

DR/33/14

Committee DEVELOPMENT & REGULATION

Date 22 August 2014

COUNTY COUNCIL DEVELOPMENT

Proposal: **Construction of a new replacement Infant School building, 2 storeys in height, suitable for 360 pupils together with a proposed four classroom and hall extension to the Junior School to facilitate an expansion to a 4 Form Entry (480 pupil) Junior School. Associated development includes hard and soft landscaping works, new pedestrian access, additional car parking spaces, and other site improvements/provisions**

Location: **John Ray Infant and Junior School, Notley Road, Braintree, Essex, CM7 1HL**

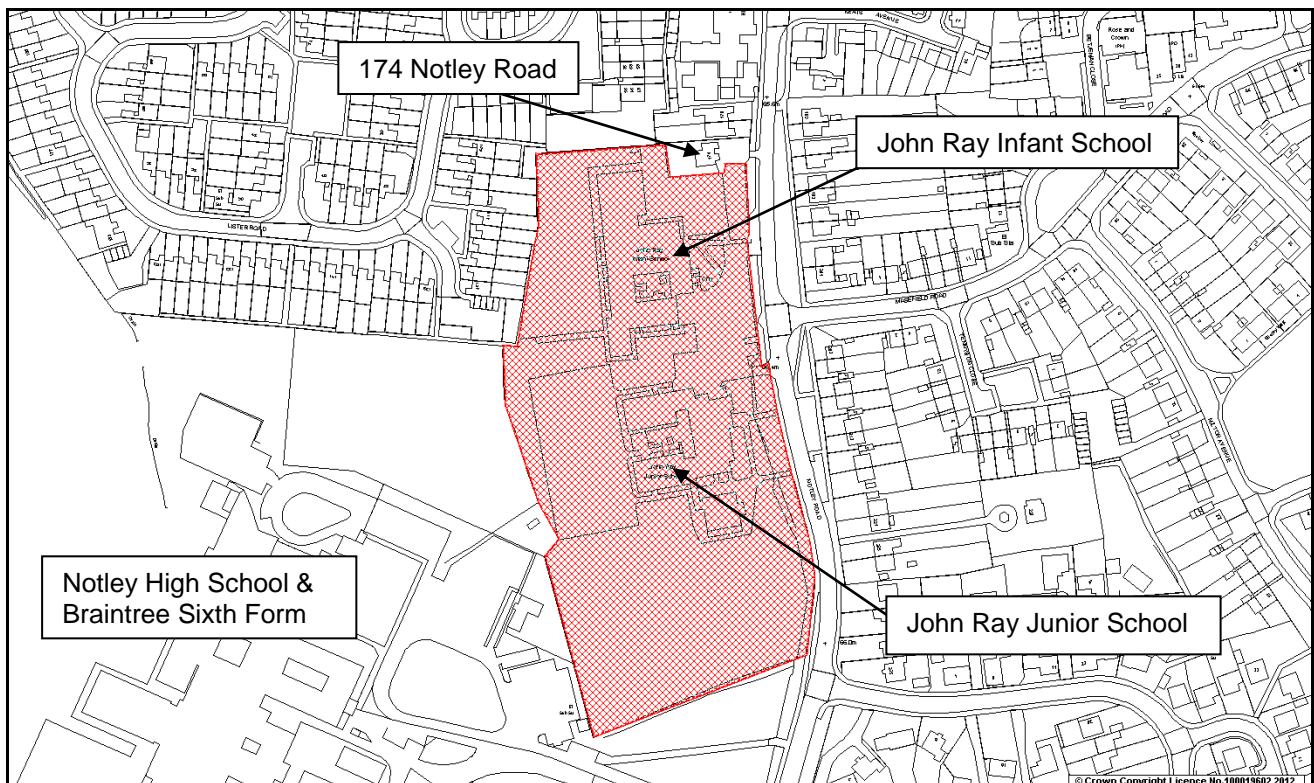
Reference: **CC/BTE/35/14**

Applicant: **Essex County Council**

Report by Director for Operations, Environment and Economy

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



1. SITE & BACKGROUND

John Ray Infant and Junior School is located within southern Braintree, approximately 700m (as the crow flies) from Braintree rail station. The school site is on the western side of Notley Road and is primarily accessed from here. In terms of the locality, residential areas border the school to the north and east (other side of Notley Road). To the south is Notley High School & Braintree Sixth Form and the Braintree Arts Theatre and to the west are the adjoining playing fields of Notley High.

In terms of the school site itself, the infant school (before being burnt down, see below paragraph) lies directly to the north of the junior school. The car park, used by both the infant and junior school, is located off Notley Road in the middle between the infant and junior school buildings. The main areas of hard play are to the north (adjacent to Notley Road) for the infant school and to the rear (west) for the junior school. The school (grass) playing fields are to the south of the junior school.

Tragically, in August 2013 the infant school building on-site caught fire and owing to damage caused had to be demolished for health and safety reasons. Leaving the school in a compromised position, with only limited teaching facilities to support its students, a number of temporary classbases were installed on site under permitted development rights afforded in such situations. These were installed to the south of the junior school however the temporary nature of these for the entire infant provision is not ideal nor is the impact this has had on the playing field provision for both the infant and junior schools.

The complete school site (infant and junior) measures approximately 2.19ha and in its entirety is located outside the town development boundary, as defined within the Braintree District Local Plan Proposals Map. That being said the complete school site is designated for education. The site is located within Flood Zone 1 and the area does not represent a statutory 'sensitive area' as defined in paragraph 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

2. PROPOSAL

This proposal has three key elements: 1) the actual re-build of the infant school (building to be suitable for up to 360 pupils); 2) a proposed four classroom extension to the junior school to facilitate an increase to a 4 form entry junior school (480 pupils); and 3) the removal of mobile temporary classbases which have been used to supplement permanent teaching accommodation at the school over the years and more recently used as teaching accommodation to compensate for that lost during the fire.

