

**DR/44/16**

committee                      DEVELOPMENT & REGULATION

date                              16 December 2016

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**COUNTY COUNCIL DEVELOPMENT**

Proposal: **Erection of a single storey building comprising six classrooms, a multi-activity hall, teaching rooms and staff room together with the extension of existing hard surface play area and car park, additional bicycle and scooter parking and additional landscaping/tree planting.**

Location: **Hogarth County Junior School, Riseway, Brentwood, Essex, CM15 8BG**

Ref: **CC/ BRW/44/16**

Applicant: **Essex County Council**

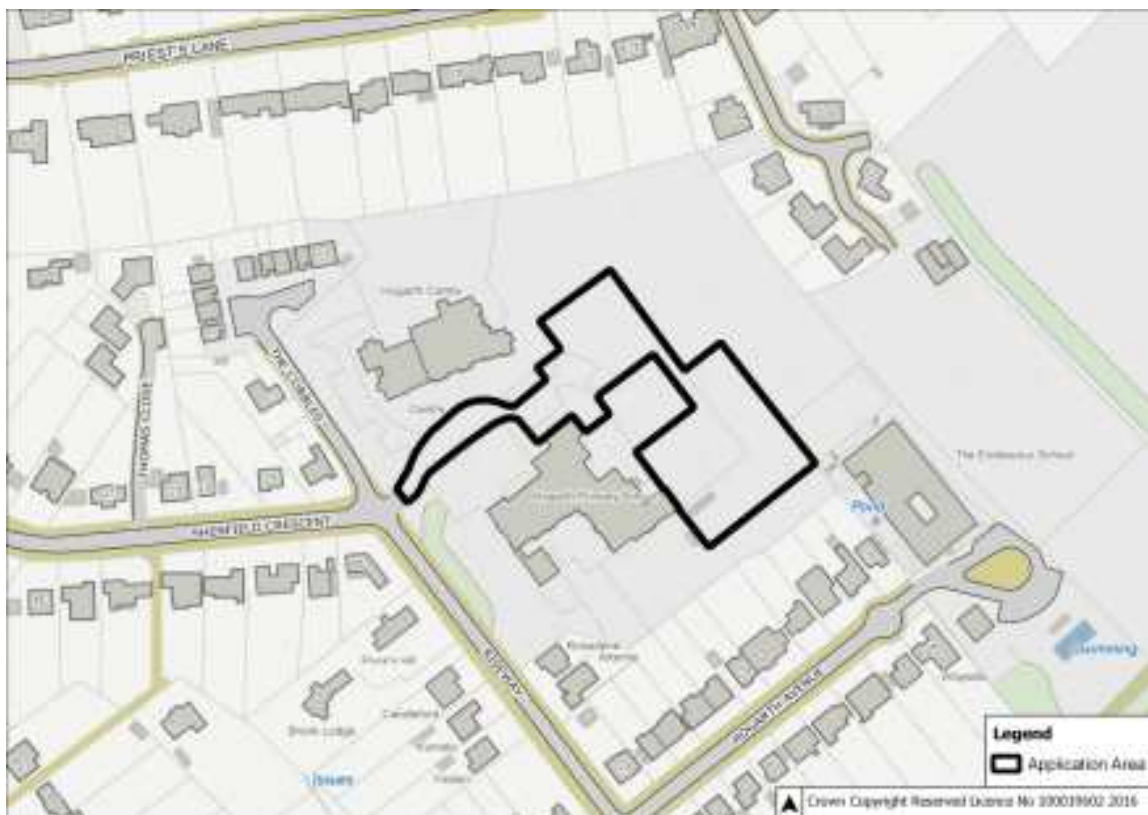
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Report by Director of Operations, Environment and Economy

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The full application can be viewed at [www.essex.gov.uk/viewplanning](http://www.essex.gov.uk/viewplanning)

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Proposed Site Layout Plan

## 1. BACKGROUND

CC/BRW/58/02 - Single storey extension expanding offices & admin facilities – Granted

CC/BRW/4/93 - Conversion of caretakers house to Special Needs Unit - Granted

## 2. SITE

Hogarth Primary School is located within the defined settlement boundary of Brentwood town.

The existing site is allocated as 'Education Institution' (Policy LT8) and the Playing Field is allocated as 'Protected Urban Open Space' (Policy LT2) in the Brentwood Proposals Map.

