

DR/08/21

Report to: DEVELOPMENT & REGULATION (25 June 2021)

Proposal: COUNTY COUNCIL DEVELOPMENT - Erection of a new Primary School and Early Years Nursery with associated playing fields, hard play areas, parking and landscaping

Ref: CC/CHL/15/21

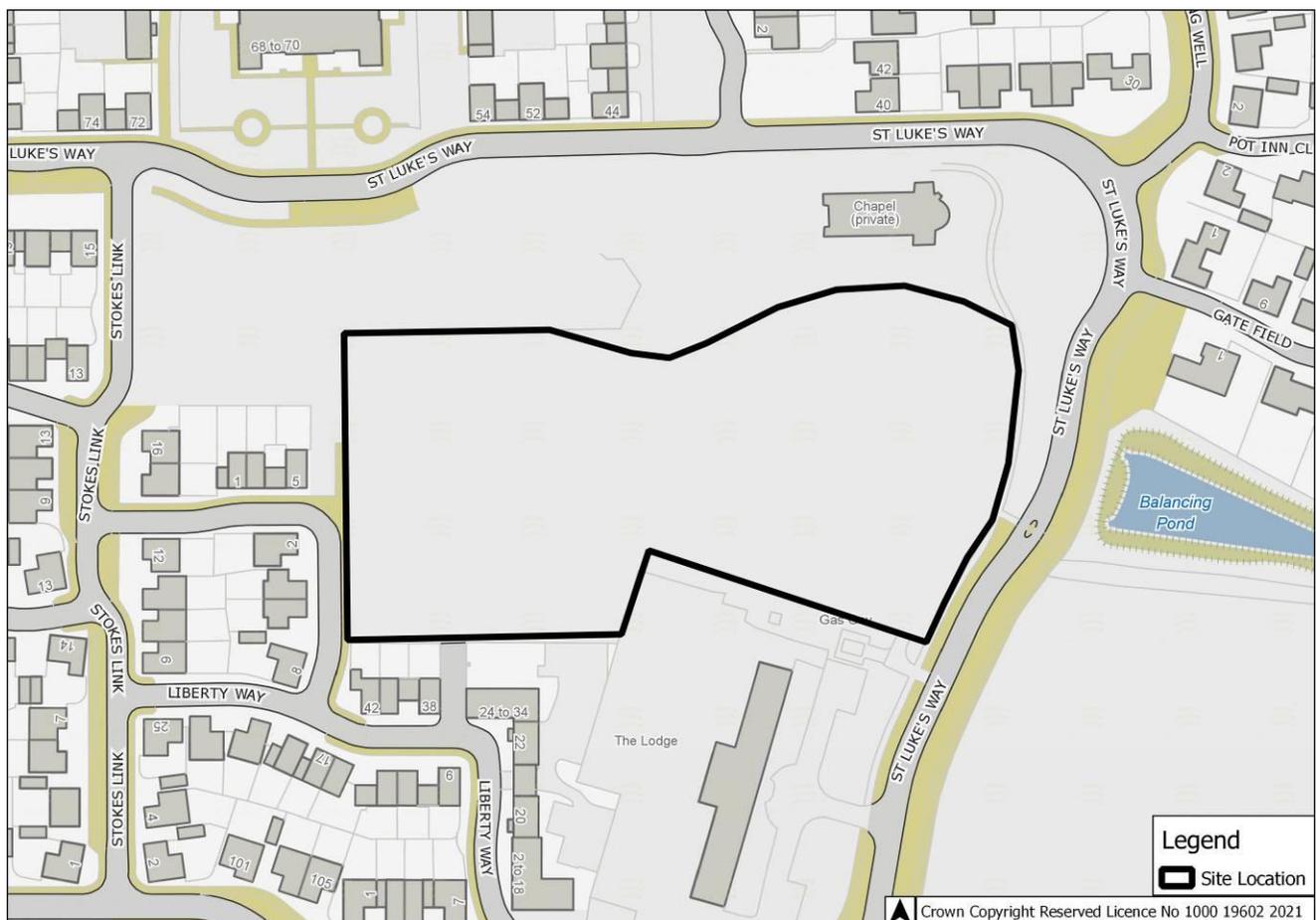
Applicant: Essex County Council

Location: Land off St Luke's Way, Runwell, Wickford

Report author: Chief Planning Officer (County Planning and Major Development)

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The full application can be viewed at <https://planning.essex.gov.uk>



1. SITE

This application relates to a parcel of land approximately 1.4ha in size. The land forms part of the former Runwell Hospital site which in 2013 was granted outline planning permission by Chelmsford City Council for residential development comprising up to 575 houses and supporting uses, including a primary school, recreational open space, sports facilities, neighbourhood scale retail and a pub/restaurant, together with landscaping, infrastructure and associated works (application ref: 12/01480/OUT). The outline planning permission was granted with a S106 Agreement which required the application site to be made available to Essex County Council for educational purposes.

The residential element of the outline permission has progressed significantly with development now in phase 4 (the third out of five phases to contain residential development). Works in Phase 5 which includes the neighbourhood centre and hard and soft landscaped communal areas between the area to which this application relates and St Luke's Way to the north are also currently taking place.

In terms of the site, or the area of land to which this application relates, the access plans approved pursuant to the reserved matters for phase 4 have confirmed the vehicular access points for the school. The main access to the site is to the south off Liberty Way; with a second maintenance access to the east off St Luke's Way.

To the west and south-west of the site is residential development. To the south-east is 'The Lodge', the Essex Partnership University NHS Foundation Trust's head office. To the north of the site is a Chapel, also known as Chapel at Runwell Hospital which is Grade II listed. To the immediate north-west is or will be a 'neighbourhood centre' comprising three commercial units and a car parking area. And, on the other side of St Luke's Way, opposite the neighbourhood centre, is the former administration block of Runwell Hospital, the only other surviving building from the original hospital (a non-designated heritage asset). This building has however internally now been converted into residential units.

Turning to designations, although the wider site benefits from planning permission to be developed primarily for residential, and this permission has been implemented, the area as per the Chelmsford Local Plan (2020) remains designated as Green Belt. The site is located within Flood Zone 1 and within the Southend Airport Safeguarding Zone.

2. PROPOSAL

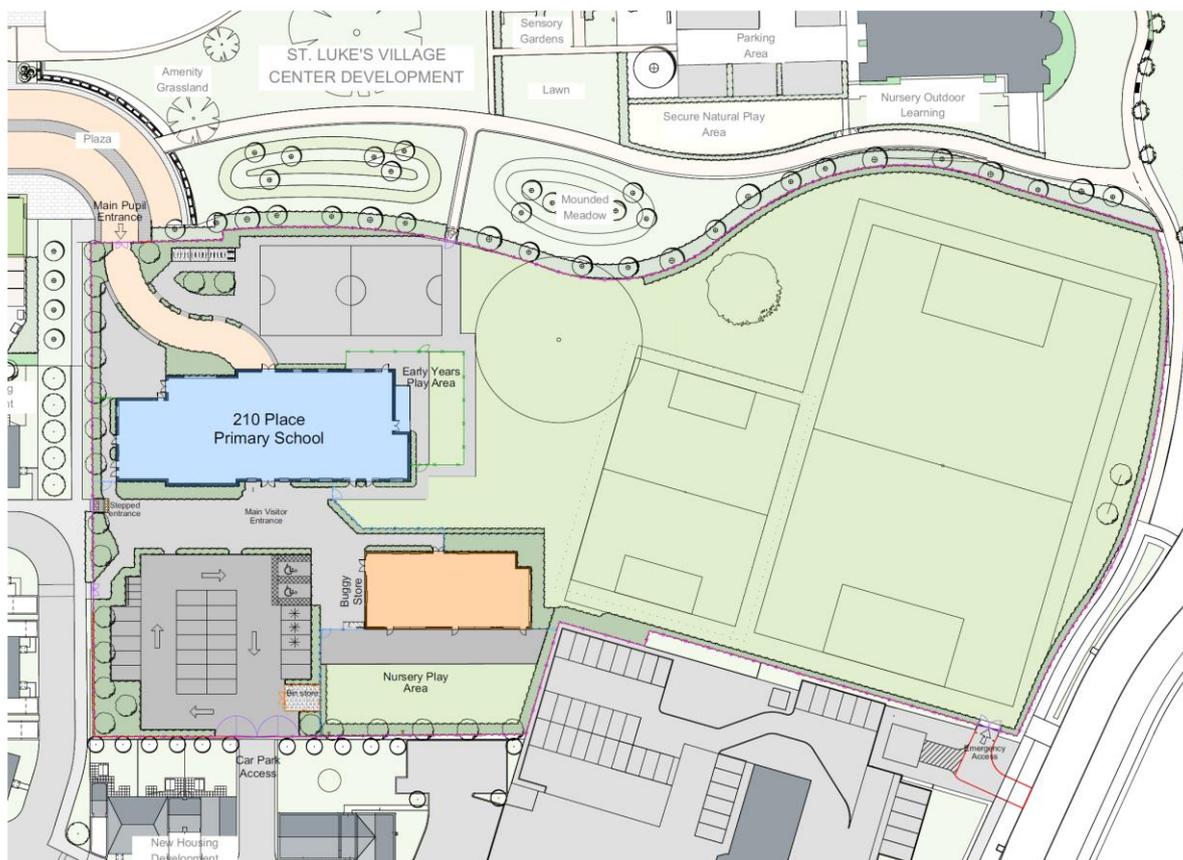
This application seeks planning permission for a new 1FE (210 pupil place) primary school; and a 56 early years nursery with associated playing fields, hard play areas, parking and landscaping.