The redevelopment of the infant school would comprise 12 naturally lit classrooms with associated cloakrooms, group spaces and storage space; reception and entrance area; school hall; head teachers office; pupil toilets (including disability provision); kitchen; and various support facilities/areas. The proposed building would be two storeys in height, with a single storey element to include the school

hall, kitchen and utilities area. The proposed works to the junior school includes: 1) an extension comprising four naturally lit classrooms with associated cloakrooms, wet area, group space and storage space; therapy room; and pupil toilets (including disability provision); and 2) an extension to the existing junior school hall. The total gross internal floorspace that would be provided by the new infant school would be 2080m² (over the two floors) and the total gross internal floorspace that would be provided by the extensions at the junior school would be 413m² (347m² in teaching accommodation and 66m² to the school hall).

As part of the proposals improvement works are also proposed to the site entrance to increase on site safety and to control the flow of vehicle movements including the provision of two additional pedestrian access points to the infant school from Notley Road. The existing car park is to be maintained as is the primary vehicular access. However, 16 additional car parking spaces would be created on site as part of the development proposals.

3. POLICY CONSIDERATIONS

The following policies of the Braintree District Council Local Development Framework Core Strategy 2011 (BCS) and Braintree District Local Plan Review 2005 (BLP) provide the development framework for this application. The following policies are of relevance to this application:

<u>Policy</u>	<u>BCS</u>	<u>BLP</u>
Promoting Accessibility for All	CS7	
Natural Environment and Biodiversity	CS8	
Built and Historic Environment	CS9	
Infrastructure Services and Facilities	CS11	
Transport Assessments		RLP 54
Travel Plans		RLP 55
Vehicle Parking		RLP 56
External Lighting		RLP 65
Energy Efficiency		RLP 77
Landscape Features and Habitats		RLP 80
Trees, Woodland, Grasslands and Hedgerows		RLP 81
Layout and Design of Development		RLP 90
Accessibility		RLP 92

The National Planning Policy Framework (Framework) was published on 27 March 2012 and sets out the Government's planning policies for England and how these are expected to be applied. The Framework highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state that there are three dimensions to sustainable development: economic, social and environmental. The Framework places a presumption in favour of sustainable development. However, paragraph 11 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

For decision-taking the Framework states that this means; approving development

proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

In respect of the above, paragraph 215 of the Framework, which it is considered is applicable to the BCS and BLP, states that due weight should be given to relevant policies in existing plans 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). Consideration of this, as such, will therefore be made throughout the appraisal section of this report.

With regard to updates/replacements or additions to the above, the Framework (Annex 1, paragraph 216) states from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given), and;
- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Braintree District Council originally intended to create a Local Development Framework which it was envisaged would supersede the Local Plan Review in its entirety. In this regard, the BCS was adopted on 19 September 2011 and it was anticipated that the remaining BLP policies would be replaced by those to be contained in a Site Allocations and Development Management Plan. During a meeting on 30 June 2014 it was however resolved not to proceed with the Draft Site Allocation and Development Management Plan. Work has now instead commenced on a new Local Plan, which will set out the Council's strategy for future development and growth up to 2033. This includes building the right number and types of houses, developing the appropriate type of retail and recreational facilities, getting the right office and industrial spaces, creating opportunities for local jobs and protecting our wildlife, landscapes and heritage. The new Local Plan will ultimately replace the BLP and BCS however at the current time it is not considered is at a sufficient stage to have significant weight in the determination of this application.

4. CONSULTATIONS

BRAINTREE DISTRICT COUNCIL – Informal comments have been received that raise concern about the potential for overlooking from the top classrooms towards 174 Notley Road. Slight concern is also raised in respect of the location of the foundation play area, being at the front of the school and close to the boundary of this property.

As the above are only informal comments, should the formal consultation response from Braintree District Council be received the contents of this will be reported.

ENVIRONMENT AGENCY – No objection.

SPORT ENGLAND – The extension to the junior school would be sited on playing field which technically would be capable of forming a playing pitch or part of one. However, in this instance Sport England are mindful of the following:

- The proposed siting of the classrooms would not appear to affect any existing winter or summer pitches;
- The extent of the encroachment onto the playing field would be relatively limited as the building would be approximately 400m²;
- The siting of the block would be in the corner of the playing field adjoining the hard play area and existing school buildings. Due to the shape of the playing field in this area, a substantial part of the area proposed for the block is not capable of forming a playing pitch or part of one due to insufficient space being available (due to partial enclosure by buildings/hard play area).

On the basis of the above considerations, on this occasion, it is not considered that there would be harm to sport and recreation provision and as such no objection is raised.

In respect of the new infant school, as this would be sited broadly on the footprint of the school building that was destroyed by fire, no comments are offered.

HIGHWAY AUTHORITY – No objection subject to the applicant making a £5000.00 (five thousand pounds) contribution towards reviewing and altering the parking restrictions in Masefield Road, Longleaf Drive and Notley Road. No development shall take place, including any ground works or demolition until a construction method statement has been submitted to, and approved in writing by, the Local Planning Authority.

