

Application Number: AWDM/15

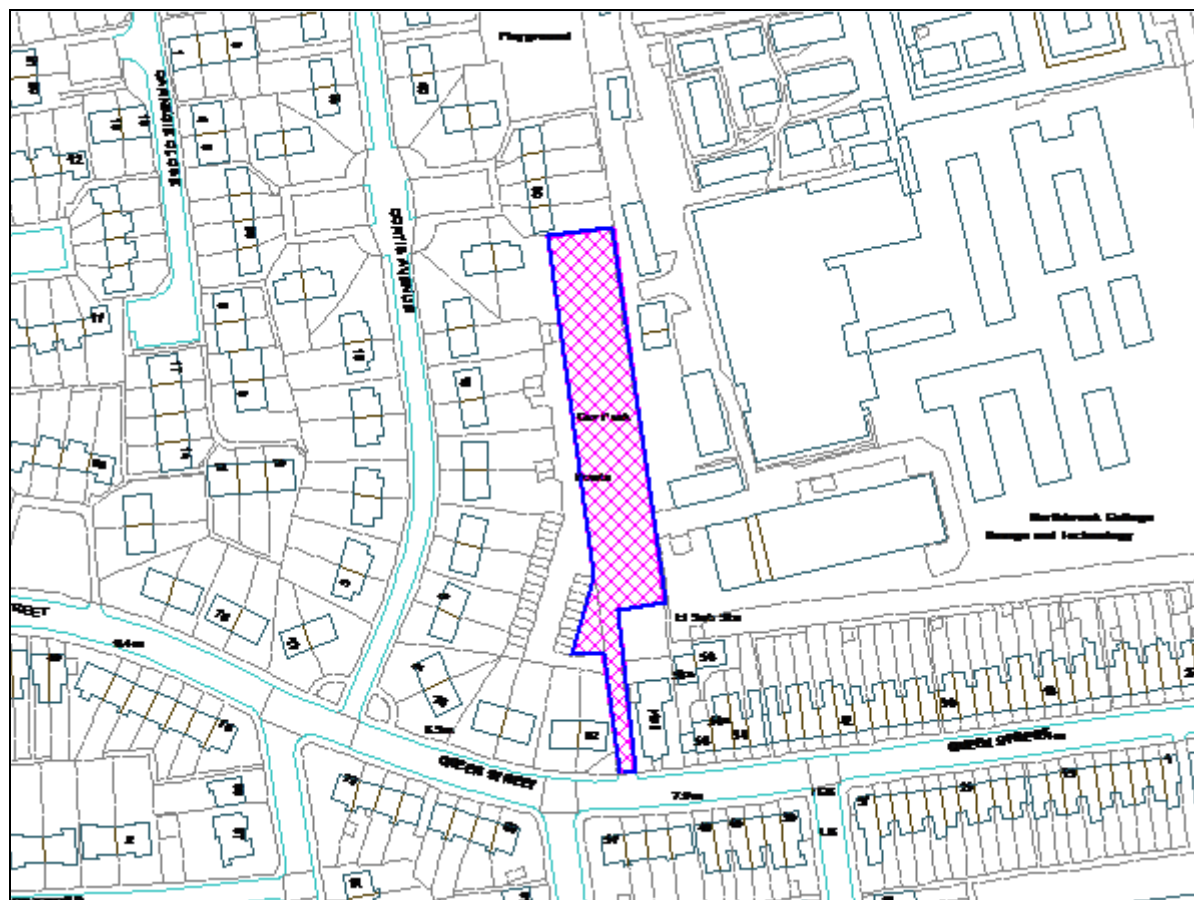
Recommendation – No
Objection

Site: Land at Queen Street Public Car Park, Queen Street, Worthing.

Proposal: Installation of temporary buildings to provide school accommodation for approx 12 months. Existing site is currently used as a public car park (Regulation 3 – County Council Consultation).

