

DR/27/19

committee DEVELOPMENT & REGULATION

date 27 September 2019

COUNTY COUNCIL DEVELOPMENT

Proposal: **Erection of 2-storey Primary School to accommodate 420 pupils (2-Form Entry), including outdoor play space, all-weather playing pitch, landscaping, cycle/scooter storage, staff parking and supporting infrastructure.**

Location: **'Lakelands Primary School', Land off Wagtail Mews, Stanway, Colchester, CO3 8AL**

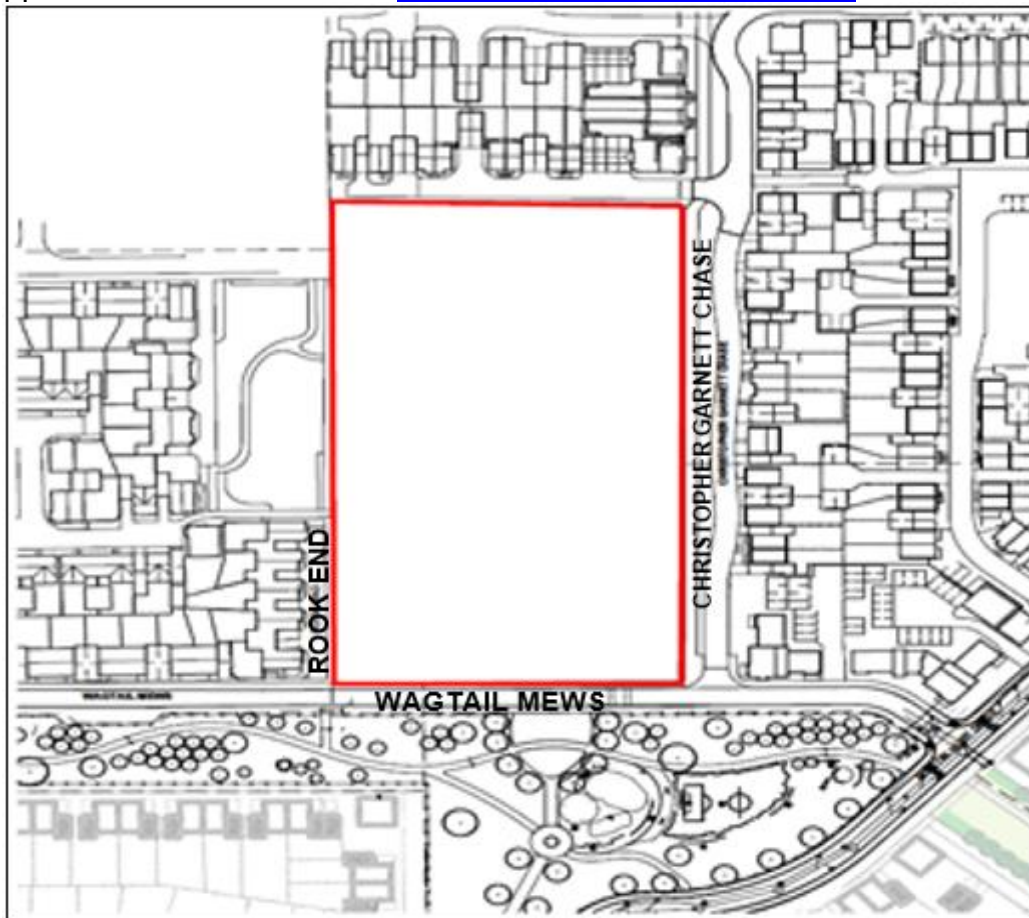
Ref: **CC/COL/35/19**

Applicant: **Essex County Council**

Report by Chief Planning Officer (County Planning and Major Development)

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The full application can be viewed at www.essex.gov.uk/viewplanning





1. BACKGROUND

The application site has an extensive planning history dating back to 1995, since it forms part of a wider, residential led mixed use scheme, measuring more than 60ha. The wider scheme extends from Stanway Western Bypass to Robin Crescent/Jackdaw Drive, to Tollgate Road and Tollgate Shopping Centre. The Lakelands Phase 2 masterplan identifies the application area for the provision of a primary school.

2. SITE

The 1.14ha application site is located in Stanway, Colchester, in a former gravel working. As such, it is currently bare ground, free of any trees or other features. It is south of London Road and Tollgate West, where a mix of retail, business and other light industrial units form Tollgate Business Park and Tollgate Shopping Centre.

As stated, the site forms part of the wider housing development in the area west of Tollgate Road. There are occupied properties to the adjacent west of the site in Rook End, together with an amenity area further towards the north of this boundary. Wagtail Mews, when completed, will form a highway, separating the application site from a central parkland area to the south. Christopher Garnett

Chase will abut the eastern boundary and will have residential properties along it once they are built. These properties are currently partially complete. To the north there will be residential properties (not yet built) between the school site and the existing retail area.

The site is located within Flood Zone 1 (low risk).

Stanway Pit is a Local Wildlife Site but the designation doesn't extend to the application site.

3. **PROPOSAL**

The application is for a new 420 place primary school. It would include outdoor play space, an all weather pitch, and 28 car parking spaces for staff. There would also be provision for parking of up to 60 scooters and 40 cycles.

The building would be two-storey with a flat roof. The parking area would be located to the south (front) of the site, with the building located behind it. The space to the north of the site would be hard play, with soft play areas located to the north west and an all weather pitch to the north east.

The vehicular access would be off Wagtail Mews to the south. There would be an 'in' gate and an 'out' gate, effectively forming a one-way system for vehicles accessing/exiting the site.

The main pedestrian access would also be located off Wagtail Mews, with a further access point located on the western boundary to the north of Rook End.

4. **POLICIES**

The following policies of the Colchester Site Allocations, (CSA), Adopted October 2010, Colchester Development Policies DPD, Adopted 2010, as amended by the Focused Review, (CDP), July 2014, the Colchester Core Strategy, Adopted 2008, as amended by the Focused Review, (CCS), July 2014 and the emerging Colchester Borough Local Plan dated June 2017, provide the development plan framework for this application. The following policies are of relevance to this application:

Colchester Site Allocations, Adopted October 2010

Policy SA STA1 - Appropriate Uses within the Stanway Growth Area

Colchester Development Policies DPD, Adopted 2010, as amended by the Focused Review, July 2014

DP1 - Design and Amenity (Revised July 2014)

DP2 – Health Assessments

DP4 – Community Facilities

DP17 – Accessibility and Access

DP19 – Parking Standards

DP20 – Flood Risk and Management of Surface Water Drainage

DP21 – Nature Conservation and Protected Lanes
DP25 – Renewable Energy

Colchester Core Strategy, Adopted 2008, as amended by the Focused Review, July 2014

SD1 – Sustainable Development (Revised July 2014)
SD2 – Delivering Facilities and Infrastructure (Revised July 2014)
SD3 – Community Facilities (Revised July 2014)
UR2 – Built Design and Character
TA1 – Accessibility and Changing Travel Behaviour

Emerging Colchester Local Plan Publication Draft

SP1 – Presumption in Favour of Development
SP6 – Place Shaping Principles
DM15 – Design and Amenity

Due to the very limited weight that these policies hold (explained below), they have not been discussed in detail in the report.

