

APPLICATION REFERRED FROM THE WEEKLY LIST**WEEKLY LIST NO. 1600 – 14 January 2022****21/00837/FUL****THE KING EDMUND SCHOOL, VAUGHAN CLOSE,
ROCHFORD****DEMOLITION OF EXISTING MAIN SCHOOL BUILDING AND
CONSTRUCTION OF REPLACEMENT BUILDING WITH
ASSOCIATED LANDSCAPING WORKS****1 DETAILS OF REFERRAL**

- 1.1 This item was referred from Weekly List No. 1600 requiring notification to the Corporate Services Officers by 1.00 pm on Wednesday, 19 January 2022 with any applications being referred to this meeting of the Committee.
- 1.2 Cllr S P Smith referred this item querying the suitability of condition 7: *The development shall achieve the BREEAM rating of very good unless such requirements would render a particular development economically unviable in event of which would need to be evidenced by the applicant.*
- 1.3 The item that was referred is attached at appendix 1 as it appeared in the Weekly List.
- 1.4 A plan showing the application site is attached at appendix 2.

2 RECOMMENDATION

- 2.1 It is proposed that the Committee **RESOLVES**

To determine the application, having considered all the evidence.

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Application No :	21/00837/FUL: Zoning: Educational Land
Case Officer	Mr Arwel Evans
Parish :	Rochford Parish Council
Ward :	Roche North And Rural
Location :	The King Edmund School Vaughan Close Rochford
Proposal :	Demolition of existing main school building and construction of replacement building with associated landscaping works

SITE AND PROPOSAL

The Site

1. The Site is located at the end of Vaughan Close, a cul-de-sac located to the north of Rochford town centre. The site is located in a predominantly residential area but is allocated as educational land in the Council's Allocation Plan (2014). The School is a mixed secondary school catering for pupils between 11-18 years including a sixth form. The school has a car park to the main frontage accessed via Vaughan Close and a car park and coach drop off and pick up to the side of the school building accessed via Brays Lane.
2. The main school buildings are positioned adjacent to this. The site comprises a substantial range of detached buildings and extensions including the sixth form building. Behind (to the east of) the school buildings are the school playing fields which extend up to the rear gardens of dwellings located adjacent including the curtilages of those properties to the west at Vaughan Close and Spencer Gardens and to the south at Oxford Road. The east aspect of the school site which comprises open ground adjoins agricultural fields which surround this part of the site. The site of the proposed development for the purposes of the Allocations Plan is not designated Metropolitan Green Belt.
3. Currently due to the ongoing requirements for teaching space and in anticipation of the demolition and redevelopment of that area subject of this current application, there are a number of temporary single tier classrooms (6) positioned along the west boundary of the site (to be used as car parking in future) and 2 in number two storey temporary classrooms at the north aspect of the site which have temporary planning permission until 31st December 2022.

The Proposal

4. The proposed development relates to the demolition of an existing older section of the school building located to the west aspect of the school site to make way for the construction of a replacement block which is linear in its form, measuring a total of 4,897m² set out over two floors. The footprint of the new block will be less than the existing footprint of 5,572m². The building is shown by the submitted plans to be L shaped building running broadly north to south with its long elevation facing in a westerly direction with a section at the south running west to east. The school building is proposed to be two storeys high with some extra height at the northern end to provide visual interest at the entrance of the school site. The building would comprise of a facing brick banding at ground floor and vertical cladding on the upper storey. The proposed layout would allow the creation of a collegiate feel courtyard to the east of the replacement building but central to the resultant layout. It is also proposed to create circulation routes within the site that separate vehicles and pedestrians with a separate pedestrian and cycle access so that they do not have to interact with vehicles. The proposed development would not increase the pupil or staff number at the school. It is intended that the proposed layout facilitated by the demolition will allow for a greater area of Green Space between the existing school buildings as compared to the existing arrangement and layout.
5. The covering statement submitted in support of the application indicates that the King Edmund School has vacated their main building (EFAA), as it was deemed to have reached the end of its useful life. This building included the reception, main hall, gym, changing rooms, specialist and general classrooms. The Department for Education (DfE) has installed several temporary buildings on the site to enable the school to continue to operate, however this is a very short-term and expensive solution. The schools external play space has been compromised by the locating of the temporary classrooms and has incurred increased travel times between lessons. The school is also operating without a main hall – an integral element of education delivery.
6. The materials plan submitted in support of the application indicates that the upper sections of the building will incorporate vertical cladding broken up by vertical fin features (the purpose of which would be to give the elevations a sense of depth) whilst the roof will consist of metal coping framing the outer edges. The roof will comprise of solar panel arrays and plant and equipment serving ventilation and extraction purposes. The elevation plans indicate that this infrastructure will be contained within the roof scape screened from view by the outer roof

parapets. Fenestration is indicated to comprise triple glazed units constructed of UPVC finished in Grey.

7. All trees to be retained, including those off site whose roots encroach onto the site, shall be protected during the construction and maintenance works. The application indicates that surface water drainage will be aligned with SuDS principles and standards whilst supporting documents include: A Preliminary Ecological Appraisal, A Construction Phase Health and Safety Plan; Landscape Management and Maintenance Plan, Design and Access Statement; Tree Survey and Tree Protection Plan; a Noise Impact Assessment; Transport Statement; Interim Travel Plan; Flood Risk and SuDS Assessment; Phase 1 Preliminary Risk Assessment; Phase 2 Site Investigation Report; Construction Management Health and Statement of Community Involvement. Further technical information (relating to Greenfield water run off / flow rates and drainage) have also been submitted in response to the initial position of the Lead Local Flood Authority (LLFA) (SuDS) as were further details relating to the external elevational treatment on the building.