Applicant: WSCC Executive Director
Residents Services
Case Officer: Gary Peck

Ward: Broadwater



Not to Scale

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The Site and Surroundings

The application site is an existing public car park located in a backland location immediately to the west of Northbrook College and land recently purchased by West Sussex County Council to build a new secondary school (Bohunt Academy). The site extends to 0.23 hectares (0.57 acres). The car park currently provides 74 car parking spaces and is served by a narrow access from Queen Street. To the south of the site and east of the car park access, is Queen Street Church. To the west of the site is a triangular shaped garage compound and a long access road serving the rear of semi-detached properties in Cortis Avenue. Immediately to the north of the application site is a terrace of two storey properties.

The Proposal

The Borough Council has been consulted on this West Sussex County Council application (Regulation 3) to install temporary buildings on Queen Street Car Park to provide school accommodation for approximately 12 months. The application will be determined by the County Council and the Borough Council has been requested to respond to this consultation by the **12th June 2015**.

The new Academy is currently under construction with a completion date expected to be in May 2016. Bohunt school is due to open in September 2015 initially with two year groups (7 and 8). The school is expected to accommodate approximately 200 pupils. The County Council states, therefore, that there is a need to provide a temporary school for two terms and the car park site, immediately adjacent to the site, would provide an appropriate location.

A total of 14 modular teaching and ancillary buildings are proposed on the site with a small play area located centrally on the site. The 6 larger classroom school units are located along the eastern boundary of the site and include 3 double storey height modular classrooms with internal staircases measuring 16.5 metres by 9.8 metres and 6.5 metres high. The remaining 3 single storey units incorporate kitchen/dining facilities, a main hall and an art/music room. The remaining 8 modular are smaller single storey units (maximum size 9.6m x 3.5m) located along the western boundary of the site and these provide toilets, changing rooms, a library and an IT server/store.

The existing access onto Queen Street is to be retained and a pedestrian access to Northbrook College is shown between the two larger classroom units at the northern end of the site. A 6.5 metre gap is shown from the southern boundary of the site and the supporting statement indicates that this would provide vehicular access to 15 car parking spaces on the permanent school site. A new gate and fence is proposed providing security around the new temporary school site. On a triangular piece of land to the south of the existing car park, space is shown for 20 cycle racks and a temporary bin enclosure.

Background and Relevant Planning History

On the 7th October 2014, West Sussex County Council granted planning permission for a new 900 pupil Academy on land south of the Northbrook College's campus in Broadwater. The Borough Council was consulted on the application and at its

meeting on the 17th September 2014 the Planning Committee raised no objection to the proposal subject to nineteen outstanding matters being resolved. One of these matters related to concerns about the adequacy of using Queen Street Car Park as a drop off point for pupils. In connection with this matter the Planning Committee report stated that,

'There are, however, questions over the suitability of the access to the car park which is narrow. It is 4.3 metres wide and the County Council advises that this is wide enough for two vehicles to pass and suggests that the narrowness will help to reduce vehicle speeds and thereby improve highway safety. Whilst this may be true in some respects there will be occasions when two vehicles will not be able to pass. If this access is busy at peak times it would have the potential to cause highway safety issues with vehicles trying to reverse out into Queen Street. Queen Street is narrow due to a large number of cars parked on street and is sometimes made worse by a car transporter delivering to Caffyns. Queen Street is a busy route at peak times often used for 'rat running' during peak periods and the traffic build up is aggravated by the difficulty of delayed right turn out movements into Broadwater Road. The Puffin crossing may make this more difficult or could on occasions make this right turn manoeuvre easier.

However, Queen Street car park is of concern with the temptation for parents to drop off in Queen Street itself because of the difficulties of accessing the car park. This may not be so serious if vehicles are all travelling eastwards and traffic is at a standstill but it will increase the highway dangers, particularly for cyclists with car doors unexpectedly opening. A representation has been received from a resident of Queen Street who has lived there for 17 years and claims that she has never seen two cars pass within the access to the car park. She also states that because the car park has been used in the way it has, particularly with students using it for daily parking and, all entering in the morning and all exiting in the evening, it has been operating very low and one directional flows. The concern, if fully operational, is that there is not an identified safe refuge or path for pedestrians or cyclists using this narrow access and this will add to the potential for conflict with cars.

