

DR/12/13

committee DEVELOPMENT & REGULATION

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COUNTY COUNCIL DEVELOPMENT

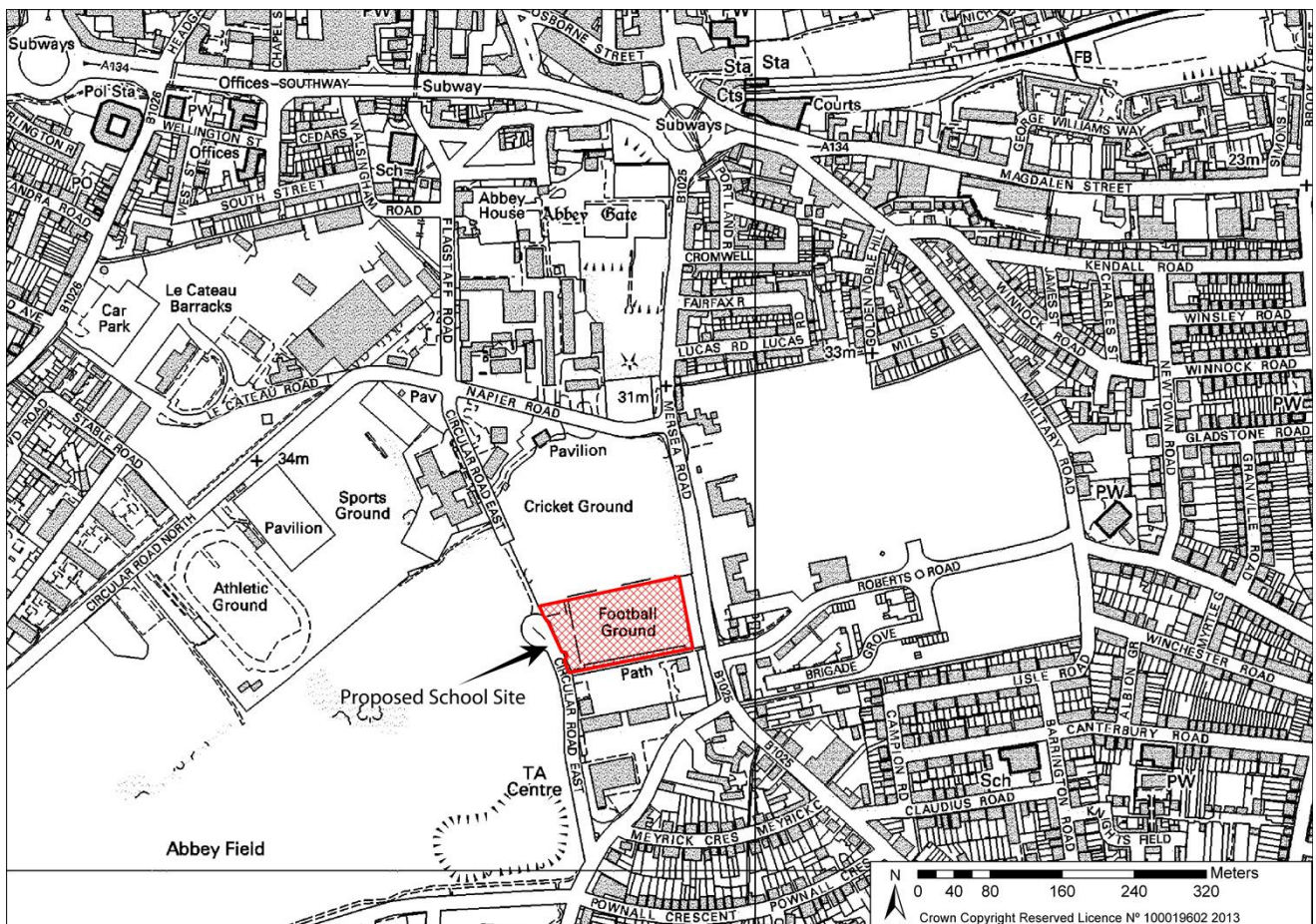
Proposal: **Construction of a new 300 place primary school with external hard and soft play areas, canopy and 20 space car park.**

Location: **Vacant Land, Circular Road East, Colchester, Essex.**

Ref: **CC/COL/34/12**

Report by Assistant Director of Sustainable Environment and Enterprise

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1. BACKGROUND

The Colchester Garrison is the subject of a large re-development which includes an area identified as a Primary School site.