RELEVANT PLANNING HISTORY

8. 84/00328/CPO: RE CLAD EXISTING LINK CORRIDOR: PER - Application Permitted 10.7.84
9. 84/00846/CPO: RE CLADDING EXISTING BLOCK OF CLASSROOMS: PER - Application Permitted. 29.1.85
10. 91/00358/CPO: Continue the Use of Five Relocatable Classrooms: PERCM - No Objection (County Matter) 17.7.91
11. 93/00352/FUL: Single Storey Building Rear of School With Link to Existing to House Four Science Labs: PER - Application Permitted: 2.9.93
12. 94/00320/ADV: Display of a House Flag on Flag Pole: PER - Application Permitted: 15.8.94
13. 96/00642/FUL: Single Storey Sixth Form Building (Including Two Classrooms, Two Computer Rooms, Three Seminar Rooms, Study Area and Common Room): PER - Application Permitted 12.3.97
14. 99/00273/FUL: To Construct New First Floor Over Existing Single Storey Building Creating 8 No New Classrooms in a Two Storey Building with Extension Incorporating Stair Access: PER - Application Permitted 29.7.1999

15. 99/00294/FUL: Erection Of A Two Storey Kitchen And Dining Hall With Music Teaching Areas: Application Permitted 29.7.1999
16. 99/00340/FUL: Provision of a Coach Turning Area Within the School Grounds: PER - Application Permitted 29.7.1999
17. 02/00149/CPO: Two Storey And First Floor Extensions To Link Existing Classroom Blocks. PERCPO - No Objection (County Council) 29.05.2002
18. 02/00725/CPO: Single Storey Sixth Form Building PERCPO - No Objection (County Council) 17.09.2002
19. 02/01147/CPO: Amendments To Sixth Form Building Approved Under Ref: CC/ROC/130/02.: PERCPO - No Objection (County Council) 12.02.2003
20. 03/00532/FUL: Erection Of Covered Walkway Over Existing Footpath: PER - Application Permitted 8.8.2003
21. 03/00988/CPO: Single Storey Extension To Provide Changing Room For Wheelchair Users.: PERCPO - No Objection (County Council) 11.12.2003
22. 03/01028/CPO: Single Storey Extension To Provide Changing Facilities For Swimming Pool: PERCPO - No Objection (County Council) 6.1.2004
23. 04/01014/FUL: Construct Covered Walkway Over Existing Footpath East of Swimming Pool and Adjoining Sixth Form Building. PER - Application Permitted 17.01.2005
24. 04/01098/CM: Construction of An All-Weather Multi-Use Games Area Including Perimeter Fencing and Footpaths For The School and Wider Community Use. PERCM - No Objection (County Matter) 21.02.2005
25. 04/01099/CM Floodlighting For The Proposed All Weather, Multi-Use Area For The School and Wider Community Use 22.05.2005
26. 05/00404/CPO: Single Storey Extension to Provide Four Class Bases, ICT Room, Office, Store and Cleaners Cupboard. PERCPO - No Objection (County Council) 21.06.2005
27. 06/00177/CPO: The Continuation of Development Without Compliance With Condition 3 (Hours of Use) Attached to Permission CC/ROC/128/04 to Allow for the All-Weather Pitch to be Used During the Following Times: 0900-2100 Hours Monday to Friday; 0900-2100

Hours Saturday; 0900-1800 Hours Sunday. ECC Ref CC/ROC/42/06:
REFCPO - Objection (County Council) 19.04.2006

28. 06/00277/COU: Change Use of Agricultural Land and Use as Extension to School Playing Field: PER - Application Permitted 25.05.2006
29. 06/00295/FUL: Single Storey Extension to Form a Repographics Room and School Shop to Sell Stationery and School Items. PER - Application Permitted 31.05.2006
30. 07/00146/FUL: Single Storey Flat Roofed Front Extension to Library: PER - Application Permitted 13.04.2007
31. 07/00793/CPO: First Floor Extension to Provide Accommodation for Vocational Training Comprising Library, Two Classbases, Office, Storage and Accessible Toilet. (ECC ref CC/ROC/104/07): PERCPO - No Objection (County Council) 12.09.2007
32. 08/00927/FUL: Single Storey Flat Roofed Extension to Provide Hairdressing and Beauty Centre Classroom: PER - Application Permitted: 11.02.2009
33. 09/00215/FUL: Remove Existing Pool Enclosure/Cover and Construct New Pool Enclosure Comprising Brick Walls and Wall and Roof Cladding with Roof Lights and Solar Panels to New Roof. PER - Application Permitted: 9.7.2009
34. 12/00307/FUL: Single Storey Flat Roofed Extension on Inner Wall: PER - Application Permitted: 4.7.12
35. 12/00695/FUL: Two Single Storey Flat Roofed Extensions Forming Offices: PER - Application Permitted: 7.1.13 1
36. 3/00164/FUL: Two Storey Flat Roofed Extension to Form Offices: PER - Application Permitted: 24.5.13
37. 15/00091/FUL: Erect Glazed Canopy: PER - Application Permitted: 22.4.2015
38. 18/00746/FUL: Single Storey Flat Roofed Building for Use as Children's Day Nursery: PER - Application Permitted 17.12.18
21/00592/FUL: Retrospective planning application for 6 no. single storey temporary classrooms and 2 no. two storey buildings for use as classrooms and ancillary school accommodation: INV - Application Invalid On Receipt.

39. 21/00592/FUL: Retrospective planning application for 6 no. single storey temporary classrooms and 2 no. two storey buildings for use as classrooms and ancillary school accommodation: Granted 1.9.2021

MATERIAL PLANNING CONSIDERATIONS

40. The proposed development must be assessed against relevant planning policy and with regard to any other material planning considerations. In determining this application regard must be had to section 38(6) of the Planning and Compulsory Purchase Act 2004, which requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise.
41. The relevant parts of the adopted Development Plan are the Rochford District Core Strategy (2011), the Allocations Plan (2014) and the Development Management Plan (2014).

All developments therefore must be assessed against the provisions of the national Planning Policy Framework (last updated July 2021) the council's Local Development Framework's Core Strategy and Development Management Plan and its related supplementary Planning Documents. Other relevant documents include the Essex Parking Standards and Essex Design Guide.