The Revised National Planning Policy Framework (NPPF) was published February 2019 and sets out the Government's planning policies for England and how these should be applied. The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state that achieving sustainable development means the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways: economic, social and environmental. The NPPF places a presumption in favour of sustainable development. However, paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

For decision-taking the NPPF states that this means; approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: the application of policies in this NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this NPPF taken as a whole.

Paragraphs 212 and 213 of the NPPF, in summary, detail that the policies in the Framework are material considerations which should be taken into account in dealing with applications and plans adopted in accordance with previous policy and guidance may need to be revised to reflect this and changes made. Policies should not however be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The level of consistency of the policies contained within the Colchester District Local Plan is considered further in the report.

Paragraph 48 of the NPPF states, in summary, that local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

The emerging Colchester Local Plan (2017) has been submitted to the Secretary of State and the Examination in Public has commenced. The Inspector has made initial comments and emphasised that more work needs to be carried out before the plan can be found sound, and that more evidence is required.

It is therefore considered that the emerging Plan holds limited weight in decision making.

5. CONSULTATIONS

COLCHESTER BOROUGH COUNCIL – No objection, subject to conditions relating to:

- External material for the hall being changed from render to timber cladding;
- Refinements to the entrance area;
- Landscaping and boundary treatment;
- Materials samples;
- Architectural details.

COLCHESTER BOROUGH COUNCIL (Environmental Health) - Recommends conditions relating to site boundary noise levels, a lighting report and a limit on the hours of demolition/construction work.

SPORT ENGLAND – No objection. Accepts that trees are required around the all weather pitch, but requests that it is checked that the species produces minimal leaf fall. Requests conditions around the design of the proposed artificial grass pitch and assessment of ground conditions for the natural turf playing field.

Makes advisory comments as follows:

- Internal hall height should be at least 6.1m;
- School hall flooring should be considered in relation to the sports that would be played there;
- Activity studio storage should be considered;
- Consider providing a shower unit in the accessible WC;
- Consider providing a hatch from the servery to outside spaces;
- Detailed design of the school hall should comply with Sport England guidance;
- Consider providing a bike maintenance station;
- Consider providing a drinking water tap in the drop off area;
- A community use agreement would provide certainty of such use;
- Consider designing external areas for physical activity other than conventional sports.

Comment:

- The proposed tree species is Pyrus Chanticleer 'Calleryana', which although a deciduous tree, can retain its leaves well into winter.
- The internal sports hall would have a height of 6.5m.

ESSEX WILDLIFE TRUST – No comments received.

ESSEX FIRE AND RESCUE – No comments received.

ESSEX POLICE – Recommends a condition requiring the developer to seek the Secured by Design Award.

UTILITIES – UKPN and OpenReach have apparatus in the vicinity. The details have been sent to the applicant.

PUBLIC HEALTH NORTH EAST ESSEX CCG – No comments received.

HIGHWAY AUTHORITY – No objection, subject to adherence to the submitted Construction Management Plan and Travel Plan and conditions as follows:

- No occupation unless the proposed vehicle and pedestrian access arrangements have been completed;
- Any gates along the proposal site's Wagtail Mews frontage shall open towards the proposal site only and those serving a vehicular access shall be a minimum 6 metres from the Wagtail Mews carriageway edge.

LEAD LOCAL FLOOD AUTHORITY – No objection, subject to conditions relating to submission of a detailed surface water drainage scheme, submission of a maintenance plan, and the upkeep of yearly logs of maintenance.

COUNTY COUNCIL'S NOISE CONSULTANT – No objection, subject to conditions relating to a survey of background noise levels and an assessment to determine the likely noise impact of the use of the outdoor play areas.

COUNTY COUNCIL'S AIR QUALITY CONSULTANT – Comments that an air quality assessment is not required for the school development itself. It is possible that cumulative impact with the surrounding development may result in the relevant thresholds being met; however it is accepted that this relates to an historic application which was approved and that the school is part of the original development plan.

Recommends the implementation of a Dust Management Plan during construction.

COUNTY COUNCIL'S LIGHTING CONSULTANT - Recommends a condition requiring lighting details to be submitted and approved prior to installation.

ECC PUBLIC HEALTH – Originally commented that the submitted Health Impact Assessment did not contain enough information.

No further comments received following the submission of further information.

PLACE SERVICES (Ecology) – No objection, subject to conditions relating to:

- Implementation of mitigation and enhancement measures in accordance with the submitted Preliminary Ecological Appraisal.
- Submission and approval of a Biodiversity Enhancement Strategy for protected and priority species prior to construction of a damp proof membrane.

PLACE SERVICES (Trees) – No objection, subject to conditions as follows:

- A revised landscape scheme, since one proposed Quercus Robur on the boundary of the soft play is considered to be too close to adjacent property.
- Planting method statement and a maintenance schedule to be provided.

PLACE SERVICES (Urban Design) – No objection. Comments as follows:

- The design has been improved since original submission; however there are opportunities to enhance the overall quality;
- Recommends treatment of the active window on the first floor western elevation, such as obscure glazing, as well as additional boundary treatment to mitigate overlooking of properties in Rook End;
- The change from render to brick and fenestration detail is welcomed. Recessed windows would give an appearance of higher quality;
- Cinder Grey bricks should be used, and an appropriate mortar colour such as silver should be conditioned;
- Size of trees has been under specified, particularly along the southern boundary, and this could be conditioned;
- The southern boundary pupil entrance is now better aligned to the raised table crossing and parkland to the south. However, further potential linkages to the parkland should be investigated;
- Well-designed signage would provide a focal point for the main entrance.

PLACE SERVICES (Landscape) – No objection.

PLACE SERVICES (Historic Environment) – No objection. Comments that, since the area has been previously quarried, no archaeological deposits will survive.

STANWAY PARISH COUNCIL - Supports the application. Has concerns around pupil and vehicular access to the site and the narrowness of the surrounding roads. The conclusions of the impact of traffic at peak times is questioned.

LOCAL MEMBER – COLCHESTER – Stanway and Pyefleet - Supports the application for a school, but has concerns about pupil and vehicular access and traffic impact.

6. REPRESENTATIONS

The applicant has carried out community engagement, including a public exhibition held in April 2019.

