

Reference: 17/00086/CV	Site: St Thomas Of Canterbury Catholic Primary School Ward Avenue Grays Essex RM17 5RW
Ward: Grays Thurrock	Proposal: Application for the removal of condition no. 7 (Traffic Management Scheme) of planning permission ref. 97/00758/FUL (Internal alterations and extensions to existing school building to replace temporary buildings and increase school capacity. Improved provision for car access and parking.)

Plan Number(s):		
Reference	Name	Received
7431-8833603-ESL	Location Plan	25th January 2017

The application is also accompanied by:	
- N/A	
Applicant: Mr Chris Birtles	Validated: 24 January 2017 Date of expiry: 21 March 2017
Recommendation: To Refuse	

This application is scheduled for determination by the Council's Planning Committee because the application has attracted significant local interest.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 The application seeks the removal of condition 7 (Traffic Management Scheme) of planning permission reference 97/00758/FUL.

2.0 SITE DESCRIPTION

2.1 St Thomas of Canterbury Catholic Primary School is located in Ward Avenue, Grays, surrounded by residential streets.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
97/00758/FUL	Internal alterations and extensions to existing school building to replace temporary buildings and increase school capacity. Improved provision for car access and parking.	Approved, subject to conditions

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council’s website via public access at the following link: www.thurrock.gov.uk/planning

PUBLICITY:

4.2 This application has been advertised by way of individual neighbour notification letters. There have been 8 letters of objection and one letter of support. The letters of objection raise the following concerns:

- Access to site
- Additional traffic
- Noise
- Pollution
- Health and safety problems
- Traffic problems

The letter of support makes the following comments:

- Safety grounds

4.3 HIGHWAYS

Recommend refusal.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

- Promoting sustainable transport

Planning Practice Guidance

- 5.2 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Determining a planning application
- Use of Planning Conditions

Local Planning Policy

Thurrock Local Development Framework (2015)

- 5.3 The Council adopted the Core Strategy and Policies for the Management of Development Plan (as amended) in 2015. The following Core Strategy policies apply to the proposals:

Thematic Policies:

- CSTP12 (Education and Learning)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD9 (Road Network Hierarchy)

[Footnote: ¹New Policy inserted by the Focused Review of the LDF Core Strategy. ²Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. ³Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

Focused Review of the LDF Core Strategy (2014)

- 5.4 This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

Draft Site Specific Allocations and Policies DPD

- 5.5 This Consultation Draft “Issues and Options” DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD ‘Further Issues and Options’ was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

- 5.6 The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough’s Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy ‘Broad Locations & Strategic Sites’ to ensure that the Core

Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

6.0 ASSESSMENT

- 6.1 By way of background, planning permission was granted for extensions and alterations to the school in 1997 under planning reference 97/00758/FUL. At that time, it was considered an increase in capacity at the school would impact on road safety on Ward Avenue and wider residential environment. Thus as a mitigation measure a condition was applied for the school to implement a traffic management scheme to ensure that the effect of the proposal was minimised and that improvements to road safety and the general street environment were made.
- 6.2 The agreed mitigation strategy was a traffic management system for parents to drop-off children within the school boundary rather than on the public highway. The aim of this was to reduce the number of cars stopping on the highway to prevent traffic being unnecessarily obstructed during morning and afternoon school drop off and pick up times.
- 6.3 The school has successfully operated the traffic management system since 1997 but ceased operating the system in September 2016. The applicant has advised that the school has sought to remove the condition because it considers that the operation of a pickup and drop off within the site poses a risk to pupils, staff and other pedestrians when vehicles enter the school site, at a time when there are high levels of vehicle movement.
- 6.4 There is no evidence put forward to substantiate this, and nothing to indicate why a system that has previously operated successfully is no longer viable and needs to be changed. It is not considered that the matters put forward justify the removal of the condition which would have wider impacts beyond the application site. In addition, it is within the school's gift to manage vehicle movements within his site where he can exercise control. Displacing vehicles onto the public highway creates more harm.
- 6.5 The Council's Highway Officer indicates that since the school has ceased to operate the management scheme complaints have been received from local residents and there have been reports of unsafe parking, congestion and concerns over children's and parents road safety in and around the entrance to school on Ward Avenue. The officer considers that the current issues on site indicate that the previous concerns regarding the impact of the increase in capacity on site were justified and that the condition to impose a traffic management needs to remain.
- 6.6 The Highway Officer considers the removal of Condition 7 would be contrary to PMD9 Road Network Hierarchy and therefore recommends refusal.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The removal of condition 7 of planning permission 97/00758/FUL would be contrary to policy PMD9 of the Core Strategy as it would lead to significant impacts on highways safety, efficiency and amenity on Ward Avenue.