Principle of Development

42. It is noted that The King Edmund School is an existing educational establishment located in an area that is designated for educational purposes within the adopted Local Plan. The principle to provide educational accommodation in the form of a replacement building on this site is therefore accepted and the proposal in this respect accords with adopted planning policy, subject to compliance with other material planning considerations.

Design and Layout

43. Policy DM 1 of the council's Local Development Framework's Development Management Plan indicates that the design of new developments should promote the character of the locality to ensure that the development positively contributes to the surrounding natural and built environment and residential amenity, without discouraging originality, innovation or initiative. The design and layout of proposed developments must demonstrate that a number of planning considerations have been taken into account including promoting accessibility, integration of existing and proposed public rights of way; adequate boundary treatment and landscaping within the development; retention of trees, woodland and other important landscape features;

sufficient car parking and retention or creation of public open space. The impact of development upon the local highway network and upon amenity.

44. The National Planning Policy Framework at Chapter 12 (Achieving Well Designed Places) indicates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development more acceptable to communities. These aspirations are also reflected by the National Design Guide: Planning Practice guidance for beautiful, enduring, and successful places (Ministry of Housing Communities and Local Government).
45. The benefits of the proposed development was recognised as part of the pre - application consultation and review process in that it was stated that the development now forming this application, would provide the opportunity to create a number of new and replacement features including new buildings arranged around the rectangular block with a corridor of paths and green spaces between the buildings. Demolition of the original block and its replacement with a simpler north to south block would create a courtyard space at the heart of the school, which would become the main feature of the new school. The proposed courtyard provides opportunities to create safe social spaces that can be easily supervised as well as providing a heart to the site where pupils can interact.
46. The application indicates that the most practical approach and solution is to build on a similar footprint to the existing building. The building design and brief has evolved through detailed and intensive consultation with the school and DfE. The building form has been consolidated to produce the smallest footprint feasible, and keep within two storeys, so as not to increase massing height from the existing buildings on the site. The positioning of internal spaces has been carefully considered to enable the school's education delivery, and consider external access to the building, including student, visitors and community entrance and deliveries to the specialist vocational classrooms. Vehicle numbers and access points into the site are projected to remain the same as the current arrangement, with the main vehicle access point for staff and student bus drop off from Brays Lane; overflow, disabled spaces and visitor's vehicle entrance from Vaughan Close, and occasional maintenance and materials delivery from Oxford Road.
47. The proposed new block would be of elongated form and sit partly on the footprint of the existing block, which is to be demolished during an enabling works contract. The existing block is a more rectangular form

around a small central courtyard with newer blocks constructed to the north, east and south around the outside. This has created a landscaped perimeter path that runs between the old and newer blocks. Replacing the rectangular existing building with a more linear one creates a larger courtyard to the east of the new block.

48. The submitted plans show a linear building being approximately 111m in length by 19m in width with an additional L shape at the southern aspect whilst there is a further section shown to be 15m x 18.4m (approximately) bearing a maximum height of 10.36m approximately. From a visual perspective it is noted that originally at pre application stage, two options had been put forward by the applicant, the first being all timber and the second, with a brick lower detail with timber above. The purpose of this approach was that by providing two options it allowed the authority to review which modern style was in keeping within the context of the surrounding area. The view expressed at that time was some merit in the use of both brick and timber to break up the elevations, providing that the design rationale is set out and justified within the application.
49. The existing courtyard and area to the front of the building contains memorial gardens and trees. These will be relocated to the new courtyard and become a more prominent and visual feature. The courtyard will be used as the glue to hold the masterplan together and be animated through circulation between the buildings. An external eating area is proposed, to enable spill out from the dining room. The massing of the building is two simple interlocking forms of the classroom accommodation and the slightly taller hall and activity space.
50. The application indicates that the elevation treatment is still being developed along with the school and DfE and is currently tested as a mix of brick and vertical rainscreen cladding. Solar shading fins will break up the elevation treatment and bring depth and further colour will be introduced through window frames and ventilation louvres, to compliment the main material colour and work with the schools branding colours. The project brief has advanced sustainability outputs. Low embodied energy considerations, low u values and good air tightness, a ventilation system that includes BMS controlled MVHR units to all learning spaces, user control natural ventilation, exposed thermal mass and stack effect to encourage heat sinks and night purging, and expelling of warm air. The design team are currently evaluating the energy strategy to make best use of green roofs, photovoltaic, air source heat pumps and using the existing swimming pool as a thermal store. An environmental model will define the window size to maximise daylight and control overheating.
51. In term of appearance Essex County Council Place Services original consultation response highlighted support in principle, subject to

several areas being reviewed. These areas included, promoting the brick finish to the ground floor, review of natural surveillance and engagement with Essex Police, and potential overlooking and privacy to Vaughn Close. It suggested that plans be updated to address the observations or included as a planning condition. The first issue highlighted were the 'Building Fins'. The application provides mixed approaches to the fin detailing on the proposed elevations. Within the pre-app discussions the importance of the fins in breaking up the vast elevation where the justification allowed the fins to break up continuous roof edge were encouraged. It was considered the fins breaking this continuous edge would aid in this and initially Urban Design supported this approach. It was noted that the proposed application elevations have no details on the fins, whereas the DAS does detail these.