It is understood that the potential new sponsor for the Academy has raised some concerns about the proposed parking arrangements and your Officers would prefer the Queen Street Car Park to be used primarily for staff to limit the two way movements along the fairly narrow access and conflict at the junction with Queen Street which is a busy narrow road particularly during the morning peak hour. Irrespective of whether this car park is used for staff or as a dropping off point it is clearly essential to provide the necessary parking requirements for the new Academy and the applicant has been requested to include the car park within the application site so that conditions can ensure that this is available for parking related to the new Academy.'

At the Joint Strategic Committee meeting on the 7th October a report was considered in relation to the possible disposal of the Queen Street Car Park. The report stated that,

'There is no merit in introducing charges here as it will simply push users out onto the local streets where we already receive complaints from residents about students.

With the high use by students, it is likely that the College may show interest in purchasing the site. In addition, this site has been identified by WSCC in connection with the new secondary school. To enable any disposal, the Council requires a valuation of the site, both as existing and for development, in order that agreement can be reached with WSCC and an element of undersale properly understood. It is recommended that Members consider selling this car park.'

At the meeting concerns were expressed by local residents about the disposal of the car park and Members acknowledged that it was important to consider the needs of the whole community before any disposal was considered.

To meet the age of transfer timetable and to secure the necessary funding for the project from the Department for Education (DfE) the new Academy has to be open by September 2015. Unfortunately, the County Council has indicated that there is insufficient time to build the new Academy by this date. As a result, the new Academy will have to open in temporary classrooms.

It was originally considered that there would be enough space on the new school site to place the temporary classrooms. However, after further investigation, it became clear that a temporary school would have to be built off-site. An alternative location to the west of the proposed Academy was considered but this was not considered appropriate for many prospective parents who live close to the new Academy site.

At the Joint Strategic Committee meeting on the 31st March 2015 the Borough Council, as landowner of the car park, agreed in principle to a short term lease of Queen Street car park to WSCC/Bohunt to enable the temporary school buildings to be erected, subject to the grant of planning permission.

Planning Assessment

Parking/Highway Considerations

The main issue in this case is the loss of the public car park and the impact of the proposed use on the amenities of local residents. Whilst, the principle of using the car park owned by Worthing Borough Council has been accepted by Joint Strategic Committee (JSC) this was as a landowner and should not in any way prejudice the decision of the Planning Committee on this matter. In this respect it should be noted that whilst JSC resolved to enter into a short term lease to accommodate the temporary school this was subject to the grant of planning permission. Furthermore although JSC also considered the long term use of the car park by the school this was also subject to planning permission being granted. An application has recently been submitted to West Sussex to amend the permission for the new Academy to include the car park for use by staff once the new School opens next year.

The need for the temporary school to open this September has been driven by the tight timetable agreed for the Age of transfer for Worthing and restrictions on the use of Department for Education (DfE) funding for the new Academy. In terms of its location, the new Academy Sponsor, Bohunt has been keen to locate the temporary school next to the permanent site as the majority of parents live within a reasonable distance of the site. In addition the site is close to the Manor Ground providing

additional sports facilities for the new Academy. An alternative location was suggested by the Borough Council (Palentine Park) but this was discounted because of the distance away from the majority of new entrants to the school.

In principle, the temporary use of the car park is considered appropriate provided that car parking and access issues for the new school can be addressed and provision can be made to provide some level of alternative parking for existing users of the car park. The car park has been free to use for many years and it has been used by local residents, Queen Street Church, students and staff at Northbrook College and by the nearby Audi showroom and workshop.