This area was formerly used as a football pitch for the Army barracks but has been vacant for several years.

The existing Garrison buildings are 19th Century ceremonial buildings which overlook the eastern part of the site.

The existing St John's Green School is located close to the A134 Southway approximately 0.5 miles to the north of the application site.

2. SITE

The 11.9ha proposal site is located in central Colchester. It is within the Garrison Conservation Area.

Abbey Field (open space) lies to the west across Circular Road East, with a cricket pitch located to the north, Mersea Road and the Garrison to the east and the Territorial Army to the south.

There are a number of mature trees along the southern, eastern and western boundaries and the site has some Roman archaeological significance. World War II bunkers help to define the Mersea Road boundary.

Circular Road East has been previously adapted to include an 'end loop' and pedestrianised section. There is no through-route for vehicular traffic.

A public footpath runs parallel with the southern boundary.

3. PROPOSAL

The application is for the development of a new two-storey 300 place primary school which would operate as part of the existing St John's Green Primary School, located approximately 0.5 miles to the north.

The total capacity of St John's Green Primary School would be expanded to 540 pupils over the two school sites. Foundation stage and Years 1, 5 and 6 children would be located within the new building and Years 2, 3 and 4 would use the existing school.

The new school would include 10 classrooms centred around a learning 'bubble', as well as a multi-purpose hall. A Foundation stage play area with canopy is proposed to the western elevation and a hard play area and grassed sports pitch would be located to the east.

It is proposed that improvements would be made to the pedestrian routes between the two school sites as part of the existing Master Plan for the site. These

improvements do not form part of this planning application.

Vehicular access would be from Circular Road East to the west of the site. Pedestrian access for visitors would be from Circular Road East direct to the main building entrance, whilst pedestrian and cycle access for pupils would be via a separate access off Circular Road East and via the public footpath located to the south of the site.

4. POLICIES

The following policies of the Colchester Borough Council Local Development Policies (CBCDP), Adopted October 2010, and the Core Strategy (CBCCS), Adopted December 2008, provide the development plan framework for this application. The following policies are of relevance to this application:

	<u>CBCDP</u>	<u>CBCCS</u>
Sustainable Development Locations		SD1
Community Facilities		SD3
Regeneration Areas		UR1
Built Design and Character		UR2
Accessibility and Changing Travel Behaviour		TA1
Design and Amenity	DP1	
Historic Environment Assets	DP14	
Accessibility and Access	DP17	
Parking Standards	DP19	
Nature Conservation and Protected Lanes	DP21	

The National Planning Policy Framework (NPPF), published in March 2012, sets out requirements for the determination of planning applications and is a material consideration in taking decisions.

Paragraph 214 of the NPPF states that, for 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework.

The Colchester Borough Council Local Development Policies (CBCDP), Adopted October 2010, and the Core Strategy (CBCCS), Adopted December 2008, are considered to fall into paragraph 214.

5. CONSULTATIONS

COLCHESTER BOROUGH COUNCIL – No objection subject to conditions covering the following matters:

- High quality materials and architectural detailing.
- A Travel Plan.
- Cycle parking in accordance with the adopted parking standards.

- Landscaping.
- Tree protection.
- Land contamination.
- Limits to hours of work.
- Site boundary noise levels not exceeding 0dBA above background.
- External noise levels.
- Noise insulation on the building.
- Control of fumes and odours (from food).
- Light pollution.
- No floodlighting.
- The proposed 1.8m high close-boarded fence should be conditioned.

Also opposed to the relaxation of traffic regulations on Circular Road East; recommends that existing trees are inspected and remediated due to commencement of construction works; asks that the County Council is satisfied that there would be no adverse impact on the Air Quality Management Area; asks for advisory notes relating to pollution control during construction; and asks that the use of the school for additional social and community uses is secured.

Comment: CBC has commented that the 'Wynne-Williams' report accompanying the application has been produced to assess the current condition of the unmanaged playing field and to provide recommendations for returning the field into a useable condition. CBC considers it is therefore not a contaminated land risk assessment for the development as a whole.

It is noted that a further report accompanies the application relating to the entire development site. The report observes that the site was undeveloped until the early 1950's when it became a football ground. The site has remained unchanged until the present day. The report concludes that the use of the site as playing fields does not appear to have significantly impacted the soils, and no requirements for remedial measures in respect of land contamination are indicated.

It is therefore considered unnecessary to require further work via condition, which may in itself require planning permission in any event.