The site is located in Flood Zone 1, with low probability of flood risk.

The development site boundary is stated as 0.412ha and is bounded to the south-east by residential properties and Endeavour School on Hogarth Avenue, to the north-east by residential properties on Bishops Walk and adjoining playing fields, to the north by residential properties on Priests Lane. The site is bounded to the south-west by a public road 'Riseway' and is accessed from it. The existing access is shared with the Hogarth Day Care Centre to the north of the existing school building.

### 3. PROPOSAL

The proposal is for the construction of a single storey detached building (608m<sup>2</sup> floor area) comprising six classrooms, a multi-activity hall, teaching rooms and staff rooms, to be located to the south east of the existing school.

An extension to existing hard surface play area to the north to facilitate reconfiguration of court marking is also proposed.

It is also proposed to construct an extension to the car parking area to accommodate an additional 15 car parking spaces on site.

The proposed development would facilitate an increase in pupil numbers from 210 to 420 and an increase of 43 to 55 full time staff.

### 4. POLICIES

The following policies of the 'Replacement Brentwood Local Area Plan 2005 and saved policies 2008' and Proposals Map, provide the development plan framework for this application. The following policies are of relevance to this application:

Policy LT2	Development of Existing Urban Open Spaces
Policy T1	Travel Plans
Policy T2	New Development & Highway Considerations
Policy T5	Parking - General
Policy C5	Retention and Provision of Landscaping and Natural Features in Development

The Draft Brentwood Local Plan 2013 – 2033, is also a material planning consideration but the emerging plan is still at an early stage (Regulation 18) and therefore only has a little weight.

Paragraph 215 of the NPPF states, in summary, that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework.

#### National Planning Policy Framework (NPPF), DCLG March 2012

Section 1:	Building a strong, competitive economy.
Section 4:	Promoting sustainable transport
Section 7:	Requiring good design
Section 8:	Promoting healthy communities
Section 10:	Meeting the challenge of climate change, flooding and coastal change
Section 11:	Conserving and enhancing the natural environment

The following are also material planning considerations:-

Essex County Council Parking Standards, Good Design and Practice (2009) and was adopted as a Supplementary Planning Document (SPD) by Brentwood Borough

Council as of 10 March 2011.

## 5. CONSULTATIONS

### BRENTWOOD BOROUGH COUNCIL:

The following is noted:

- the development encroaches into land designated as Urban Open Space in the adopted Brentwood Replacement Local Plan (Policy LT2)
- a number of mature trees and landscaping are to be removed as part of the proposal
- there would be loss of part of the existing playing field
- the proposal would enable the pupil numbers at the site to more than double but the school is located in a residential area which already suffers from access and parking issues
- The extension proposed is of a design which differs to that of the existing buildings. The extension would also be greater in height and closer to the boundaries of the site with neighbouring residential properties than the existing school buildings.

However, this Authority is satisfied that the application be determined by Essex County Council in accordance with Local and National planning policy and guidance, taking into account the responses of all Statutory Consultees and other representations made.

SPORT ENGLAND – No objection subject to condition, as outlined in more detail in planning assessment below.

HIGHWAY AUTHORITY- No objection subject to conditions relating to School Travel Plan and Informative on Highway works.

PLACE SERVICES (Ecology) – No objection, All recommendations in section 5.2 of the Phase 1 Habitat Survey Report (t4 Ecology Ltd July 2016) should be adhered to.

PLACE SERVICES (Trees) - No objection with regard to trees.

PLACE SERVICES (Urban Design) - Supports

LOCAL MEMBER – BRENTWOOD - BRENTWOOD SOUTH — Has raised concerns with the Highway Authority regarding the additional traffic impact.

## 6. REPRESENTATIONS

27 properties were directly notified of the application. 3 letters of representation have been received. These relate to planning issues covering the following matters:

### Observation

Traffic concerns – illegal parking on narrow residential street, pavement,

### Comment

See appraisal

yellow zig zag, garages and drives.

