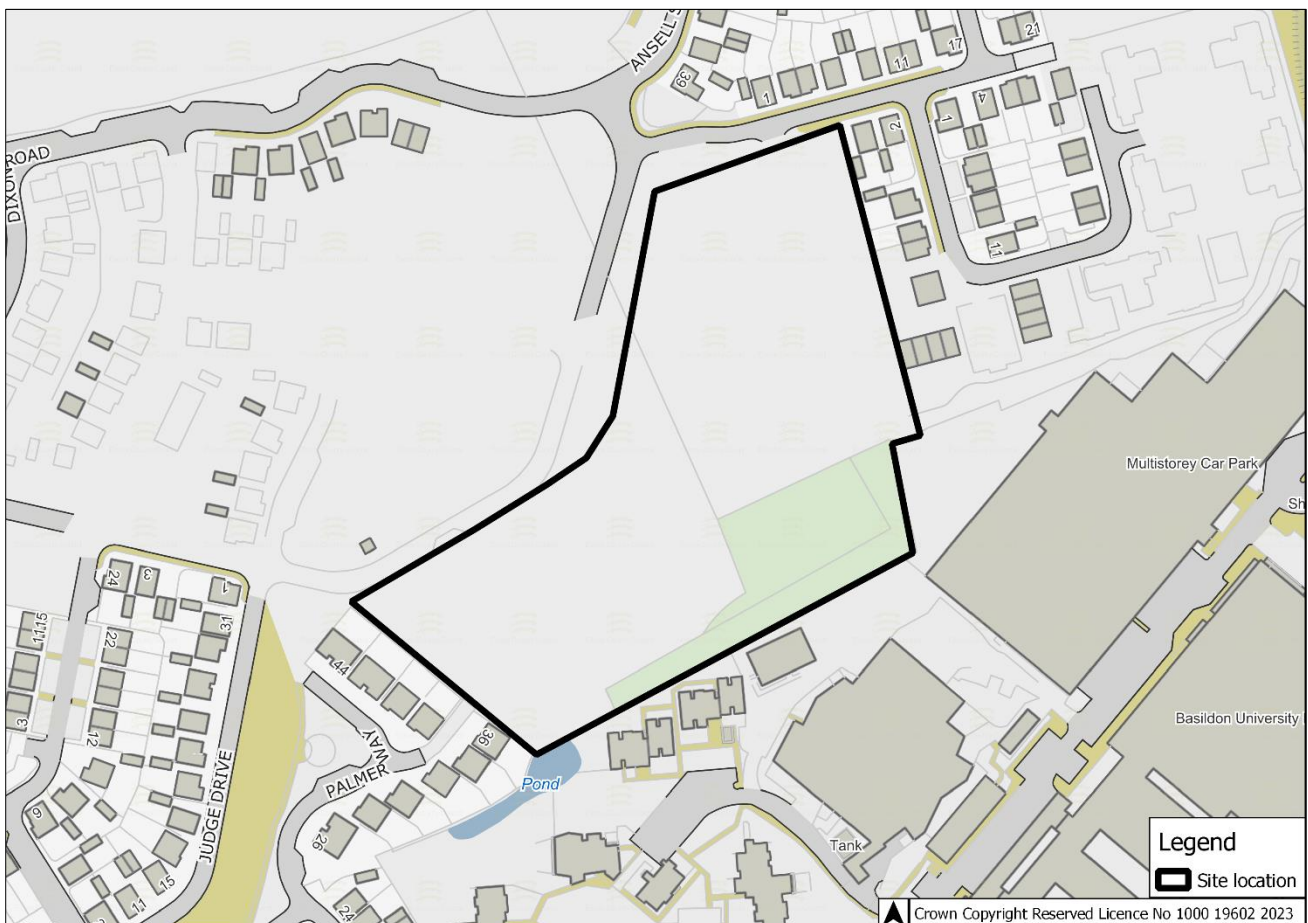


**DR/16/23**

<b>Report to:</b> DEVELOPMENT & REGULATION (26 May 2023)	
<b>Proposal:</b> COUNTY COUNCIL DEVELOPMENT – Erection of a new primary school and integrated nursery, together with associated playing fields, hard and soft play areas and landscaping, parking, roof mounted PV and site infrastructure	
<b>Ref:</b> CC/BAS/11/23	<b>Applicant:</b> Essex County Council
<b>Location:</b> Land North of Dry Street, Nethermayne, Basildon, Essex	
<b>Report author:</b> Chief Planning Officer (County Planning and Major Development)	
<b>Enquiries to:</b> Tom McCarthy Tel: 03330 320943	
The full application can be viewed at <a href="https://planning.essex.gov.uk">https://planning.essex.gov.uk</a>	



## 1. BACKGROUND AND SITE

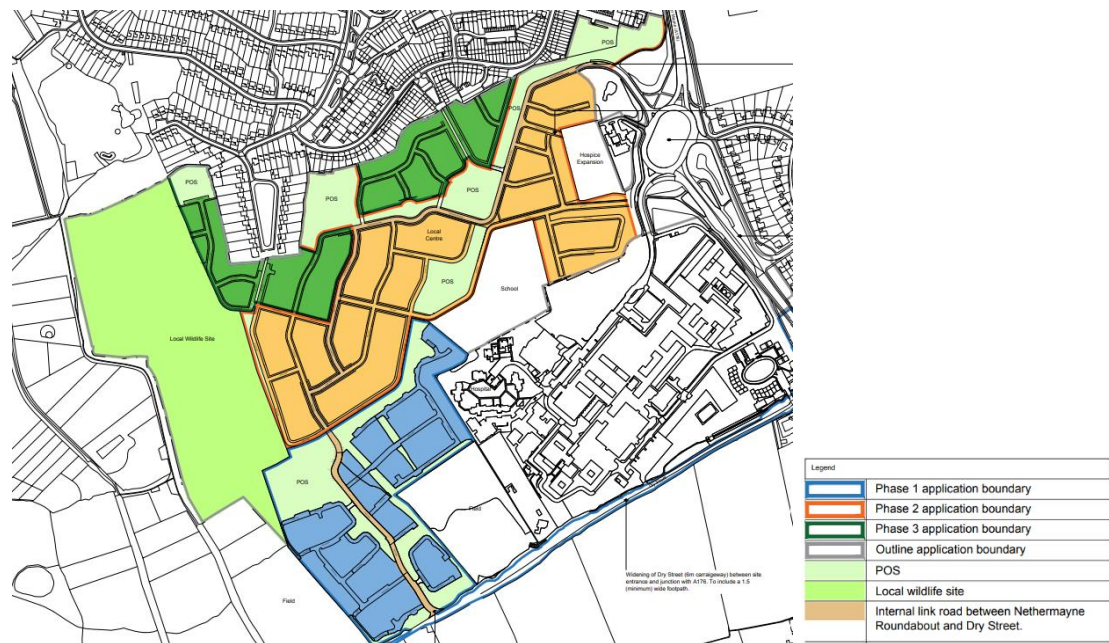
In December 2013 outline planning permission was granted by Basildon Council, under reference 12/01080/OUT, for the demolition of the existing college buildings, including sports hall, riding school and stable facilities and the development of 725 homes, primary school, local retail centre, land set aside for future hospice expansion, open space, highway and access improvements to Nethermayne roundabout, A176 and Dry Street, and internal spine road and bus loop on land at Nethermayne, Basildon. The illustrative masterplan submitted with this outline application is replicated below, for reference in terms of the size of this emerging development and how the area secured for educational use, to which this application relates, fits in this wider picture.