As can be seen from the below extract of the submitted site plan, the proposals effectively seek to split the site in half, with the western half containing the built development – the primary school and nursery buildings and car park; and the eastern part proposed to be used as the school playing fields. In respect of the main primary school building this is proposed to be in the majority two storey,

orientated east, west behind an area of proposed hard play. The single storey nursery building is proposed to the south of the primary school building to the east of the joint (24 plus two disabled space) car park.

Vehicular access to the site (and the car park) is via Liberty Way, with two pedestrian accesses (one with step, one step free) along the western boundary of the site and two along the northern boundary including the main proposed pupil entrance to the north-west corner of the site, adjacent to the neighbourhood centre.

Extract from submitted 'Site Plan'



Revisions During Determination

The proposals have been subject to several revisions during the course of determining following feedback from officers and statutory consultees. Revisions made include changes to the location, design and finish of both the primary school and nursery buildings; the layout of the car park; the proposed pedestrian access points; the fence line; and the landscaping proposals. Whilst the revisions made to the proposals are not reflected in many of the supporting documents which were submitted originally with this application, it is considered that the principles of many of these documents remain relevant and conclusions suggested unlikely to change.

3. POLICIES

The following policies of the Chelmsford Local Plan (2020) provide the development plan framework for this application. The following policies are of

relevance to this application:

Chelmsford Local Plan (2020)

Policy S1 – Spatial Principles
Policy S2 – Addressing Climate Change and Flood Risk
Policy S3 – Conserving and Enhancing the Historic Environment
Policy S4 – Conserving and Enhancing the Natural Environment
Policy S9 – Infrastructure Requirements
Policy S11 – The Role of the Countryside
Policy DM6 – New Buildings in the Green Belt
Policy DM13 – Designated Heritage Assets
Policy DM14 – Non-Designated Heritage Assets
Policy DM15 – Archaeology
Policy DM16 – Ecology and Biodiversity
Policy DM17 – Trees, Woodland and Landscape Features
Policy DM18 – Flooding/SUDS
Policy DM20 – Delivering Community Facilities
Policy DM23 – High Quality and Inclusive Design
Policy DM24 – Design and Place Shaping in Major Developments
Policy DM25 – Sustainable Buildings
Policy DM27 – Parking Standards
Policy DM29 – Protecting Living and Working Environments
Policy DM30 – Contamination and Pollution

The Revised National Planning Policy Framework (NPPF) was published in February 2019 and sets out the Government's planning policies for England and how these should be applied. The NPPF highlights that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to state that achieving sustainable development means the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways: economic, social and environmental. The NPPF places a presumption in favour of sustainable development. However, paragraph 47 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. For decision-taking the NPPF states that this means; approving development proposals that accord with an up-to-date development plan without delay.

4. CONSULTATIONS

Summarised as follows:

CHELMSFORD CITY COUNCIL (representation based on initial rather the revised proposals received during the course of determination) – Objects. Whilst the principle of the development is accepted and green belt policy has already been considered by virtue of Chelmsford City Council granting planning permission for the new neighbourhood including the new primary school and nursery facility, the proposals as submitted are very disappointing and fail to integrate the school site with the surrounding neighbourhood.

The orientation of the proposed primary school building means the site presents a very narrow span and poorly detailed elevation to the main public thoroughfare leading north-south between the neighbourhood centre and residential area. As proposed, the main interaction between the local neighbourhood and the school building is a kitchen and plant room which do not offer an adequate level of animation or interaction with the street. This undermines the design of this area of the wider neighbourhood and harms the quality of place contrary to policy.

The school building has a poor relationship to the public square and neighbourhood centre. It sits in a recessive position owing in large part to the chosen orientation, has no animation of elevations facing towards the neighbourhood centre and street. The internal layout of the school site means entrance positions feel physically divorced from the public environment. The addition of a green coloured aluminium box around one of the entrances to the primary school following these issues being raised at pre-application stage does not overcome the numerous poor and unacceptable attributes of this proposal which mean the proposal is contrary to Policies DM20, DM23 and DM24 of the Chelmsford Local Plan (May 2020).

The pedestrian route outside of the site to the west running north-south is a key thoroughfare and is designed purposefully into this area of the wider neighbourhood to bring people into contact with the school site and ensure the school site and neighbourhood centre are genuinely the active heart of the community. Whilst it is acknowledged that the site may need to present some negative spaces, such as the car park area, to the street, the proposed layout fails to balance that street presence with a positive and interactive school frontage to the street which would successfully integrate the site with the local neighbourhood. This is unacceptable and runs contrary to the objectives of Policies DM20, DM23 and DM24 of the Chelmsford Local Plan (May 2020).

The north-west corner of the school site presents an opportunity for a seamless (or at least positive) continuation of the public square into the school site. This could be reflected in site layout in the form of positive termination of views, a high quality of hard and soft landscaping arrangement and materials which relate to the form and character of the public square, and routing which allows for logical wayfinding both within and around the school site. These opportunities are not reflected in the proposals. It is accepted that the school site needs a physical boundary and there are operational considerations to be met, but the lack of positive attempt to relate and combine this site with the neighbourhood centre creates a visual disconnect between the two areas, severs the relationship between these facilities and undermines the vision for an inclusive complex of uses at the heart of the neighbourhood. This lack of positive interaction is contrary to Policies DM20, DM23 and DM24 of the Chelmsford Local Plan (May 2020).

The initial site boundary installed was never intended to be the final boundary treatment of this site. The school site needs to maintain an open aspect to the neighbourhood centre and public square, so it is disappointing that the proposals do not show any attempt to achieve that. The boundary treatment of the north-west corner of the site needs to be modified to avoid harming the setting of the neighbourhood centre/public square. The western boundary treatment of the school site which fronts one side of a residential street was to be low level, at least

in part alongside the public thoroughfare towards the neighbourhood centre, to achieve an appropriate relationship with that street environment and not over-enclose that public corridor. The proposed school site does not present acceptable boundary treatment to the surrounding neighbourhood, causing visual harm to those environs, contrary to Policies DM20, DM23 and DM24 of the Chelmsford Local Plan (May 2020).

As proposed, the entrance positions are separated by function (pupil entrance and visitor entrance). The site layout means that neither entrance is in a chiefly visible location as should be the result of positive urban planning, but in particular the visitor entrance is situated fully out of sight from the key public spaces outside of the site and only visible to oblique views further south along the public pathway. The proposed school structure therefore does not present an adequately legible or interactive presence to the street contrary to the objectives of Policies DM20, DM23 and DM24 of the Chelmsford Local Plan (May 2020).

The narrow area of land which is left between the school building and western site boundary has not been designed to acceptably lift the quality of the local environment or the visibility/interactivity of the school site within the local neighbourhood. The space appears narrow and cluttered, visibly a remainder of space within the site rather than it having been positively designed into the site layout to promote an inclusive and attractive setting to the school or neighbourhood. The decision to place cycle stores where they are in the school proposals make that environment cluttered whereas those facilities should be more carefully planned into the site and should be more abundant (or have room for expansion) as the hope is to get more people travelling by sustainable means. At present any additional demand would lead to further impact on this already cluttered area of the site. Any person visiting this site with mobility or visual impairment may find this site difficult to navigate. The proposed school setting is considered to be poor and the layout and is likely to cause practical hindrance to users contrary to the objectives of Policies DM23 and DM24 of the Chelmsford Local Plan (May 2020).

