

APPLICATION FOR FULL-PLANNING PERMISSION CASE OFFICER REPORT

APPLICATION REFERENCE:	PL/2026/04705
APPLICATION TYPE:	Wiltshire Council R3
SITE ADDRESS:	Hilmarton Primary School, Compton Road, Hilmarton, Calne, SN11 8SG
DEVELOPMENT DESCRIPTION:	To renew the Planning Permission for 5 years for the existing Mobile Classroom at Hilmarton Primary School, Mobile 717(95)
RECOMMENDATION:	Approve with Conditions

SITE DESCRIPTION & PROPOSAL

The application site comprises Hilmarton Primary School, located centrally within the village of Hilmarton. The school currently accommodates 105 pupils which are organised into a four class structure. Over the next five years, predicted pupil numbers are expected to fall slightly, but remain at a level that will continue to require a four class structure.

The school currently has three permanent classrooms and one temporary classroom. At present, the school does not have the funding to replace the mobile classroom with a permanent building. Planning permission is therefore sought to renew planning permission for the single mobile classroom for a further temporary period of five years.

The mobile classroom has been in situ since permission was granted in 1995 and has been subject to multiple previous renewal applications. The proposal would facilitate the continued operation of the school's existing four class structure and maintain education provision at the site.

The application site is situated within the Hilmarton Conservation Area. Hilmarton Primary School is Grade II listed, as are a number of neighbouring cottages to the north and north-east.

PLANNING HISTORY

Proposal / Summary
PL/2021/05218 - To renew the planning permission for the retention of existing single mobile no 717 (95) – Approved with Conditions
15/11781/DP3 – Retention of a Single Mobile Classroom – Approved with Conditions
N/10/03973/REG3 - Retention of a Single Mobile Classroom WCC717(95) (Renewal of N/05/07018) – Approved with Conditions
N/05/07018/FCM - Retention of a Single Mobile Classroom WCC717(95) - Approved
N/00/01960/FCM – Retention of single mobile classroom (approved)
N/95/01114/FCM – Erection of single mobile classroom (approved)

RELEVANT LEGISLATION, POLICIES AND GUIDANCE

National Planning Policy:

- National Planning Policy Framework (NPPF)

Development Plan:

The development plan for Wiltshire comprises the *Wiltshire Core Strategy (WCS)* (adopted January 2015) and any made neighbourhood plans, which remains the principal statutory planning document guiding development across the county. In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.

Though the development plan is considered as a whole, those parts deemed to be particularly relevant to this application are listed below:

The adopted *Wiltshire Core Strategy (WCS)*, with particular regard to:

- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;

Neighbourhood Plan:

N/a

North Wiltshire Local Plan 2011:

N/a

ISSUES

The main issues that need to be addressed in this case include:

- Whether the scheme constitutes high quality design and impact on the character and appearance of the area (CP 57)
- Whether the scheme would have an acceptable impact upon the reasonable living conditions of the adjoining occupants (CP 57)
- Whether the scheme would preserve or enhance the historic environment (CP 58)

CONSULTATION RESPONSES

Hilmarton Parish Council – Support

Conservation Officer – Comments

“Policy HE4 requires that heritage assets be conserved in a manner appropriate to their significance and harm avoided unless this has a clear and convincing justification.

Policies HE6 (designated assets) of the NPPF require a balanced approach with substantial weight given to the asset’s conservation and harm caused being weighed against the potential public benefits which might be achieved.

*The NPPF defines significance as the “value of a heritage asset to this and future generations because of its heritage interest. The interest may be, **architectural**, or **historic**. Significance derives not only from a heritage asset’s physical presence, but also from its setting.” Historic England assesses significance in a It is considered that the continued siting of the temporary classroom in close proximity to the adjacent listed building will result in less than substantial harm to the heritage asset.*

The Temporary classroom is sited at right angles to the back wall of the main school building with the school yard and playing field beyond to the east. It is standard timber framed structure with rendered panels painted reddish brown to blend with brick of the school. The dimensions are 9.2 m x 4.8 m and 3m to lower eaves with 3.1 m to the other side allowing a slight fall to a gutter on the east elevation. The classroom is raised between 300 and 400 mm above playground level with horizontal timber slates to screen the plinth

The Temporary Classroom was first sited in 1995 and permission has been renewed every 5 years under a condition that has a reason for the Temporary condition in the interests of amenity, in order to secure the restoration of the land upon removal of a building for which permission can be justified only on the basis of a special temporary need

It is noted that the classroom is suffering weathering especially to fascia boards and is now 20 years old.

The retention of the classroom is justified on the class numbers and need to maintain the four class structure at the school.

There is some concern that should a further 5 years permission be granted that the condition of the classroom is such that it should not be renewed after this time and either a permeant classroom or a new Temporary classroom be considered. In addition, it is noted that the forecast for students in reducing by 11 student between 2025 up to 2029 and this may allow for alternative arrangements within existing school building and the removal of this classroom. The siting of this classroom has a low harm impact on the setting of the listed building and neutral impact of the character and appearance of the Conservation Area. However, this is balanced against the public benefit gained from the continued use and occupation of the classroom by the school, allowing for additional teaching space.

I consider after 25 years of use that the classroom be removed /replaced after this temporary permission in 5 years and this should also provide the School with time to plan for alternative arrangements and classroom structure if that is the alternative.