Extract from drawing titled 'Illustrative Masterplan', drawing no 3257\_406, submitted with 12/01080/OUT



Since the outline application was approved, details of phasing were subsequently submitted and approved to allow the submission of detailed reserved matters applications. That submitted and approved, in terms of phasing, principally sought to split the site into three main phases of development, as shown on the below plan.

Extract from drawing titled 'Preliminary Phasing Plan', drawing no 13 903 – SK25.16 (Rev C), submitted with 16/00023/COND



The school site, and area to which this application relates, sits between phases 1 and 2, relatively centrally within the emerging development. Phase 1 of the development is now fully built out with the residential development to the north and east the school site also close to being finished. On-site construction works are on-going on the western part of phase 2.

To the west of the school site, on the other side of the road, will be an area of public open space – albeit at a reduced scale to that shown on the above plan, together with a local retail centre which is currently approved to comprise a number of retail units on the ground floor with residential above. To the south of the site is the existing Basildon University Hospital, including associated multistorey car park.

Photo taking looking south, across the area to which this application relates, towards the Hospital

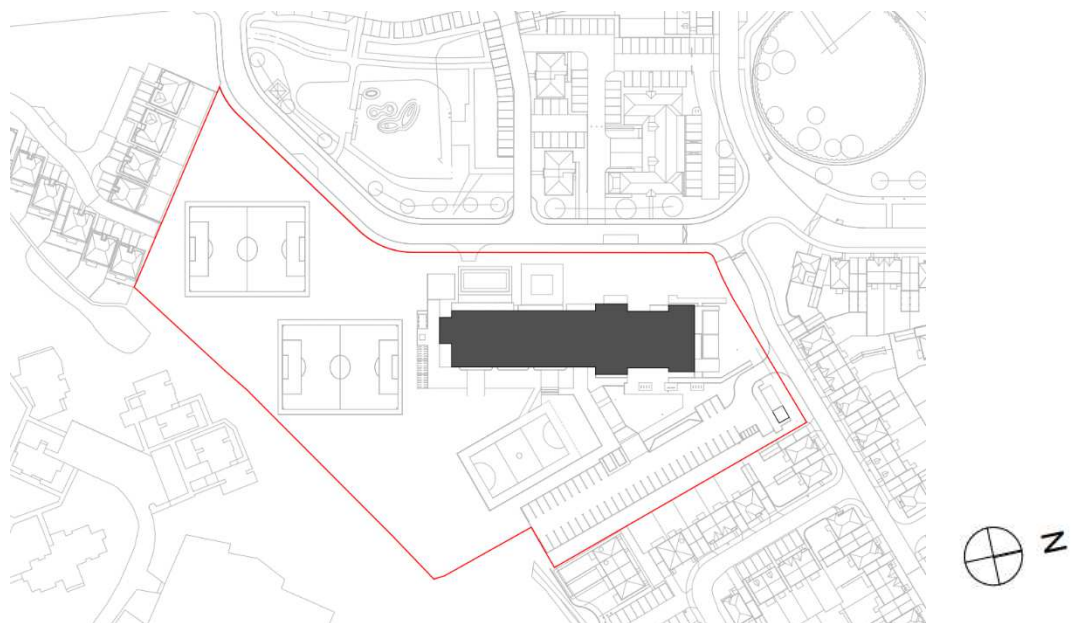


## 2. PROPOSAL

This application seeks planning permission for a new two full entry primary school (420 pupils) and 56 place nursery, together with associated playing fields, hard and soft play areas and landscaping, car and cycle parking.

The primary school is proposed to be accommodated predominately within a two-storey flat roofed building, which would be a linear structure proposed parallel with the spine road (George Street) which the site fronts (see below drawing, noting the proposed orientation of this). At the northern end, the building would drop from two to 1.5 storey, where the school hall would be located, before again dropping to single storey for the kitchen, plant room and nursery projection.

Extract from drawing titled 'Block Plan', drawing no. 121384-CDP-ZZ-XX-DR-A-2007-P1



Extract from drawing titled 'Proposed Elevations', drawing no. 121384-CDP-ZZ-XX-DR-A-2003-P3



The primary school element of the building would provide classrooms for reception age pupils through to year six. In addition to this staff rooms, offices, nurture and group rooms, a hall and kitchen, and other ancillary rooms would be provided. All reception and Key Stage One classrooms are proposed on the ground floor, with Key Stage Two classrooms proposed at first floor level.

To support the school and its function, a car park is proposed to the north-east of the site. Access to the car park would be gained via the vehicular access which has already been consented and constructed, as part of the wider site permission and S106. The car park would provide 43 vehicle parking spaces (inclusive of two disabled/accessible spaces) and five spaces for powered two wheelers (motorbikes). One electric vehicle charging point is proposed. With regard to cycle and scooter provision, a total of 158 cycle and scooter spaces are proposed at various locations across the site for use by both staff and pupils of the primary school and nursery.