ENGLISH HERITAGE – Considers the revised proposals to be acceptable but recommends the use of high quality materials via planning condition.

ENVIRONMENT AGENCY – No objection. Provides advice relating to surface water drainage and recommends that Anglian Water is consulted with regard to foul water disposal.

SPORT ENGLAND – No objection as a statutory consultee. As a non-statutory consultee, recommends a condition requiring a community use agreement. Recommends that the development achieves the maximum BREEAM credits for water efficiency and the 'Good Practice' level of the AECB Water Standards.

NATURAL ENGLAND – No objection. Encourages the incorporation of Green Infrastructure in to the development. Refers to standing advice in respect of protected species.

ESSEX WILDLIFE TRUST – No comments received.

ESSEX FIRE AND RESCUE SERVICE – No comments received.

ESSEX POLICE AUTHORITY – No comments received.

COUNTY COUNCIL'S NOISE CONSULTANT – Comments that there is no acoustic report to confirm the suitability of the site for a school when it is located next to Mersea Road.

It is highly unlikely that fixed plant associated with the heating system, the proposed games court or car parking area would result in adverse impact on residential properties.

ANGLIAN WATER – No comments received.

NATIONAL GRID – No comments received.

HIGHWAY AUTHORITY – No objection subject to conditions requiring:

1. A traffic management plan.
2. Details of wheel cleaning facilities.
3. The widening of the St John's Green/Walsingham Road footway to a minimum 2.2m.
4. A zebra crossing in Circular Road North.
5. A Traffic Regulation Order and provision of signs and lines along Circular Road East to restrict waiting between 10am-11am and between 1pm-2pm.
6. A pedestrian barrier across the footpath which runs along the southern boundary of the site.
7. All footpaths within the proposal site to be constructed to a minimum 2m in width.

1-2 to be required prior to commencement of development.

3-6 to be required prior to beneficial occupation.

HIGHWAY AUTHORITY (Public Rights of Way) – No objection.

PLACE SERVICES (Ecology) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection subject to:

- Adherence to the submitted information including the Ecological Mitigation Report dated 21st December 2012 and comments from the applicant's ecologist.
- Grassland seeding in the autumn followed by temporary fencing off of the area to allow establishment.
- Retention of existing semi-improved grassland.
- A condition requiring a Landscape and Biodiversity Management Plan to include: mitigation for loss of grassland and incorporation of hornbeam rather than beech; omission of ash and elm due to disease; long term

management, monitoring and funding of existing and proposed habitats by the school managers.

- A condition requiring proposals for bird impact mitigation.
- A condition requiring mitigation and recommendations in the Phase 1 Habitat and Ecological Scoping Survey.
- A condition requiring protection of existing habitats during construction.
- A condition requiring a lighting scheme to ensure protection of bats.
- A condition requiring no removal of vegetation during the bird nesting season (mid-Feb – August).
- A condition requiring the submission of revised ecological assessments/surveys should the development not be commenced within 2 years.
- Recommends an informative with regard to badgers and reptiles if encountered following commencement of development.

PLACE SERVICES (Trees) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection subject to adherence to the tree work, construction works, protection etc. proposed in the Arboricultural Method Statement Rev B.

PLACE SERVICES (Urban Design) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – Initially raised concerns regarding the relationship of the building with Circular Road East. Considered that the Foundation classrooms and play area would be ideally located to the rear, or alternatively the security and screening could be amended to provide a more welcoming view to the main entrance. Car parking should be relocated to the side and replaced with a forecourt at the front of the school.

Following revised proposals, raises no objection and considers that concerns have been adequately addressed, with the revised details representing a moderate improvement in design quality. Recommends conditions relating to external materials and signage (ideally animated/public art) on the front of the building.

PLACE SERVICES (Landscape) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS –No comments to make.

PLACE SERVICES (Historic Buildings) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – Initially commented that the design would succeed in reflecting the structured formality and scale of the existing buildings in the conservation area. The roof and vertical emphasis of the elevations make reference to the garrison buildings. The development would have a human scale. The use of colour retains formality while expressing the use as a primary school.

- Red brick is sensitive to the character of the area but the proposed 'gault' is too grey.
- No objection subject to a condition requiring an alternative 'gault' brick colour and a sample panel.

