

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	24/07/19
Planning Development Manager authorisation:	AN	5/8/19
Admin checks / despatch completed	AP	7/8/19

XAC

Application: 19/00882/FUL **Town / Parish:** Elmstead Market Parish Council

Applicant: Mr Gary Smith

Address: Market Field School School Road Elmstead

Development: Proposed first floor extension to the east of the building providing four additional classrooms, toilet facilities, replacement group room and a store.

1. Town / Parish Council

Elmstead Market Parish Council

Elmstead Parish Council wishes to make the following comments on this application:

Contractors' Parking

Drawing Number P18 -731—011 "Proposed Contractors working arrangements" indicates a contractors' parking area to the south east of the school site. The council asks that contractors also be instructed/required not to park in the adjacent Community Centre car park and for this to be specified in the working arrangements and the Construction Management plan required by ECC Highways Dept.

Overlooked residential properties

The council asks that obscure glass is used for the windows shown on the proposed North Elevation. The windows directly overlook residences to the north of the extension and will result in a loss of privacy. Alternatively to use additional tree planting to provide adequate screening to those properties.

2. Consultation Responses

ECC Highways Dept

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

- 1 No development shall take place, including any ground works or works of demolition, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety

and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. Prior to the first occupation of the proposed development, the Applicant/Developer shall provide and implement an updated and refreshed Travel Plan to include the existing and proposed new development to the specifications and requirements of the Local Planning Authority.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative1: Essex County Council could give advice and guidance in the preparation of the Travel Plan via travelplanteam@essex.gov.uk

Informative2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

3. Planning History

00/00907/CMTR	Installation of new relocatable classroom	Determination	07.07.2000
01/00964/CMTR	Change of use from a residential caretakers house (Class C3) to educational use (Class D1) (CC/TEN/69/01)	Determination	09.08.2001
02/01142/CMTR	Installation of single relocatable classbase with toilet (CC/TEN/80/02)	Determination	19.08.2002
94/00698/CIR	CC/TEN/5/94 - Relocatable classrooms	Determination	03.08.1994
96/00515/CMTR	(Market Field School, Elmstead) CC/TEN/6/96 - Change of use from playing field to school site	Determination	04.06.1996
96/01200/FUL	Extension to provide additional administration areas and staff room	Approved	16.10.1996
97/00768/FUL	Extension to provide additional administration areas and staff room (variation to design as approved under planning permission TEN/96/1200)	Approved	05.08.1997
97/01006/CMTR	(cc/TEN/9/97) Relocatable classroom	Determination	03.12.1997

98/00197/CMTR	CC/TEN/08/98 Continued use of two relocatable classrooms	Determination	17.04.1998
98/01263/CMTR	(CC/TEN/104/98) Extension to existing car park with associated fencing and planting	Determination	02.11.1998
99/00338/CIR	CC/TEN/16/99 Single storey extension to provide new additional class base		27.04.1999
99/00338/FUL	CC/TEN.16/99 Single storey extension to provide new additional class base	Refused	
02/02007/CMTR	Retention of four re-locatable classrooms	Determination	09.12.2002
05/01477/CMTR	Replacement of timber windows door sets and cladding panels	Determination	20.09.2005
07/01566/CMTR	Continued use of four relocatable classroom units.	Determination	30.10.2007
07/01583/CMTR	Installation of a 2.03 and 3.08 metre high, powder coated galvanized metal sport fence, around a hard play tarmac area to replace existing chain link fence. (CC/TEN/132/07)	Determination	05.11.2007
12/00691/CMTR	The continued use of five class bases for a temporary period until 31/08/2017 without compliance of condition 2 (Time Limit) attached to planning permission CC/TEN/L27/07.	Determination	06.08.2012
12/00884/CMTR	Proposed erection of a modular classroom until 30 September 2017.	Determination	03.09.2012
14/00684/CMTR	Demolition of existing school buildings and erection of new school building of children with special educational needs, laying out of car parking area's, hard play areas and multi use games area (MUGA).	Determination	18.07.2014
14/01635/CMTR	Discharge of condition 3 and 4 (signage) in relation to the proposal for demolition of existing school buildings and erection of new school building for children with special educational needs, laying	Determination	17.11.2014

out of car parking area's, hard play areas and multi use games area (MUGA).