Externally, the school would be supported by hard and soft play areas including a partially fenced MUGA; with the playing field capable of being marked out as two U7/U8 football pitches; and a habitat garden.

Access to the school, for pupils and visitors, is proposed from four points. It is proposed that the southern entrance off the George Street would serve as the main entrance for pupils, with the northern entrance acting as the main visitor entrance. The two accesses off Hazel Road would acting as a staff entrance and additional entrance to the nursery.

The school is proposed to be constructed in red brickwork; render; and charred timber cladding. The applicant has suggested that these materials were chosen to reflect the surrounding material palette of the residential development and adjacent retail centre. The materials are considered, by the applicant, to represent a robust and economic solution appropriate to a school environment.

### **3. POLICIES**

The following policies of the Basildon Local Plan (2007) provide the development plan framework for this application. The following policies are of relevance to this application:

Policy S3 – Areas of Special Reserve  
Policy BE12 – Development Control

The Revised National Planning Policy Framework (NPPF) was published on 20 July 2021 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 218 and 219 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).

#### **4. CONSULTATIONS**

Summarised as follows:

BASILDON COUNCIL – No objection in principle. In terms of design and layout, the main entrance and visitor entrance is proposed off George Street which seems logical and the proposed floor plans similarly show a logical layout of the classrooms, hall and kitchen areas. The proposed use of renewable energy (the roof mounted PV) is encouraged as this would contribute towards sustainability and climate change.

It is recommended that the applicant considers further tree planting along the south western boundary of the site, adjacent to the residential properties here. This would seek to provide additional screening and improve the overall ecology and biodiversity value of the site.

It is noted that the proposed car park could rise to potential noise impacts, for nearby residential properties, during peak arrival and departure times. Due consideration, as part of determination, should be given to this.

Confirmation should be provided as to if any community use of the school site is proposed, given the potential such activities have for further noise and disturbance outside the normal school hours. In additional confirmation should be sought in terms of whether any floodlights are proposed.

The proposals incorporate an extensive area of parking. Additional provision for electric vehicle charging points is nevertheless encouraged as is a maximisation of cycle and scooter parking. Congestion caused by parents dropping off and

collecting children is an issue on a number of school sites within the borough and early consideration, as part of the School Travel Plan, should be given to how this can be effectively managed.

BASILDON COUNCIL (ENVIRONMENTAL HEALTH) – No objection subject to conditions limiting the hours of use of the MUGA to school hours (plus pre/after school clubs); a restriction on the installation of floodlighting; and a land contamination assessment.

ENVIRONMENT AGENCY – No comments received.

SPORT ENGLAND – No objection subject to a planning condition relating to the design and construction of the natural turf playing field area. Request is also made to the securement of community use of the school's sports facilities.

HIGHWAY AUTHORITY – No objection subject to conditions including the securement of exact design details for the proposed access points not already constructed.

LEAD LOCAL FLOOD AUTHORITY – No objection subject to conditions requiring submission of a detailed surface water drainage scheme; and a maintenance plan for the different elements of the drainage scheme proposed.

ESSEX FIRE & RESCUE – No objection. Further observation on access and facilities for the Fire Service will be considered at Building Regulation stage.

ESSEX POLICE – No comments received.

PIPELINE / COMMUNICATION / UTILITY COMPANIES – Either no comments received; no objection; no objection subject to standard advice; or no comments to make.

#### COUNCIL'S URBAN DESIGN, LANDSCAPE, ECOLOGY AND TREE CONSULTANTS

Urban Design – The proposed school layout and design have reached an acceptable standard and we have no objection from an urban design perspective. However, it is considered that further design refinement could have increased the standard of design, enhanced the usability of the school and the quality of the internal and external spaces as a learning environment.

Landscape – No objection subject to conditions covering the proposed landscape scheme and its subsequent management.

Ecology – No objection subject to the securement of biodiversity mitigation and enhancement measures by way of condition.

Trees – No objection subject to conditions seeking to ensure appropriate tree protection during the construction phase of the development.

LOCAL MEMBER – BASILDON – WESTLEY HEIGHTS – Any comments received will be reported.

## 5. REPRESENTATIONS

This application was advertised by way of site notice and press advert. In addition, 15 properties were directly notified of the application. Three letters of representation have been received. These relate to planning issues, summarised as follows:

<u>Observation</u>	<u>Comment</u>
Request that consideration is given to some form of parking permit/parking warden/parking control and enforcement when the school is opened. Such restrictions should also be appropriately communicated to parents.	See appraisal
Request consideration be given to 'flipping' the development, so the school building covers the southern half of the site and car park runs adjacent to the hospital, rather than the residential properties on Swan Grove.	See appraisal. For reference, this was considered but dismissed by the applicant in favour of the proposals as submitted.
Concerns about loss of sunlight as a result of the proposed landscaping scheme.	See appraisal.
The proposed lighting columns within the car park seem excessive and are likely to cause undue pollution and nuisance.	See appraisal.

## 6. APPRAISAL

The key issues for consideration are:

- A. Principle of Development
- B. Site Layout, Design and Landscaping
- C. Amenity
- D. Highways
- E. Other Issues
  - Climate Change and Sustainability
  - Flood Risk and Drainage

### A PRINCIPLE OF DEVELOPMENT

The NPPF, in relation to educational facilities (paragraph 95), states that the Government considers it 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:

- give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

As detailed, this site was secured for educational purposes by way of the S106 pursuant to the wider Nethermayne approval (ref: 12/01080/OUT). Whilst the acceptability of the design of the school will be considered further within the proceeding sections of this report, in land use terms no in-principle objection is considered to exist to an educational use coming forward.

In respect of this and need, the 10 Year Plan for Meeting the demand for mainstream school places in Essex 2022-2031, produced by Essex School Organisation Service shows that there is predicted need for primary school places in the relevant school planning group (Basildon central and west). A projected deficit in primary school places is predicted to exist from academic year 2029/30, with this deficit rising to over a full form entry by 2031/32. The decision to submit this planning application, and attempt to bring the new school forward now, is on the basis of progress being made with the wider Nethermayne development and pressure this housing is putting on the schools within closest proximity.