Following re-consultation, comments that the increase entrance glazing makes a significant improvement to the appearance. The large mass is broken down by recessing, brick detailing and fenestration. The side elevations have been

improved through increased symmetry and brick detailing. The roof form helps break up the mass and the clopping roof will reflect the traditional roofs of the Conservation Area in a contemporary form. The application now shows careful detailing at the eaves and around the openings which will ensure contemporary high quality as opposed to a historic pastiche. No objection subject to conditions covering the following:

- A sample panel on site showing brick bond, mortar mix and pointing profile;
- External materials;
- Drawings showing windows, doors, eaves, copings and sills detailing;
- Boundary treatments.

PLACE SERVICES (Archaeology) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No further requirement for archaeological work. The site has been cleared of archaeology by Taylor Wimpey's archaeological contractors, prior to hand over to ECC, with monitoring taking place as appropriate.

LOCAL MEMBER – COLCHESTER – Abbey – Any comments received will be reported.

LOCAL MEMBER – COLCHESTER – Drury – Any comments received will be reported.

LOCAL MEMBER – COLCHESTER – Maypole – Supports the development but requests a crossing point by Napier Road and considers 20 car parking spaces would be too few.

6. REPRESENTATIONS

2 properties were directly notified of the application. 1 letter of representation has been received. This relates to planning issues covering the following matters:

Traffic noise during construction and operation of the school.	See appraisal.
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Retention of bollards in Circular Road East is not necessary.	See appraisal.
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Lack of parking provision means parents will park on double yellow lines.	See appraisal.
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7. APPRAISAL

The key issues for consideration are:

- A. Need
- B. Design and the Conservation Area
- C. Archaeology
- D. Impact on Amenity

- E. Landscape and Visual Impact
- F. Impact on Ecology
- G. Traffic & Highways
- H. Community Facilities

A NEED

The applicant has stated that significant housing development on the former Garrison site in Colchester has resulted in significant growth in pupil numbers in the centre of the town. The existing St John's School is popular but on a small site with no playing field. By the year 2013/14 there will be a predicted 332 pupils on the role of a school which has 210 places. This is predicted to rise significantly year on year.

It is noted that the NPPF requires planning policies and decisions to address the connections between people and places and the integration of new development into the natural, built and historic environment.

The connections and integration of the development will be considered further in the report, but in principle, due to the proximity to the existing St John's School, it is considered that there is a need for a new primary school in the proposed location.

It is additionally noted that the NPPF presents a presumption in favour of sustainable development. There are three dimensions to sustainable development – economic, social and environmental. Each of these roles should be sought jointly and simultaneously through the planning system. The extent to which the proposed development constitutes 'sustainable development' is considered throughout the report.

B DESIGN AND THE CONSERVATION AREA

CBCDP Policy DP1 (Design and Amenity) requires, in summary, all development to be of a high standard, to avoid unacceptable impacts on amenity, and demonstrate social, economic and environmental sustainability.

CBCDP Policy DP14 (Historic Environment Assets) requires refusal of development which would adversely affect a conservation area. New development should enhance the historic environment in the first instance.

CBCCS Policy UR2 (Built Design and Character), in summary, promotes high quality and inclusive design in all developments to make better places for both residents and visitors.

CBCCS Policy UR1 (Regeneration Areas), in summary, cites 'The Garrison' as a regeneration area, new development within which is encouraged to be within walking distance of Centres and Transit Corridors, of a design and scale which is sympathetic to the area, and to address local constraints.

CBCCS Policy SD1 (Sustainable Development Locations) promotes sustainable development in locations including regeneration areas (such as The Garrison).

The design of the proposed school building has been through several iterations during the course of the planning application process. The location with the Conservation Area means that the design approach is particularly sensitive.

The applicant engaged in pre-application discussions beginning in March 2012. Although the ECC Historic Buildings advisor was fully supportive of the scheme, an initial objection was received from Colchester Borough Council (CBC). The scheme was therefore amended but CBC remained opposed. The scheme was therefore taken to the Essex Design Review Panel for an independent assessment of the design merits.

The Panel commented as follows:

- The use of brick was sound,
- A more uniform façade would be preferable on the western elevation,
- The use of one (as opposed to two) type of brick was recommended without the use of step-backs,
- Further detailing of the landscape design was advised,
- Re-consideration of the 'blank' southern façade was advised,
- The lack of prominence of the entrance was considered to be an issue,
- The roof form was not considered to be an issue but the ventilation grilles were considered to be of no benefit.

Accordingly, the applicant revised the scheme to include:

- Amended landscaping to produce a more defined entrance and the introduction of new acid grass areas,
- A widened visitor entrance,
- Omission of soldier courses and addition of brick detailing and enclosed rainwater pipes,
- Additional detailing beneath the roof profile,
- Improved symmetry to the northern elevation,
- Use of single red brick,
- Omission of setbacks on the western façade,
- Reduction in size of the roof mounted ventilation grilles.

The NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

The scheme as now proposed is considered to be significantly improved.

The southern elevation is more symmetrical in terms of the positioning of doors and windows and vertical brickwork detailing has been added. The plant room louvers are also proposed as coloured to blend with the brickwork.

The north elevation now has an additional first floor classroom, with a stepped back north west and north east edge, to create symmetry. This is also achieved through the incorporation of a central seam of doors, glazing and a clerestory roof light. Additional brickwork detail emphasises verticality to reflect the surrounding Conservation Area. A protruding window has been added to the first floor group room. These amendments allow a visual link to the adjacent cricket ground and reflect the glazed main entrance and protruding staff room window on the western elevation.

The eastern elevation would face the playing field. The 'saw tooth' roof remains proposed but the ventilation grilles have been reduced in size and inset to appear less dominant. Rainwater detailing has been inset into the façade and vertical brickwork detailing emphasises verticality without the need for different coloured bricks.

The western elevation would face circular road east and provide the main entrance to the building. The roof grilles would, again, be less dominant than previously proposed. The classroom gables would include recessed areas and vertical brick detailing would emphasise verticality. The main entrance itself would be doubled in width with full height glazing and an elegant full width canopy.

It is noted that English Heritage, ECC Place Services and CBC have no objections on design grounds, subject to conditions, which it is considered could be imposed in the event that permission is granted.

It is therefore considered that the development would be of a high standard which would contribute to the Conservation Area, in accordance with CBCDP Policies DP1 and DP14, CBCCS Policies UR2, UR1 and SD1 and the design elements of the NPPF.

C ARCHAEOLOGY

CBCDP Policy DP14 (Historic Environment Assets) does not permit development which would adversely affect important archaeological remains.

Archaeological surveys have been carried out in the years 2004 and 2011. Roman features and a post-medieval ditch were discovered. Among the finds were a Roman ditch enclosure and a Roman quarry pit.

There are also 6 military air raid shelters located along the eastern boundary by Mersea Road. They are outside of the application site boundary.

The proposed building has been positioned to avoid the finds where possible. It is proposed that a watching brief would be maintained throughout the construction phase.

The ECC Archaeologist is satisfied that there is no further requirement for archaeological work. It is therefore considered that the development would comply with CBCDP Policy DP14.

D IMPACT ON AMENITY

CBCDP Policy DP1 (Design and Amenity) requires the protection of existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour), daylight and sunlight.

The areas immediately surrounding the application site consist of the cricket ground to the north, Abbey Fields to the west, Mersea Road to the west and the TA Centre to the south. The nearest residential properties are located approximately 100m from the site boundary beyond the TA Centre in Nancy Smith Close and approximately 40m to the east across Mersea Road in Roberts Road.

The distance and separation of the residential properties from the site is considered to be sufficient to ensure no significant impact on residential amenity.

The site has already been allocated as an appropriate location for a school through the Colchester Borough Council Local Development Framework. However, CBC has sought the imposition of conditions relating to noise, odour and lighting.

In terms of noise, it is considered appropriate that hours of construction working could be conditioned should planning permission be granted. Standard construction hours are 07:00 to 18:30 hours Monday to Friday, 07:00 to 13:00 hours Saturdays and at no other times. It is considered that such hours would assist in protecting surrounding amenity.

CBC has requested conditions relating to noise levels at the site boundary, external noise levels, and noise insulation on the building.

It is considered that a noise limitation condition would not meet the tests for conditions, as it is not known which noise levels would be achievable. Further, the applicant has confirmed that the building would be fully insulated in accordance with Building Bulletin 93 acoustic standards plus ECC's acoustic standards.

CBC has also requested that the proposed 1.8m high close boarded fence should be conditioned. The fence around the playing field is proposed as green weldmesh, not close-boarded. As with most schools, close-boarded fencing is not desirable as it restricts pupils' views beyond the site and reduces the relationship of the school with its surroundings.

A representation has been received relating to construction traffic and operational traffic noise. It is considered that the condition proposed previously in the report relating to construction hours would assist in controlling construction traffic noise. With regard to operational traffic noise, the application proposes the measures outlined previously in the report to encourage alternative methods of transport and to keep disruption to a minimum. In the knowledge that the site has been allocated as appropriate for a school site within the Colchester Borough Local Development Framework, it is considered that operational traffic noise would not

be so significant as to impact on the amenity of surrounding residents.