Environmental Impact – change in street scene, loss of mature trees and green space to provide additional parking for staff. See appraisal

Litter unacceptable and refuse vehicles unable to access. See appraisal

Concerns regarding impact on light to properties backing onto school at Hogarth Avenue. See appraisal

## 7. APPRAISAL

The key issues for consideration are:

- A. Principle of Development
- B. Loss of Playing Field
- C. Sustainable Transport and Highways Impact
- D. Site Layout and Design
- E. Loss of Trees/Ecology
- F. Residential Amenity

### A PRINCIPLE OF DEVELOPMENT

The site is located within the defined settlement boundary of Brentwood town, partly allocated as Education Institution (west side) and partly as Protected Urban Open Space (east side).

As per Policy LT2 of the Local Plan *“Within The built-up areas of the Brentwood Borough, permission will not be granted for development of land allocated on the proposal maps as protected urban open space”*.

The construction of the part of the proposed school extension, additional car parking and part of the hard play area would encroach upon the existing playing field and the area allocated as ‘Protected Urban Open Space’.

Having regard to the established educational use on site, an extension is considered acceptable in principal within the existing school site, however, the proposed encroachment upon the land allocated as ‘Protected Urban Open Space’ would materially contravene policy LT2 of the Local Plan.

This is discussed further below.

### B LOSS OF PLAYING FIELD

The proposed school building and proposed car park extension would encroach upon the existing school playing field to the north west and south east of the site.

Having regard to paragraph 74 of the NPPF “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on....” subject to a number of listed exceptions

Sport England is a statutory consultee regarding loss of playing field, they comment as follows:-

*The proposed development results in a minor encroachment onto the playing field. However, accounting for the above considerations, it is not considered that the development would reduce the sporting capability of the site. As such, Sport England is satisfied that the proposed development broadly meets the intention of the following Sport England Policy exception E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.*

Therefore Sport England does not wish to raise an objection to this application subject to the following condition being attached requiring removal of Construction Compound and Playing Field Reinstatement.

In conclusion, it is considered that the encroachment into the playing field is minor in nature and would not reduce the sporting capacity of the site and is therefore in accordance with paragraph 74 of the NPPF.

## C SUSTAINABLE TRANSPORT AND HIGHWAYS IMPACT

A Transport Statement and Travel Plan have been submitted in support of the planning application.

The NPPF promotes sustainable transport. The school site is considered to be sustainably located, within cycling distance (1-1.5miles) of both Brentwood and Shenfield Mainline and TFL/Crossrail stations and the town centre.

The proposed development has been considered against the Essex Parking Standards.

### Cycle Parking Minimum Requirements:

- Minimum 1 space per 3 pupils plus 1 space per 5 staff.
- An additional 70 cycle spaces would be required for the additional 210 pupils.
- An additional 2 cycle spaces would be required for the additional 12 staff.

The applicant proposed to install 3 cycle parking spaces for staff and an additional 60 scooter parking spaces for pupils.

Although no cycling parking spaces are proposed for pupils, as this is a primary school the proposal to install an additional 60 scooter parking stands is considered to be substantially in compliance the minimum standards set out in Policy T5 of the Local Plan and would be sufficient to help promote sustainable transportation in

accordance with the NPPF.

Car Parking Maximum Standards:

The maximum standard for schools is 1 space per 15 pupils. The proposed development is to increase the school to 420 pupils, therefore the total maximum number of car parking spaces on the site should be 28.

The proposal includes an extension and re-configuration of the car park and a total of 30 spaces (including 2 disabled access) is indicated on the proposed site layout plan.

This exceeds the maximum standards by 2 spaces, however, the proposed car park is considered to be substantially in accordance with the maximum standards set out in Policy T5 of the Brentwood Local Plan.

Impact on public Highway

The Highway Authority has commented as follows:

*“The Highway Authority would acknowledge that there are local issues regarding the short term parking by parents around the adjacent roads. However, this is for a limited period at the beginning and end of the school day during term time; these issues are not dissimilar to problems experienced near to schools across the county. Intake to the school is proposed to increase from 240 pupils to a capacity of 420 pupils. It will take place gradually over an approximate 6 year period. A proportion of this intake will be siblings of children already at the school and a degree of car sharing will be undertaken. Consequently any impact from the development upon the highway network will be spread out over a long period and should not cause severe issues. The school travel plan has been updated as part of the application and it is clear that a variety of measures are being undertaken to promote sustainable modes of travel to and from school including encouraging staff, parents and pupils to walk / cycle to school where possible and discourage inappropriate parking. The provision of additional parking restrictions in the vicinity of the school has not been considered as part of this application as it is considered this would do little to prevent short term school parking in the area. Consequently the Highway Authority is satisfied that the proposal will not be detrimental to highway safety, efficiency and capacity in the vicinity of the site or on the wider highway network.”*