The positioning of the proposed bin store (a basic close boarded enclosure) is an overt utilitarian addition to the street which is not contextualised and is of relatively poorer quality to local features. Throughout the neighbourhood care has been taken to reduce the number of physical boundaries to the street. Bin stores should predominantly take the form of reasonably integrated brick walls with appropriate planting to provide screening. Whilst the proposed planting will, in due course, provide some softening of the base of that structure, it does not fully mitigate the fact that the proposals are seeking to site an incongruous screening to the bin store on the site frontage. Furthermore, the siting of this bin store at such distance from both facilities and only accessible from within the carriageway of the car park does not seem logical. The harm to street setting is contrary to the objectives of Policies DM23 and DM24 of the Chelmsford Local Plan (May 2020).

The removal of the Oak listed as T4 in the AIA is not acceptable. Whilst this tree is not subject to a Tree Preservation Order, it has been specifically retained, in liaison with Essex County Council, as part of the wider development and through formal consideration only last year (20/00289/REM refers). The tree is in good health and good condition. The tree does not need to be removed to facilitate the development

as is evident from the placement of buildings as proposed. Removal of this tree lacks a substantiated justification and replacement planting of a heavy standard would not replace the loss of this established tree. Furthermore, no replacement tree location to allow a tree to grow to a commensurate size as T4 has achieved in maturity has been identified on the submitted Outline Planting Plan (120098-CDP-ZZ-XX-DR-L-2002 P2) and it is highly likely that replacement planting of a tree of similar size in other locations of the proposal site would result in adverse impact on the function of school playing fields leading to future tree works or even removal. The removal of the Oak listed as T4 lacks adequate justification and its loss would be contrary to Policy DM17 of the Chelmsford Local Plan (May 2020).

THE COUNCIL'S URBAN DESIGN, LANDSCAPE, ECOLOGY, TREE, HISTORIC BUILDINGS AND ARCHAEOLOGY CONSULTANTS (all but Urban Design comments based on initial rather the revised proposals received during the course of determination) –

Urban Design

No objection in principle.

Landscape (representation based on initial rather the revised proposals received during the course of determination)

No objection in principle. However, the submitted Landscape and Biodiversity Management Plan makes no reference to the spiral guards or similar to protect hedgerow planting from damage by rabbits and other rodents. We would expect implementation and removal (after establishment) to be included in the plan. They should be checked periodically alongside the tree guards and stakes to ensure that they have not fallen over and/or are not damaging the plant.

Considerations and recommendations are also made with regard to the proposed hedge planting specification and mix; the location of hedge planting across the site and fencing design. With regard to this it is recommended a slightly revised landscaping scheme be secured by condition should planning permission be approved.

Ecology (representation based on initial rather the revised proposals received during the course of determination)

No objection subject to conditions seeking to ensure that the development is carried out in accordance with the mitigation and enhancement measures detailed within the submitted Ecological Impact Assessment and Soft Landscape and Biodiversity Enhancement Management Scheme.

Trees (representation based on initial rather the revised proposals received during the course of determination)

Object. T1 is a veteran oak. Although there are working methods outlined that include no-dig engineering solutions to accommodate a footpath and new playground in the outer RPA, little consideration has been given to the materials that will be used to ensure that the gas-exchange potential of the soil remains the

same. Veteran trees are highly susceptible to any changes in ground conditions and therefore these must be kept to a minimum. Even the installation of cellular confinement could lead to changes in the conditions and ultimately lead to the decline. As well as this, it is highly unsuitable to allow children access to the canopy line of a veteran tree, where deadwood is to be expected and should remain in order to allow the tree to decline naturally. This presents a health and safety risk to those using the area surrounding the tree.

The removal of T4 is suggested as necessary to allow light into the classrooms. BS5837:2012 expects that design should take into account the obstruction of daylight in the early stages to prevent the need for tree removal. As the tree is of sufficient quality to be a material consideration, it does not appear that the design has considered or prioritised tree retention in this case. It is considered a different site layout could have retained this tree using no-dig methods.

Historic Buildings (representation based on initial rather the revised proposals received during the course of determination)

Object. The application site is adjacent to St Luke's Chapel, a Grade II listed building. The Chapel, also known as Chapel at Runwell Hospital, was erected in 1937 and designed by Charles E. Elcock and Frederick Sutcliffe (list entry number: 1391863). The central administration block of Runwell Hospital, to the north west is the only other surviving building from the original hospital and is a non-designated heritage asset.

As stated within the submitted Heritage Statement, the Chapel was planned and designed to sit upon an island site, to be a building of landmark quality. Whilst it is acknowledged that the wider setting of the Chapel has been greatly altered as a result of the recent housing development, the immediate setting of the Chapel and its undeveloped nature positively contributes to the heritage asset's experience and appreciation. The proposed creation of a primary school and nursery would fundamentally result in a change to the setting of the heritage asset and its historic context. It is also considered that the contemporary form and materiality of the proposal would result in a prominent structure which does not sympathetically respond to the adjacent historic building stock, detracting from the asset's experience and appreciation. Additionally, whilst visually the proposal will be intrusive, other factors such as light pollution, noise pollution and other environmental factors such as intensity of usage must also be taken into consideration with regards to the asset's experience and appreciation.

A heritage statement has been undertaken. However, the conclusions of this are disagreed with. The proposals would result in a level of less than substantial harm to the significance of the Chapel at Runwell Hospital and the surviving administration block and due consideration should be given to this as part of the determination process.

Archaeology

No objection. Archaeological work has previously been undertaken in the area finding extensive areas of disturbance, with limited surviving archaeological deposits.

HIGHWAY AUTHORITY (representation based on initial rather the revised proposals received during the course of determination) – The applicant has not demonstrated that the proposed car park layout can accommodate refuse vehicles and larger delivery vehicle entering and leaving the site in a forward gear. In addition, it is noted that children would have to walk through the staff car park to access the nursery entrance. As such, fencing would need to be secured to ensure appropriate separation.

The applicant has submitted an access strategy within the Transport Assessment detailing various travel planning measures to ensure vehicular movement and parking stress is kept to a minimum during pick up and drop off times. The access strategy does promote 'soft' measures which will encourage modal shift towards walking, cycling and scooting, but provides limited information on vehicular pick-ups / drop-offs. The trip rate shows that the schools will generate 123 two-way vehicle trips in the am peak and 91 two-way vehicle trips in the school peak. Once the staff trips (24) have been removed this equates to approximately 45 to 50 vehicles either picking up or dropping off. Boiler House Road, St Luke's Way and the neighbourhood centre have been identified as appropriate areas for parents / carers to drop off and pick up due to the limited interaction with residential streets. In context that this would be a monitor and manage approach, suggestion is made to the potential of securing funding, as part of any planning permission granted, for future Traffic Regulation Orders if deemed necessary.

With regard to construction, all construction traffic is proposed to enter and exit the site via St Luke's Way. This principle is agreed. However, the suggestion that HGVs would reverse out onto St Luke's Way is questioned and accordingly in the event the planning permission is granted it is suggested that a revised construction management plan should be secured also covering a condition survey of the local highway network before and after the construction period.

Comments and recommendations have also made pursuant to the submitted draft School Travel Plan.

Officer comment

Additional information (a vehicle tracking plan) pursuant to the concerns about the ability to enter and exit the car park in a forward gear has been submitted. This seeks to show that large vehicles would be able to navigate the car park in forward gear. If any further comments are received from the Highway Authority in respect of this these will be reported.

In terms of securing a financial contribution towards potentially seeking to implement a Traffic Regulation Order at some point in the future, it is not considered that this meets the tests as a planning condition or as a planning obligation. If the development operates as expected or predicted, it is considered unlikely that Traffic Regulation Orders would be required. No impacts have been identified or suggested that upon opening a TRO would be required. Accordingly, as a condition this is not considered necessary, precise or reasonable. As an obligation this is not considered necessary to make the development acceptable in planning terms.