52. The recommendation is that further clarification is required on this prior to determination. Urban Design also stated that further information is required regarding external materials particularly the proposed cladding material where the application states Cement Fibre Cladding to what is shown as timber cladding. The issue with the application is that not all plans as submitted when compared against the visuals as originally submitted corresponded, whilst the concern around cement cladding is around a monotonous /flat effect to such a long and large elevation. The pre-app presentation and CGI used within the application show a varied finish much like a natural timber finish where this variety in material creates more variation. Due to the extent of this elevation, Urban Design indicates that this effect is strived for where more information is required at this stage before committing to the cement fibre approach. It also indicated its expectation to see a greater commitment to the finish in materials, mainly around the colour, in particular to the fenestration noting that this is a strong design proposal within the scheme requiring greater detail to ensure that the crucial design principles are delivered (fins and materials).
53. The issue around details and materials has been the subject of ongoing dialogue which culminated in a second response from 'Urban Design' which set out the following: *'External Materials We would recommend that all building materials are conditioned to ensure the materials meet expectations and quality. This would include all brickwork, cement cladding, fin details and fenestration. We would expect detailed specifications for each material are submitted along with a physical sample. Proposed Fin Features Following the ongoing dialog around the inclusion of the fin detail, we acknowledge that the details submitted are limited but we support the principle of approach. As above, we would expect details of the fins to be submitted as part of a condition, which should include, dimensions, finish and colour. Again, we would expect a manageable sample to be submitted to provides conformation of finish and colour'*

54. The determining authority acknowledges the issues around the use of timber vertical cladding which relates to maintenance and health and safety reasons including the risk of fire, whilst consultation with the council's Building Control Section indicates issues associated with fire proofing timber boarding and the effect that the fire proofing process would have on the integrity of the timber itself. A fibre cement cedar cladding is proposed to the upper elevations of the building which is some way removed from the high quality timber cladding originally anticipated. The case officer has questioned the green credentials of such cladding in that the construction of such constitutes fibre cement. However due to incidences of potential arson and vandalism within school sites despite security and access control being in place, the authority considers the use of such cladding acceptable subject to a condition relating to further details on methods of attachment to the building and material finishes which would be best addressed via the submission of samples. The same applies to the details of the fins and material as a whole.

Sustainable design and BREEAM

55. The application has set out that the design in this respect will meet with a number of industry standards. The sustainable credentials of the proposed development were also set out at pre - application stage which aligns with the principles set out by the councils Local Development Framework's Core Strategy Policy ENV10 (BREEAM) which requires all non-residential developments to meet the BREEAM assessment criteria. Whilst the importance of building environmentally sound developments is acknowledged, the Council does not want to make development unviable through the imposition of overly onerous standards. As such, whilst a BREEAM rating of excellent will be encouraged, a rating of at least 'Very Good' will be required. The Council requires new non-residential buildings, as a minimum, to meet the BREEAM rating of 'Very Good', unless such requirements would render a particular development economically unviable. In cases where it is considered appropriate to relax the requirement to meet the BREEAM rating of 'Very Good' due to viability issues, the Council will still expect development to meet as high a BREEAM rating as is economically viable. This attainment is conditioned as part of the planning consent.

Potential Residential Amenity Impacts

56. The location for the proposed new building is adjacent to existing houses along the western boundary, with the replacement building being positioned slightly closer to the residential development than the existing one. The proposed site layout plan indicates that the nearest point of the built form to the boundary of the nearest property at Vaughan Close is 19.11m whilst the existing build is 33 m from Number

12 Vaughan Close. The orientation of those properties along Vaughan Close are such that their front and main elevations face north and south respectively such that there would be no direct overlooking into the properties themselves. It is the officer's view that the status quo is not in any way significantly changed by the new development since the use is the same and a use which is unlike a residential use which carries a greater degree of occupation over a calendar year. Given the pre-existing circumstance it is not considered that this development would have a marked or overbearing influence in terms of overlooking nor overshadowing, given the relative positions of the new build and the existing properties at Vaughan Close.

57. Regard has also been taken of the potential impacts of the development upon the rear amenity spaces of those properties located to the west and south at Spencer Gardens and Oxford Road in terms of any overlooking, overshadowing and overbearing physical presence. This includes potential impacts at the construction stage although short lived, of any buildings or temporary structures with the need to bear in mind the overshadowing possibility. It is noted that the building is stepped further back from the west boundary of those properties at Spencer Gardens as the intervening space will be occupied by car parking currently occupied by the temporary classrooms. The site layout Plan (North and South Plans) indicate a separation distance of some 23 m as the boundary with residential properties to the west is not a straight boundary which ensures adequate physical separation to mitigate any unacceptable impacts. The same applies to those properties located along Oxford Road.
58. The existing vehicular access to the visitor car park along the western boundary of the site would however remain and together with proposed formal planting, act as a screen between the proposed development and neighbouring occupiers. This has been demonstrated in the submitted Design and Access Statement (DAS) (section 5.10) which shows existing and proposed section drawings (p. 35). The existing building is of varying height. The most northern element, which is to the east of No. 12, is single storey; this then increases to three storeys before the end of No. 12's garden and reduces to two storeys further south.
59. It is accepted that the proposed development would bring built development closer to the neighbouring residential properties, however, the development would retain a generous distance of 23m to the neighbouring dwelling, which includes the vehicular access and proposed formal planting. The proposed building would be of a consistent two storey height, thus increasing the height of the existing building in some places but reducing it in others. Number 12 Vaughan Close does not benefit from any windows in the flank wall facing the site. At ground floor, there is a carport between the house and the

boundary fence in front of which there is a small landscape buffer. Furthermore, the orientation of the neighbour, which lies to the west of the site, coupled with the distance that would be retained between the building and the dwelling would further minimise any impact of the proposed development on their amenities.

60. It is also noted that Essex County Council Place services Urban Design confirms within its consultation response that it is of the opinion that the application addresses the initial concerns around the overlooking and privacy to Vaughn Close where the proposed offsets are in accordance with the Essex Design Guide.

Access and Highways and Highway Impacts

61. Policy DM31 (Traffic Management) of the Development Management Plan indicates that any new major developments must include appropriate traffic management measures to facilitate the safe and efficient movement of people and goods by all modes whilst protecting and enhancing the quality of life within communities, facilitating the appropriate use of different types of roads and environment, and achieving a clear, consistent and understandable road, cycle and pedestrian network. These measures will comprise, amongst others, reducing the impact of motorised traffic, traffic calming measures, measures to assist public transport (for example bus gates or lanes), cycling, walking and horse riders, congestion relief, and other speed and demand management measures.
62. It is noted that a Transport Statement (TS) has been carried out in support of the building program for the proposed development and is submitted together with the pre - application enquiry. It is noted that the proposed development would not increase the number of pupils or staff on this site. The TS states that a minimum of 110 car parking spaces would be provided on site which meets the requirement of current parking standards. While there would be no need for the school to prepare a Travel Plan, the school recognises the need to encourage sustainable travel where they possibly can. Given this, an interim travel plan has been prepared to minimise single occupancy car trips associated with the school, by promoting and encouraging the use of more sustainable alternatives. The TS concludes that the development would not have a material or noticeable or severe impact, as a result of which the proposal would not cause any highways or transportation impacts.