The County Council's noise consultant has commented that it is highly unlikely that there would be any adverse impact on residential properties and it is therefore considered that any further noise-related conditions would not be appropriate.

The applicant has also confirmed that fumes and odours from the kitchen would be extracted and vented to the atmosphere at high level, thus not causing any significant impact on amenity.

With regard to lighting, it is considered that a condition could be imposed, in the event that permission is granted, to restrict the addition of any lighting without the prior approval of the County Planning Authority.

It is therefore considered that existing amenity would be protected, in accordance with CBCDP Policy DP1.

E LANDSCAPE AND VISUAL IMPACT

CBCDP Policy DP1 (Design and Amenity), in summary, requires all development to respect and enhance the landscape.

The application details include comprehensive landscaping proposals. A new hedge is proposed along the northern boundary of the site and trees and hedges are proposed to be retained where possible along the southern and western boundaries. New semi-mature trees are also proposed along the southern and western boundaries, together with shrubs and grass seeding within the site.

However, Taylor Wimpey - the developer for the surrounding housing - has commenced preparation works on the school site prior to handing over the land to ECC ownership. These works have involved some tree removal and some compaction has occurred around the roots of trees which are proposed to be retained.

The ECC Tree Officer has visited the site and recommended that de-compaction works take place. It is considered that this could be required by condition, in the event that permission is granted. Tree protection fencing has also now been erected in accordance with the method statement included with the planning application.

Given that works did commence on site prior to installing the tree protection measures, it is considered that a landscaping scheme could be conditioned, in the event that permission is granted, to ensure appropriate screening for the site. This would be in addition to a condition requiring tree protection as proposed in the application.

It is noted that the responsibility for any action relating to the commencement of works prior to the installation of tree protection would fall to CBC, should they consider it appropriate. This is because the site is not currently owned by ECC.

It is therefore considered that the development would respect and enhance the landscape in accordance with CBCDP Policy DP1.

F IMPACT ON ECOLOGY

CBCDP Policy DP1 (Nature Conservation and Protected Lanes), in summary, requires all development to: include appropriate ecological surveys and make provision for the needs of protected species if identified; conserve or enhance the biodiversity value of greenfield and brownfield sites; maximise opportunities for restoration, enhancement and connection of natural habitats; and incorporate beneficial biodiversity conservation features and habitat creation where appropriate.

The application details include a Phase 1 Habitat and Ecological Scoping Survey, as well as an Ecological Mitigation Report.

The Phase 1 survey identifies an area of acid grassland, which should be retained or recreated elsewhere on site.

The Ecological Mitigation Report states that the grassland has been stored off-site with a view to relocate it on site. As the likelihood of survival is low, the Report recommends that the acid grassland is recreated, and this has been included in the proposed landscaping plan. The plan also takes into account seeding of clustered clover, a nationally scarce species found on site. The ECC Ecologist has requested a condition requiring the area to be fenced off to allow it to establish. It is considered that this could be conditioned should planning permission be granted.

Subject to the imposition of conditions as suggested by the ECC Ecologist, it is considered that the development proposals include sufficient habitat creation and ecological mitigation to comply with CBCDP Policy DP1.

G TRAFFIC AND HIGHWAYS

CBCDP Policy DP17 (Accessibility and Access) requires all development to enhance accessibility to sustainable modes of transport and incorporate appropriate provision for pedestrians, cyclists, public transport, linkages to networks and servicing and emergency vehicles.

CBCDP Policy DP19 (Parking Standards) endorses the Essex Vehicle Parking Standards and recognises it as an adopted Supplementary Planning Document.

CBCCS Policy TA1 (Accessibility and Changing Travel Behaviour), in summary, seeks to improve accessibility by enhancing sustainable transport links and encouraging development that reduces the need to travel.

Vehicular access to the proposed site would be via Circular Road East from Berechurch Road. Circular Road East is a no-through road with a turning loop positioned to the north of the proposed school access point. The Highway

Authority has raised no objection to this road layout.

The application includes a commitment to make improvements to the pedestrian routes and highways in the vicinity of the site.

The following improvements are to be undertaken by the housing developer for the overall master plan for the area and are outside of the requirements of the current planning application:

- Widening of the public footpath along the southern boundary to 3.5m and inclusion of lighting columns.
- Addition of a ramp at the eastern end (Mersea Road end) of the public footpath along the southern boundary.
- Signalised pedestrian crossings from the new housing development on the former army barracks site at the junction between Mersea Road/Roberts Road and Mersea Road/Berechurch Road.