LEAD LOCAL FLOOD AUTHORITY – No objection subject to conditions covering a detailed surface water drainage scheme for the site and maintenance plan for the drainage system going forward.

SPORT ENGLAND – No objection subject to a condition relating to the construction of the natural turf playing field.

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

ESSEX POLICE – No comments received.

SOUTHEND AIRPORT – No objection. If a crane or piling rig is however required to construct the proposed development, this will need to be safeguarded separately and dependant on location may be restricted in height and may also require full coordination with the Airport Authority.

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

RUNWELL PARISH COUNCIL – Fully support this application. The new primary school and nursery facility is much needed and was agreed by Chelmsford City Council to be part of the planning application for the re-development of the former Runwell Hospital Site now known as St.Luke's Park.

LOCAL MEMBER – CHELMSFORD – STOCK – Any comments received will be reported.

5. REPRESENTATIONS

18 properties were directly notified of the application. The application was also advertised by way of site notice and press advert. One letter of representation has been received. This relates to planning issues, summarised as follows:

Observation

The proposed design incorporates a modernist approach that does not generously reflect the surrounding residential development aesthetics that follows the design principles of predominantly traditional dwelling typologies.

Materials chosen for the residential development have been carefully selected in keeping with elements found in the local area, considerate of

Comment

See appraisal. To confirm, this representation was received in respect of the proposals as originally submitted.

historical precedents.

Whilst there would be a modern touch to a building of this nature, it appears that there has been no regard to tie the structure and façade into more traditional materials and finishes. The proposed design appears out of context.

There is no inclusion of any gables within the school design, something that is deliberately prominent throughout the remainder of the St Luke development.

Utilising the St Luke's Park existing colour palette would be more appropriate and complimentary. The use of the bright blue render to the early years building is quite offensive and more low-level use should be introduced so this is not as dominant. Similarly, the choice of green on the primary school building arguably is not suitable for the development.

The school site previously accommodated an abundance of trees across the parcel which were felled. There does appear to be a well thought out informal buffer planting between school and residential to enhance more natural street scene, which is supported, however we believe there is scope to enhance this and to include more trees.

Noted. See appraisal.

There is a lighting column proposed outside of the nursery building, and several proposed throughout the car park. We request that these are orientated with appropriate cowls as necessary to consider the nearby residential buildings south of the site so as not to cause nuisance. The current proposal only appears to take into consideration the ecological impact and not the residential occupancy.

See appraisal.

6. APPRAISAL

The key issues for consideration are:

- A. Principle of Development, Green Belt and Need
- B. Site Layout and Design
- C. Landscape, Trees and Ecology
- D. Heritage
- E. Amenity (Noise, Air Quality and Lighting)
- F. Highways
- G. Other Issues
 - Sustainability
 - Flood Risk and Drainage
 - Land Contamination

A PRINCIPLE OF DEVELOPMENT, GREEN BELT AND NEED

This site was secured for educational purposes by way of S106 pursuant to the wider re-development of the former Runwell Hospital site (now known as St Luke's Park). With regard to this, the principle of an educational use on the area to which this application relates has been established. This is confirmed at paragraph 7.320 of the Chelmsford Local Plan (2020) which says:

"The Council's previously adopted Site Allocations Development Plan Document allocated the former Runwell Hospital as a Major Developed Site for housing-led development in the Green Belt (in accordance with Annex C of Planning Policy Guidance Note 2 at the time). Outline planning permission was granted for 575 new homes in 2013 and the first phase has been constructed. The phased delivery of this allocation (called St Luke's Park) is on-going and projected to be complete by 2022. Future detailed planning applications will be considered in accordance with the approved outline planning consent and any other material considerations. The Area for the Former Runwell Hospital Major Developed Site is brought forward onto the new Local Plan Policies Map."

Whilst the acceptability of the school design as proposed school will be considered further within the proceeding sections of this report, in land use terms no principle objection is considered to exist to an educational use coming forward.

Green Belt

The above statement does however slightly conflict with a normal approach or assessment which would follow for a development within the Green Belt. As per paragraph 133 of the NPPF the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Expanding paragraph 144 details

that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. This position is replicated in policy S11 of the Chelmsford Local Plan (2020).

In terms of school development very special circumstances are often formed around need when development is proposed in the Green Belt. However, when relating to a new school a full range of optioneering to evidence that the promoted site is best and least harmful would in addition be expected to support this. In this instance, no such case has been advanced in context of the planning history and that the educational use or site was approved as part of the original outline approval. With regard to this, to confirm, this development is considered to represent inappropriate development by virtue that the Green Belt boundary has not been updated or changed within the Chelmsford Local Plan (2020) to account for the St Luke's Park development. However, it is accepted that the harm and potential conflict with the purposes of the Green Belt has previously been accounted for and deemed acceptable in-principle by CCC as part of the outline permission granted.

Need

The '10 Year Plan – Meeting the demand for school places in Essex 2021-2030' produced by Essex County Council's School Organisation Service forecasts a deficit in reception places within the Rettendon/West Hanningfield catchment from academic year 2022/23. This deficit has principally been predicted as a result of additional housing growth. The Plan identifies this site to cater to the deficit and in doing so seeks to suggest that this school should be built for the start of the 2022/23 academic year so that it is able to accept a reception intake of 30 pupils in September 2022.

With regard to early years provision, the Plan details that the St Lukes development will see demand for an additional 52 early years and childcare places. This cannot be met through current provisions, which latest data (Summer 2019) suggesting only seven full time places available.

The NPPF, at paragraph 7, states that the purpose of the planning system is to contribute to the achievement of sustainable development. Specifically, in relation to educational facilities (paragraph 94), it is noted 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.

The need case in this instance is considered relatively self-explanatory, with the

additional demand from housing being built as part of the St Luke's Park development unable to be accommodated through existing schools. Land was secured by way of S106 specifically for this reason. In respect of this, as per paragraph 7 of the NPPF, great weight is to be given to delivering this development to support the new emerging local community in this area and basic educational need.

B SITE LAYOUT AND DESIGN

Policy DM20 of the Chelmsford Local Plan (2020) relates to the delivery of new community facilities and details that planning permission will only be granted when, in respect of design, the development would be compatible with its surroundings; and there would be no unacceptable impact on the character, appearance or local environment. Expanding policy DM23 details that development must have regard to scale, siting, form, architecture, materials, boundary treatments and landscape. Planning permission will be granted for new buildings that: are of a high quality design and compatible with the character and appearance of the area in terms of their the siting, scale, form, massing, materials and detailing; are well-proportioned; have visually-coherent elevations; have active elevations where the building or extension is visible from public vantage points; create safe, accessible and inclusive environments; and minimise the use of natural resources in accordance with Policy DM25.

Specifically, in terms of major development, such as this, policy DM24 requires a high-quality built form and urban design, reflecting the following principles (only those relevant to this application are detailed):

- Respect the historic and natural environment of biodiversity and amenity interests through the provision of a range of green spaces;
- Respond positively to local character and context to preserve and enhance the quality of existing communities;
- Provide buildings that exhibit architectural quality;
- Create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above the use of the private car;
- Encourage site design and individual building design that minimises energy consumption and provides resilience to a changing climate;
- Provide streets and spaces that are overlooked, active and promote inclusive access;
- Include parking facilities that are well integrated as part of the overall design; and
- Retain existing trees and other landscape features where appropriate and explore opportunities for new tree planting.

As detailed previously, the primary school building would be predominately two storeys. Proposed to be oriented east, west across the site, the building would be set back from the northern boundary, with a sweeping coloured resin bound gravel surface proposed as a continuation of the surface treatment within the neighbourhood centre to the building entrance on this elevation.

Visualisation of the school building from the north-west corner pedestrian access



The main visitor entrance to the school would however be on the south elevation, facing the car parking, with the intention being that the northern entrance to the site, from the neighbourhood centre, would be closed during the school day. During the school day, visitors would therefore access the site from the western boundary and the two entrance points proposed here – one being a stepped access and one being step free.

To the north of the primary school building would be the formal hard play area for the school; with the early years play area, a separate provision to the aforementioned, proposed to wrap around the north-east corner of the building. To the east of the site, would be the school playing fields, which would be laid out as sport pitches.

To the south of the primary school building, as alluded above, would be the joint (primary school and nursery) car park. The car park area would also contain the bin store - a close boarded enclosure also surrounded on three sides by a proposed hedge.