## B SITE LAYOUT AND DESIGN

There are no specific policies relating to the development of schools within the Basildon Local Plan (2005), although it is considered reference/advice can be sought from the general development control policy BAS BE12. Policy BAS BE12 details that planning permission for new development will be refused if it causes harm to the character of the surrounding area, including the street scene.

### Site Layout

Initially focussing on the proposed site layout, it is, as considered by Basildon Council, that the proposed location for the school building is logical in respect of the adjacent local retail centre and also the school having a presence on George Street. Through the early masterplans presented for the wider development, the school building was always shown to the north, facing out towards George Street and it is considered that there would be significant difficulties and disadvantages to alternative locations.

Representations were received, from third parties, questioning whether consideration had been given to siting the building to the south, with the car park then adjacent to the hospital car park. Locations for the school building was something which was explored in detail through pre-applications discussions with officers, and also by the Essex Quality Review Panel (EQRP) to which the proposals were also presented at pre-app stage. The view presented by the applicant in that *“an alternative arrangement, with playing fields to the north and the school to the south, [created] a disjointed relationship with the surrounding townscape that would poorly relate to the land uses beyond the site that have already been established”* was however agreed by all and accordingly no

objections are raised to the location of the school building and car park, as put forward.

Changes were nevertheless suggested by both officers and the EQRP at pre-app in an attempt to improve the immediate relationship to the street and in-particular how the building would interact with the street. Specifically in respect of this, and changes made in comparison to the proposals at pre-app, the development now includes multiple entrance points on both the north and western boundaries.

The EQPR, in context that opposite the southern part of the school site is an area of public open space, considered that the public realm/main pupil entrance (to the south of the school building) should be as oversized as possible. The EQPR was strongly of the view that this would be the area where the majority of pupils would congregate. Whilst a relationship was needed with the local retail centre, the relationship with this adjacent open space was equally, if not more, relevant and important – in terms of fostering a sense place and a safe and welcoming school environment. Significant improvements to the design and landscaping piece associated with this entrance point have been made by the applicant between pre-app and submission of this application with these changes (and the landscaping scheme in general) discussed in more detail later in this report.

## Design

The layout of this school, and accordingly its building form and mass, follows the blueprint baseline design for a school of this size (with integrated nursery) issued by the Education & Skills Funding Agency. Essentially, these baseline designs were development to demonstrate good practice and how the standards/areas required for schools of different sizes, as set by the Department for Education within Building Bulletin 103, could be delivered.

The baseline designs as you would expect are standardised such that they can be applied across the board. However, they do seek to show a way in which an educational facility can be delivered within cost and area allowances. It is acknowledged within the guidance that these baseline designs can be developed, or alternatives proposed. Albeit, it is also suggested that the designs are achievable within funding allocations, inter-alia, because they have efficient wall to floor ratios; use orthogonal forms with no curves; have minimal indents; maximise stacking where possible; have efficient circulation routes; and include design replication and repetition.

In this case, as shown below on the proposed general arrangement drawings for the ground and first floors of the school building, it is considered that this baseline design guidance has been followed quite stringently.

Extract from drawing title 'General Arrangement Plans', drawing no. 121384-CDP-ZZ-XX-DR-A-2001-P2



In respect of this, both floors of the main part of the school building would be accessed via a central circulation area/corridor. On the ground floor, two classrooms for Reception, two classrooms for Year 1 and two classrooms for Year 2 are proposed, together with a nurture room, various group/meeting rooms and offices including the main school reception. The northern part of the ground floor, the 1.5 storey projection, would comprise the school hall and a studio, with the single storey projection housing the kitchen, plant room and nursery. On the first floor two classrooms are each proposed for Years 3, 4, 5 and 6 together with a food/science/DT room, the main staff room and reprographics. Access between the floors would be via two staircases at either end of the building with a lift also proposed to ensure full DDA accessibility.

The budgetary pressures associated with building a school are acknowledged. Accordingly, it is considered it would be illogical for the applicant not to take heed of guidance issued in context that it is evident the baseline designs ensure delivery of an efficient school. No in-principle objections are therefore raised to overall proposed building scale, mass and form. That said, it is considered that the development has a uniform, blocky and utilitarian appearance.

When this development was presented to the EQRP, the Panel considered *“that a flat roof form [was] a sensible approach for this building. However, the ends of the elevation appear bolted on, and a simpler building [would] contrast nicely with the surrounding pitched roofs and gables that are within the surrounding architecture.*

*The proposed building currently feels like two separate forms, and the Panel [questioned] if more could be done to integrate the forms so that the nursery still feels part of the main school.”*

The applicant attempted to take on board this feedback, as part of the proposals submitted with this application, by seeking to refine/simplify the proposed material palette of the nursery (now predominately red brick), together with making the southern staircase part of the internal fabric of the building – at pre-app this was an external projection.

With regard materials, in general, the building is proposed to be constructed in red brick with render and charred timber cladding elements, shown on the below visualisation.

### Visualisation of school frontage



The EQPR commended *“the hierarchy in materials and how they have been applied to the building façade, where there is evidence of brick and different colours of render for the entrance and nursery”*. Design can be subjective and whilst officers do have some reservations, particularly around the charred timber and proposed colour choices for the render (grey, green and orange), it is considered that this is a matter of personal taste rather than a reason to warrant alternative materials for planning reasons. The external materials proposed are of an acceptable quality and, when viewed with the landscaping proposals, it is considered overall that the development would complement the local area.

### Landscaping

To support the development of the school, a detailed soft landscaping proposal has been submitted. The applicant notes that mixed native hedges, with trees at regular intervals, are proposed along all school boundaries to address the need for biodiversity enhancement, create a soft visual and sound buffer and provide screening at the interfaces between the school and neighbouring residential properties.

Internally within the site, circulation areas would be formed and contained with planting, with a specific habitat garden (doubling as an external learning resource) proposed to the east of the school building.

As suggested in the preceding section of this report, the two pedestrian entrances on George Street have now been sized to have a significant street presence. The main school visitor entrance is proposed to be more formally landscaped but the pupil entrance would be more open and non-cluttered to maximise the potential for this to actively used as an extension of the public realm during school drop-off and pick-up times.