26 properties were directly notified of the application. Letters were also hand delivered to newly built properties. 5 letters of representation have been received from 4 addresses. These relate to planning issues covering the following matters:

Observation

Comment

No objection to the school in principle.	Noted.
The proximity and height of the two-storey building would reduce light to properties in Rook End – impacting on quality of life and property value.	See appraisal.
Lack of public footpath along the western side of the building would encourage trespass on the private driveway. This is a danger to pedestrians.	See appraisal.
The two proposed accesses would focus drop-off traffic to private roads (e.g. Rook End and Kestrel Drive).	See appraisal.
There is not enough parking on site, leading to traffic on narrow surrounding roads. Parking restrictions are required to ensure safety and access.	See appraisal
The Stanway Western Bypass would become busier. It needs a reduction in traffic speed and installation of pedestrian crossings.	There are no proposals to alter the Stanway Western Bypass as part of this application.
Properties have been purchased based on Persimmon sales office staff confirming, in 2016, that the school would be single-storey.	The decision maker can only consider the details in the current application.
Which roads in and out would be used for drop-off?	There are no specific roads that would be required to be used. The wider development is served by the Stanway Western Bypass to the west and Tollgate Road to the East. Vehicular access and egress would be to/from Wagtail Mews to the south, but this is proposed as a staff car park, rather than as drop-off for parents.
What are the start and end of day times?	There are no times proposed as part of the application and they are not proposed to be restricted. However, usual school start and finish times would be around 8:50am to around 3:10pm.
The building running from Wagtail Mews	The building has been orientated east-

to Martin Hunt Drive, and being two-storey in height, would change the outlook of those in Martin Hunt Drive.

west to optimise passive solar opportunities and enable an efficient layout on a constrained site.

7. APPRAISAL

The key issues for consideration are:

- A. Principle and Need
- B. Policy considerations
- C. Traffic and Highway Impact
- D. Landscape and visual Impact and Ecology
- E. Amenity Impact and Health
- F. Design
- G. Flood Risk

A PRINCIPLE AND NEED

CSA Policy SA STA1 (Appropriate uses within the Stanway Growth Area) allocates the Stanway Growth Area for residential and employment uses. The Lakelands area forms part of an existing allocation. The supporting text notes that there is an existing S106 Agreement which requires provision of a primary school site.

It is therefore considered that the development of a school on the application site is acceptable in principle, in accordance with CSA Policy SA STA1.

Paragraph 94 of the NPPF states:

'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

(a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

(b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.'

Further, CDP Policy DP4 (Community Facilities) requires, in summary, that support will be given to the provision of new community facilities (and retention of existing).

CCS Policy SD3 (Community Facilities) requires, in summary, that the Borough Council will work with partners to deliver key community facilities, of which the proposed primary school is one.

The applicant has provided a statement of need, which states that new housing in Colchester, including in the Stanway Growth Area, has seen increased pressure

on school places which is predicted to continue into the long term.

Local schools including Stanway Fiveways, Stanway Primary, and Home Farm Primary have all recently expanded. It is noted that there will be demand for reception age pupils, but also for all primary school age children moving to the area.

The surrounding Lakelands development already has 300 occupied dwellings, with more coming forward. As such, the proposed school would meet demand. It is proposed to grow on a phased basis starting from an intake of 60 Reception pupils from 2020, with future intakes of 60. However, given the anticipated increase in pupil numbers across all primary year groups, it may be necessary to create additional classes in higher year groups should the need occur.

It is considered that there is an identified need for the proposed primary school on the application site, and that this need should be given great weight in accordance with the NPPF, and that such provision would accord with CDP Policy DP4 and CCS Policy SD3.

B POLICY CONSIDERATIONS

The NPPF states that the purpose of the planning system is to contribute to sustainable development. There are 3 overarching objectives in the achievement of sustainable development, as follows: economic, social and environmental. All are interdependent and should be pursued mutually.

Paragraph 9 states:

'These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.'

Paragraph 11 requires that:

'Plans and decisions should apply a presumption in favour of sustainable development.'

CCS Policy SD1 (Sustainable Development), in summary, reflects the aims of the NPPF. It promotes sustainable development and states that 'proposals should seek to promote sustainability by minimising and/or mitigating pressure on the natural, built and historic environment, utilities and infrastructure, and areas at risk of flooding.'

CDP Policy DP1 (Design and Amenity) requires, in summary and among other requirements, that all development must demonstrate social, economic and environmental sustainability.

Relating to the economic objective, the proposed development would create 30 full

time employees.

The development would contribute to the social objective by providing the educational spaces required by the Local Education Authority.

The environmental objective will be considered throughout the report.

CCS Policy SD2 (Delivering Facilities and Infrastructure) requires, in summary, that new development provides the necessary facilities and infrastructure to support sustainable communities.

It is considered that the school itself makes up part of the necessary facilities required to support the surrounding community.

The policy goes on to require that 'new facilities and infrastructure must be located and designed so that they are accessible and compatible with the character and needs of the local community.' This will be considered throughout the report.

C DESIGN

CDP Policy DP1 (Design and Amenity) states:

'All development must be designed to a high standard, avoid unacceptable impacts on amenity, and demonstrate social, economic and environmental sustainability. Development proposals must demonstrate that they, and any ancillary activities associated with them, will:

- (i) Respect and enhance the character of the site, its context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, proportions, materials, townscape and/or landscape setting, and detailed design features. Wherever possible development should remove existing unsightly features as part of the overall development proposal;*
- (ii) Provide a design and layout that takes into account the potential users of the site including giving priority to pedestrian, cycling and public transport access, and the provision of satisfactory access provision for disabled people and those with restricted mobility;*
- (iii) Protect existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight;*
- (iv) Create a safe and secure environment;*
- (v) Respect or enhance the landscape and other assets that contribute positively to the site and the surrounding area; and*
- (vi) Incorporate any necessary infrastructure and services including recycling and waste facilities and, where appropriate, Sustainable Drainage Systems (SuDS), and undertake appropriate remediation of contaminated land; and*
- (vii) Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*

For the purpose of this policy ancillary activities associated with development will be considered to include vehicle movement.'

CCS Policy UR2 (Built Design and Character) requires:

'The Borough Council will promote and secure high quality and inclusive design in all developments to make better places for both residents and visitors. The design of development should be informed by context appraisals and should create places that are locally distinctive, people-friendly, provide natural surveillance to design out crime, and which enhance the built character and public realm of the area. High-quality design should also create well-integrated places that are usable, accessible, durable and adaptable.

Creative design will be encouraged to inject fresh visual interest into the public realm and to showcase innovative sustainable construction methods.

Developments that are discordant with their context and fail to enhance the character, quality and function of an area will not be supported.

The Council is committed to enhancing Colchester's unique historic character which is highly valued by residents and an important tourist attraction.

Buildings, Conservation Areas, archaeological sites, parklands, views, the river and other features that contribute positively to the character of the built environment shall be protected from demolition or inappropriate development.

Archaeological assessments will be required on development sites that possess known archaeological deposits, or where it is considered that there is good reason for such remains to exist. Important archaeological sites and their settings will be preserved in situ.'