The traffic concerns raised by neighbours relate to illegal parking habits at school drop off and pick up times. The application is supported by a School Travel Plan which aims to promote sustainable transport options over the use of private car. The various new measures include promoting walking (walking bus, pedestrian network maps etc.), cycling (bike to work scheme for staff, cycle proficiency training for staff and pupils, secure, covered and illuminated parking facilities, ‘Dr Bike’ maintenance sessions), public transport (up-to-date public transport timetables posted on notice boards) and car-sharing (letters to parents and staff to gauge support). Staggered start / finish times, which can be achieved through morning breakfast clubs and afternoon interest clubs, are also part of the considerations moving forward.

In conclusion, it is considered the proposal would be in accordance with policies T1,

T2, T5 of the Local Plan and the principle of promoting sustainable transport in the NPPF.

## D SITE LAYOUT AND DESIGN

It is one of the 12 core planning principles of the NPPF to *“always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”*

The proposed single storey extension (aprox. 4.75m height), is a detached block, proposed at the south-eastern end of the existing school building. The building would be aprox. 13 metres from the southern site boundary.

A Design and Access Statement has been submitted in support of the application.

The north-west (ball wall) and south-west (Habitat wall) are solid elevations of fairfaced concrete blockwork, the other elevations have full height windows and full height metal façade.

The Councils Urban Design Consultant considers the design is *“bold and contemporary vision”* and is supportive of the proposal.

It is considered that the proposed school building represents good quality design and is appropriately located within the school site to maximise connections and circulation between the proposed and existing school building, access point and playing fields. The proposed development is therefore considered to be in accordance with the principle of requiring good design in the NPPF.

## E LOSS OF TREES/ECOLOGY

An Arboricultural Impact Assessment has been submitted in support of the planning application.

It is proposed to remove the following trees at the south-eastern end of the site to facilitate construction of the proposed school building:-

T30 – Oak – Category C1

T31 – Silver Birch – Category C1

G29 – Group of trees, ash, blackthorn, field, goat willow, hawthorn, - Cat. C1

In addition, T21(Norway Maple) – Cat. B1, has been identified at the north end of the site for special Root Protection during construction of the proposed car park.

The Councils Arboricultural Consultant has no objection to the removal of the trees listed.

A Preliminary Ecological Assessment has been submitted in support of the application.

The site is not within the bounds of any statutory or non-statutory designated location. The report concludes no building or trees with roosting potential would be lost and it is unlikely any foraging or commuting behaviours would be affected.



The report concludes, given the limited quality of habitats provided, it is considered that proposals can proceed without detriment to any legally protected species provided guidance at section 5.2 (nesting birds and enhancements ) are fully adhered to.

The Councils Ecological consultant has no objection to the proposed development and considers all recommendations in section 5.2 of the Phase 1 Habitat Survey Report (t4 Ecology Ltd July 2016) should be adhered to.

Therefore the proposed development is considered to be in accordance with the Policy C5 of the Local Plan and the NPPF objective of conserving and enhancing the natural environment.

## **F RESIDENTIAL AMENITY**

The nearest residential properties are two storey dwelling houses, located on Hogarth Avenue, with gardens backing onto the south-eastern school site boundary.

Having regard to the single storey nature of the building proposed with a separation distance of 13 metres to the boundary and a separation distance between buildings in excess of 26 metres, and notwithstanding the proposed removal of trees, the proposed building would not result in loss of daylight/sunlight or overshadowing or overbearing impact on any residential properties.

## **8. CONCLUSION**

Having regard to the established use on site and the part allocation as 'Educational Institution' in the Brentwood Local Plan Proposals Map, the proposed expansion of the school is considered acceptable in principle on the western part of the site, however the encroachment of the proposed development on the land allocated as 'protected urban open space' to the east, would be contrary to Policy LT2 of the Replacement Brentwood Local Area Plan 2005 and saved policies 2008.

Having regard to paragraph 72 of the NPPF the government advises that Local Authorities should "give great weight to the need to create, expand or alter schools".