Extract from drawing titled 'Outline Planting Plan', drawing no. 121384-CDP-ZZ-XX-DR-L-2003-P6



Overall, no objections are raised to landscaping scheme with the benefits being realised from this from an ecological perspective furthermore considered acceptable.

## C AMENITY

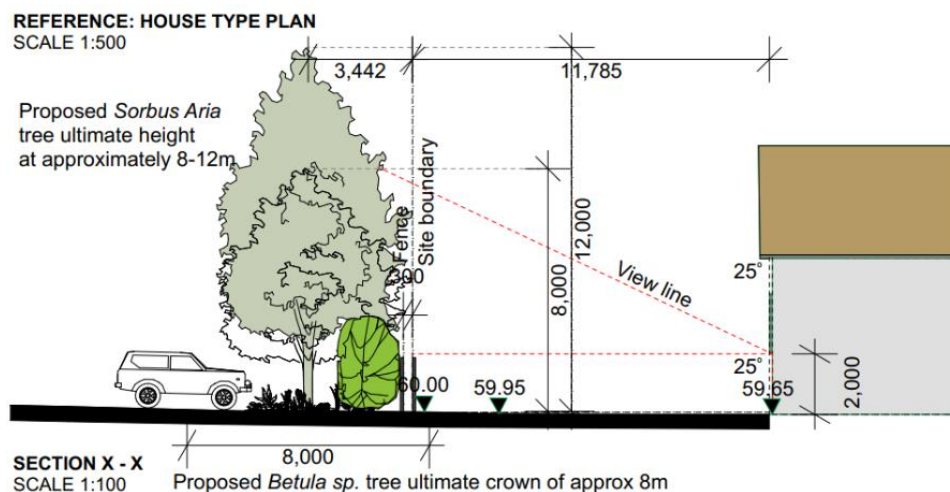
Policy BAS BE12 in addition to referencing design and harm to character of surrounding area, also details that planning permission should be refused if proposals cause harm to amenity namely through overlooking; noise or disturbance to the occupants of neighbouring dwellings; and/or overshadowing or over-dominance.

### Overlooking, overshadowing and over-dominance

It is initially noted that concerns have been received about potential loss of light, as result of the landscaping proposed around the car park. The close proximity to properties to the east of the site, on Swan Grove, especially in context of the land level changes, does render this boundary potentially sensitive. To support the proposals, the applicant has sought to confirm that the properties on Swan Grove are 11.7m from the boundary of the site. The Essex Design Guide states that adequate daylight in interiors is achieved at an unobstructed 25° angle from a point 2m above floor-level at the façade and a spacing of at least 10m between opposing development fronts. At 11.7m it is noted that the school boundary landscaping is positioned in excess of the spacing advocated and as such it is not considered that loss of light would likely be an issue for adjacent residential properties.

The landscaping proposed on the school boundary, adjacent to the properties on Swan Grove, would, as shown below, nevertheless breach the 25 degree view line, beyond 10m. The applicant has suggested, in respect of this, that these trees would not however form a dense belt of vegetation given that these would be planted circa 8m apart. The trees proposed to be planted along this boundary, namely common whitebeam and birch trees, do have the potential to grow to 8-12m. That said, the trees would take a number of years to reach this height and in any case the trees would be subject to appropriate management/pruning by the school.

### Extract from drawing titled 'Boundary Treatment Assessment', drawing no. 121384-CDP-ZZ-XX-DR-L-2014-P2



### Noise and Air Quality

As a result of the school (in-particular the use of the playing field) it is considered there may be some noise nuisance (whistles being blown or isolated shouting). However, per-se the school use is not considered to likely change the noise character of the area or result in levels to cause significant nuisance to nearby residential properties.

In terms of plant, machinery and/or equipment proposed externally, the exact specification of this is not yet known by the applicant and therefore the exact impact or implications have not been able to be confirmed and assessed. Whilst it is considered unlikely that the siting of such externally plant, machinery and/or equipment would give rise to undue nuisance, it is considered appropriate that a condition be imposed, in the event planning permission is granted, to ensure that such plant, machinery and/or equipment does not result in noise levels significantly above background levels.

Vehicles entering and leaving the site also have the potential to give rise to impacts. Such impacts would however likely only be during daytime hours and associated noise levels are not estimated, as such, to result in significant nuisance. In terms of air quality, similarly, the development (and associated vehicle movements) is not considered likely to lead to significant air quality impacts.

### Lighting

An external lighting plan has been submitted with this application. The accompanying light spill drawing submitted demonstrates only limited light spill outside the site, at very low level (circa 1 lux). Whilst in principle no objections are therefore raised to the external lighting proposed, it is noted that the 6m high columns within the car park, adjacent to these residential properties, does seem quite excessive. In addition, no details have been provided as to the operation of the external lighting i.e. hours of illuminance and details of which if any lighting would double-up as security lighting and as such potentially be subject to sensory activation outside of normal hours of opening of the school. For this reason, it is considered appropriate to restrict the installation of any external lighting until further details. This would also give the applicant the opportunity to review the proposed height of the lighting within the car park in context of the reservations about this (albeit it accepted that in practice that the lighting currently proposed has been demonstrated not to give rise to undue impact and accordingly, if they were to remain, would unlikely be deemed unacceptable).

Overall, no objections are raised to the development coming forward from an amenity perspective, subject to the imposition of suitably worded conditions.

## D HIGHWAYS

The Transport Assessment submitted in support of this application has sought to assess likely impact of the school use on the local highway network by predicting likely vehicular trip rates during the AM school peak (08:00-09:00), PM school peak (15:00-16:00) and network PM peak (17:00-18:00). A snapshot of the results of this is provided in the below tables:

Table 5.1 of the submitted Transport Assessment – Primary School Vehicular Trip Rates

	AM Peak (08:00-09:00)		PM Peak (15:00-16:00)		Network PM Peak (17:00-18:00)	
	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures
Primary School Trip Rate per pupil	0.354	0.290	0.173	0.253	0.023	0.051
Primary School Trips for 420 pupils	149	122	73	106	10	22

Table 5.2 of the submitted Transport Assessment – Early Year’s Childcare Facility Vehicular Trip Rates

	AM Peak (08:00-09:00)		PM Peak (15:00-16:00)		Network PM Peak (17:00-18:00)	
	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures
Early Year’s Childcare Facility School Trip Rate per pupil	0.185	0.137	0.055	0.069	0.113	0.161
Early Year’s Childcare Facility School Trips for 56 pupils	11	8	3	4	7	9

Collectively, as shown within the above tables, when at full capacity the school and nursery is predicted to generate some 290 vehicle movements in the school AM peak and 186 movements in school PM peak.