CDP Policy DP25 (Renewable Energy), in summary, supports renewable energy schemes and also encourages applicants to incorporate renewable energy technologies into all development where viable.

In respect of this, the scheme seeks to:

- Optimise passive design measures, including fabric first principles;
- Minimise the use of all resources;
- Reduce the demand for energy and water use during the Works Period minimises waste and CO2 emissions during the construction;
- Allow opportunities for recycling during construction;
- Optimise the use of low-energy solutions;
- Allow for the measuring and monitoring of the performance of the Building in operation;
- Meet key environmental performance identified by the local authority;
- Ensure that the design facilitates an efficient approach to maintenance, life cycle replacement and facilities management, so that these can be provided in a cost-effective way.

The proposed development has been designed to achieve an efficient layout on a constrained site. By orientating the building east-west, it would allow solar gain to be maximised. As there is a slight slope from north-south, this also means there would be less need for steps and ramps.

Internally, the reception and infant classrooms would be on the ground floor, with the reception classrooms having access to their own outside space to the north of the building.

The staff rooms, office and library would also be located on the ground floor together with the hall, studio and kitchen. The library would have a double height element with views into it from the first floor and a roof light for natural light. There would be a lift, accessible WC's and a wheelchair store.

The junior classrooms would be located on the first floor, together with a staff room.

The teaching block would be two-storey in height, the studio, kitchen and plant room single storey, and the hall double height.

The design of the building has been altered since the original submission, and would now incorporate a break in the roof height along the front elevation, to break up the mass of the building. The materials palette is now proposed to include brick elevations for the main body of the building and render for the subservient sections and rear/flank elevations, to enhance the appearance of the building. The hall would be timber clad. It is proposed that the brick would be required, by condition, to be 'Cinder Grey', in the event of approval.

Colchester Borough Council (CBC) has raised no objection, subject to the imposition of conditions relating to the external material for the hall being changed from render to timber cladding; refinements to the entrance area; landscaping and boundary treatment; materials samples; and architectural details.

Since the hall is already proposed as timber, it is assumed that CBC means the studio/plant room should be timber clad. In considering this comment, it is recognised that the materials on this elevation have already been amended throughout consideration of the application. The ECC Urban Design Advisor has no objection to the proposed render, considering instead that the creation of a focal point to the building could be provided through some large scale and well-designed signage to this elevation. Details of such signage is therefore proposed to be required by condition, in the event of approval.

CBC has also commented that the verticality of the entrance could be enhanced. The ECC Urban Design Advisor has raised no objection to this element of the scheme.

It is considered that general material details and samples could be required by condition, in the event of approval.

The applicant has considered the overall positioning of the site in relation to the parkland to the south. The southern boundary pedestrian entrance is aligned to the raised table crossing of Wagtail Mews, and onto the parkland footpath.

The ECC Urban Design Advisor has suggested that the size of trees along the southern frontage should be larger, so to reflect the size of trees in the parkland opposite. It is considered that this could be conditioned, in the event of approval.

With regard to the positioning of the building itself, it is noted that a representation has been received regarding the proximity and height of the two-storey building potentially reducing light to properties to the west in Rook End – impacting on quality of life and property value.

This issue has been carefully considered. In doing so, it is noted that the distance from the building façade to the façade of the properties in Rook End is approximately 13m. This is greater than originally plotted on the drawings, and it is proposed that this distance could be required by condition in the event of approval, to fully ensure it is adhered to.

The Essex Design Guide references a minimum distance of 15m; however this is with regard to the privacy of rear residential gardens so is not strictly applicable to the proposed development, since the front of the properties in Rook End would face the side flank of the school building.

It is not considered that there would be any daylight/sunlight issues in relation to the proximity of the school building to residential properties. For example, the Essex Design Guide references a spacing of at least 10m between opposing house-fronts in order to ensure no adverse effect on the daylight and sunlight received by neighbouring properties. The distance between properties in Rook End and the proposed building is in excess of this. However, in order to reduce the perception of any overlooking, it is proposed that the one active window on the first floor western elevation (for a small group room) could be treated with either obscure glazing or other design solution. Details of this could be required by condition, in the event of approval. The other window would be for a circulation area, and is not considered to require any amendments. In addition, some additional planting could be proposed along the western boundary to specifically screen the upper floor windows from view. This could also be required by condition, in the event of approval.

Essex Police has recommended that a condition is imposed requiring the developer to seek the Secured by Design Award. Whilst the NPPG requires that the prevention of crime and the enhancement of community safety are matters that a Local Planning Authority should consider, it is considered that a requirement for a developer to achieve an award would not meet the tests for conditions (necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects). The application states that security is a priority for the school and the development would include a secure line formed by the building and fencing around the site. The secure area would be enclosed by fencing around the perimeter of the school.

In respect of impact on the historic environment, it is noted that the ECC Place Services Historic Environment Advisor has raised no objection and commented that, since the area has been previously quarried, no archaeological deposits will survive. There is considered to be no impact on Colchester's historic character, in compliance with CCS Policy UR2.

Overall, it is considered that the development would be of appropriate design for its function as a school, it would take account of its surroundings and provide a focal point for the surrounding community, in compliance with CDP Policy DP1 and

CCS Policy UR2. It would also provide environmental efficiencies in compliance with CDP Policy DP25.

D LANDSCAPE AND VISUAL IMPACT AND ECOLOGY

CDP Policy DP21 (Nature Conservation and Protected Lanes), in summary of the points of relevance to this application, requires that development will only be supported where it is supported by appropriate ecological surveys; conserves and enhances biodiversity and minimises fragmentation of habitats; maximises opportunities for natural habitats in accordance with the Essex Biodiversity Action Plan; and incorporates beneficial biodiversity conservation features and habitat creation where appropriate.

As stated, the site was a former gravel works and is currently free from any trees or other features. Tree and hedge planting is proposed around all boundaries of the development and shrub planting is proposed around the building itself. In addition, there would be planted areas within the informal soft areas of the site.

Where possible, hedging has been proposed on the 'public side' of the boundary fence. Where this has not been possible due to space constraints, fencing has been proposed on the public side with a clear view through to hedging inside the site. This is considered to be an appropriate approach by the relevant consultees.

Colchester Borough Council's Landscape Adviser initially commented that enough room had not been left for tree planting and tree pits; however no comment has been received following the submission of further information, and the County Council's Landscape Officer and Tree Officer have not raised concerns.

With respect to the proposed boundary trees, Sport England has commented that the species on the north east boundary should have minimal leaf fall. The Tree Officer has confirmed that, although the trees would be deciduous, they are likely to hold on to their leaves into winter. They would also provide screening and architectural interest due to their columnar form.