8.0 RECOMMENDATION

To Refuse for the following reason:

Reason(s):

- 1 Policy PMD9 (Road Network Hierarchy) of the Core Strategy (as amended 2015) indicates that proposals for development affecting the highway will be considered in relation to the road network hierarchy and the function of each level of that hierarchy. The aim is to enhance the street scene and to mitigate adverse impacts on the transport system, which includes impacts on capacity, safety, air quality, and noise

The removal of condition 7 of planning permission 97/00758/FUL would be contrary to Policy PMD9 of the Core Strategy as it would lead to significant impacts on highways safety, efficient and amenity on Ward Avenue, to the detriment of pedestrians and motorists using the highway.

INFORMATIVE:

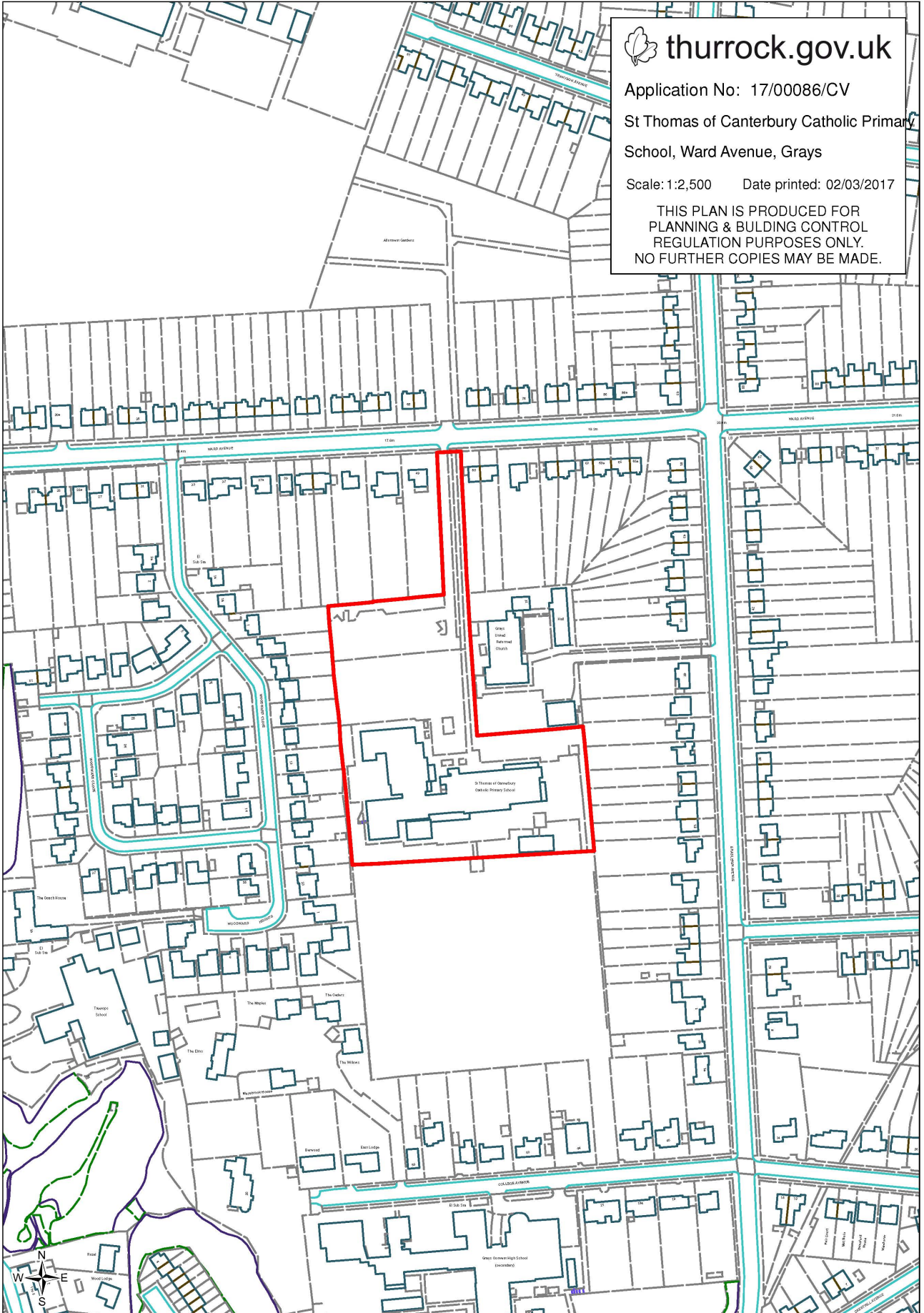
Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing with the Applicant/Agent. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning



 thurrock.gov.uk

Application No: 17/00086/CV

St Thomas of Canterbury Catholic Primary School, Ward Avenue, Grays

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