Noise Impacts.

63. The report assesses the noise impacts from the surrounding area on the proposed teaching spaces and concludes that the proposed acoustic mitigation that is included within the construction methods for

the building would ensure that noise levels within the building are kept to an acceptable level. Although demolition does not fall under planning control, however it is considered that an assessment of noise impacts during the construction phase on residential amenity from on site construction noise and vehicular movements through a residential area, needs to be assessed and quantified.

64. A Noise Impact Assessment has been carried out and is submitted in support of this application. The report assesses the noise impacts from the surrounding area on the proposed teaching spaces and concludes that the proposed acoustic mitigation that is included within the construction methods for the building would ensure that noise levels within the building are kept to an acceptable level. A Construction Management Health and Safety Plan has been prepared and is submitted in support of this application. This includes steps to ensure that the construction works would cause minimal noise and disturbance to neighbouring residents and should be conditioned to ensure that the procedures are followed. Subject to this, it is considered that the proposed development is acceptable and would not cause any undue noise both during and after the construction of the proposed development. Noise is covered by separate legislation (Environmental Health and statutory noise nuisance) if it becomes an issue which is the appropriate channel to pursue and mitigate any impacts arising in this regard.

Landscape and Trees

65. It is noted that Tree Preservation Order TPO/00042/10, issued by Rochford District Council on 29 July 2010 and currently in force, applies to 3 oak trees growing on the northern boundary of the school site. The trees are identified as T6-T8. In this survey they have references T02, T03 and T04. It is noted that 62 individual trees and 5 tree groups were surveyed. And are shown by plan reference(s) 2119-WWA-XXXX-DR-L-0701 and 2119-WWA-XX-XX-DR-L-0702 which plot the positions, canopy spreads, and root protection areas (RPAs).
66. It is noted that 29 of the 62 trees on the site are comparatively young: in the age groups young, semi and early mature. Most of the mature trees are small ornamentals which are not long-lived: cherry, apple, purple plum (cherry plum) and rowan. In consequence of this, 53 out of the 62 individual trees and 4 out of the 5 tree groups were assessed as being of low quality (category C). It is noted that the northern boundary of the school site is delineated by the remnant of an old field hedge. This contains 4 mature trees, T01-T04, plus a semi-mature oak T05. These trees and the surrounding hawthorn scrub are an important visual feature in the context of the large open car park to the north and will also have some ecological worth. T02-T05 (all oaks) are of moderate quality; T01 (an ash) was assessed as of low quality because

it is a remnant of a much larger tree and is evidently in decline. T02-T04 are covered by tree protection order TPO/00042/10

67. The southern boundary of the site features a pair of mature oak trees, G02. These are in reasonable condition, can be expected to live for at least another 40 years, and are important visual features. They were accordingly assessed to be of high quality. T45 is an early-mature magnolia. It is growing inside a courtyard so is only of visual amenity to those inside the school site but it has a good form, is in good health, and could be expected to continue to contribute to visual amenity for 20-40 years at least. It was rated as moderate (category B) quality. T19 and T21 are memorial trees. Both are cherries and are not in good condition (Quality Category C) but they may have cultural importance for the school.
68. It is noted that the land to the east of the site lies in the Green Belt but, as this is beyond the playing fields and on the far side of the mass of buildings, the proposals would not impact on this designated landscape. There is an existing hedge and a number of trees on the original site boundary between the school and its bus drop-off and car park. Three of these trees are covered by a Tree Preservation Order, but none are affected by the proposed development. It is noted that the construction of the new block would provide the opportunity to create a landscaped courtyard space at the heart of the school, which would become the main feature of the new school. All trees to be retained, including those off site whose roots encroach onto the site, shall be protected during the construction and maintenance works.

Development and Flood Risk and Surface Water Drainage

69. Paragraph 163 of the NPPF indicates that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

70. Although the Framework's Development Management Plan policy DM28 (SuDS) refers to residential development, the principle of any development not causing any greater impacts when compared to an existing circumstance is inferred by policy. The preamble to policy DM28 indicates that surface water run-off from new development can lead to an increased risk of flooding. However, Sustainable Drainage Systems (SUDs) offer an alternative approach to drainage within developed areas. The Core Strategy states that SUDs will be required to be incorporated into all residential schemes of more than 10 units. However, there may still be occasions where smaller developments have the potential to give rise to concerns in respect of surface water flooding, particularly in areas that have been identified as being susceptible to such flooding, including through Surface Water Management Plans. Other instances where there may be a perceived risk of surface water flooding include where historical instances of such flooding have been documented.
71. The site is located within Flood Zone 1, as indicated by the Environment Agency's flood map and is therefore considered to be at the lowest low risk of flooding (less than 0.1% annual probability of flooding from fluvial or tidal sources). The Framework requires that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. As the current proposal is for a replacement building and provides additional landscaping features as well as a semi-intensive green roof system, the proposal would not increase the risk of surface water flooding to land surrounding the site and meets the aims of local and national policy requirements in relation to flood risk. The application states that the 'Surface Water Drainage Strategy' which accompanies this application was submitted to Essex County Council as the Lead Local Flood Authority (LLFA) as part of their pre-application service and where relevant, was updated in line with the comments received.
72. It is noted that the consultation response received from the Lead Local Flood Authority highlighted a holding objection which was repeated in a further re - consultation response on the basis that the technical details were not adequate in terms of addressing Greenfield Water Run - off and infiltration arrangements which needed in summary to be undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. Other requirements included calculations for 1 year greenfield runoff rate.
73. Further technical detail has been provided in this respect which indicates that the proposed discharge rate at the two outfall locations totals 4 l/s. This is a huge improvement on the current scenario and has been approved by the receiving authority (Anglian Water). The arrangements limit 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. Anglian Water have agreed to two connections points within the site for surface water at a restricted rate of 2 l/s each.