There have been no adverse comments received from the Landscape or Urban Design Advisors in relation to the visual impact of the scale or mass of the building from the south. In respect of the impact on occupiers of properties in Martin Hunt Drive, it is noted that those properties would be located some distance from the building, separated by the existing parkland area, and would be in an elevated position. Whilst they would undoubtedly have a view of the school site, it is considered that there would be no significant visual amenity impact when taken in the context of the surrounding residential development and existing retail development to the north. Further, the site would not impinge on the views of the parkland between the properties and the school site.

An ecology appraisal has been submitted with the application. As well as tree planting, it recommends the inclusion of bat boxes and sympathetic lighting, the installation of House Martin Terraces and Swift Bricks for birds, and a hedgehog house.

The ECC Ecologist has no objections subject to adherence to the above

recommendations, and to the submission and approval of a Biodiversity Enhancement Strategy for protected and priority species. It is considered that these could be required by condition, in the event of approval. Subject to such conditions, the development would be considered to comply with CDP Policy DP21.

E AMENITY IMPACT AND HEALTH

As stated, CDP Policy DP1 requires that all development avoids unacceptable impact on amenity. It should protect privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight.

An extract from CDP Policy DP2 (Health Assessments) is '*All development should be designed to help promote healthy lifestyles and avoid causing adverse impacts on public health.*'

The policy goes on to state that a Health Impact Assessment (HIA) is required for all non-residential development in excess of 1,000 square metres, and lists the information that should be included.

Health

A Health Impact Assessment has been submitted with the application, in compliance with CDP Policy DP2. It has been updated following comments from ECC Public Health.

The position of the site proximate to paths and cycleways and the parkland to the south is considered to be beneficial for physical and mental wellbeing.

Active and sustainable travel would be promoted through the Travel Plan, including the incorporation of bicycle stands, and healthy eating could be achieved by the operator if desired. The location of fast food outlets in the vicinity have been assessed; however the site is limited by the location which is already pre-determined. In any case, it would be unusual for primary school age pupils to leave the school premises for lunch unless accompanied, and the fast food outlets are not on the residential routes to the school.

In terms of community use, the school has been designed such that it would be capable of being used by the wider community. However, there is currently no operator of the school. Sport England has advised (as a non-statutory consultee) that a community use agreement would be beneficial. However, it would not be usual for a community use agreement to be imposed as a condition, since such use has potential to have amenity or environmental impacts not considered through this planning application.

Sports provision is an important element of health. The application proposes the required outdoor space and Sport England has no objection in this respect, subject to the imposition of conditions relating to the design of the proposed artificial grass pitch and assessment of ground conditions for the natural turf playing field. It is considered that such conditions could be imposed, in the event of approval.

It is therefore considered that the proposals would not cause adverse impacts on health, in compliance with CDP Policy DP2.

Noise

The application includes noise information. However, the County Council's Noise Consultant considers that more information is required relating to background noise levels and the impact of noise from the outside playing areas on residential amenity.

The Environmental Health Officer has recommended a condition relating to construction working hours for the protection of amenity.

It is considered that appropriately worded conditions in relation to noise could be imposed, in the event of approval. This would comply with CDP Policy DP1.

Air Quality

The County Council's Air Quality Consultant has not objected to the proposals. There is a lack of information around air quality data for the permitted residential development. However, the Consultant recognises that an air quality assessment is not required for the school development itself and that it is part of the original proposals for the area.

The Consultant has recommended the implementation of a Dust Management Plan during construction, and it is considered that this could be required by condition, in the event of approval.

There would therefore be compliance with CDP Policy DP1.

Lighting

ECC's Lighting Consultant and Colchester Borough Council's Environmental Health Officer have both recommended a condition relating to full lighting details. It is considered that this could be imposed, in the event of approval.

The all-weather pitch is not proposed to be lit.

The impact of overlooking and security has been considered previously in the report.

Subject to the suggested conditions, the development is considered to comply with CDP Policy DP1 and CDP Policy DP2.

F TRAFFIC AND HIGHWAY IMPACT

CDP Policy DP17 (Accessibility and Access) states:

'All developments should seek to enhance accessibility for sustainable modes of transport, by giving priority to pedestrian, cycling and public transport access to ensure they are safe, convenient and attractive, and

linked to existing networks. Proposals for development shall incorporate satisfactory and appropriate provision for:

- (i) Pedestrians, including disabled persons and those with impaired mobility;*
- (ii) Cyclists, including routes, secure cycle parking and changing facilities where appropriate;*
- (iii) Public transport and measures that reduce dependency on private vehicles;*
- (iv) Linkages to networks as appropriate including the development of new pedestrian and cycle paths and the development of transit corridors in north and east Colchester;*
- (v) Servicing and emergency vehicles.*

Access to all development should be created in a manner which maintains the right and safe passage of all highway users. Development will only be allowed where there is physical and environmental capacity to accommodate the type and amount of traffic generated in a safe manner. The access and any traffic generated shall not unreasonably harm the surroundings, including the amenity of neighbouring properties and/or the public rights of way network.

Proposals will need to be accompanied by a Transport Assessment or Statement as well as a Travel Plan or Residential Travel Pack as considered appropriate by the local planning authority. The Essex County Council Transportation Development Management Policies Guidance Note provides further detail on requirements relating to accessibility and access including Transport Assessment and Statement thresholds for each land use category.'

CDP Policy DP19 (Parking Standards) requires, in summary, that developments adhere to the Essex Planning Officers Association (EPOA) Vehicle Parking Standards, which was adopted by Colchester Borough Council as a Supplementary Planning Document (SPD) in November 2009.

The Essex Parking Standards: Design and Good Practice (September 2009) set out the parking requirements for primary education, as follows:

- A maximum of 1 parking space per 15 pupils;
- A minimum of 1 cycle space per 5 staff plus 1 space per 3 pupils;
- Minimum disabled bay provision of 1 space or 5% of the total.

The standards would result in a maximum of 28 parking bays. The application proposes 26 car parking spaces plus 2 disabled bays (28 spaces in total). No parking or drop off areas are proposed for parents of school pupils.

The application proposes 30 staff. This would result in a requirement for 146 cycle spaces. As is usual for schools, the application proposes the provision of a mixture of cycle stands and scooter parking, proposing 60 scooter spaces and 40 cycle spaces. This is considered to be acceptable and the Highway Authority has raised no objection. There would therefore be compliance with CDP Policy DP19.

CCS Policy TA1 (Accessibility and Changing Travel Behaviour), in summary, seeks to improve accessibility and change travel behaviour. It encourages

development that reduces the need to travel and does not support developments that are car-dependent or promote unsustainable travel behaviour. Travel plans are encouraged as a way of promoting sustainable travel behaviour.

The application includes a Framework Travel Plan. It notes that the nearest bus stop is located within 400m of the site on Church Lane, and overall considers that the site would be accessible by foot, cycle and public transport.

It is considered that a Travel Plan could be requested via Planning Informative, in the event of approval, and that the development would be compliant with CCS Policy TA1.