ESSEX FIRE & RESCUE SERVICE – Access for Fire Services purposes has been considered in accordance with the Essex Act 1987 – Section 13. Access for fire service purposes is considered satisfactory. More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage. The applicant is reminded that additional water supplies for fire fighting may be necessary for this development. There is clear evidence that the installation of Automatic Water Suppression Systems can be effective in the rapid suppression of fires. Essex Fire & Rescue Service therefore uses every occasion to urge building owners and developers to consider the installation of such systems even if not formally required as part of Building Regulations.

NATIONAL GRID – Any comments received will be reported.

UK POWER NETWORKS – Any comments received will be reported.

PLACE SERVICES (Urban Design) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection subject to samples of the external materials, including

ground surface finishes, being submitted and approved in writing prior to installation; and details of the proposed windows, doors and surrounds being secured by condition. In respect of the above, it is considered by the Council's consultant that the window pattern at the existing school has a strong horizontal emphasis compared to the new extension which has windows which display a vertical emphasis. To relate the new development to the existing it is considered a similar window pattern should be explored and adopted.

Applicant's Comment

A vertical emphasis of window design was primarily chosen in order to allow for the maximum possible quantity of natural light to enter the building. An important consideration during the design phase was to ensure that the classrooms provided a well-lit, attractive environment for children to learn. The maximisation of natural lighting also accords with sustainability criteria in ensuring that the proposed extension has minimal energy needs and operational costs.

Against this background, a horizontal window layout represents an inefficient design in sustainability terms as it cannot achieve similar levels of natural light without significantly altering the position of the windows. In order to achieve this, the layout of the windows would have to be lowered to a ground floor level which would have privacy and safety issues. In addition it is considered that the horizontal window layout gives the extension its own visual distinctiveness.

PLACE SERVICES (Landscape) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection subject to the imposition of a condition requiring the submission of landscape scheme.

PLACE SERVICES (Historic Buildings) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection.

PLACE SERVICES (Archaeology) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection.

PLACE SERVICES (Ecology) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection subject to the development being carried out in strict accordance with the recommendations of the submitted 'Preliminary Ecological Appraisal', document reference: 771866-REP-ENV-003-ECO, dated 27 May 2014. It is however recommended an condition or informative be appended to any consent issued detailed that no trees/hedgerows shall be removed between 01 March and 31 September, unless an ecological assessment has been undertaken confirming that no species would be adversely affected by the proposed works.

PLACE SERVICES (Trees) ENVIRONMENT, SUSTAINABILITY AND HIGHWAYS – No objection to the development in principle. It is however recommended that a condition be attached to any consent issued to ensure that all trees proposed to be retained during the construction phase of the development are protected in accordance with BS5837:2012. Recommendation, in line with that suggested by the Council's landscape consultant, is also made that a landscape scheme be secured by condition.

THE COUNCIL'S LIGHTING CONSULTANT – No objection subject to the lighting scheme being installed and maintained in accordance with the submitted details. A condition requiring details of the proposed operating times; and control of the lighting is nevertheless suggested to ensure that there would be no adverse nuisance or disturbance to neighbours and the surrounding area.

BLACK NOTLEY PARISH COUNCIL – It is considered because of the parking problems caused by parents at pick-up times an Environmental Impact Assessment is essential. Large numbers of vehicles park on the roads in the vicinity of the school and this has led to traffic trying to pass in both directions through a tunnel effect, and in doing so mounting the pavement to pass which is particularly dangerous around the school. Unless greater road markings deter parking then increased pupil numbers will lead to more vehicles and further detriment of the local environment and resident's amenity. Questions are also raised about the justification for an increased pupil roll?

ECC Comment

A Screening Opinion in respect of Environmental Impact Assessment was issued by Essex County Council on 25 June 2014. The conclusion of this was that the proposed re-development and expansion of the John Ray Infant and Junior School would not have an impact on more than local importance and therefore, on balance, an EIA would not be required. The Highway Authority has nevertheless been consulted on the application and an assessment of the content of their representation in view of the concerns raised and the information submitted as part of the Transport Statement can be found in the appraisal section of this report. Similarly further discussion with regard to the need/justification for the proposed expansion at the school can be found in the appraisal section of this report.

LOCAL MEMBER – BRAINTREE – Braintree Town – Any comments received will be reported.

LOCAL MEMBER – BRAINTREE – Witham Northern – Any comments received will be reported.

5. REPRESENTATIONS

51 addresses were directly notified of the application. The application was also advertised in the local press and on site. 3 letters of representation have been received. These relate to planning issues covering the following matters:

Observation

Comment

The 2 storey building proposed would cause overlooking.

See appraisal.

Concern is raised about the mitigation measures proposed in the event of fire.

See consultation response received from Essex Fire and Rescue Service. Consideration of mitigation measures in the event of fire will be considered at Building Regulations stage.

Concern is raised about increased congestion from a larger pupil intake/roll.

See appraisal.

The windows on northern elevation are at eye level into *my* bedroom (in the adjacent residential property). No objection is raised with regard to the building of a new school but concerns are raised about the design of the windows on this aspect.

See appraisal.

No objection to the proposals but objection is raised to the rear entrance to the school from Lister Road which, is used by parents and teachers and, is an accident waiting to happen.

See appraisal. To confirm, this is however an existing access point and no amendments are proposed to it as part of this application. This is a supplementary access point to the school which is only opened at the beginning and end of the school day.

6. APPRAISAL

The main issues for consideration are:

A – Need & Justification

B – Design Quality

C – Impact on Landscape, Amenity & Traffic

A NEED & JUSTIFICATION

The Framework, at paragraph 6, states that the purpose of the planning system is to contribute to the achievement of sustainable development. Specifically in relation to educational facilities (paragraph 72), it is noted that the Government attaches great importance to ensuring 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:

- give great weight to the need to create, expand or alter schools; and
- work with school promoters to identify and resolve key planning issues before applications are submitted.