To the east of the car park would be the single storey nursery building, with the nursery play area extending to the southern boundary of the site, where a perimeter hedge and five trees are proposed.

Initially in terms of the site layout, it is noted from the comments received from CCC that the layout proposed, as part of this application, is not necessarily that which was envisaged as part of the original masterplanning process. That said, it is accepted that there was no such prescription on the school site as part of the outline approval issued by CCC for St Luke's Park and a site can potentially be developed out in a number of acceptable or policy compliant ways.

With regard to this it is considered that layout put forward has failed to deliver certain opportunities which were potentially envisaged by CCC in so much as

linkages with the neighbourhood centre and the residential street to the west. That said, the applicant has sought to justify the layout as proposed countering that the development first and foremost needs to conform to relevant educational standards and many of the opportunities sought would not be practical for a school, presenting various health and safety issues.

As with any proposal for a school or similar community use there are controlling or influencing factors which seek to restrict how a development can be laid out and how a layout on paper which may seem optimal may not work in practice. This is a constrained site and layout options are limited given the vehicular access point has been pre-determined, as has the pedestrian access from the neighbourhood centre. In addition to this there is the desire keep the built form to the west of the site away from the setting of the Grade II listed Chapel and the veteran Oak on-site.

Officers do have reservations about certain parts of this proposed site layout including the useability of the space to the north-west of the school building and that the need for dual entrance has significantly weakens the design rationale as neither elevation can act as a primary/focal elevation of the building and respond to the street or the neighbourhood centre as such. That said, in isolation, these concerns do need to be weighed in the balance with the overall design of the building and the justification put forward by the applicant for the layout as existing. In so much that the building footprint follows the development line of the residential properties to the west; changes have been incorporated, where possible, to improve the relationship with the neighbourhood centre i.e. the faceted north-west fence line; and also how the school actually envisages using spaces which on paper or in plan form seem under-utilised or excessive for their function.

Turning therefore to the proposed quality of the school and nursery buildings themselves, the design and materiality of both buildings has evolved significantly during determination. The overall design is now considered much more aligned with relevant policy and the general character and quality envisaged for a community use development adjacent to a neighbourhood centre. With regard to this, as shown below on the submitted elevations, the school building would predominately be constructed from buff bricks, with grey timber effect cladding on the sports hall, fire escape stair case and above the windows on the ground floor and above and in-between the windows on the first floor. On the north elevation an oxidised copper colour aluminium clad frame is proposed around the full-length glazed pupil entrance. And, on the south elevation a canopy again in oxidised copper colour is proposed to define the visitor entrance.

Added interest to the building is proposed by way of protruding brick detailing and soldier course brickwork to add horizontal emphasis along the fenestration line. In addition to this, a planted wire climbing system is proposed on the otherwise blank north and west facades of the kitchen block.

Extracts from submitted 'Primary School Elevations'

North Elevation



South Elevation



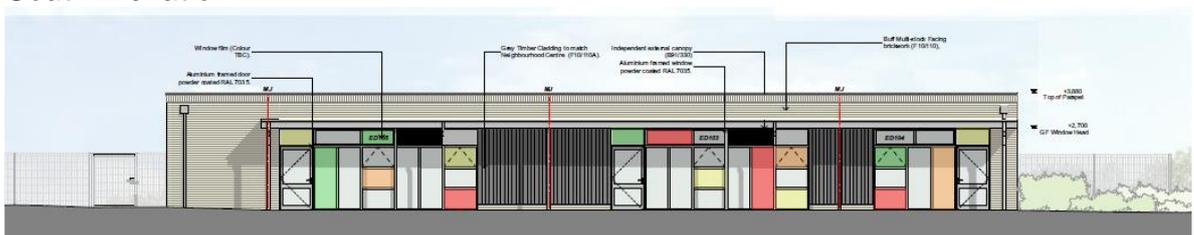
A similar design strategy is proposed to the nursery building with buff brick and grey timber effect cladding to accent certain corners and features. To add interest and sense of playfulness for children, the applicant has proposed a few different colour films across the windows on the south and east elevation of the building, as shown below.

Extracts from submitted 'Nursery Elevations'

West Elevation



South Elevation



In terms of design quality and material palette, the proposals are considered quite strong and as such it is considered would integrate well with the locality. It is considered the small elements of the design such as the protruding brick detailing, soldier course brickwork and planted wire climbing system show that the applicant has taken on board previous concerns and acknowledged the role this building and the school use has as part of the wider St Luke's development. Some concerns or reservations do exist about the proposed application and colour choices for the

window films on the nursery building. However, the concept that this aiming to deliver is supported and it is considered a revised strategy could be secured by way of condition in the event that planning permission is granted.

Overall, whilst there are some reservations about the chosen site layout, officers are content with the design strategy and on balance are content to support the proposals. Both buildings would integrate within the locality and positively contribute to the character and quality of the area in accordance with relevant parts of policies DM20, DM23 and DM24 of the Chelmsford Local Plan (2020).

C LANDSCAPE, TREES AND ECOLOGY

As detailed above, policy DM24 of the Chelmsford Local Plan (2020) as a principle expects existing trees and other landscape features to be retained wherever possible. To facilitate this development, one Oak (category B1) tree is proposed to be felled. The applicant has sought to suggest incorporating this tree was not possible given the limited actual developable area within the red line, the site topography and concerns about the health of the tree if incursions into the root protection area were made.

An objection to the removal of this tree has been received from the Council's tree consultants and concerns also received from CCC in context of the policy position within DM17 and DM24. In view of this, the applicant sought to amend the landscaping proposals, during determination, to include a replacement tree, to the north of the school playing field, specifically to off-set this loss. The Oak tree proposed would have a girth of 25-50cm and would therefore be semi-mature on planting. Whilst having to replace a good quality tree is never ideal, the justification advanced in this case in so much that the removal of the tree does give the applicant more flexibility in terms of the site layout is acknowledged. The tree whilst being a category B specimen is also not specifically protected by way of TPO and furthermore in isolation is not a local marker or defining feature in the landscape.

The replacement tree, as detailed above, would be of a substantial quality and is proposed in a part of the school site where it should be able to establish and further mature without significant disturbance. It is however noted that the originally submitted Landscape and Biodiversity Management Scheme has not been updated to account for this and it is considered a bespoke management strategy would be required to be secured by condition to ensure that this tree is managed appropriately, particularly in the immediate term after planting.

The veteran Oak to the north of the site would be retained as part of the proposals and fully protected during construction, with no dig surfacing proposed where the proposals encroach into the root protection area of this tree.

In terms of the proposed wider landscaping proposals, the western school boundary is proposed as a tree lined hedgerow, with a similar specification tree lined hedgerow to the south of the nursery play area. Internally, many of the circulation areas are proposed with formalised landscaping areas with a hedge also proposed around the car park and bin store to further soften these features. The aforementioned together with the wire climbing system proposed on the north and

west facades of the kitchen building are all proposed to soften the site boundaries, add to way finding through the site and further blend the site into the locality by mirroring landscaping seen elsewhere. In this regard, the proposals are quite successfully and considered in conformity with relevant aspects of policies DM20, DM23 and DM24.

In terms of ecology, it is not considered that the development would give rise to any significant ecological impacts subject to standard good working practices during construction and the securement of the biodiversity enhancements proposed within the Ecological Impact Assessment (one bat box and two single chamber sparrow boxes). No objections from an ecological perspective are therefore raised in context of policies S4 and DM16 of the Chelmsford City Local Plan (2020).

D HERITAGE

A Heritage Statement has been submitted with this application. This seeks to suggest that with regard to the Chapel and Administration Block, the setting of these building within a hospital complex is now extinguished. The earlier layout of the hospital is more or less completely lost, and there is no remaining appreciable understanding of the former use bar a few of the retained buildings which externally allude to a different former use.

Specifically, with regard to the Chapel, the Statement seeks to suggest that only the immediate setting contributes to the setting of the building and the most substantial contribution to its significance is its architecture. Similarly, in terms of the Administration Block the prominence of this building is not as it was previously, principally given the loss of the roundabout feature which gave this a significant street scene presence.