The following improvements are proposed by the applicant for the current application:

- Widening of the St John's Green/Walsingham Road footpath from the existing St. John's Green Primary School to Flagstaff Road to 2.2m.
- Provision of a new zebra crossing across Circular Road North immediately west of Flagstaff Road/Circular Road East.
- Implementation of a Traffic Regulation Order to amend the existing 'No Waiting At Any Time' restrictions and signs on Circular Road East in the vicinity of the proposed site (from 9.00am – 10.00am to 10.00am – 11.00am and from 2.00pm – 3.00pm to 1.00pm – 2.00pm).
- Provision of a pedestrian barrier in the footway at the Mersea Road end of the footpath along the southern boundary of the site if the Garrison development is delayed beyond the opening of the new school building.

The Highway Authority has raised no objection subject to conditions relating to the above four points as well as minimum widths for the pathways within the proposed site. Aside from the pathway provisions within the school site, it is considered that conditions would not be appropriate in this instance due to the proposed works being off-site. However, there is a commitment from the applicant that these works would be implemented prior to the opening of the proposed school, which is considered to be sufficient for the purposes of this planning application.

The development itself proposes the provision of 20 parking spaces including 1 disabled bay. There would also be a layby for deliveries located alongside the kitchen access within the school site.

Covered cycle storage is also proposed in two locations, together with an area allocated for future expansion of cycle storage should the need arise.

CBC has commented that the total allocation of cycle parking should be required from the outset. In response, it is noted that this would amount to over 100 cycle parking spaces. The proposed school would accommodate pupils in years

Reception, 1, 5 and 6. Given that only pupils in year 6 take cycling proficiency tests, and the number of year 6 pupils would be 75 at the maximum once surrounding housing has been built and occupied, it is considered reasonable to allow the initial provision of cycle spaces together with space for future expansion, if required.

The Highway Authority has no objection to this approach which has been used on several new primary schools in the past.

The Essex Parking Standards: Design and Good Practice require a maximum of 1 space per 15 pupils for school sites plus a minimum of 1 disabled parking bay. The proposals therefore comply with the standards.

CBC has requested that a Travel Plan is required by condition. A School Travel Plan has been included with the application. It highlights the fact that there would be travel between the two sites throughout the school day by pupils and staff to enable use of facilities and information sharing.

It is considered that the proposed improvements to the pedestrian route between the two sites would help to facilitate this movement.

In addition, parents may be likely to drop off and pick up children to and from both sites at the beginning and end of the school day.

The school has primarily chosen to promote walking and cycling to and from school in the interests of health and the environment. To facilitate this, the school proposes a walking bus at the beginning and end of the school day to transport children between the two sites.

However, in the event that parents choose to travel by car the proposed Traffic Regulation Order would enable parents to park in Circular Road East at the beginning and end of the school day. As this is a no-through road there would be minimum disruption to the surrounding area.

In addition, there is a car park in Napier Road which Colchester Borough Council has confirmed could potentially be used by parents dropping off/picking up children through the use of a reduced-rate permit.

The applicant has also committed to updating the Travel Plan once the school is occupied. As is the usual approach of the County Planning Authority, it is considered that the devising of a Travel Plan should be left for the applicant to negotiate with the ECC Travel Planning team, outside of the Planning realm. It is considered that the Travel Plan is appropriately requested through informative and not required through condition.

With regard to CBC's comment that ECC should satisfy itself that traffic would have no impact on the Air Quality Management Area, it is noted that the site has already been allocated as appropriate for a school within the Colchester Borough Council Local Development Framework. It is therefore not considered necessary to carry out further assessment of air quality.

The proposed development is therefore considered to comply with CBCDP Policies DP17 and DP19 and CBCCS Policy TA1.

H COMMUNITY FACILITIES

CBCCS Policy SD3 (Community Facilities), in summary, seeks the provision of community facilities.

Sport England has recommended, as a non-statutory consultee, that a Community Use condition should be imposed on the planning permission, should it be granted.

Colchester Borough Council has also commented that the school has potential to form a key community asset within the Garrison Urban Village development. Therefore the Borough Council considers that additional social and community uses should be secured through the planning permission.

This type of requirement could not be imposed via planning condition as it is considered it would not meet the tests of Circular 11/95.