The main aim of the proposal, as described by the applicant, is to rebuild/replace the school buildings that were burnt down by fire. In doing so, the intention is nevertheless to provide a new educational facility which responds to the requirements of the local catchment area and creates a functional space to support a positive teaching and learning environment.

Instead of simply rebuilding the infant school, as destroyed, planning permission has been sought for a larger infant school building and an extension to the junior to

the school. This decision was made in context of paragraph 72 of the Framework and forecast projections for the local Braintree population and school intake. On the basis of current projections it is envisaged that by the school year 2015/16 there would be a deficit in school accommodation for the current John Ray catchment and therefore if an exact replacement for the building lost was constructed, there is good chance that within a few years this would be insufficient to the local populations needs. To avoid this scenario, and plan for the future, the proposed new build and extension would facilitate an increase in school capacity from a 295 pupil infant school and 370 pupil junior school to a 360 pupil infant school and 480 pupil junior school.

Concerns have been raised by the public and Black Notley Parish Council about the proposed increase in pupil roll and the justification for this. Looking solely at this, irrespective of potential impact, it is noted that great weight has to be given to proposals seeking to create, expand or alter schools with the intention of widening education choice (as directed by the Framework). The impacts associated with a potential increase in pupil roll are discussed in the later sections of this report. However, principally in consideration of the identified local need and deficit that would be realised in school accommodation if an expansion was not secured it is deemed that adequate local need and/or justification for the proposal has been demonstrated.

Within the BCS it is detailed that 13.8% of the persons of working age in the Braintree District, as at 2008, had no qualifications. This was higher than the national percentage of 12.4% and for the East of England which is 11.8%. It is stated that improvements are needed to educational attainment levels in order to improve life prospects of school leavers and to help the local economy with a better qualified workforce. BLP policy RLP 150 details that the change of use or redevelopment of educational establishments and their grounds, identified on the Proposals Map, will not be permitted unless it can be clearly demonstrated that the use of the site is genuinely redundant and no other alternative educational or community use is needed, or can be found; or satisfactory alternative and improved facilities will be provided; or the area of the site being development is genuinely in excess of Government guidelines for outdoor space.

This policy (BLP policy RLP 150) is not explicitly relevant as this application is proposing the opposite of what this is seeking to avoid. That being said it is considered that this importantly shows the background to the considered planning policy stance with regard to education and educational facilities. There are no specific policies seeking the promotion of educational facilities within the BCS or BLP however, the guidance contained within the Framework and the key links between education and social and economic wellbeing it is considered support the decision to attempt to expand the school.

B DESIGN QUALITY

BCS policy CS9 states that the Council will promote and secure the highest possible standards of design and layout in all new development; and the protection and enhancement of the historic environment. Expanding on this BLP policy RLP 90 seeks a high standard of layout and design in all developments. Planning

permission will only be granted where the following criteria are met:

- (i) The scale, density, height and massing of buildings should reflect or enhance local distinctiveness;
- (ii) Buildings, open areas, circulation spaces, and other townscape and landscape areas shall be of a high standard of design and materials;
- (iii) There shall be no undue or unacceptable impact on the amenity of any nearby residential properties;
- (iv) Designs shall recognise and reflect local distinctiveness, and be sensitive to the need to conserve local features of architectural, historic and landscape importance, particularly within Conservation Areas and in proximity to parks and gardens of historic interest, ancient monuments and sites of archaeological importance;
- (v) The layout, height, mass and overall elevational design of buildings and developments shall be in harmony with the character and appearance of the surrounding area; including their form, scale and impact on the skyline in the locality;
- (vi) Both the overall planning and detailed design shall incorporate measures to ensure the maximum practical environmental sustainability throughout the construction, occupation and demolition of the development, in relation to energy conservation, water efficiency, waste separation and the use of materials with low overall energy requirements. Supplementary planning guidance will be prepared on these aspects;
- (vii) Use of the most sustainable modes of transport is promoted in the design and layout of new development, and the resultant traffic generation and its management shall seek to avoid significant increases in traffic movement, particularly in residential areas;
- (viii) Designs and layouts shall promote a safe and secure environment, crime reduction and prevention and shall encourage the related objective of enhancing personal safety; with the maximum amount of natural surveillance of roads, paths and all other open areas and all open spaces incorporated into schemes;
- (ix) Landscape design shall promote and enhance local biodiversity;
- (x) The design and level of any lighting proposals will need to be in context with the local area.

It is detailed within the Framework at section 7 (paragraph 56) that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 64 it is stated that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Although the fire at the school was unfortunate, this has given the school a blank canvas in which to design and build a new school to primarily the school's needs. In this regard the infant school rebuild would comprise sufficient permanent purpose built teaching accommodation and associated facilities to support a pupil roll of 360. In respect of this, the building has been designed to have a modern appearance but to be functional and simple in form. The building layout is proposed in an 'L' formation with the main length of the building (adjacent to Notley

Road) proposed as two storey and the leg/wrap-around part of the building proposed as single storey. This layout has been highly influenced by the constraints of the site and attempting to marry the new development to the existing junior school and character. With regard to this, the long elevation of the building is proposed to be accentuated by a string of windows creating the feel of a continuous horizontal line. Red feature cladding panels are proposed, between the windows, to provide visual interest whilst reinforcing the character of the building as a school. The red cladding is proposed against buff bricks which are considered traditional to this area and will help blend the school building with the existing junior school (which, for reference, is predominantly constructed in this material) and the nearby residential properties, an approach considered compliant with BLP policy RLP 90.