The Transport Statement submitted in respect of this suggests that *“implementation of a dedicated Travel Plan alongside the additional proposed cycle and scooter parking the proposed school development [should] generate a significantly lower level of vehicular trips”* than that set out above. Currently there is no local primary school and/or nursery within the Nethermayne development and as such existing occupiers of properties with children have no option but to travel to access education. In this context, it is suggested that the vehicle movements associated are already on the network and in theory the trip generation represents a redistribution of trips rather than new trips solely resulting from this development. Over time it is suggested that the development would actually *“significantly reduce the length of trips associated with accessing education”* in this area and also the reliance on the private car.

The Highway Authority has, in context of the above and Transport Statement submitted, raised no objection to the development coming forward on highway safety and efficiency grounds.

In terms of parking provision, the car parking standard for a primary school, as advocated by the Essex Parking Standards - Design and Good Practice (2009), is a maximum of one space per 15 pupils with minimum cycle standards of one space per five staff plus one space per three pupils. For nurseries (or a day care centre as termed within the Standards) a maximum of one car parking space per full time equivalent staff and minimum of one cycle space per four members of staff are advocated. The Standards also proclaim some form of drop off/pick up facilities for day care centres.



Whilst no specific drop off/pick up facilities are proposed as part of this development, the car park proposed would provide 43 vehicle parking spaces (inclusive of two disabled/accessible spaces) and five spaces for powered two wheelers (motorbikes) for staff and visitors. With regard to cycle and scooter provision, a total of 158 cycle and scooter spaces are proposed at various locations across the site for use by both staff and pupils of the primary school and nursery. Based on the school pupil roll and the number of full time (equivalent) staff, the proposed parking provision for both vehicles and cycles/scooters is considered acceptable and no objections are raised.

Given the proposals do not include a specific drop-off/pick-up facility, the applicant notes that *“a walk time of ten minutes is generally considered the maximum acceptable to directly access any local facility or amenity and equates to a distance of 800 metres”*. An 800m catchment in this case would cover the entire Nethermayne development. In theory, it is therefore suggested that for majority of likely pupils accessing the school via sustainable transport would be an option. That said, it is accepted that for all parents/pupils this will not be realistic, for a range of reasons. It is noted that *“the pedestrian and cycle infrastructure within the [wider] development area has been specifically designed to encourage these modes as the primary means of accessing local facilities and amenities”*.

In terms of parent parking, it is considered that parking on nearby roads could result – particularly, as alluded above not all pupils will access the school by sustainable means and the nearby roads do not currently contain any parking restrictions. The applicant in respect of this has sought to reaffirm the likely catchment of this school and that sustainable transport and initiatives such as a walking bus will be encouraged through the School Travel Plan. In due course, it is also noted that there is the option to explore the potential of facilitating use of the car park associated with the local retail centre for parents.

## E OTHER ISSUES

### Climate Change and Sustainability

Basildon Council is fully committed to developing an ongoing programme of greenhouse gas reduction measures, with an ambitious target to deliver zero carbon emissions across the borough by 2030, and net zero emissions by 2050.

In the interests of conserving energy, making the most efficient use of water and other resources, initially the applicant has sought to suggest that the building would be constructed to modern standards in terms of insulation, sustainable energy and water usage. The development takes a ‘fabric first’ approach to reducing energy demand and CO2 emissions. Each classroom would have two natural ventilation units installed alongside openable windows to promote user comfort. The main hall, similarly, is proposed to be naturally ventilated through utilisation of roof mounted units providing a mixing strategy during winter months to avoid cold draughts and during summer months by drawing fresh air in through the lower-level windows and exhausting hot, stale air out the top of the space.

Where a natural ventilation strategy is not possible, due to rooms being internal or need for cooling to meet sensitive environment, supply and extract heat recovery units are proposed to be installed. The strategy has been modelled and developed to satisfy overheating requirements based on predicted 2050 weather conditions.

With regard to energy consumption, solar panels are proposed across the majority of the building roof, which pro-rotas should generate enough energy to ensure the building operates at net-zero carbon.

### Flood Risk and Drainage

This site is located within Flood Zone 1, at a low probability of fluvial and/or tidal flooding. As the proposed developed area is in excess of 1ha a Flood Risk Assessment has been submitted. The primary method proposed for dealing with surface water is by discharging into the wider Nethermayne development drainage system at a controlled rate (of 3.5 l/s). The connection to this drainage system is to the north of the site, where the land level is the highest, so to facilitate the movement of water around the site, and the attenuation proposed, a pumping station to be installed to the south of the car park area.

With regard to foul water management, similarly, the proposal is simply to connect to the sewerage system installed as part of wider Nethermayne development, of which a connection has already been provided. The flow rate of wastewater is estimated to be 8.09 l/s.

The Lead Local Flood Authority have raised no objection in-principle to the development coming forward subject to a finalised drainage details being secured by way of condition.

## **7. CONCLUSION**

It is considered that there is clear policy support within the NPPF for improved or new education facilities to cater for existing or identified demand, as is the case here. The provision of a primary school and nursery on this site has previously been established through a wider permission and an assessment of the development proposals has failed to identify any significant impacts or overriding concerns. Subject to the imposition of appropriate conditions, the proposals are accordingly considered policy compliant and representative of sustainable development as per the NPPF definition.