The Highway Authority has raised no objection to the development, subject to conditions, which it is considered could be imposed in the event of approval.

The concerns of local councillors regarding vehicular access, narrowness of the surrounding roads and traffic impact have been carefully considered.

Wagtail Mews would be 5.5m in width with a 2m footway either side. A Transport Assessment has been submitted, which indicates that the development has potential to generate 195 vehicular trips in the AM peak (8am-9am) and 166 vehicular trips in the school PM peak (3pm-4pm). Although the public highway has been assessed as being able to cope with this number, it would be likely to be lower with the impact of a School Travel Plan.

The application proposes a pedestrian access on the western boundary, as well as on the main southern boundary. Concern has been raised about this encouraging congestion in Rook End and Kestrel Drive.

The applicant is amenable to removing the secondary pedestrian access if necessary; however it is not considered that its presence would exacerbate congestion on the area. The use of the gate would ultimately be managed by the operator of the school.

No parking restrictions are proposed as part of this application. It is expected that the operator of the school would seek to manage responsible parking via the School Travel Plan.

Overall, the development location is considered to be acceptable given that it has been previously approved as part of a wider masterplan for the area. The proposed traffic generated could be accommodated, and the development is considered to be compliant with CDP Policy DP17.

G FLOOD RISK

CDP Policy DP20 (Flood Risk and Management of Surface Water Drainage), in summary, requires adherence to PPS25. It requires incorporation of measures for the conservation and sustainable use of water, including appropriate SUDs for managing surface water runoff.

PPS25 has been superseded by the NPPF, which has similar objectives, namely to locate development to the lowest flood risk area (Flood Zone 1). It also requires a site specific Flood Risk Assessment for sites over 1ha in area in Flood Zone 1.

The application includes a site specific Flood Risk Assessment. The Lead Local Flood Authority has raised no objection, subject to conditions relating to submission of a detailed surface water drainage scheme, submission of a maintenance plan, and the upkeep of yearly logs of maintenance.

Subject to the imposition of these conditions, the development would be considered to comply with CDP Policy DP20 and the NPPF.

8. CONCLUSION

In conclusion, the proposed development is considered to be wholly acceptable in the proposed location, complying with CSA Policy SA STA1.

There is an identified need for the proposed primary school on the application site, and this need should be given great weight in accordance with the NPPF. The site also complies with the encouragement for community facilities as per CDP Policy DP4 and CCS Policy SD3.

The design of the building and layout of the site would be appropriate for its function as a school. It would take account of its surroundings and provide a focal point for the surrounding community. Subject to conditions, the development would be in compliance with CDP Policy DP1 and CCS Policy UR2. It would also provide environmental efficiencies in compliance with CDP Policy DP25.

The development proposes ecological enhancements which are considered to comply with CDP Policy DP21.

In terms of landscape and visual impact, a landscape scheme is proposed to fully secure planting proposals across the site. The development would not be considered to have unacceptable impact on privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight, providing that certain conditions are imposed. Amenity would therefore be protected, in compliance with CDP Policy DP1.

Health impact and sports provision has been fully considered, in compliance with CDP Policy DP2

The development would include parking provision in accordance with CDP Policy DP19. The proposed traffic generation has been assessed as being able to be accommodated in the surrounding highway, and the development proposes to promote sustainable travel through a Travel Plan, in compliance with CDP Policy DP17 and CCS Policy TA1. There are considered to be no reasons for refusal related to traffic and highway impact.

A site specific Flood Risk Assessment has shown that the site would comply with CDP Policy DP20 with the imposition of the suggested conditions.

Finally, the environmental objective of the NPPF is considered to have been met, resulting in a 'sustainable development', for which there is a presumption in favour. This complies with CCS Policy SD1 and CDP Policy DP1. The development would also provide the necessary facilities and infrastructure to support sustainable communities and would be accessible and compatible with the character and needs of the local community, in compliance with CCS Policy SD2 (Delivering Facilities and Infrastructure).

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.

Reason: To comply with section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the details submitted by way of application reference CC/COL/35/19 dated 11/06/19,

- Cover letters by Strutt & Parker dated 24/05/19 and 13/08/19;
- Emails from Strutt & Parker dated 09/08/19, 13/08/19, 03/09/19 and 10/09/19, from Applied Acoustic Design dated 13/08/19, from Barnes Construction dated 04/09/19, and from ECC Infrastructure Delivery dated 12/09/19;
- Planning Statement by Strutt & Parker dated May 2019;
- Construction Management Plan ref BC1851 Revision 2 by Barnes Construction dated September 2019;
- Climate Based Daylight Modelling by The Energy Practice dated 05/04/19;
- Health Impact Assessment by Strutt & Parker dated August 2019;
- Flood Risk Assessment V1.2 by Concertus dated 08/05/19;
- Framework Travel Plan ref JTP19163 by Journey Transport Planning dated May 2019;
- Transport Assessment ref JTP18_090 by Journey Transport Planning dated May 2019;
- Site Noise Survey, External Building Fabric & Ventilation Strategy, Acoustic Design Report ref 18405/001RevA/ha by Applied Acoustic Design dated 30/04/19;
- Foul Sewage and Utilities Assessment ref BC1831 by Barnes Construction (undated);
- Preliminary Ecological Appraisal Report V2 by Practical Ecology dated 15/07/19;

Together with drawings referenced:

- Proposed External Lighting ref 318083-TEP-DR-ZZ-00-E-3205 Rev P2 dated 21/03/19;
- Fence and Gate Layout ref 118216-CDP-DR-ZZ-XX-L-2001 Rev P5 dated 06/08/19;
- Relationship to Western Boundary Properties ref 118216-CDP-DR-ZZ-XX-A-2015-P4 dated 04/09/19;
- Proposed Block Plan 118216-CDP-DR-ZZ-XX-A-2002 Rev P5 dated Feb 2019;
- Location Plan ref 118216-CDP-DR-ZZ-XX-A-2001 Rev P5 dated Feb 2019;
- Proposed Sections ref 118216-CDP-DR-ZZ-XX-A-2005 Rev P2 dated 20/05/19;
- Proposed First Floor Plan ref 118216-CDP-DR-ZZ-01-A-2003 Rev P3 dated 23/05/19;
- Proposed Ground Floor Plan ref 118216-CDP-DR-ZZ-00-A-2003 Rev P3 dated 23/05/19;
- Proposed Materials ref 118216-CDP-DR-ZZ-XX-A-2007 Rev P1 dated 24/05/19;
- Drainage Plan ref 118216-CDP-DR-ZZ-B1-C-4001 Rev P3 dated 28/05/19;
- Drainage Details ref 118216-CDP-DR-ZZ-XX-C-6001 Rev P2 dated 28/05/19;
- Proposed Roof Plan ref 118216-CDP-DR-ZZ-R1-A-2003 Rev P6 dated 05/08/19;
- Proposed Elevations ref 118216-CDP-DR-ZZ-XX-A-2004 Rev P8 dated 06/08/19;
- Elevational Material Details ref 118216-CDP-DR-ZZ-XX-A-2014 Rev P3 dated 06/08/19;
- Main Entrance Perspective ref 118216-CDP-VS-ZZ-XX-A-2006 Rev P4 dated 06/08/19;
- Cropped Main Entrance Perspective ref 118216-CDP-VS-ZZ-XX-A-2016 Rev P2 dated 06/08/19;
- Proposed Structure Planting ref 118216-CDP-DR-ZZ-XX-L-6901 Rev P7 dated 06/08/19;
- Landscape Proposals ref 118216-CDP-DR-ZZ-XX-L-2002 Rev P7 dated 06/08/19;
- External Areas Assessment ref 118216-CDP-DR-ZZ-XX-L-2003 Rev P5 dated 06/08/19;
- Section Details Through Boundary ref 118216-CDP-DR-ZZ-XX-L-6015 Rev P2 dated 06/08/18;
- Illustrative Section Through Plant ref 118216-CDP-DR-ZZ-XX-L-6016 Rev P2 dated 06/08/19;
- Illustrative Section Through Planting Bed ref 118216-CDP-DR-ZZ-XX-L-6017 Rev P2 dated 06/08/19;