The height of the building, it has been suggested, has been kept to a minimum (6.6m to eaves and 8.7m to ridge roof height) to respect the scale and mass of the housing which surrounds it. Furthermore, by using a low pitch and orientating this towards Notley Road it is anticipated that the existing roof-scape rhythm, in the area, would be maintained. As the previous school building was only single storey, the design of the building has attempted to take account, as best as practically possible, the proximity of nearby residential properties. Paying particular attention to 174 Notley Road, the residential property closest to the development, the applicant has sought to keep the building as far as away from this property as possible. Concerns have however been raised about potential overlooking from the new building into this property. The applicant in response to this has stated that the existing boundary on this aspect is fenced at 1.8m with mature vegetation along the fence line. Whilst it is accepted that in the future this vegetation (natural obstruction) could be removed, it has been suggested the building has been positioned in a way to create an angle that would cause a reflection during daylight (core school opening) hours to ensure sight-lines into the property are obscured.

The proposed use of the building at the closest point to the residential property would be as a classbase (ground and first floor) with a projecting stairwell further north towards the school boundary. There would however be no windows on this northern elevation so it is considered the main concern would be from the windows on the east elevation, and those in-particular on the two most northern classbases on the first floor. The argument put forward by the applicant with regard to the angle of the building and the existing vegetation/screening is accepted. However, it is considered that these safe-guards are not fool-proof, in that the vegetation could be removed and it is not always sunny so there may be some days when there is no natural reflection. Whilst it is not considered that the overlooking is significant enough to warrant refusal, it is considered extra mitigation could be secured by condition, to reduce the potential for overlooking. In respect of this, Braintree District Council has suggested that a screening wall panel could be installed at the far end of the building. This it is accepted would solve the problem however, it is considered that in-turn this feature would detract from the visual appearance of the new school. In context of the concerns, it is nevertheless considered that that the same objective (reducing the potential for overlooking) could be achieved via less intrusive means. For example, by installing a length of frosted glass (covering both standing and sitting positions) the potential for overlooking would be minimised and conversely the design integrity of the building

would remain. With such a scheme and details secured by condition it is not considered that the development would result in undue overlooking to the nearby residential properties.

Turning to the proposed extension to the junior school, this would comprise four naturally lit classrooms. Following the design principles of the existing/adjoining school buildings, the extension would be of mono-pitch roof design with clerestory feature. Single storey in height, the extension would measure 3.2m to eaves and 5.2m to roof ridge. With internal access to the extension proposed from an existing link corridor from the main school building, the building would also have direct access onto the adjoin playing fields on the north, south and western elevations. The extension proposed to the junior school hall is of a flat roof construction. The extension is proposed to extrude the complete length of the school hall and mirror the existing frontage with the exception that a new entrance point and lobby to the school hall would be created.

The design approach taken in respect of the extension proposals to the junior school are considered logical. It is considered that the key principles of BLP policies RLP 90 and RLP 92 have been taken on board with the applicant seeking to develop areas which are currently under-utilised and mirroring the existing design and scale of the adjoining junior school buildings. In doing so, it is considered the applicant has successfully integrated the extensions on site so that they complement the existing character of the school yet provide the additional teaching space without significantly impacting on the existing layout of the school.

With regard to sustainability and sustainable construction methods, BLP policy RLP 77 states that new development proposal shall clearly demonstrate the optimum use of energy conservation and incorporate energy conservation and efficiency measures, including where appropriate passive solar gain or other systems and the use of energy-efficient appliance, in order to contribute to the reduction in their total energy consumption. The new building has been designed to adhere to building regulations and Building Bulletin 101. The design of the building, in respect of this, seeks to maximise the effectiveness of natural daylight, reducing the schools reliance on lighting and also in the use of innovate cooling and ventilation concepts and Photo Voltaic panels reduce the reliance on heating and air conditioning.

As a community facility, a school has the ability to form a hub and landmark for an area. Ensuring that the design of any such facility pays appropriate homage to its surroundings is therefore essential, especially in building and creating places to which the local community are proud of. The Council's urban design consultant has raised no objection in principle to the development, subject to the imposition of certain conditions (as previously detailed in section 4 of this report). However, a key consideration in addition to the actual design is accessibility and the permeability of the site. BLP policy RLP 92, supported inter-alia by BCS policy CS7, aims to ensure that new buildings, changes of use and major extensions to buildings are fully accessible to people whose mobility is impaired. Whilst discussion in respect of proposed parking provision can be found in section C of this appraisal, it is initially noted that two additional pedestrian access points to the infant would be created as a part of the proposals. This includes the creation of a

new main pedestrian access to create a secure point of entry for pupils. In addition to this an ancillary pedestrian access is also proposed along the north western border off Notley Road, although this would only to be used in emergency. The entire school site has been designed to be access inclusive and to comply with the relevant regulations. Of note in respect of this, a level threshold at the entrance, low level counter at reception, lift, accessible welfare facilities and wide corridors are all proposed within the new building and the new access to the junior school hall and direct access on three sides of the new extension it is considered should improve and maintain permeability of the school site.