## **8. 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.

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 27/01/2023 and shown on drawings titled: 'Location Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2001-P2, dated 27/01/23; 'Block Plan', drawing number: 121384-CDP-ZZ-XX-DR-A-2007-P1, dated 02/02/23; 'Levels Strategy', drawing number: 121384-CDP-ZZ-XX-DR-C-4009 P1, dated 09/01/23; 'General Arrangement Plans', drawing number: 121384-CDP-ZZ-XX-DR-A-2001-P2, dated 17/01/23; 'Roof General Arrangement', drawing number: 121384-CDP-ZZ-RF-DR-A-2002-P2, dated 16/01/23; 'Proposed Elevations', drawing number: 121384-CDP-ZZ-XX-DR-A-2003-P3, dated 16/01/23; 'Proposed Building Signage', drawing number: 121384-CDP-ZZ-XX-DR-A-2006-P1, dated 22/12/22; 'Proposed Sections 1 of 2', drawing number: 121384-CDP-ZZ-XX-DR-A-2004-P2, dated 12/01/23; and 'Proposed Sections 2 of 2', drawing number: 121384-CDP-ZZ-XX-DR-A-2005-P2, dated 12/01/23 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 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 policy BAS BE12 of the Basildon Local Plan (2007) and the National Planning Policy Framework (2021).

3. No development beyond damp proof membrane shall take place until details of the materials to be used for the external appearance (including all windows and doors) of the development hereby permitted have been submitted to the County Planning Authority for review and approval in writing. The details shall confirm the exact specification of the materials to be used including manufacturer, colour and finishes/application proposed. The development shall be implemented in accordance with the approved details.

Reason: In the interests of design, the amenity of the local area and to comply with policy BAS BE12 of the Basildon Local Plan (2007) and the National Planning Policy Framework (2021).

4. The development hereby permitted shall be implemented in accordance with the hard and soft landscaping scheme (inclusive of boundary treatments, fencing and gates) detailed within drawings titled 'Outline Planting Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2003-P6, dated 06/03/23; 'Detailed Planting Plan (Overall Layout)', drawing number: 121384-CDP-ZZ-XX-DR-L-6901-P1, dated 17/04/23; 'Detailed Planting Plan (1 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6902-P1, dated 19/04/23; 'Detailed Planting Plan (2 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6903-P1, dated 19/04/23; 'Detailed Planting Plan (3 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6904-P1, dated 19/04/23; 'Detailed Planting Plan (4 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6905-P1, dated 19/04/23; 'Detailed Planting Plan (5 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6906-P1, dated 19/04/23; 'Detailed Planting Plan (6 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6907-P1, dated 19/04/23; 'Detailed Planting Plan (7

of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6908-P1, dated 19/04/23; 'Detailed Planting Plan (8 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6909-P1, dated 19/04/23; 'Detailed Planting Plan (9 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6910-P1, dated 19/04/23; 'Detailed Planting Plan (10 of 10)', drawing number: 121384-CDP-ZZ-XX-DR-L-6911-P1, dated 19/04/23; 'Surfacing Plan', drawing number: 121384-CDP-ZZ-XX-DR-C-4004 P04, dated 17/01/23; 'Surfacing and Edging Details', drawing number: 121384-CDP-ZZ-XX-DR-C-6002 P02, dated 18/01/23; and 'Proposed Fencing and Gate Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2011-P2, dated 12/01/23. With regard to this, the approved soft landscaping scheme shall be implemented within the first available planting season (October to March inclusive) following completion of the construction phase of the development.

Reason: To comply with section 197 of the Town and Country Planning Act 1990 (as amended), in the interests of the environment and the amenity of the local area and to comply with policy BAS BE12 of the Basildon Local Plan (2007) and the National Planning Policy Framework (2021).

5. The soft landscaping scheme hereby approved shall be managed and maintained in accordance with the details contained within the document titled 'Landscape Management Plan' (version V1.0), produced by Concertus, dated 10/01/2023. In the event that any tree or shrub, forming part of the approved soft landscaping scheme, dies, is damaged, diseased or removed within 5 years of the date of beneficial occupation of the development hereby permitted, that tree or shrub 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 interests of the environment and the amenity of the local area, to ensure the landscaping proposals are effectively managed following implementation and to comply with policy BAS BE12 of the Basildon Local Plan (2007) and the National Planning Policy Framework (2021).

6. No development or any preliminary groundworks shall take place until:
  - a) All trees on-site to be retained during the construction works, as shown on the drawing titled 'Tree Survey', drawing number: 141004-P-130a, dated 18/10/22, 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 BS: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: To ensure protection for the existing natural environment, in the interests of visual amenity and to comply with policy BAS BE12 of the Basildon Local Plan (2007).

7. Prior to beneficial occupation of the development hereby permitted, a Biodiversity Enhancement Strategy shall be submitted to the County Planning Authority for review and approval in writing. The 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 maps and plans;
  - d) Timetables for implementation
  - e) Persons responsible for implementing the enhancement measures; and
  - f) Details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: In the interests of biodiversity, to allow the County Planning Authority to discharge its duties under the UK Habitats Regulations and the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and to comply with the National Planning Policy Framework (2021).

8. No external fixed lighting shall be erected or installed on-site until exact details of the location, height, design, luminance, operation and management have been submitted to the County Planning Authority for review and approval in writing. The details to be submitted shall include an overview of the lighting design and management (including proposed hours of operation), the maintenance factor and lighting standard applied together with a justification as why these are considered appropriate, detailed drawings showing the lux levels on the ground (including spill in context of adjacent site levels), angles of tilt, colour, temperature, dimming capability and the average lux (minimum and uniformity) for all external lighting proposed. The details shall ensure the lighting is designed to minimise the potential nuisance of light spillage on adjoining properties and highways.

The lighting design shall also consider the impact on light sensitive biodiversity and a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) clearly demonstrate that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Any lighting approved shall thereafter be erected, installed and operated in accordance with the approved details.

Reason: To ensure limited nuisance or disturbance to neighbours (and the surrounding area), in the interests of highway safety, to minimise impact on light sensitive biodiversity and to comply with policy BAS BE12 of the Basildon Local Plan (2007).

9. Prior to beneficial occupation of the development hereby permitted, details of the external sound level emitted from all external plant, machinery and equipment installed shall be submitted to the County Planning Authority for review and approval in writing. The details shall furthermore outline any mitigation measures proposed to ensure that the external sound level emitted from plant, machinery and equipment proposed to be installed would be equal or lower than the existing background sound level. The assessment shall be made in accordance with BS 4142:2014+A1:2019 and the assessment shall be based on all plant, machinery and equipment operating together at design duty with impact predicted/assessed at a range of nearby sensitive receptors (or areas respective to the location of these). The development shall subsequently be implemented and managed in accordance with the details approved.