In terms of impact the school development is suggested to have a neutral or slight impact on both the immediate and wider setting of both the Chapel and Administration Block. This is suggested as the school buildings will be kept to the west of the site, and as such a significant open area would remain around the Chapel. The school buildings are acknowledged to be of a very different architectural style to the Chapel and Administration Block which is why a slight is nevertheless identified. However, in context of the extent of development occurring, it is suggested architectural variation is expected as a range of use evolve.

The Council's historic building consultant disagrees with the above suggesting that the area to which the school is proposed does contribute to the setting of the Chapel. It is also considered that the contemporary form and materiality of the school would result in a prominent structure which would not sympathetically respond to the adjacent historic building stock, detracting from the asset's experience and appreciation. Several concerns are also raised about the impact of the open space to the south of the Chapel and footpaths proposed. However, this is outside the scope of this application, forming part of the approval from CCC and the wider area.

Principally whilst there is a disagreement being experts as to the degree of impact on setting, the Council's consultant acknowledges that the impact would be less

than substantial. The NPPF at paragraph 196 details that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Expanding on this, paragraph 197 details, in respect of non-designated assets (i.e. the Administration Block), applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. And, this position is mirrored in policies DM13 and DM14 of the Chelmsford City Local Plan (2020).

As outlined previously in this report, this area benefits from planning permission for comprehensive re-development. Whilst the Chapel and Administration Block are to be retained as part of this (albeit with new uses), the setting and context of these buildings will greatly change. The school site or area was allocated as part of the outline permission granted by CCC and although the school is a completely different architectural style, it is considered that the proposed layout has sought to minimise the impact on the setting of in-particular the Chapel by locating the main school buildings to the west. The wider setting of both features was to be impacted in some regard by any form of development coming forward here. However, the principle of the school occupying this location has previously been agreed and, in this regard, the public benefits resulting are considered to outweigh the harms identified.

Turning to archaeology, it has been confirmed by the Council's archaeology consultant that archaeological investigations have already been undertaken and no objection is therefore raised to the development coming forward in context of policy DM15.

E AMENITY

Policy DM29 of the Chelmsford Local Plan (2020) seeks to ensure suitable safeguards on the living environment of occupiers by development in terms of overlooking/overshadowing, excessive vehicle movements and polluting emissions by reason of noise, light, smell, fumes or vibration.

Existing background noise levels have been established at nearby sensitive locations to predict the potential impact of the school use. With regard to this and school operations (in-particular the use of the playing pitches) there may be some noise nuisance from activities undertaken on-site (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.

In terms of plant, machinery and/or equipment, the exact specification of such is not yet known and therefore the exact impact or implications cannot be guaranteed. It is therefore considered that a condition would need to be applied, 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. The Noise Assessment submitted does not predict that compliance with background levels would be difficult or unachievable. However, it is noted that some plant, machinery or equipment may need to be housed in an enclosure to provide sufficient mitigation so a suitably worded condition would allow this

mitigation to be proposed and considered.

Vehicles entering and leaving the site would also likely give rise to some impact, but this would likely be during daytime hours and associated noise levels are not predicted 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.

Turing to lighting, an external lighting plan was originally submitted with this application. However, an update to this has not been received following the changes made to the proposal during the course of determination. Should planning permission be granted, a blanket restriction on the installation of external lighting is therefore recommended, pending the submission of a full scheme which can be considered and reviewed in context of relevant policy.

F 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). The results are shown in the below table:

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	0.275	0.217	0.176	0.245	0.024	0.043
Primary School Trips for 210 pupils	58	46	37	52	5	9

Table 5.2 of the submitted Transport Assessment – Nursery 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
Nursery School Trip Rate per pupil	0.204	0.161	0.08	0.086	0.137	0.176
Nursery School Trips for 56 pupils	11	9	1	1	8	10

With regard to impact resulting, it is noted as part of the TA that the current absence of a local primary school and nursery means that residents are likely to be currently driving children elsewhere to access education. It is therefore suggested that the aforementioned vehicular trips are likely to be on the local network and therefore reflect more a redistribution of movements rather than new trips. This position is acknowledged. However, the one thing which this fails to assess is the infrastructure around the school and the suitability for this to handle this redistribution. As a new school, it is nevertheless accepted that such modelling would have been undertaken as part of the wider masterplan process and

infrastructure designed accordingly.

In respect of this, the access strategy outlined in the TA seeks to confirm that the school has been designed to promote accessibility by foot, cycle and scooter. With regard to the use of the surrounding residential lined roads for parking, as per the Road Hierarchy Plan for St Luke's Park, it is noted that Liberty Way and Stokes Link/Boiler House Road are 20mph minor access roads. These are narrow roads which by design should seek to minimise the potential for these roads to be used for pupil drop off and/or collection. Furthermore, the southern vehicular entrance would not provide a pedestrian access point and/or act as a drop-off, collection point.

In terms of parent parking, the TA suggests that St Luke's Way and the northern part of Boiler House Road may be used, as these are near the proposed pedestrian entrance points to the school. However, these roads potentially have the capability to handle such parking without impact on the network. In addition, the car parking within the neighbourhood centre has also been designed to cater to the potential use by parents with no parking control envisaged.

As is noted from the Highway Authority consultation response, no objection in principle has been raised in terms of highway safety and/or efficiency in context of the proposed access strategy. The school would be required to produce and implement a school travel plan which would seek to monitor how pupils are arriving and departing school and in the event that a significant proportion do arrive/depart by private car initiatives to reduce this would be promoted. In theory the strategy proposed should work. However, the Highway Authority remain cautious and are conscious that until the school opens it is difficult to know and understand travel patterns. That said, although as with any educational site, inconsiderate parking may become an issue, this is only a potential and it is not considered that, at the moment, a financial contribution towards a potential Traffic Regulation Order would be justifiable in planning terms.

In terms of parking provision, the car parking standard for a primary school, as advocated by policy DM27 of the Chelmsford Local Plan (2020) and 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, which is considered equivalent to a creche/childcare use, one vehicular space per full time member of staff is the maximum standard with one cycle space per four members of staff and one cycle per 10 child places.

26 car parking spaces, inclusive of two disabled spaces, are proposed within the car park; 14 spaces specifically for the primary school and 10 for the nursery with the two disabled spaces being shared. Based on the school pupil roll and predicted full time equivalent members of staff at the nursery (14) the proposed parking provision is considered acceptable and no objections are raised.

In terms of cycle/scooter provision, space for 40 scooters and 32 cycles are proposed for the primary school and four scooters and 10 cycles at the nursery. This is an under provision in terms of standards. However, the applicant has sought to suggest that the provision proposed represents overprovision in terms of

predicted travel patterns within the draft school travel plan and that additional provision would likely be unused and not therefore represent best use of the site.

Construction Phase

A construction management plan has been submitted with this application which seeks to outline various measures, including hours of working, to limit nuisance to nearby sensitive uses during construction. Within this it is also confirmed that the southern access to the site, adjacent to residential properties, would not be used by construction delivery vehicles. Instead such vehicles would access the site via St Luke's Way and the maintenance access in the south-east corner of the site.

With regard to this, the Highway Authority have raised concerns about the suggestion that delivery vehicles would reverse out of this access on to St Luke's Way. This is not considered acceptable and accordingly, a revised or updated construction management is to be secured by way of condition should planning permission be granted. This to confirm, should seek to revise this arrangement, detail wheel and underbody washing facilities within the construction compound area and also commit to undertaking a pre and post condition survey of the local highway network with any defects subsequently remedied or a contribution made to the Highway Authority to duly undertake such work.

G OTHER ISSUES

Climate Change & Sustainability

Chelmsford City Council declared a Climate and Ecological Emergency in July 2019 and in January 2020 an Action Plan was agreed with the aim of reducing carbon emissions; lowering energy consumption; reducing waste and pollution; improving air quality; greening Chelmsford; increasing biodiversity; and encouraging more sustainable travel choices.

Policy S2 of the Chelmsford Local Plan (2020) strategically addresses this commitment by seeking to ensure through planning policies and proposals that mitigation is incorporated to help Chelmsford move towards a lower carbon future. Policy DM25 specifically relates to sustainable buildings with this detailing an expectation that all new dwellings and non-residential buildings are to incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions, and the use of natural resources. With regard to this, and this type of development, it is expressed that 10% of non-residential development parking provision should have access to electric charging points and non-residential building, with a floor area in excess of 500m², should be capable of achieving a minimum BREEAM rating of 'Very Good'.