C IMPACT ON LANDSCAPE, AMENITY & TRAFFIC

BCS policy CS8 details that all development proposals will be expected to take account of the potential impacts of climate change and ensure the protection and enhancement of the natural environment, habitats and biodiversity and geo-diversity. Paragraph 61 of the Framework suggests that securing high quality and inclusive design goes beyond aesthetic considerations and decisions should also aim to address connections between people and places and the integration of new development into the natural, built and historic environment. In this regard BLP policy RLP 80 states that proposals for new development will be required to include an assessment of their impact on wildlife and should not be detrimental to distinctive landscape features and habitats in the area. Development that would not successfully integrate into the local landscape will not be permitted. All new development will be expected to provide measures for any necessary mitigation and for the creation and management of appropriate new habitats. Continuing BLP policy RLP 81 details that the planning authority will encourage landowners to retain, maintain and plant, in appropriate locations, locally native trees, woodlands, grasslands and hedgerows. New planting of appropriate native species will normally be required to replace the loss of any protected trees, woodland or hedgerow.

An arboricultural impact assessment and preliminary ecological appraisal have both been submitted in support of the application. The conclusions of these, which have been supported by the Council's expert consultees, are that whilst the majority of trees on site would be retained and protected on-site during the construction works, the creation of new parking bays to the south and east of the car park would require the removal of up to 26 trees. Whilst these are not assessed as particularly valuable/high grade trees it is nevertheless recommended that replacement trees be planted as part of a landscaping scheme for the project. With regard to ecology, habitats that were noted on site were considered to be of low ecological value and on this basis it was considered the required removal works would not likely cause significant ecological impact. Recommendations with regard to the removal of such vegetation and the placement and design of external lighting were nevertheless suggested in the interests of ensuring no significant impact.

In context of the above, with the imposition of suitable conditions, it is considered that the development would unlikely give rise to significant arboricultural or ecology impacts. This is an established school site and with a landscape scheme secured

by condition it is considered that the proposal complies with BCS policy CS8 and BLP policies RLP 80 and RLP 81. For the purposes of completeness in respect of this conclusion, any such landscape scheme would be expected to make provision for replacement trees for those proposed to be removed, seek to compliment existing on-site landscaping and reinforce the new site layout and circulation at the infant school.

BLP policy RLP 54 details that proposals for external lighting will be expected to be designed as an integral element of the development with low energy lighting used. The alignment of lamps and the provision of shielding will be expected to minimise spillage and glow with the lighting intensity no greater than necessary to provide adequate illumination. Furthermore any lighting that is proposed should not result in the significant loss of privacy or amenity, should not cause danger and/or distraction to pedestrians and road users, and should not cause unacceptable harm to natural ecosystems.

The lighting scheme which has been proposed at the school has been done so to provide adequate illumination at the school site. The external lighting is proposed to be controlled via time clock and photocell arrangement, to ensure light pollution outside of school hours is kept to a minimum. The Council's lighting consultant has not raised an objection to the proposal. However, in view that no details have been provided on the proposed hours of luminance, it has suggested that a condition be imposed requiring such details to be provided prior to beneficial occupation of the building to ensure that nuisance and disturbance to neighbours and the surrounding area is minimised and the light trespass and sky glow projections achieved.

As previous detailed, this is an existing school site, designated within the Proposals Map of the BLP for education. It is therefore considered that impacts associated with such a use (a school) have previously been and are acceptable in context of the locality. In respect of this, and the proposals, it is not considered that an increase in pupil roll would result in significant additional amenity (in-particularly noise) impacts above that already exhibited. With regard to traffic and emissions it is accepted that an increased intensification of the site could give rise to additional vehicle movements (parents dropping off and collecting children). Indeed one letter of public representation received raised concerns about the pupil access from Lister Road. BLP policies RLP 54, RLP 55 and RLP 56 all seek to ensure that applications for major new development are supported by evidence and information to fully determine the effect of the proposal on traffic congestion, public transport, cycling and walking. In this regard travel plans are encouraged (BLP policy RLP 55) and developments must provide parking provision in accordance with the Council's (Braintree's) adopted Parking Standards (BLP policy RLP 56).

The proposal, as alluded to earlier in this report, seeks to improve the permeability of the site and the car parking provision which it is considered should reduce existing impacts associated with the school use. The creation of a designated pupil entrance to the infant school is considered a significant benefit in this regard. This would draw pedestrians away from the vehicular access and in doing so avoid existing conflict particularly at school closing and opening times. A transport

statement has been submitted as part of the application and the conclusion of this is that the increase in pupil roll would result in an additional 24 trips per school per day. It is accepted that the proposed increase may therefore have a small impact on traffic generation in the area at school opening and closing times. However, in context of the mitigation proposed (the additional car parking spaces to be provided) and the encouragement in both the infant and junior school travel plans to walking, cycling and car sharing it is considered that any such additional impact is likely to be low.

As existing there are 42 car spaces on site and this application proposes the creation of an additional 16 spaces (58 spaces in total). Essex County Council's Parking Standards (2009) detail for primary schools a maximum standard of 1 space per 15 pupils should be provided (56 spaces in the instance). Currently there are 45 full time members of staff across the infant and junior schools and this would increase to 55 if the expansion at the school occurs. The provision of two additional spaces (above the maximum standard) has been suggested because of this (the number of staff at the school) and if provision was not made, it is suggested that these vehicles would instead be parking on nearby residential roads. Of the provision suggested, it is nevertheless noted that no details have been provided on disabled provision and the amount of spaces that would be provided for disabled users. Furthermore no details have been provided on cycle spaces at the school. Whilst this is an infant and junior school, within the survey which was undertaken to support the transport statement, it is noted that a number of pupils do currently cycle to school. Therefore, although a provision to the minimum standard as prescribed within the Parking Standards may not be appropriate it is considered that a provision should be made, especially in context of the encouragement of sustainable travel within both schools travel plans.