An initial consultation with local residents carried out by WSCC including a survey and considerable concern was expressed about the provision of the temporary school on the car park and the loss of parking spaces for the local community. In response to the question about the temporary loss of the car park for the temporary school 65% did not support the proposal. A petition has been also circulated and at the time of the Joint Strategic Committee in March contained approximately 450 signatures. The petition requests *'Worthing Borough Council not to sell or lease out Queen Street Car Park. We want the car park to remain as a free car park, which is available for the whole of the local community to use 24 hours a day'*. WSCC has attempted to address these concerns by,

1. Indicating that spaces could be made available on the permanent school site (approximately 15) for residents and the Church.
2. Agreeing with Northbrook College that it's car park could be used by those attending Queen Street Church and,
3. Discussing the potential use of the Manor Ground car park by school staff and the possible use of Teville Gate by Audi with the Borough Council.

A number of these matters are difficult to control through the planning process as they are not within the site boundary or control of the applicant. In support of the planning application reference is made to 15 spaces for local residents being provided on the main school site between September and January 2016 but no details are included with the application. The applicant has been requested to include these spaces within the red edged area of the current application and ideally these spaces would be available as soon as possible after the car park has been closed for the installation of the temporary classrooms. A condition can be imposed to secure the provision of these spaces.

Your Officers are aware that there are a number of community organisations that use Queen Street Church and parking particularly during the evenings is of concern with the loss of the Queen Street car park. The agreement of the College to use its car park up to 10.00pm would be beneficial although it is noted that this may not be that attractive to visitors to the Church given that access through the temporary school grounds would not be possible and it would be a relatively long walk round from the College car park to the Church. The use of the College car park may be of greater benefit to the Church once the new school is open and access through the new Academy site can be made available.

The scope to use the 30 spaces at the Manor Ground is being discussed with the Borough Council. The Parks Manager has confirmed that access into the car park can be opened by grounds maintenance staff in the mornings although he would need to arrange for the car park to be closed again at night. This parking would be beneficial for staff at the school and discussions have been held with Audi to see whether they could use some of this parking for its demonstrator cars during the day. It would be important, however, that any use of the car park by Academy staff or Audi does not impact on the use of the car park for cricket matches and further negotiations are required to see how best this parking can be used to its full potential. Audi currently has an agreement with the Council to use Meadow Road for additional parking and this use could be extended if required. Audi has not been interested in any parking at Teville Gate.

Whilst, there are various measures that are being undertaken to mitigate the impact of the loss of the existing public car park, it is likely that there will be increased pressure for on street parking in the streets around the site. This would be for a relatively short period whilst the temporary school is in place but it is recognised that adjoining roads are already heavily parked. The redevelopment of Northbrook's Durrington Campus will result in a number of students moving back to this campus and it is anticipated that this will provide additional capacity in its car park. It will be important that separate agreements are in place between the WSCC and the College to ensure that parking is available both for Church users and local residents.

In terms of the local impact of additional traffic and parking for the temporary school the submitted Travel Plan highlights that many of the new students will gain access other than by car and the following table sets out the different travel modes of students who have requested a place at the new Academy.

Key % Totals	% Y7 modelled	%Y8 modelled	%Combined Modelled
Walking/Bike	67(53/10)	61(36/7)	64 (89/17)
Public trans	7 (6)	13 (9)	9 (15)
Car	24 (22)	27 (19)	25 (41)
D/Know	2 (2)	0 (0)	1 (2)
Total	100	100	100

This Survey was of both staff and prospective pupils and 89% replied. From this Survey it is apparent that a high percentage of trips will be walking and by bike (64%) and only 25% by car (potentially 41 cars). The Travel Plan recognises the congested nature of Queen Street and that it is used as a 'rat run' and, therefore, the school proposes that dropping off areas would be designated away from Queen Street and safe walking routes identified. A plan attached to the Draft Travel Plan suggests dropping off points some distance away from the school site encouraging pupils to finish their journey on foot. Given the problems of dropping off at many existing schools in the town, there is some concern at how successful such an approach might be. However, given the relatively low numbers of anticipated car trips involved and the scope to drop off at Carnegie Road to the north of the site, it is not considered that the

new temporary school would have a significant impact on the local highway network. At this stage, your Officers are not aware of the views of the Highway Authority on this application but clearly the County Council will need to have due regard to any comments received in determining this application. It will be important that a travel plan condition is imposed to encourage sustainable modes of transport to the site and ensure that the situation is monitored during the temporary permission for the school on the car park site.