In the interest of conserving energy, making the most efficient use of water and other resources, the proposals include the following measures:

- High efficiency LED lighting in all areas of the new buildings;
- Daylight dimming and presence detection lighting controls within classrooms;
- Automatic lighting control to corridor and communal lighting;

- External lighting would operate on a time clock;
- Provision of roof mounted PV panels;
- Provision of three charging points for electric vehicles within the school car park;
- Radiant panel heaters fed from the boiler to heat the main hall;
- Hot water provision via the gas boiler and central storage in the school;
- High efficiency gas fired boilers and gas fired water heaters;
- A point of use water heater to the cleaner's sink;
- Natural ventilation heat recovery units in all classrooms;
- High efficiency enhanced natural ventilation units, heat recovery units and supply and extract fans; and
- Weather compensated variable temperature heating systems.

The applicant has submitted a BREEAM pre-assessment report which suggests the development should be able to achieve a rating of 'Very Good'. In this regard, subject to a condition which seeks to secure implementation of the aforementioned measures, the development is considered to comply with the principles of policy S2 and DM25 in reducing carbon emission and adapting to climate change.

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 nevertheless been submitted with the application. In respect of this, the applicant has sought to suggest that the drainage design for the wider housing development provided attenuation for the site and allowed for unattenuated flows from the school site as part of the design.

Whilst micro-drainage calculations have been produced to provide details of the unrestricted peak surface water discharge rate (271l/s) and the Lead Local Flood Authority do not question this, what is queried is that although the approved drainage scheme for the housing shows unrestricted flows, at the above level, into the manhole and pipe network, it has not been shown the attenuation accommodated downstream actually accounts for this level of discharge.

Accordingly, whilst raising no objection in principle the LLFA have recommended a condition to require submission of such detail or alternatively if such attenuation was not incorporated a detailed surface water drainage scheme for the site. Subject to the imposition of a suitably worded condition no in-principle objections are raised from a flood risk or drainage perspective (policy DM18 of the Chelmsford Local Plan).

Land Contamination

A site investigation report has been submitted in support of this application. The conclusions of this are generally standard, with some recommendations made. Overall, it is however concluded as part of the report that the site is generally suitable for the development proposed. In the event that planning permission is granted it is considered that implementation of the aforementioned recommendations be secured by way of planning condition, to comply with policy DM30 of the Chelmsford Local Plan (2020) with the addition that should any

previously unidentified contamination be found then an updated mitigation strategy be submitted for review and approval before any further works on-site take place.

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 on a primary school and nursery has previously been established through the approval of the wider St Luke's Park development by Chelmsford City Council and an assessment of the proposed development proposals for the school and nursery has failed to identify any significant impacts or overriding concerns.

A justification for the proposed school layout has been advanced and in context of the proposed build quality of the development and the landscaping offer to support it is considered overall that the proposal will complement the local area, whilst as a development still having a clear sense of individuality as a community use (school site).

Subject to the imposition of appropriate conditions, the proposals are 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 09/02/2021 and shown on drawings titled: 'Location Plan', drawing number: 120098-CDP-ZZ-XX-DR-A-2001 P3, dated Nov 20; 'Block Plan', drawing number: 120098-CDP-ZZ-XX-DR-A-2002 P5, dated 07/06/21; 'Site Plan', drawing number: 120098-CDP-ZZ-XX-DR-L-2001 P6, dated 08/06/21; 'Levels Plan North West', drawing number: 120098-CDP-NW-00-DR-C-4004 P8, dated 09/06/21; 'Levels Plan South West', drawing number: 120098-CDP-SW-00-DR-C-4005 P7, dated 09/06/21; 'Primary School GA Plans', drawing number: 120098-CDP-ZZ-XX-DR-A-2003 P4, dated 07/06/21; 'Primary School Roof Plan', drawing number: 120098-CDP-ZZ-XX-DR-A-2010 P2, dated 07/06/21; 'Primary School Elevations', drawing number: 120098-CDP-ZZ-XX-DR-A-2005 P6, dated 07/06/21; 'Primary School Sections', drawing number: 120098-CDP-ZZ-XX-DR-A-2012 P2, dated 07/06/21; 'Nursery GA Plans', drawing number: 120098-CDP-ZZ-XX-DR-A-2004 P3, dated 07/06/21; 'Nursery Roof Plan', drawing number: 120098-CDP-ZZ-XX-DR-A-2011 P2, dated 07/06/21;

'Nursery Elevations', drawing number: 120098-CDP-ZZ-XX-DR-A-2006 P3, dated 07/06/21; and 'Nursery Sections', drawing number: 120098-CDP-ZZ-XX-DR-A-2013 P2, dated 07/06/21 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 policies S1 – Spatial Principles, S2 – Addressing Climate Change and Flood Risk, S3 – Conserving and Enhancing the Historic Environment, S4 – Conserving and Enhancing the Natural Environment, S9 – Infrastructure Requirements, S11 – The Role of the Countryside, DM6 – New Buildings in the Green Belt, DM13 – Designated Heritage Assets, DM14 – Non-Designated Heritage Assets, DM15 – Archaeology, DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM18 – Flooding/SUDS, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings, DM27 – Parking Standards, DM29 – Protecting Living and Working Environments and DM30 – Contamination and Pollution of the Chelmsford Local Plan (2020).

3. No development beyond damp proof membrane on either the primary school or nursery building shall take place until details of the materials to be used for the external appearance (including all windows and doors and any proposed window films) of the development hereby permitted have been submitted to and approved in writing by the County Planning Authority. The details, which it is expected would follow that outlined on drawings titled 'Primary School Elevations', drawing number: 120098-CDP-ZZ-XX-DR-A-2005 P6, dated 07/06/21 and 'Nursery Elevations', drawing number: 120098-CDP-ZZ-XX-DR-A-2006 P3, dated 07/06/21, with the exception of the window films on the Nursery, 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 interest of the amenity of the local area and to comply with policies S3 – Conserving and Enhancing the Historic Environment, DM13 – Designated Heritage Assets, DM14 – Non-Designated Heritage Assets, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

4. No development shall take place until an updated Arboricultural Method Statement has been submitted to and approved in writing by the County Planning Authority. The Arboricultural Method Statement shall seek to detail protection measures proposed to the veteran Oak (T1) on-site during construction and when works encroach into the root protection area of this tree. The development shall subsequently be implemented in accordance with the approved details.

Reason: In the interest of visual amenity, to ensure protection for the existing natural environment, on the basis that the submitted Arboricultural Impact Assessment, prepared by A. T. Coombes Associates Ltd, dated 02 February 2021 is based on an previous version of the proposal and the changes made to the scheme have implications to work within the root protection area of the veteran oak to be retained on-site and to comply with policy S4 – Conserving and Enhancing the Natural Environment, S11 – The Role of the Countryside, DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

5. Prior to commencement of any landscaping works, or in any event prior to beneficial occupation of the development hereby permitted, a revised hard and soft landscaping scheme (inclusive of boundary treatments, fencing and gates) shall be submitted to the County Planning Authority for review and approval in writing. For the avoidance of doubt, it is expected that this scheme will follow the landscaping principles shown on drawings titled 'Outline Planting Plan', drawing number: 120098-CDP-ZZ-XX-DR-L-2002 P3, dated 09/06/21; 'Paving Details', drawing number: 120098-CDP-ZZ-XX-DR-C-6002 P4, dated 10/03/21; '1.8m Closeboard Fence', drawing number: 120098-CDP-ZZ-XX-DR-L-6001-P2, dated 24/02/21; '1.8m Weldmesh Fence', drawing number: 120098-CDP-ZZ-XX-DR-L-6003-P3, dated 09/03/21; and '1.5m Hit and Miss Fence', drawing number: 120098-CDP-ZZ-XX-DR-L-6007 P4, dated 09/03/21. However, the drawings should be updated to clearly detail all areas to be planted (including the proposed planted wire climbing system) with specific reference to species, sizing and spacing and the recommendations made from Place Services in terms of species and mix of the proposed native hedge. The landscaping plan shall furthermore be updated to account for the fence alignment change shown on drawing titled 'Alternative Fence Line', drawing number: 120098-CDP-ZZ-XX-DR-L-9005 P1, dated 08/06/21. The approved landscaping scheme shall subsequently be implemented within the first available planting season (October to March inclusive) and maintained thereafter in accordance with condition 6 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 S3 – Conserving and Enhancing the Historic Environment, S4 – Conserving and Enhancing the Natural Environment, S11 – The Role of the Countryside, DM13 – Designated Heritage Assets, DM14 – Non-Designated Heritage Assets, DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