Reason: In the interests of adjacent residential amenity and to comply with policy BAS BE12 of the Basildon Local Plan (2007).

10. The Multi Use Games Area (MUGA) hereby permitted as part of this development, as shown on drawing titled 'Proposed Landscape Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2002-P16, dated 17/02/23, shall only be used by or in association with the school and nursery and only during normal school hours plus pre/after school clubs. The MUGA is not permitted to be used for any purposes outside of the above or outside the aforementioned times.

Reason: In the interests of adjacent residential amenity, that an assessment of potential impact from use outside of aforementioned hours has not been submitted and assessed and to comply with policy BAS BE12 of the Basildon Local Plan (2007).

11. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to the County Planning Authority for review and approval in writing. The scheme should include but not be limited to:
- Limiting discharge rates to 3.5l/s for all storm events up to and include the 1 in 100 year plus 40% allowance for climate change;
  - Providing sufficient storage on-site 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;
  - Demonstration that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm 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; and

- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The drainage strategy subsequently approved shall be fully implemented prior to beneficial occupation of the development.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development, to provide mitigation of any environmental harm which may be caused to the local water environment and to comply with the National Planning Policy Framework (2021).

12. 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, shall be submitted to the County Planning Authority for review and approval in writing.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended and to ensure mitigation against flood risk as failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site and to comply with the National Planning Policy Framework (2021).

13. No development of the natural turf playing field shall commence until the following documents have been submitted to the County Planning Authority for review and approval in writing:
- 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; and
  - Based on the results of the assessment to be carried out pursuant to the 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 approved scheme shall be carried out in full, and the land shall thereafter be maintained and made available for playing field use in accordance with the details of the development approved.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.

14. Prior to beneficial occupation of the development hereby permitted, the pedestrian/cycle and emergency vehicle access from George Road, as shown in-principle on drawing titled 'Proposed Landscape Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2002-P16, dated 17/02/23, shall have been constructed at right angles to the carriageway and provided with an appropriate dropped kerb vehicular crossing of the footway, as per the full technical approval subsequently issued by the Highway Authority. Similarly, the vehicular access from Hazel Road, again as shown in principle on drawing

titled 'Proposed Landscape Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2002-P16, dated 17/02/23, shall be constructed at right angles to the carriageway, as per the full technical approval subsequently issued by the Highway Authority. The visibility splays of both accesses shall, following construction, be retained free of any obstruction at all times.

Reason: In the interests of highway safety and to comply with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

15. Prior to beneficial occupation of the development hereby permitted, the car parking area as shown on drawing titled 'Proposed Landscape Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2002-P16, dated 17/02/23 shall be constructed and laid out as approved, so that the vehicular turning areas as shown on drawing titled 'Vehicle Tracking', drawing number: 121384-CDP-ZZ-XX-DR-L-2015-P1, dated 06/04/23 can also be achieved. The electric vehicle charging point within the approved car park area, as shown on drawing titled 'Proposed Landscape Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2002-P16, dated 17/02/23, shall, for the avoidance of doubt, be installed be ready for use at the point of beneficial occupation. The parking areas shall be permanently retained and maintained for parking and shall be used for no other purpose.

Reason: To provide a suitable level of parking on-site, in the interests of highway safety and to comply with the Parking Standards adopted as County Council Supplementary Guidance in September 2009.

16. Prior to beneficial occupation of the development hereby permitted, details of the cycle and scooter parking provision, as indicatively shown on drawing titled 'Proposed Landscape Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2002-P16, dated 17/02/23, shall be submitted to the County Planning Authority for review and approval in writing. The details shall include the design, location and number of spaces to be provided prior to the beneficial occupation of the development hereby permitted and details of additional 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 the facilities constructed/installed shall thereafter be retained and maintained in perpetuity.

Reason: To ensure a suitable level and quality of cycle and scooter parking on-site, in the interests of highway safety and to comply with the Parking Standards adopted as County Council Supplementary Guidance in September 2009.

17. 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 any pedestrian or vehicular access unless they are sited clear of the highway and open inward only. With regard to the main vehicular access from Hazel Road, any gate installed is to



be set back a minimum distance of 6 metres from the back edge of the footway.

Reason: In the interests of highway safety and to comply with the Parking Standards adopted as County Council Supplementary Guidance in September 2009.

18. The construction phase of the development hereby permitted shall be completed in accordance with the document titled 'Construction Management Plan', produced by Barnes Construction, dated January 2023.

Reason: In the interests of amenity and highway safety and to comply with policy BAS BE12 of the Basildon Local Plan (2007)

19. No development shall take place until a desktop study including site walk-over survey has been carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). The desktop study shall be submitted to the County Planning Authority for review and approval in writing.

Reason: In the interests of environmental protection and to comply with the National Planning Policy Framework (2021).

20. If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed, taking into account the sites existing status and proposed new use. The site investigation report shall be submitted to the County Planning Authority for review and approval in writing prior to commencement of development.

Reason: In the interests of environmental protection and to comply with the National Planning Policy Framework (2021).

21. Following approval of the site investigation report, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site, shall be submitted to the County Planning Authority for review and approval in writing prior to commencement of development. All requirements of this, as approved, shall subsequently be implemented and completed to the satisfaction of the County Planning Authority. No deviation shall be made from this scheme without the express written agreement of the County Planning Authority.

If during development contamination not previously considered is identified, then the County Planning Authority shall be notified immediately, and no further work shall be carried out until an additional method statement detailing a

scheme for dealing with the suspected contamination has been submitted to the County Planning Authority for review and approval in writing.

Reason: In the interests of environmental protection and to comply with the National Planning Policy Framework (2021).

22. Following completion of measures identified in the remediation scheme, a full closure report shall be submitted to the County Planning Authority for review and approval in writing. The closure report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved method statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met. The closure report shall include a completed certificate, signed by the developer, confirming that the required works regarding contamination have been carried out in accordance with the previously approved details.

Reason: In the interests of environmental protection and to comply with the National Planning Policy Framework (2021).

### Informative

Prior to the beneficial occupation of the development a finalised school travel should be prepared, in liaison with the Highway Authority, and this should be subsequently implemented, managed and monitored in perpetuity.

---

## **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 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 County 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 were 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**

BASILDON – Westley Heights