Residential Amenity

The layout of the site has sought to reduce the impact of the development on adjoining properties in particular by locating the two storey classrooms at the southern end of the site and siting the smaller single storey modular building along the western boundary of the site. The properties in Cortis Avenue are approximately 24 metres away from the western boundary of the site and, therefore, it is not considered that the modular buildings would cause any undue overlooking or overbearing impact. The modular buildings are to be coloured goosewing grey and photographs of the modular buildings demonstrate that they are not unattractive structures, albeit functional in design terms.

The Council's Environmental Health Section has been consulted on the application and its comments will be reported at the meeting. However, the location of the music/art room immediately adjacent to the garden to No. 28 Cortis Avenue does raise some concern and the applicant has been asked to consider relocating the music room away from this property (possibly swapping the unit with No. 5). Members will be updated on this matter at the meeting.

Recommendation

Members are recommended to raise no objection to the WSCC consultation subject to:

- i) The application being amended to include parking for the Church/local residents on the permanent school site.**
- ii) Separate agreements are in place with Worthing Borough Council and Northbrook College to ensure that existing car parks are available to provide compensatory parking.**
- iii) Consideration is given to relocate the music/art room away from the northern boundary of the site.**
- iv) Planning conditions are imposed including:**
 - temporary permission for the modular buildings with the land restored to a car park at the end of the temporary period;**
 - car parking on the permanent school site shall be available prior to the first use of the temporary buildings and retained until at least the end of January 2016;**

- **prior to the first use of the temporary school buildings, a Travel Plan shall be submitted and approved in writing. Thereafter, the Travel Plan shall be implemented and monitored by Bohunt Trust to ensure compliance.**

Schedule of other matters

1.0 Council Priority

1.1 To support and contribute to the health, safety and well-being of the area

2.0 Specific Action Plans

2.1 Matter considered and no issues identified.

3.0 Sustainability Issues

3.1 The school has been located to serve the local community thereby encouraging sustainable travel.

4.0 Equality Issues

4.1 Matter considered and no issues identified.

5.0 Community Safety Issues (Section 17)

5.1 None in this context.

6.0 Human Rights Issues

6.1 Article 8 of the European Convention safeguards respect for family life and home, whilst Article 1 of the First Protocol concerns non-interference with peaceful enjoyment of private property. Both rights are not absolute and interference may be permitted if the need to do so is proportionate, having regard to public interests. The interests of those affected by proposed developments and the relevant considerations which may justify interference with human rights have been considered in the planning assessment.

7.0 Reputation

7.1 Decisions are required to be made in accordance with the Town & Country Planning Act 1990 and associated legislation and subordinate legislation taking into account Government policy and guidance (and see 6.1 above and 14.1 below).

7.2 The provision of a school on the site by September 2015 ensures that WSCC Age of Transfer for Worthing schools can be satisfactorily implemented.

8.0 Consultations

8.1 The Borough Council is a Consultee in this matter with all public consultation being undertaken by the County Council.

9.0 Risk Assessment

9.1 Matter considered and no issues identified.

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified.

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership Working

12.1 The Borough Council is working in partnership with WSCC to deliver the Age of Transfer.

13.0 Legal

13.1 Powers and duties contained in the Town and Country Planning Act 1990 (as amended) and associated legislation and statutory instruments.

14.0 Financial implications

14.1 Decisions made which cannot be substantiated or which are otherwise unreasonable having regard to valid planning considerations can result in an award of costs against the Council if the land owner is aggrieved and lodges an appeal. Decisions made which fail to take into account relevant planning considerations or which are partly based on irrelevant considerations can be subject to judicial review in the High Court with resultant costs implications.