Summary & conclusion: *The NPPF confirms that when considering the potential impact of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). It makes clear that any harm to a designated heritage asset will be a matter of considerable importance and weight which requires clear and convincing justification.*

The siting of this classroom has a low harm impact on the setting of the listed building and neutral impact of the character and appearance of the Conservation Area. However, this is balanced against the public benefit gained from the continued use and occupation of the classroom by the school, allowing for additional teaching space.”

REPRESENTATIONS

In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), the application was publicised by way of:

- Neighbour notification letters sent to adjoining and nearby properties; and
- A site notice displayed near the site.

These methods were used to inform interested parties and provide a period of 21 days for comments to be submitted.

No third party comments were received at the time of drafting this report.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans. Consideration has also been given to the policies of the National Planning Policy Framework (NPPF) as a material consideration in the assessment.

Design and Impact on the Character and Appearance of the Area and Heritage Assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Chapter 20 of the NPPF seeks to conserve and enhance the historic environment, recognising heritage assets as an irreplaceable resource which should be conserved in a manner appropriate to their significance. Policies HE4 and HE5 require decision-makers to secure the conservation of heritage assets and to identify and assess the significance of heritage assets that may be affected by development, including any contribution made by their setting.

Policy HE6 requires local planning authorities, when determining applications affecting designated heritage assets, to give great weight to the conservation of the asset's significance, irrespective of the level of harm identified. Where proposals would result in harm to the significance of a designated heritage asset, that harm must be weighed against the public benefits of the proposal.

Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

The property is situated within the Hilmarton Conservation Area, and close to the Grade II listed Hilmarton Primary School, and neighbouring Grade II cottages. The temporary classroom is a timber framed structure with rendered panels painted reddish brown. The

dimensions are 9.2m x 4.8m and 3m to lower eaves with 3.1m to the other side. It is utilitarian in appearance and functional for educational purposes. Its appearance is typical of temporary classroom accommodation found on school sites.

The mobile classroom was first granted permission in 1995, and this has been renewed many times since it was first installed. Over the passage of time this building has suffered weathering. However, it is understood that this is proposed to be retained as there is no funding for a replacement or permanent structure.

It is considered that the proposal would result in a low level harm to the significance of the Grade II listed primary school through impact on its setting. However, this identified harm is outweighed by the public benefits arising from the continued provision of a sufficient number of classrooms for the school necessary to maintain the school's existing four class structure. On balance, the further temporary permission is considered acceptable. Given the limited scale of the building, the proposal is considered to have a neutral impact on the conservation area and listed buildings within the wider area.

Having had special regard to the desirability of preserving the listed building and its setting under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and having paid special attention to the desirability of preserving or enhancing the character or appearance of the Hilmarton Conservation Area under Section 72(1), it is concluded that the proposal is acceptable.

Amenity

Core Policy 57 (Point vii) of the Wiltshire Core Strategy requires development to respect the amenity of existing occupants and ensure appropriate amenity levels for future residents.

The application relates to the retention of a temporary classroom building within the existing school grounds. The classroom is located to the rear of the main school building, and close to neighbouring residential boundaries. The classroom has existing in this location since 1995 and this proposal would not alter its siting, scale, appearance or use. No objections have been received by neighbours.

The proposal is not considered to result in any unacceptable impacts on residential amenity. The development is therefore considered to comply with Core Policy 57 of the Wiltshire Core Strategy.

Other material considerations

Planning Practice Guidance states:

When can conditions be used to grant planning permission for a use for a temporary period only?

Under [section 72 of the Town and Country Planning Act 1990](#) the local planning authority may grant planning permission for a specified temporary period only.

Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.

A temporary planning permission may also be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward (a 'meanwhile use').

It will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is clear justification for doing so. There is no presumption that a temporary grant of planning permission will then be granted permanently.

A condition requiring the demolition after a stated period of a building that is clearly intended to be permanent is unlikely to pass the test of reasonableness. Conditions requiring demolition of buildings which are imposed on planning permissions for change of use are unlikely to relate fairly and reasonably to the development permitted.

Paragraph: 014 Reference ID: 21a-014-20140306

Revision date: 06 03 2014

As such consideration has been given to the potential for temporary or permanent planning approval with discussions between the case officer, senior officer and team leader. In the circumstances, noting the 'description of development' on which the application has been advertised, the planning history and that the classroom is so old and may be likely to be replaced soon, or potentially the pupil numbers may continue to decline so it will no longer be needed within the next 10 yrs then a further 5 year temporary approval is on balance considered to be pragmatic.

CONCLUSION

The proposal seeks planning permission for a further five years for the temporary classroom to support the continued four class structure at the primary school. The Council does not currently have funding to replace the mobile classroom with a permanent building. In these circumstances, a further temporary permission is considered reasonable to allow the continued provision of educational facilities. Whilst the proposal would result in a low level harm to the setting of the Grade II listed school building, this harm is outweighed by the public benefits associated with the continued provision of sufficient classrooms at the school to maintain a four class structure.

The development complies with the relevant policies of the Wiltshire Core Strategy. It would not result in unacceptable impacts in respect of design, amenity and on balance, conservation. The temporary consent is considered acceptable and planning permission is recommended for approval, subject to conditions.

RECOMMENDATION:

That Planning Permission be GRANTED, subject to conditions

1. The building hereby permitted shall be removed and the land restored to its former condition on or before five years from the date of this permission.

REASON: The permission has been granted to meet a temporary need, and to ensure the removal of the building upon the expiry of the permission.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan, Elevations and Location Plans 1064/21 Rev O
Location Plan

REASON: For the avoidance of doubt and in the interests of proper planning.

Informatives:

1. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
2. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.