and the contents of the Design and Access Statement by Concertus dated 07/05/19

and in accordance with any non-material amendment(s) as may be subsequently approved in writing by the County Planning Authority, except as varied by the following conditions:

Reason: To ensure development is carried out in accordance with the approved plans and to comply with Colchester Site Allocations Policy SA STA1; Colchester Development Policies DPD Policies DP1, DP2, DP4, DP17, DP19, DP20, DP21 and DP25; and Colchester Core Strategy Policies SD1, SD2, SD3, UR2 and TA1.

3. The Rating Level of noise emitted from the site's fixed plant at nearby residential premises, to be agreed in advance in writing with the County Planning Authority, shall not exceed the representative background sound levels, when assessed in accordance with BS 4142. Prior to beneficial occupation of the development hereby permitted, the applicant shall submit details of the fixed plant to demonstrate compliance with this requirement. As part of this, the applicant shall agree the Rating Level limits with the County Planning Authority.

Reason: In the interest of local amenity and for compliance with Colchester Development Policy DP1.

4. No beneficial occupation of the development hereby permitted shall take place unless a noise assessment to predict the noise impact of the proposed Hard Outdoor PE Court and Artificial Turf Pitch on nearby noise sensitive properties (to be agreed in advance in writing with the County Planning Authority), as well as mitigation measures if adverse impacts are found to occur, has been submitted to and approved in writing by the County Planning Authority. The noise assessment shall include details of the noise predictions and baseline noise conditions. The development shall thereafter take place in accordance with the approved details.

Reason: In the interest of local amenity and for compliance with Colchester Development Policy DP1.

5. The construction of the development hereby permitted shall not be carried out unless during the following times:

08:00 hours to 18:00 hours Monday to Friday
08:00 hours to 13:00 hours Saturdays

and at no other times, including on Sundays, Bank or Public Holidays.

Reason: In the interests of limiting the effects of the construction phase of the development on local amenity, to control the impacts of the development and to comply with Colchester Development Plan Policy DP1.

6. No fixed lighting shall be erected or installed on-site until details of the location, height, design, luminance and operation have been submitted to and approved in writing by the County Planning Authority. That submitted shall include an overview of the lighting design including the maintenance factor and lighting

standard applied together with a justification as why these are considered appropriate. The details to be submitted shall include a lighting drawing showing the lux levels on the ground, angles of tilt and the average lux (minimum and uniformity) for all external lighting proposed. Furthermore a contour plan shall be submitted for the site detailing the likely spill light, from the proposed lighting, in context of the adjacent site levels. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties and highways. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: To minimise the nuisance and disturbances to neighbours and to comply with Colchester Development Plan Policy DP1.

7. No works or development shall take place until a scheme to minimise dust emissions during construction has been submitted to and approved in writing by the County Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the construction of the development hereby permitted. The development shall be implemented in accordance with the approved scheme with the approved dust suppression measures being retained and maintained in a fully functional condition for the duration of the construction of the development hereby permitted.

Reason: To reduce the impacts of dust disturbance from the site on the local environment and to comply with Colchester Development Plan Policy DP1.

8. The development hereby permitted shall take place in accordance with the mitigation and enhancement measures contained in the Preliminary Ecological Appraisal Report V2 by Practical Ecology dated 15/07/19.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and for compliance with Colchester Development Plan Policy DP21.

9. Prior to the installation of a damp proof membrane, a Biodiversity Enhancement Strategy for Protected and Priority species, based on the measures outlined in Table 3 of the Preliminary Ecological Appraisal Report V2 by Practical Ecology dated 15/07/19, shall be submitted to and approved in writing by the County Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate plans;
- d) timetable for implementation
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance.

The development shall be implemented in accordance with the approved strategy

and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and for compliance with Colchester Development Plan Policy DP21.

10. No development shall take place beyond the installation of a damp proof membrane until details and samples of materials, including render, and timber, brick and brick mortar, have been submitted to and approved in writing by the County Planning Authority. The details shall include the use of 'Cinder Grey' brick. The development shall be implemented in accordance with the approved details.

Reason: To limit the impacts on local amenity and to comply with Colchester Development Plan Policy DP1 and Colchester Core Strategy Policy UR2.

11. Prior to installation of windows, details including plans and material samples of the window frames, vents and window recess shall have been submitted to and approved in writing by the County Planning Authority. The development shall take place in accordance with the approved details.

Reason: To limit the impacts on local amenity and to comply with Colchester Development Plan Policy DP1 and Colchester Core Strategy Policy UR2.

12. Prior to the installation of any part of the surface water drainage system, a detailed surface water drainage scheme for the site, based on the submitted Flood Risk Assessment V1.2 by Concertus dated 08/05/19, shall have been submitted to and approved in writing by the County Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development and shall include but not be limited to:

- Limiting discharge rates to the greenfield 1 in 1 year rate for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with Anglian Water;
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event;
- Final modelling and calculations for all areas of the drainage system;
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753;
- Detailed engineering drawings of each component of the drainage scheme;
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features;
- A written report summarising the final strategy and highlighting any minor

changes to the approved strategy.

The development hereby permitted shall be implemented in accordance with the approved scheme.

Reason: To minimise the risk of flooding and for compliance with Colchester Development Plan Policy CDP Policy DP20.

13. The development hereby permitted shall take place in accordance with the submitted Construction Management Plan ref BC1851 Revision 2 by Barnes Construction dated September 2019.