Having regard to the limited extent of the encroachment into the "protected open space", the retention of existing playing pitches and that other alternative options have been explored and dismissed, on balance, it is considered that the need to expand the school to meet the need for additional pupils places in the Brentwood area outweighs the protection of the open space (contrary to Policy LT2).

Furthermore, the siting and design of the proposed development is considered acceptable and would not result in overlooking or loss of daylight or sunlight to adjoining properties.

Accordingly, it is considered that the proposed development is in accordance with Policies T1, T2, T5 and C5 of the Replacement Brentwood Local Area Plan 2005 and the National Planning Policy Framework (2012)

## 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 The development hereby permitted shall be begun before the expiry of 3 years from the date of this permission. Written notification of the date of commencement shall be sent to the County Planning Authority within 7 days of such commencement.
- 2 The development hereby permitted shall be carried out in accordance with the details submitted by way of application reference CC/BRW/44-16 validated on 01 November 2016

Drawings:

L-00-01	Site Location Plan
L-01-02A	Proposed Site Plan Designations
L-01-00	Existing Site Plan
L-01-01A	Proposed Site Plan
A-01-00	Ground Floor Plan
A-01-01	Roof Plan
A-02-01A	Elevations
A-02-02A	Elevations
A-03-01	Sections
A-03-02	Sections
A-07-01	Material Samples
A-07-02A	Scooter Storage
L-01-10	Existing Pitch Capacity
L-01-11A	Proposed Pitch Capacity
L-01-20A	Construction Management Plan

Extended Phase 1 Habitat Survey (Preliminary Ecological Assessment) Prepared by t4 ecology Ltd, dated July 2016.

Transport Statement, prepared by Waterman, dated 21 September 2016.

School Travel Plan, prepared by Waterman, dated 22 September 2016

Planning Statement, prepared by The JTS Partnership LLP, dated November 2016

Design and Access Statement Rev. A, prepared by sixfoot studio, dated 21 September 2016

Arboricultural Impact Assessment, prepared by SES, dated 25<sup>th</sup> July 2016.

and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the County Planning Authority.

- 3 Prior to first occupation of the new building, a minimum of 3 covered bicycle stands and 60 scooter stands shall be erected at the locations indicated on drawing L-01-01A
- 4 Within one month of completion of the construction or within one month of first occupation of the proposed development, the temporary construction compound area shall be removed and the land reinstated to its previous condition as a playing field.
- 5 Details and samples of the materials to be used for the external appearance of the building shall be submitted to and approved in writing by the Planning Authority prior to installation of the materials on site. The details shall include the materials, colours and finishes to be used on all buildings. The development shall be implemented in accordance with the approved details.
- 6 The development shall be carried out in accordance with the tree root protection and mitigation measures in the Arboricultural Impact Assessment, prepared by SES, dated 25th July 2016.

## **INFORMATIVES**

### School Travel Plan

The school, in association with Essex County Council's School Travel Planning Advisor, shall agree the frequency of reviewing and, where necessary, updating the School Travel Plan. To this end, the School Travel Planning Advisor will provide assistance in identifying measures that should help to mitigate the overall impact of the proposal.

### Highway Works

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:  
SMO3 - Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood.  
CM13 3HD.

### Nesting Birds

It should be noted that the main bird breeding season is between the months of March to September inclusive. If works affecting vegetation are carried out during the nesting season, a search should be undertaken to confirm presence/absence of nesting prior to works being undertaken.

### Ecological Enhancements

As part of the proposals, there may be opportunities to enhance the proposals through provision of habitat boxes (bird/bat) on the buildings, in addition to new planting/hedgerow enhancement as part of the landscaping scheme. Suggested habitat boxes/plant species are provided within Annex 4 of the "Extended Phase 1 Habitat Survey Report (t4 Ecology Ltd, dated 27 July 2016) " and should be provided as appropriate.

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## **BACKGROUND PAPERS**

Consultation replies  
Representations

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## **THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (as amended)**

The proposed development would not be located adjacent to/within 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.

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## **EQUALITIES IMPACT ASSESSMENT**

This report only concerns the determination of an application for planning permission. It does however take into account any equality 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**

In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure)(England) Order 2015.

## **LOCAL MEMBER NOTIFICATION**

LOCAL MEMBER – BRENTWOOD SOUTH