Furthermore, the application is for use as a school and any other proposal may present planning issues which require consideration in their own right. However, the applicant has confirmed that the governing body would be at liberty to let out the playing field should they so wish.

It is therefore considered that it would not be appropriate to impose planning conditions relating to community use in the event that permission is granted.

8. CONCLUSION

In conclusion, it is considered that there is a need for a new school in the proposed location.

The impact on the Conservation Area has been carefully considered throughout a lengthy design process which has resulted in all consultees raising no objection to the development. The design is considered to be of a high quality which would function well as a primary school whilst contributing to the aesthetics of the area, in accordance with CBCDP Policies DP1 and DP14, CBCCS Policies UR2, UR1 and SD1 and the NPPF.

The proposed building has been positioned to avoid archaeological finds where possible. With a watching brief throughout the construction phase it is considered that there would be detriment to archaeology in compliance with CBCDP Policy DP14.

The site has been allocated as an appropriate location for a school through the Colchester Borough Council Local Development Framework. As such, it is considered that there would be no significant impact on amenity, subject to conditions, in compliance with CBCDP Policy DP1.

The application includes comprehensive landscaping proposals, however to address compaction issues which have occurred due to commencement of ground preparation works on site, it is proposed that conditions relating to landscaping, tree protection and ecology are imposed. This would ensure the development would respect and enhance the landscape and incorporate beneficial biodiversity conservation features and habitat creation in accordance with CBCDP Policy DP1.

The proposed school is considered to be ideally proposed on a 'no-through' road with a turning loop. The applicant has committed to several highway-related improvements in the surrounding area, as well as the provision of adequate car parking and cycle parking spaces within the site. The applicant also encourages sustainable means of travel, in compliance with CBCDP Policies DP17 and DP19 and CBCCS Policy TA1.

The specific use of the school for community use has not been presented as part of this planning application, and is therefore considered to be outside the scope of the application.

Overall, the proposed development is considered to meet the economic, social and environmental strands of the NPPF and to constitute 'sustainable development', for which there is a presumption in favour.

9. RECOMMENDED

That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be **granted** subject to the following conditions:

1. COM1 – Commencement within 5 years.
2. COM3 – Compliance with submitted details.
3. LGHT1 – Fixed lighting restriction.
4. Traffic Management Plan.
5. All footpaths within the proposal site shall be constructed to not less than 2m in width.
6. Grassland seeding to be implemented in the autumn and fenced off for 1 year.
7. Landscape and Biodiversity Management Plan.
8. ECO3 – Protection of breeding birds.
9. ECO7 – Update of survey before commencement of development.
10. DET1 – Details of external appearance.
11. Materials sample panel.
12. DET2 – Design detail.
13. Details of signage on west elevation.
14. LAND1 – Landscape scheme.
15. LAND2 – Replacement Landscaping.
16. Adherence to the tree work, construction works and protection proposed in the Arboricultural Method Statement Rev B dated 28/04/12.
17. Details of method of de-compaction around root protection zone prior to

- commencement of development.
18. HIGH8 – Cycle parking areas.
19. HOUR1 – Construction hours: 07:00 to 18:30 hours Monday to Friday, 07:00 to 13:00 hours Saturdays and at no other times, including no other times on Sundays, Bank or Public Holidays.

BACKGROUND PAPERS

Consultation replies.
Representation.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010

The proposed development would not be located adjacent to or within the appropriate screening distance to a European site.

Therefore, it is considered that an Appropriate Assessment under Regulation 61 of The Conservation of Habitats and Species Regulations 2010 is not required.

EQUALITIES IMPACT ASSESSMENT

The report only concerns the determination of an application for planning permission and takes into account any equalities implications. The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the body of the report.

STATEMENT OF HOW THE LOCAL AUTHORITY HAS WORKED WITH THE APPLICANT IN A POSITIVE AND PROACTIVE MANNER

The planning application was submitted following several months of pre-application engagement between the applicant and the County Planning Authority.

During the determination process, objections were raised from consultees relating to design and impact on the Conservation Area. The County Planning Authority therefore liaised with the applicant and Colchester Borough Council to allow an altered scheme to be devised.

In addition, the County Planning Authority worked with the applicant to engage an independent design panel, and then to work amended proposals into the application process.

Following the final round of consultation, it is considered that all objections from consultees have been resolved.

LOCAL MEMBER NOTIFICATION

COLCHESTER – Abbey
COLCHESTER – Drury
COLCHESTER – Maypole