74. It is noted that the LLFA has no outstanding query or objection based on the more recently updated Flood Risk Assessment and technical drainage details.

Ecological Impacts

75. The National Planning Policy Framework at paragraph 170 indicates that planning policies and decisions should contribute to and enhance the natural and local environment in a number of ways including at point (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Policy DM27 of the Framework's Development Management Plan requires consideration of the impact of development on the natural landscape including protected habitat and species. National planning policy also requires the planning system to contribute to and enhance the natural environment by minimising impacts on biodiversity, providing net gains in biodiversity where possible.
76. In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level. Furthermore, the National Planning Policy Framework at paragraph 174-177 indicates the importance of avoiding impacts on protected species and their habitat where impact is considered to occur, requiring appropriate mitigation to offset the identified harm.
77. In September 2020, Indigo Surveys Ltd was instructed to carry out a Preliminary Ecological Appraisal of King Edmund School on Vaughan Close in Rochford. This was undertaken to determine the presence of any important habitats or species which might be impacted on by the proposed development. The buildings were all considered to be unsuitable for roosting bats due to the presence of metal and absence of any suitable crevices or cavities. The site itself had little value to foraging bats, as the trees provided limited cover and there was not much to attract prey items. No evidence of Badgers "*Meles meles*" was found, with no signs of Otters "*Lutra lutra*" or Water Voles "*Arvicola amphibius*". There was no standing water on the site for breeding amphibians, and with no obvious refugia or hibernacula their presence on the site was considered unlikely. Given the location and use of the land, the site was considered to be unsuitable for reptiles, and they are considered to be absent.

78. Since the site is dominated by buildings and amenity grassland, it was concluded that there was low potential for significant invertebrate assemblages, in particular those species listed as a priority in the UK Biodiversity Action Plan and/or Local Biodiversity Action Plan. If excavations are to be undertaken, it should be noted that open trenches could potentially trap wildlife, especially if these fill up with water. Escape routes should therefore be provided if trenches cannot be infilled immediately. These can be in the form of branches or boards placed on the bottom of the trench, with their upper ends above ground level and touching the sides, or sloping ends left in trenches. The proposed works will not have a lasting or significant impact on wildlife, and the implementation of suitable landscaping as part of the re-development of the site could significantly enhance wildlife.

Potential Contamination

79. The National Planning Policy Framework at paragraph 184 (Ground Conditions and Pollution) indicates that where a site is affected by contamination or land stability issues, responsibility for securing a safe environment rests with the developer and/or the landowner. Paragraph 185 indicates that planning policies and decisions should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment. Any potential adverse impacts arising from a development should be mitigated. Given the historic use of the site, ground contamination is a particularly relevant matter for consideration.
80. The legislative framework for the regulation of contaminated land is embodied in Part IIA of the Environmental Protection Act 1990, implemented in the Contaminated Land (England) Regulations 2000. This legislation allows for the identification and remediation of land where contamination is causing unacceptable risks to human health or the wider environment. The approach adopted by UK contaminated land policy is that of “suitability for use” which implies that the land should be suitable for its current use and made suitable for any proposed future use.
81. The Council’s Core Strategy policy ENV11 advises that the presence of contaminated land is not in itself a reason to resist development but requires that sites be subject to thorough investigation and that necessary remediation is carried out.
82. A Desk Study was undertaken which concluded that given the development history of the site and surrounding area, the potential for significant concentrations of contaminants of concern to be present beneath the site is considered to be low. However, Made Ground

beneath the site, resulting from historical construction and/or demolition activities may represent a potential source of ground gas which may pose a risk to future site users in enclosed areas. On the basis of the above, the following further works were recommended:

- Carry out an intrusive site investigation to confirm ground conditions at the site.
- Installation of wells in boreholes to allow the assessment of potential risk to future site users posed by ground gases.
- Soil samples should be recovered from selected exploratory holes and tested for potential contaminants of concern.
- In-situ testing and geotechnical soil sampling should be carried out during intrusive investigation to provide adequate recommendations for foundation design.

In conclusion there is no indication that development on this site subject to following the necessary procedures governed by other legislation, that there will be any risk to human health arising from the development.

Sports Facilities

83. The proposed development would not impact on the school's existing outdoor sports facilities which include:
- Grass pitches to the east of the site
 - An artificial turf pitch between the school buildings and the grass pitches
 - An area of formal hard play to the west of the site.
- The natural turf and artificial turf pitches are used by the pupils and, out of school hours, let to the public. The area of formal hard play currently marked for tennis, is only used by the pupils. It is not let to the public. During demolition and construction, the development site will be hoarded off together with a contractor's compound which would be located on the western side of the site. There would be no construction site access during school hours or at evenings and weekends when the sports pitches are let. Members of the public using the sports pitches are only permitted to park in the car park to the north of the coach / bus drop off area accessed from Brays Lane. No parking is permitted in the car park to the west, which is for staff use only, and only during school hours.
84. An access route will be maintained during school hours so that pupils can use the area of formal hard play to the west of the site. The proposed development would not impact access to the existing sports hall or swimming pool on site as they are not located within the building that is proposed to be demolished (as confirmed by the submitted existing floor plans) and would therefore not be affected by the proposed development. Consequently, it has been demonstrated that the proposed development would not result in the loss of sports facilities or loss of access to sports facilities for both pupils and the public, neither during the construction nor after the development is completed. It is noted that Sports England has no objection.