No objection has been received from the Highway Authority subject to the submission of a construction method statement and a financial contribution towards a review of the existing parking restrictions in Masfield Road, Longleaf Drive and Notley Road. With suitable conditions attached to ensure this and the submission of details for proposed disabled car parking and cycle provision it is considered that the proposal would comply with BCS policy CSS11 and BLP policies RLP 54, RLP 55 and RLP 56. The expansion at the school it is accepted would increase local congestion however, it is not considered that such an increase is likely to be significant. Improvements are proposed to combat and solve congestion in the area, particularly at school pick-up and collection points and with the Highway Authority/Essex Highways reviewing parking restrictions in the locality in due course it is considered that the proposal would unlikely give rise to impacts at a level to warrant refusal or further mitigation works.

7. CONCLUSION

It is considered there is clear policy support within the Framework and both Braintree District Council Local Development Framework Core Strategy (2011) and Braintree District Local Plan Review (2005) for improved or new education facilities. With regard to this it is considered that the applicant has clearly demonstrated that the school (both the infant and junior) as existing are at capacity and need expanding to meet projected local demand.

Although it was unfortunate that the infant school burnt down in the summer of 2013, it is considered that this has allowed the applicant to fully assess the site in context of realising a development which best meets the school needs. Whilst extensions could have secured the same teaching floorspace, the fact that in this instance a completely new infant school is proposed is considered a good opportunity to provide all teaching accommodation within permanent purpose built classrooms.

The John Ray School is well established in this area and although, as with most schools across the County, the use does cause some conflict with nearby development it is considered that the proposals have been designed in a way to limit adverse impacts and attempt to address existing problems rather than cause additional conflict. It is considered that the design of the new infant school building relates well in terms of its scale and massing to the junior school. With regard to potential impact and overlooking to the nearby residential properties, it is considered that the applicant has sought to reduce the possibility of this in the siting and design of the building. With mitigation measures further secured by condition, it is therefore not considered that the development would cause undue amenity impacts. Improvements to the existing access arrangements for both pedestrians and vehicles it is also considered should improve the permeability of the site and reduce congestion on roads in the vicinity, particularly during school opening and closing times.

In consideration of this, the limited impacts from the development itself and the clear benefits that would be realised from the development within the social and economic dimensions of planning, as defined by the Framework, it is considered that the proposal represents sustainable development and complies with Braintree District Council Local Development Framework Core Strategy (2011) policies CS7, CS8 and CS9 and Braintree District Local Plan Review (2005) policies RLP 54, RLP55, RLP 56, RLP 65, RLP 77, RLP 80, RLP 81, RLP 90 and RLP 92.

8. RECOMMENDATION

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 5 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 of the application dated 30/05/2014 together with drawing titled 'Site Location Plan – Proposed Junior + Infant Schools', drawing no. 096 (Revision P02), dated 03/06/14; drawing titled 'Site Layout – Proposed

Infant School', drawing no. 097 (Revision P01), dated 27/05/14; drawing titled 'Ground Floor Plan – Proposed', drawing no. 050 (Revision A15), dated 17/04/14; drawing titled 'First Floor Plan – Proposed', drawing no. 051 (Revision A14), dated 17/04/14; drawing titled 'Roof Plan', drawing no. 206 (Revision E02), dated 23/07/14; drawing titled 'Elevations – Proposed', drawing no. 010 (Revision A04), dated 17/04/14; drawing titled 'Junior School Extension Floor Plan & Elevations – Proposed', drawing no. 052 (Revision A05), dated 17/04/14; drawing titled 'Sketch Proposals for Extension to Hall', drawing no. 098 (Rev P00), dated 22/05/14; drawing titled 'Concept Landscape Masterplan', drawing no. JBA 14/133-sk01 Rev A, dated 20/05/14; lighting drawing titled 'John Ray Infants School, Braintree, Essex', drawing no: D24317/PY/A, dated 30/05/14; drainage drawing titled 'Drainage Strategy', drawing no. 665313/100 (Revision P1), dated 13/05/14; the contents of the accompanying 'Planning Design and Access Statement', dated May 2014; 'Preliminary Ecological Appraisal', document reference: 771866-REP-ENV-003-ECO, dated 27 May 2014; 'Arboricultural Impact Assessment', prepared by A. T. Coombes Associates, dated 27 May 2014; 'Transport Statement', document reference: TC/616074/LAB (Revision VO), dated 28 May 2014; 'Phase 1 Preliminary Contamination Assessment Report', document reference: 771886-REP-ENV-001, dated May 2014; 'Phase II Geo-environmental Assessment Report', document reference: 771886-REP-ENV-R2, dated May 2014; 'Memorandum of Understanding' from Essex County Council – Infrastructure Delivery, received via email dated 11/08/14 (15:20) 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: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure the development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with Braintree District Council Local Development Framework Core Strategy (2011) policies CS7, CS8 and CS9 and Braintree District Local Plan Review (2005) policies RLP 54, RLP 55, RLP 56, RLP 65, RLP 77, RLP 80, RLP 81, RLP 90 and RLP 92.

3. No development beyond installation of the damp proof membrane of the building hereby approved shall take until samples of the materials to be used for the external appearance of the building 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: In the interest of the visual amenity of the local area and to comply with Braintree District Council Local Development Framework Core Strategy (2011) policy CS9 and Braintree District Local Plan Review (2005) policy RLP 90.

4. No development beyond installation of the damp proof membrane of the building hereby approved shall take place until details of the type, size and

position of the proposed signage at the school 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: In the interest of the visual amenity of the local area and to comply with Braintree District Council Local Development Framework Core Strategy (2011) policy CS9 and Braintree District Local Plan Review (2005) policy RLP 90.