Reason: To minimise the risk of flooding, in the interests of highway safety and to minimise impact on local amenity and for compliance with Colchester Development Plan Policies DP1, DP17 and DP20.

14. Prior to beneficial occupation of the development hereby permitted, a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and approved in writing by the County Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements shall be provided as part of the plan. The development shall thereafter be implemented in accordance with the approved plan.

Reason: To minimise the risk of flooding and for compliance with Colchester Development Plan Policy CDP Policy DP20.

15. The applicant or any successor in title shall maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the County Planning Authority.

Reason: To minimise the risk of flooding and for compliance with Colchester Development Plan Policy CDP Policy DP20.

16. No development shall take place beyond the installation of a damp proof membrane until a landscape scheme has been submitted to and approved in writing by the County Planning Authority.

The scheme shall include:

- details of areas to be planted with species, sizes, spacing, method of planting, protection, programme of implementation and maintenance schedule;
- provision for the relocation of the 'Quercus Robur' in the north west of the site as shown on drawing ref Proposed Structure Planting ref 118216-CDP-DR-ZZ-XX-L-6901 Rev P7 dated 06/08/19 to a position further south along the western boundary;
- Inclusion of larger trees on the southern boundary to reflect those used in the parkland to the south;
- provision for planting for screening purposes along the western boundary, as

set out in condition 24.

The scheme shall be implemented within the first available planting season (October to March inclusive) following commencement of the development hereby permitted in accordance with the approved details and maintained thereafter in accordance with condition 17 of this permission.

Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), to improve the appearance of the site in the interest of visual amenity and to comply with Colchester Development Plan Policies DP21 and DP1.

17. Any tree or shrub forming part of a landscaping scheme approved in connection with the development under Condition 16 of this permission that dies, is damaged, diseased or removed within the duration of 5 years during and after the completion of the development shall be replaced during the next available planting season (October to March inclusive) with a tree or shrub to be agreed in advance in writing by the County Planning Authority.

Reason: In the interest of the amenity of the local area, to ensure development is adequately screened and to comply with Colchester Development Plan Policies DP21 and DP1.

18. No development of the All Weather Pitch, as shown on drawing ref External Areas Assessment ref 118216-CDP-DR-ZZ-XX-L-2003 Rev P5 dated 06/08/19, shall take place until details of the design and layout of the All Weather Pitch, including details of surfacing, construction cross-section, line marking, goal storage and fencing have been submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Colchester Development Plan Policy DP2.

19. No development of the natural turf playing field, shown as soft informal play on drawing ref External Areas Assessment ref 118216-CDP-DR-ZZ-XX-L-2003 Rev P5 dated 06/08/19, shall commence until the following documents have been submitted to and approved in writing by the County Planning Authority:
- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality;
 - (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The development shall thereafter be implemented in accordance with the approved scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Colchester Development Plan Policy DP2.

20. No beneficial occupation of the development hereby permitted shall take place unless the vehicle and pedestrian access arrangements as shown on drawing Landscape Proposals ref 118216-CDP-DR-ZZ-XX-L-2002 Rev P7 dated 06/08/19 have been fully completed.

Reason: In the interests of highway safety and for compliance with Colchester Development Plan Policy DP17.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015 or any Order amending, replacing or re-enacting that Order), no gates shall be erected at the vehicular or pedestrian accesses on Wagtail Mews, as shown on drawing Landscape Proposals ref 118216-CDP-DR-ZZ-XX-L-2002 Rev P7 dated 06/08/19 unless they open inwards from the public highway towards the site and those serving a vehicular access shall be set back a minimum distance of 6 metres from the nearside edge of the Wagtail Mews carriageway.

Reason: In the interests of highway safety and for compliance with Colchester Development Plan Policy DP17.

22. The western façade of the main school building hereby permitted shall be positioned at least 12.9m from the façade of the residential properties on Rook End, as shown on drawing ref 118216-CDP-DR-ZZ-XX-A-2015-P4 dated 04/09/19.

Reason: In the interests of residential amenity and for compliance with Colchester Development Plan Policy DP1.

23. No beneficial occupation of the development hereby permitted shall take place unless full details of the school signage have been submitted to and approved in writing by the County Planning Authority. The details shall include the size, design, colour, materials and positioning of the signage to create a clear focal point for the main school entrance.

Reason: To limit the impacts on local amenity and to comply with Colchester Development Plan Policy DP1 and Colchester Core Strategy Policy UR2.

24. No development shall take place beyond the installation of a damp proof membrane unless a scheme for obscuring visibility of properties in Rook End has been submitted to and approved in writing by the County Planning Authority. The scheme shall include treatment of the most southerly first-floor window on the western elevation, as shown on drawing Proposed Elevations ref 118216-CDP-DR-ZZ-XX-A-2004 Rev P8 dated 06/08/19, and inclusion of planting for screening along the western boundary. The development shall take place thereafter in accordance with the approved details.

Reason: In the interests of residential amenity and for compliance with Colchester Development Plan Policy DP1.

25. No beneficial occupation of the development hereby permitted shall take place until details of covered cycle parking provision, as indicated on drawing ref

Landscape Proposals ref 118216-CDP-DR-ZZ-XX-L-2002 Rev P7 dated 06/08/19 have been submitted to and approved in writing by the County Planning Authority. The details shall include the design, location and number of spaces for cycle parking to be provided prior to the beneficial occupation of the development hereby permitted and details of additional cycle spaces including the number, location, design and timeframe for implementation based on a specified methodology to identify any additional need. The development hereby permitted shall be carried out in accordance with the approved details and shall thereafter be retained and maintained for the duration of the development hereby permitted.

Reason: In the interest of highway safety, to ensure the free-flow of traffic on the public highway and to comply with Colchester Development Plan Policy DP19.

26. No beneficial occupation of the development hereby permitted shall take place until the parking areas indicated on plan Landscape Proposals ref 118216-CDP-DR-ZZ-XX-L-2002 Rev P7 dated 06/08/19 have been laid out and clearly marked for the parking of cars, lorries and any other vehicles that may use the site, including motorcycles, bicycles and provision for the mobility impaired. The parking areas shall be permanently retained and maintained for parking and shall be used for no other purpose.

Reason: In the interest of highway safety, to ensure the free-flow of traffic on the public highway and to comply with Colchester Development Plan Policy DP19.

27. The bin store compound, as indicated on drawing Landscape Proposals ref 118216-CDP-DR-ZZ-XX-L-2002 Rev P7 dated 06/08/19, shall not be erected until details of the design, height and location have been submitted to and approved in writing by the County Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: To limit the impacts on local amenity and to comply with Colchester Development Plan Policy DP1 and Colchester Core Strategy Policy UR2.

BACKGROUND PAPERS

Consultation replies
Representations

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

The proposed development would not be located adjacent to a European site.

Therefore, it is considered that an Appropriate Assessment under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) is not required.

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

COLCHESTER - Stanway and Pyefleet