Light Pollution

85. Policy DM5 of the Development Management Plan indicates that applicants should take into consideration the environmental zone where a development is being proposed and the corresponding lighting thresholds. Proposed schemes must be appropriately designed and installed to minimise the impact of light pollution on residential and commercial areas, important areas of nature conservation interest, highway safety and/or the night sky through avoiding unnecessary light spillage and trespass. Where an adverse impact is identified, conditions may be attached to a grant of planning permission or a S106 agreement may be sought to mitigate such impacts. Applications for sports and other leisure and recreational facilities development involving external floodlighting will be permitted provided that the following can be demonstrated: (i) the lighting is designed to be as directional as possible using the minimum number of lights required with the aim of reducing light pollution; (ii) a curfew time of no later than 10.00pm; and (iii) consideration is given to the effect of the light upon local residents, vehicle users, pedestrians, local wildlife, and the night sky.
86. The site layout plan is not indicative of any free-standing light columns. Any lighting on the outside of buildings which would in themselves not constitute development are however to be controlled by condition as such lighting have the potential to give rise to glare and impacts upon neighbouring residential amenity.

CONCLUSION

87. Subject to conditions as considered necessary, the development is considered acceptable.

CONSULTATIONS AND REPRESENTATIONS (summary of responses):

88. Rochford Parish Council: No response received.
89. Essex County Council Lead Local Flood Authority: Initially issued Holding objections issued 1st and 28th October 2021 but issued a no objection on the submission of further technical details.
90. Rochford District Council Assistant Director - Place & Environment (Arboriculture): No objection.
91. Sport England: No objection.
92. Anglian Water Services Limited - No objection.

93. Essex County Council Place Services Urban Design: No objection.
94. Neighbours: 1 representation has been received from 16 Spencer Gardens and 1 representation from an unidentified household.

And which in the main make the following comments and objections:

- I have no general objection to the modernisation of the school building as I attended the school 40 plus years ago and realise things change. however I would like to point out that as a resident of 30 plus years, the school does have a history of putting the local residents second on the list of concerns regarding the schools use/development and would ask that some consideration is given to the affected residents regarding the flow of construction traffic, the timing of such traffic, the parking for trades and associated workers, the general noise, dust and debris associated with the demolition/rebuild especially the daytime hours worked and would ask that any damage to roads/footpaths/kerb edges be put right after the site is handed back to the school for normal continued use. Finally, I have no objection to progress but please remember the people that live in the area as they are often forgotten about when progress happens and most residents just want to live their life without any unnecessary troubles/inconveniences affecting their normal day to day living, particularly during these times when people are spending more time at home than would normally be expected due to current world health problems. Thank you for allowing me to address my concerns regarding this redevelopment and let's hope it's carried out with the least amount of inconvenience to residents/construction workers and all local users.
- Point raised regarding adequate car parking requirements.

Relevant Development Plan Policies:

Relevant Planning Policies National Planning Policy Framework (NPPF) (July 2021)

Local Development Framework Development Management Plan (December 2014) policies: DM1 - Design of New Developments, Policy DM25 – Trees and Woodlands, Policy DM27 – Species and Habitat Protection, Policy DM28 –Sustainable Drainage Systems (SUDs), Policy DM30 – Parking Standards, Policy DM31 – Traffic Management.

Local Development Framework Core Strategy Adopted Version (December 2011) policies: CP1 – Design, Policy ENV1 – Protection and Enhancement of the Natural Landscape and Habitats and the Protection of Historical and Archaeological Sites, Policy ENV3 – Flood Risk, Policy, Policy ENV4 Sustainable Drainage Systems (SUDS)

ENV10 – BREEAM, Policy ENV11 – Contaminated Land, Policy CLT6 – Community Facilities, Policy T1 – Highways, Policy T3 – Public Transport, Policy T5 – Travel Plans, Policy T8 – Parking Standards

Parking Standards: Design and Good Practice Supplementary Planning Document (December 2010)

The Essex Design Guide (2018)

National Design Guide: Planning Practice guidance for beautiful, enduring, and successful places (Ministry of Housing Communities and Local Government)

RECOMMENDATION: APPROVE

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. The development shall be undertaken in strict accordance with the details of the approved plans referenced: SRP1012DfEA HAV 11 01 DR A 1901 1:1000 Proposed Location Plan P01, SRP1012DfEA HAV 20 ZZ DR A 1903 1:500 Site Demolition Plan P01, SRP1012DfEA HAV 19 SS DR A 1904 1:500 Proposed Site Plan P01, SRP1012DfEA HAV 19 00 DR A 1905 1:200 Proposed Ground Floor Plan P01, SRP1012DfEA HAV 19 00 DR A 1906 1:200 Proposed First Floor Plan P01, SRP1012DfEA HAV 19 RF DR A 1907 1:200 Proposed Roof Plan P01, SRP1012DfEA HAV 19 SS DR A 1908 1:500 Fire Strategy Site Plan P02, SRP1012DfEA HAV 19 00 DR A 1909 1:200 Ground Floor Fire Strategy Plan P02, SRP1012DfEA HAV 19 00 DR A 1910 1:200 First Floor Fire Strategy Plan, P02 SRP1012DfEA HAV 19 RF DR A 1911 1:200 Roof Fire Strategy Plan P02, SRP1012DfEA HAV 29 ZZ DR A 2901 1:200 Proposed Sections P01, SRP1012DfEA HAV 29 ZZ DR A 2902 1:200 Proposed Elevations P03, SRP1012DfEA HAV 29 ZZ DR A 2903 1:200 Proposed Material Elevations P03, SRP1012DfEA HAV 29 ZZ DR A 2904 1:200 Proposed Elevations Lift P01, SRP1012DfEA HAV XX XX RP A 0001 Design and Access Statement P04, SRP1012DfEA-WWA-10-XX-SP-L-100603_Outline Landscape Specification-S1-P01

REASON: To ensure that the development is undertaken in accordance with the approved plans as considered.

3. Notwithstanding the details of the submitted plans, prior to the construction of the building, details of the specification and finish of all external materials to be incorporated into the development shall be submitted to the Local Planning Authority for its written approval. These details shall include details in the form of samples of all brickwork, cement cladding, fin details (including methods of fixing and attachment, colour, dimensions and finish) and fenestration to be incorporated into the development. Details shall also include samples of all roofing materials, and all fenestration including windows and frame casing, doors, fascia's, bargeboards and soffits where used. The development shall be implemented in accordance with the details as may be approved and permanently maintained as such thereafter.