6. Prior to commencement of any landscaping works, or in any event prior to beneficial occupation of the development hereby permitted an updated Soft

Landscape and Biodiversity Enhancement Management Scheme shall be submitted to and approved in writing by the County Planning Authority. The Scheme shall cover all elements of the landscaping scheme (including planted wire climbing system), albeit a specific management schedule is expected for the replacement oak tree. The Scheme shall furthermore seek to confirm that any tree or shrub forming part of a landscaping scheme approved in connection with the development that dies, is damaged, diseased or removed within the duration of 5 years after the completion of the development (operations) 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 environment and the amenity of the local area, to ensure the landscaping proposals are effectively managed following implementation and to comply with policies S3 – Conserving and Enhancing the Historic Environment, S4 – Conserving and Enhancing the Natural Environment, S11 – The Role of the Countryside, DM13 – Designated Heritage Assets, DM14 – Non-Designated Heritage Assets, DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

7. The development hereby permitted shall be implemented in accordance with the biodiversity enhancement measures detailed in section 7.8 of the submitted 'Ecological Impact Assessment', produced by MLM Consulting Engineers Ltd, document ref: 66201998-MLM-ZZ-XX-RP-J-0001, dated 04/02/2021. Regarding this, and the enhancement measures proposed, 1no. bat and 2no. single chamber sparrow boxes shall be installed on-site prior to beneficial occupation of the development.

Reason: To conserve and enhance Protected and Priority species, to allow the County Planning Authority to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and to comply with policies S4 – Conserving and Enhancing the Natural Environment, DM16 – Ecology and Biodiversity, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design and DM24 – Design and Place Shaping in Major Developments of the Chelmsford Local Plan (2020).

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 and approved in writing by the County Planning Authority. With regard to this, 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.

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

Reason: To minimise the nuisance and disturbances to neighbours (and the surrounding area), in the interests of highway safety, to minimise impact on light sensitive biodiversity and to comply with policies S4 – Conserving and Enhancing the Natural Environment, S11 – The Role of the Countryside, DM16 – Ecology and Biodiversity, DM17 – Trees, Woodland and Landscape Features, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings and DM29 – Protecting Living and Working Environments of the Chelmsford Local Plan (2020).

9. Prior to beneficial occupation of the development hereby permitted, details of the external sound level emitted from all 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 policies DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings and DM29 – Protecting Living and Working Environments of the Chelmsford Local Plan (2020).

10. 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 and approved in writing by the County Planning Authority. With regard to this the scheme shall either:
 - Demonstrate that the previous development parcel made attenuation

storage allowance to manage runoff volumes generated by an unlimited discharge from the school site or if such allowance was not made or this cannot be demonstrated, the proposed drainage scheme shall include but not be limited to:

- Restricting discharge rates to 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100 year rate 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, failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site and to comply with policies S2 – Addressing Climate Change and Flood Risk, S9 – Infrastructure Requirements, DM18 – Flooding/SUDS, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings and DM29 – Protecting Living and Working Environments and DM30 – Contamination and Pollution of the Chelmsford Local Plan (2020).

11. 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 policies S2 – Addressing Climate Change and Flood Risk, S9 – Infrastructure Requirements, DM18 – Flooding/SUDS, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings and DM29 – Protecting Living and Working Environments and DM30 – Contamination and Pollution of the Chelmsford Local Plan (2020).

12. No development of the natural turf playing field shall commence until the following documents have been submitted to and approved in writing by the County Planning Authority, after consultation with Sport England:

- 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.

13. No development shall take place until an updated Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. The approved Plan shall be adhered to throughout the construction period and provide for:

- a) the proposed layout of the construction compound inclusive of areas proposed for the parking of vehicles of site operatives and visitors, the loading and unloading of plant and materials and the storage of plant and machinery used in constructing the development;
- b) wheel and underbody cleaning facilities;
- c) routing of vehicles;
- d) measures proposed to reduce the potential for amenity impacts or nuisance;
- e) measures proposed to minimise the risk of offsite flooding caused by surface water run-off and groundwater; and
- f) mechanisms for liaising with other developers in the vicinity to co-ordinate construction activity and reducing the impact on the network.

The Plan shall also be supported by a condition survey of roads proposed to be used by construction vehicles with a commitment to undertake a further survey once the development is complete. The results of the latter survey shall be submitted to the County Planning Authority for review and approval in writing no later than one month after beneficial occupation of the development and in the event of identified damage to the highway this should be accompanied by a resolution strategy. The development shall be

implemented in accordance with the approved Plan/strategy.

Reason: In the interests of highway safety and amenity, that construction works may lead to excess water being discharged from the site and to comply with policies S9 – Infrastructure Requirements, DM18 – Flooding/SUDS, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM29 – Protecting Living and Working Environments and DM30 – Contamination and Pollution of the Chelmsford Local Plan (2020).

14. No development beyond damp proof membrane on either the primary school or nursery building shall take place until an updated parking plan has been submitted to the County Planning Authority for review and approval in writing. The car parking arrangement as shown on drawing titled 'Site Plan', drawing number: 120098-CDP-ZZ-XX-DR-L-2001 P6, dated 08/06/21 shall be revised to clearly show the three spaces which would have charging points for electric vehicles. The parking area shall subsequently be constructed and laid out as approved. In addition to this, the cycle/scooter parking, as shown on the same drawing, for the avoidance of doubt, shall also be provided prior to beneficial occupation of both the primary school or nursery building. The specification for the cycle/scooter parking is to be as shown on drawings titled 'Cycle Shelter', drawing number: 120098-CDP-ZZ-XX-DR-L-6006 P2, dated 24/02/21; 'Cycle Hoops', drawing number: 120098-CDP-ZZ-XX-DR-L-6004-P3, dated 24/02/21; and 'Scooter Racks', drawing number: 120098-CDP-ZZ-XX-DR-L-6005 P2, dated 24/02/21. The car parking areas and cycle and scooter racks/shelters shall be permanently retained for the lifetime of the school and shall not be used for any other purpose.

Reason: To provide a suitable level of parking on-site, to provide appropriate facilities to store cycles and scooters on-site, in the interest of highway safety and to comply with policies S2 – Addressing Climate Change and Flood Risk, S9 – Infrastructure Requirements, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments, DM25 – Sustainable Buildings and DM27 – Parking Standards of the Chelmsford Local Plan (2020).

15. No development beyond damp proof membrane on either the primary school or nursery building shall take place until exact details of the carbon/energy saving measures outlined in Section 5 of the 'Design & Access Statement' (V3), produced by Concertus, dated 04/02/2021 and section 6.42 of the 'Planning Statement', produced by Strutt & Parker, dated February 2021 have been submitted to the County Planning Authority for review and approval in writing. Such detail shall, for the avoidance of doubt, include but not be limited to the exact layout of the solar arrays proposed on both building roofs, shown in principle on drawings titled 'Primary School Roof Plan', drawing number: 120098-CDP-ZZ-XX-DR-A-2010 P2, dated 07/06/21 and 'Nursery Roof Plan', drawing number: 120098-CDP-ZZ-XX-DR-A-2011 P2, dated 07/06/21.

Reason: In the interests of energy efficiency, delivering the carbon savings suggested as part of the proposals and to comply with policies S2 – Addressing Climate Change and Flood Risk, DM20 – Delivering Community Facilities, DM23 – High Quality and Inclusive Design, DM24 – Design and Place Shaping in Major Developments and DM25 – Sustainable Buildings of the Chelmsford Local Plan (2020).

16. The development shall be implemented in accordance with recommendations outlined within the Site Investigation Report, produced by Ground Engineering, report reference: C15191, dated December 2020. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the County Planning Authority. The remediation strategy, in such an event, shall be implemented as approved.

Reason: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of pollution from previously unidentified contamination sources in line with paragraph 170 of the NPPF and to comply with policy DM30 – Contamination and Pollution of the Chelmsford Local Plan (2020).

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 where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure)(England) Order 2015.

LOCAL MEMBER NOTIFICATION

CHELMSFORD – Stock