</u>	Planning permission granted in 1998 for a temporary period of five years for the retention of one single and one double mobile classroom, both with toilets.
<u>K.44773</u>	Planning permission granted in 2003 for a temporary period of five years for the retention of a double mobile classroom with toilets.

**Proposal**

7. Conditional planning permission is sought for the retention of a double mobile classroom with toilets (ref: WCC449(88)) at Southbroom Infants School for a further five years.



8. The Director of the Department for Children and Education (DDfCE) has submitted the following statement in support of this application:

“Accommodation currently available at Devizes Southbroom Infants School includes four permanent and two temporary classrooms. A further double mobile classroom is used as a LYNX Group centre for excluded children. Double mobile number WCC449(88) now requires renewal planning permission.

Past pupil numbers are:

April	2001	2002	2003	2004	2005
Number on Roll	264	242	184	183	158

Forecast pupil numbers are:

April	2006	2007	2008	2009	2010
Number on Roll	174	170	162	159	158

Double mobile number WCC449(88) is used by the LYNX Group as part of the Primary Tuition Service, which in turn is part of the Primary Behaviour Support Service.

The mobile classroom is used by the group to provide education for pupils who are out of school following a permanent exclusion and also provides part-time off-site provision for pupils to prevent exclusion. This location is well placed in the county as it is near population centres such as Chippenham, Trowbridge, Calne and Devizes. It is the only centre in Wiltshire for primary aged pupils and it is vital that the mobile remains in use for this purpose.

The centre aims to get pupils back into mainstream provision as soon as possible and at any one time there are a maximum of six pupils attending the group. LYNX has a very high success rate for returning pupils to full-time education and has supported more than twenty pupils between April 2004 and November 2005. All of these pupils would not have had full time appropriate education as required by the DfES. Without this centre, the County Council would have to send more pupils out of the county as there is no other provision within Wiltshire and the costs involved would be very high.

Five-year planning permission is requested for temporary building number WCC449(88) at Devizes Southbroom Infants School.”

### **Planning Policies**

9. Policies PD1, PD2 and TR17 of the Kennet District Local Plan 2011 (Adopted April 2004) are considered relevant to this proposal.
10. All relevant planning policies are set out in attached **Appendix 3**.



## **Consultations**

11. **Kennet District Council** - no objection subject to the renewal of planning permission being for a temporary period of three years. This is not considered to be a reasonable condition as there is no justification for granting a three-year permission as opposed to the five-year permission requested.
12. **Devizes Town Council** - objects on the grounds that a permanent building should be constructed, not a renewal of a temporary permission. The Town Council also felt that the mobile classroom was an inappropriate environment for the education of children.
13. **Countryside Section** - no objection.
14. **Highways Development Control** - no objection.
15. Copies of the consultation replies referred to are available for inspection in the **Members' Room**.

## **Publicity**

16. The application has been publicised by way of site notice and neighbour notification. No representations have been received.

## **Planning Considerations**

17. The planning application proposes the retention of a double mobile classroom with toilets (ref: WCC449(88)) on land designated for recreation at Southbroom Infants School.
18. The main issues to be considered with regard to this application are:
  - Continuing educational need for this facility
  - Visual impact
  - Loss of recreational open space

### **Educational need**

19. Having regard to Devizes Town Council's objection to the renewal of a temporary planning permission and the education of children in mobile classrooms, the DDfCE was asked to provide details of any permanent build proposals for the site. In response it was subsequently stated:

*"Whilst it is our ambition to replace all mobiles with permanent accommodation we have constraints on budgets which mean we must prioritise those that are old and in poor condition. In the last 5 years, 144 pre-1980 mobiles have been replaced with permanent accommodation, leaving only 17 of this vintage. Whilst this demonstrates the Department's commitment to removing mobiles, the double in question at Southbroom Infants is not one of these pre-1980 mobiles and although it is relatively old there are no plans at present to replace it with permanent accommodation as many others in the County must take precedence."*
20. Policy PD2 of the Kennet Local Plan states that planning permission will be renewed before or after it has lapsed, providing there has been no material change in planning circumstances. It is considered that the development accords with this criterion.



21. Having regard to the DDfCE's comments in relation to the provision of a permanent solution to the accommodation requirements of the school, it is considered that whilst it would be desirable to have a permanent classroom to replace the temporary one, given the funding constraints it is accepted that this is not always a realistic or practical option.
22. It is therefore concluded that it is necessary to retain the mobile classroom with toilets at Southbroom Infants School to provide adequate educational accommodation for excluded children from the local community.

#### Visual impact

23. The mobile classroom is located on an area of recreational grassland to the south and rear corner of the main school building. It is sited in a close visual and functional relationship to the existing built fabric of the school and is not visible from the public highway.
24. The school site is shielded by mature landscape that follows the line of each boundary and ensures that there are no significant vantage points from which to view the structure.
25. Given the advantageous location of the temporary structure and the existing landscape at the site, the classroom is not considered unduly visually obtrusive.

#### Loss of recreational open space

26. Policy TR17 of the Kennet Local Plan 2011 states that development of existing recreational sites for other uses will only be permitted if it can be demonstrated that one of three criteria is met:

*"(c) the proposal is for an alternative recreational or community use of benefit to local residents. In this case the overall recreational value of the open space available to local residents must be maintained."*

27. The proposal is considered to accord with criterion (c) of Policy TR17 in that the mobile classroom provides a place where children who have been permanently excluded, or at risk of being permanently excluded from school, can be taught and hopefully returned to the mainstream school system. This is considered to be an alternative community use of benefit to local residents in the immediate and wider community.
28. Moreover, as the structure is already located at the site and for a temporary period only, the overall recreational value of the open space available to local residents is also maintained.

#### Conclusion

29. In view of the established educational and community need for the facilities provided by the double mobile classroom with toilets and the minimal environmental impact on the surrounding area, it is considered that the application is acceptable in terms of the Development Plan and that there are no overriding material planning considerations that would justify the refusal of the application.



### **Recommendation**

30. That planning permission be granted subject to the following conditions:
1. The development hereby granted is for a limited period of five years from the date of this permission.
  2. The land upon which the double mobile classroom with toilets is sited shall be restored to its former condition within the first planting season after the unit is removed.

**GEORGE BATTEN**

Director of Environmental Services

Report Author

**CHARLOTTE LEWIS**

Planning Officer

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**The following unpublished documents have been relied on in the preparation of this Report:**

Consultation replies