REASON: To ensure a satisfactory appearance in compliance with Rochford District Council's Local Development Framework Development Management Plan policy DM1 and the National Planning Policy Framework (2021) (Chapter 12).

4. Prior to first installation, details of an external lighting scheme shall be submitted to the Local Planning Authority for its written approval. Such details shall include details of all external lighting including any lighting to be attached to any part of the building and illumination within the development site, including details of the height and position of all lighting columns, together with details of luminosity. The lighting shall be installed in accordance with the details as may be approved.

REASON: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity in compliance with policy DM1 of Rochford District Council's Local Development Framework Development Management Plan (adopted December 2014) and the National Planning Policy Framework (2021) (Chapter 12).

5. All Tree Protection works shall be implemented in accordance with the submitted Arboricultural Method Statement.

REASON: To safeguard retained and protected trees in accordance with policy DM 25 of the Local Development Framework's Development Management Plan.

6. The surface water drainage arrangements and provisions shall be undertaken fully and in strict accordance with the technical details set out within the additional information received 15th October 2021 as shown by plan reference(s) DR-L-100113 SR -P01 (Site levels Plan (South), DR-L-100112 S3 -P03 (Site levels Plan North) and DRL 100

110 S3 P04 (Site Wide Levels) and updated surface water drainage strategy.

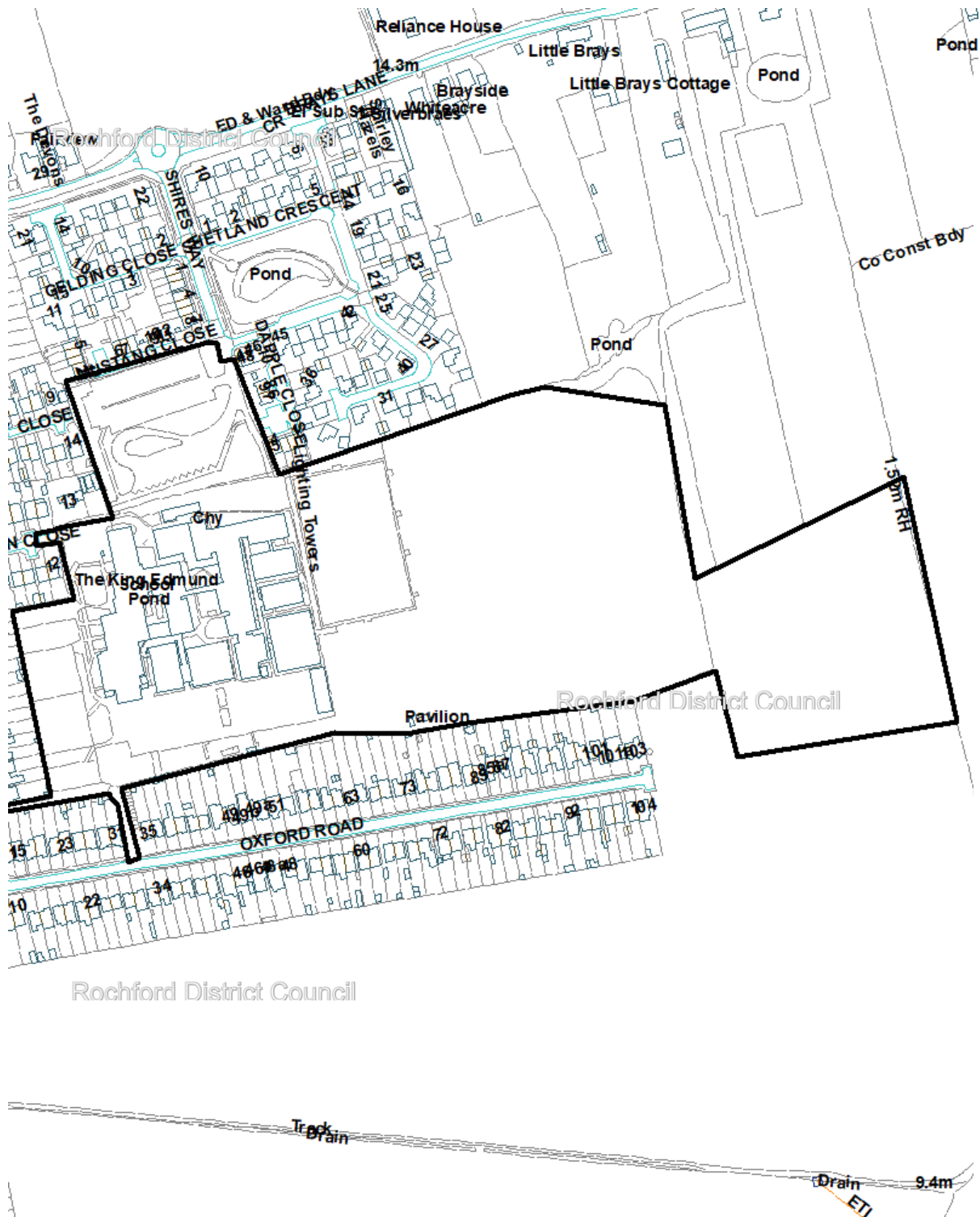
REASON: To ensure adequate surface water drainage and SuDS facilities are provided to serve the development in compliance with the Local Development Framework's Core Strategy Policy ENV 4 (Sustainable Drainage Systems) and paragraph 169 of The National Planning Policy Framework (July 2021).

7. The development shall achieve the BREEAM rating of very good unless such requirements would render a particular development economically unviable in event of which would need to be evidenced by the applicant.

REASON: To ensure the achievement of BREEAM standards in compliance with the Local Development Framework's Core Strategy Policy ENV10.

The local Ward Members for the above application are Cllr. S. Wootton, Cllr. I. A. Foster and Cllr. Mrs. L. Shaw.

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