5. No development beyond installation of the damp proof membrane of the building hereby approved shall take place until details of a scheme to install a length of frosted glass along the windows on the eastern elevation (Notley Road facing) of the building 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: In the interest of the visual amenity of the local area and to comply with Braintree District Council Local Development Framework Core Strategy (2011) policy CS9 and Braintree District Local Plan Review (2005) policy RLP 90.

6. No development beyond installation of the damp proof membrane of the building hereby approved shall take place 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, protection and programme of implementation. The scheme shall also include details of any existing trees and hedgerows on site with details of any trees and/or hedgerows to be retained and measures for their protection during the period of construction of the development. The scheme shall be implemented within the first available planting season (October to March inclusive) following completion of the development hereby permitted in accordance with the approved details and maintained thereafter in accordance with condition 7 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 Braintree District Council Local Development Framework Core Strategy (2011) policies CS8 and CS9 and Braintree District Local Plan Review (2005) policies RLP 80, RLP 81, RLP 90 and RLP 92.

7. Any tree or shrub forming part of a landscaping scheme approved in connection with the development (under condition 6 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 Braintree District

Council Local Development Framework Core Strategy (2011) policies CS8 and CS9 and Braintree District Local Plan Review (2005) policies RLP 80, RLP 81, RLP 90 and RLP 92.

8. No development beyond installation of the damp proof membrane of the building hereby approved shall take place until details of all ground surface finishes, walling 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: In the interest of the amenity of the local area and to comply with Braintree District Council Local Development Framework Core Strategy (2011) policies CS7 and CS9 and Braintree District Local Plan Review (2005) policies RLP 90 and RLP 92.

9. No development or any preliminary groundwork's shall take place until:
 - a) All trees to be retained during the construction works have been protected by fencing of the 'HERAS' type. The fencing shall be erected around the trees and positioned from the trees in accordance with British Standard 5837 "Trees in Relation to Construction", and;
 - b) Notices have been erected on the fencing stating "Protected Area (no operations within fenced area)".

Notwithstanding the above, no materials shall be stored or activity shall take place within the area enclosed by the fencing. No alteration, removal or repositioning of the fencing shall take place during the construction period without the prior written consent of the County Planning Authority.

Reason: In the interest of visual amenity and to ensure protection for the existing natural environment and to comply with Braintree District Council Local Development Framework Core Strategy (2011) policy CS8 and Braintree District Local Plan Review (2005) policies RLP 80 and RLP 81.

10. No construction, demolition, excavation works or/and removal of trees, hedgerows or shrubs that may impact upon breeding birds shall take place between 1st March and 31st August inclusive in any year, unless an ecological assessment has been undertaken, submitted and approved in writing by the County Planning Authority which confirms that no species would be adversely affected by the construction, demolition, excavation works or/and removal of trees, hedgerows or shrubs.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development, in the interests of biodiversity and in accordance with Braintree District Council Local Development Framework Core Strategy (2011) policy CS8 and Braintree District Local Plan Review (2005) policies RLP 80 and RLP 81.

11. No beneficial occupation of the development hereby permitted shall take place until details of the proposed disabled car parking and cycle parking provision have been submitted to and approved in writing by the County Planning Authority. The details shall include the design, location and number of spaces to be provided prior to the beneficial occupation of the development hereby permitted. 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 the amenity of the local area and to comply with Braintree District Council Local Development Framework Core Strategy (2011) policies CS7 and CS9 and Braintree District Local Plan Review (2005) policies RLP 54, RLP 55, RLP 56, RLP 90 and RLP 92.

12. No beneficial occupation of the development hereby permitted shall take place until details of the proposed operation and management of the external lighting, as indicated on drawing titled 'John Ray Infants School, Braintree, Essex', drawing no: D24317/PY/A, dated 30/05/2014 have been submitted to and approved in writing by the County Planning Authority. The details shall include information on the proposed use of sensors together with proposed hours of luminance. The development shall be implemented in accordance with the approved details.

Reason: To minimise the nuisance and disturbances to neighbours and to comply with Braintree District Council Local Development Framework Core Strategy (2011) policies CS8 and CS9 and Braintree District Local Plan Review (2005) policies RLP 65, RLP 77, RLP 80 and RLP 90.

13. No development shall take place until a construction management plan including details of the areas to be used within the site for the purpose of loading/unloading and manoeuvring of vehicles; parking of vehicles; the storage of plant and materials; and wheel and underbody washing facilities 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: In the interests of highway safety, amenity and to comply with Braintree District Council Local Development Framework Core Strategy (2011) policies CS7 and CS9 and Braintree District Local Plan Review (2005) policies RLP 54, RLP 55, RLP 56, RLP 90 and RLP 92.

Informative

1. Prior to the beneficial occupation of the development it is advised that a School Travel Plan including monitoring arrangements is prepared or the existing School Travel Plan updated, in liaison with the Highway Authority, and subsequently implemented in full.
2. 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. An application for the necessary works should be made to development.management@essexhighways.org or SMO1 – Essex Highways, Colchester Highways Depot, 910 The Crescent, Colchester. CO4 9QQ.

BACKGROUND PAPERS:

CC/BTE/35/14 application file and case management system electronic record.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010:

The proposed development is not located within the vicinity of a Special Area of Conservation (SAC) or Special Protection Area (SPA) and is not directly connected with or necessary to the management of those sites. Therefore, it is considered that an Appropriate Assessment under Regulation 61 of The Conservation of Habitats and Species Regulations 2010 is not required.

EQUALITIES IMPACT ASSESSMENT: 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 National Planning Policy Framework, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

LOCAL MEMBER NOTIFICATION:

BRAINTREE – Braintree Town

BRAINTREE – Witham Northern