15/00049/DISCON	Discharge of Condition 6 (Landscaping) of 14/00684/CMTR (CC/TEN/27/14/06/14).	Determination	15.01.2015
15/00050/DISCON	Discharge of Condition 5 (Ground Surface Finishes, Walling & Fencing) of 14/00684/CMTR (CC/TEN/27/14).	Determination	15.01.2015
15/00703/NMA	Amendments to facade elevations as follows: 1. Louvres added in brick facade - Colour to match window frames 2. Polyester powder coated louvres or solid panels added over windows - colour to match cladding or spandrel panel 3. Polyester powder coated fascia and soffit added to first floor west projection to conceal ductwork under. Ducts terminate with polyester powder coated louvres flush with first floor cladding facade 4. Additional windows added 5. Doors and windows moved 6. Curtain wall glazing configurations amended 7. North roof terrace parapet height raised 8. Projection of school sign reduced. In addition landscaping amendments involving removal of trees on the front boundary.	Approved	
16/00368/NMA	Installation of an external mounted extract fan on south elevation serving the commercial kitchen ventilation system.	Approved	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

COM1 Access for All

COM7a Protection of Existing Playing Fields, Including School Playing Fields

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

CP1 Sustainable Transport and Accessibility

HP2 Community Facilities

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal

Site Description

The application site is Market Field School, which is located to the north-eastern corner of School Road, within the parish of Elmstead Market. The site consists of a modern two storey building with grassed land to the side and rear of the curtilage. The surrounding area has a mixed character; to the north it is heavily urbanised with commercial and residential built form, while to the south, east and west are large areas of grassed land. However, the land opposite to the west has planning permission for the erection of 50 dwellings under planning reference 14/01728/OUT, and land adjacent to the south has planning permission for the erection of 62 dwellings under planning reference 16/01797/OUT.

Description of Proposal

This application seeks full planning permission for the erection of a first floor extension to the rear (eastern) elevation that will serve four classrooms, a store room, a group room and a toilet area.

Assessment

1. Principle of Development

The submitted information details that the existing facilities at Market Field School are not sufficient to cope with the local demands. The principle of an extension to the existing site is therefore acceptable, subject to the detailed consideration below. Further, it is also noted the site will not result in the loss of any of the existing sports fields, and therefore there is no need to consult Sport England.

2. Visual Impact

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The application seeks to incorporate a first floor extension sited to the rear (eastern) elevation that will serve four classrooms, a store room, a group room and a toilet area. The extension will be constructed with pillars, ensuring that the ground floor will continue to operate as a play area.

The extension proposed is of a large size, approximately 30m width and 13m depth. However, there are only limited views of the proposal possible from the north looking east. From the south, the boundary alongside this section of School Road is demarcated with mature vegetation, thereby limiting any potential views. This results in a neutral impact to the existing street scene. Further, the design of the extension is of a contemporary nature with pillars in-keeping with the design of the host building, whilst the materials (grey aluminium panels and facing brickwork) are also in-keeping and will not appear as a harmful addition.

The visual impact of the proposal is therefore considered to be acceptable and not harmful to either the character of the surrounding area or the existing building.

3. Impact to Neighbouring Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Whilst it is recognised that the proposal introduces a large first floor addition with numerous large windows, given the distance of the development (approximately 40 metres) to the residential dwellings to the north, there will be no material harm to their existing amenities.

4. Highways and Parking

Essex Highways Authority have been consulted and have stated they raise no objections subject to two conditions relating to the submission of a Construction Method Statement and an updated Travel Plan.

With respect to parking arrangements, the Adopted Car Parking Standards state there should be minimum provision of one parking space per 15 pupils. The submitted Design and Access Statement indicates the existing building was constructed to be suitable for 200 pupils (requiring 13 parking spaces). The proposed extension could result in approximately 330 pupils, thereby requiring a minimum of 22 parking spaces, an increase of 9 spaces. The plans submitted demonstrate there is provision for 87 parking spaces to the front and side of the building, and therefore the above minimum standards are comfortably adhered to.

5. Heritage Impact

Policy EN23 of the Adopted Plan states that development within the proximity of a Listed Building that would adversely affect the setting of a Listed Building, including group value and long distance views, will not be permitted. The sentiments of this policy are carried forward within policy PPL9 of the Emerging Plan.

Approximately 40 metres to the north of the proposed extension is 'The Old House', a Grade II Listed Building. However, given that the extension is sited such a distance apart and that main views of the building will remain unaltered as a result of the development, there is considered to be a neutral impact to the setting of this listed building.

Other Considerations

Elmstead Market Parish Council has made the following two comments:

1. The Parish Council asks that contractors be instructed/required not to park in the adjacent Community Centre car park during construction works; and
2. The Parish Council asks that windows to the north elevation be obscure glazed to reduce overlooking.

In answer to point 1, a designated parking area will be established within the future Construction Method Statement. Point 2 has been addressed within the main body of the report.

There have been no other letters of representation received.

6. Recommendation

Approval.

7. Conditions

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

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers P18-731-001 Revision A, P18-731-010 Revision A, P18-731-011, P18-731-110, P18-731-105, P18-731-120, P18-731-205, P18-731-200, P18-731-212, P18-731-100, and the document titled 'Design & Access Statement' dated July 2019.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall take place, including any ground works or works of demolition, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety.

- 4 Prior to the first occupation of the proposed development an updated Travel Plan to include the existing and proposed new development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in full accordance with the approved travel plan.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

8. Informatives

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informatives:

Essex County Council could give advice and guidance in the preparation of the Travel Plan via travelplanteam@essex.gov.uk

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.