

Reference: 17/00772/FUL	Site: The Ockendon Academy Erriff Drive South Ockendon Essex RM15 5AN
Ward: Ockendon	Proposal: Proposed new six court sports hall with changing, wc, shower facilities, equipment store and plant areas.

Plan Number(s):		
Reference	Name	Received
0003 2	Location Plan	8th June 2017
0004 3	Proposed Plans	8th June 2017
0005 3	Proposed Elevations	8th June 2017
6107-D - 2	Site Layout	8th June 2017
S.16119-1 (F1)	Other	8th June 2017

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> - Design and Access Statement - Drainage Strategy - Historic Impact Assessment - Ecological Survey - Tree Survey - Planning Statement 	
<p>Applicant: The Ockendon Academy</p>	<p>Validated: 23 June 2017</p> <p>Date of expiry: 28 October 2017 [Extension of time agreed with applicant].</p>
<p>Recommendation: Approve, subject to referral to the Planning Casework Unit and conditions.</p>	

The proposal has been referred to committee because it represents a major application and as a departure from the Development Plan, in accordance with Chapter 5, Part 3(b) 2.1 (a) of the Council's Constitution.

1.0 DESCRIPTION OF PROPOSAL

- 1.1 This application seeks full planning permission for a new sports hall with associated facilities. This will allow the existing sports hall, which is no longer fit for purpose, to be used for dining facilities. These changes are necessitated by the increased and increasing numbers of pupils attending the school.
- 1.2 The development would be found to the north of the existing school complex on land which is presently used as a hard surfaced sports court. The development would comprise a main open hall capable of use as six badminton courts, two small basketball courts [or a full sized regulation basketball court], changing, shower and toilet facilities, an office and an equipment store. The facilities ancillary to the main hall are single storey. The hall would measure 29.0m x 35.4m x 10.67m and the total external area would be 1328 sqm.
- 1.3 The sports hall would also be made available for community use outside of school hours. The current sports hall is let to a variety of clubs which use set time slots on a long term basis. The existing sports hall is are open to these uses Monday – Friday 4pm – 9pm, Saturday 8am – 5pm and Sunday 9am – 3pm. Where appropriate, the existing clubs would transfer to the new sport hall.

2.0 SITE DESCRIPTION

Ockendon Academy sits within the limits of South Ockendon. The site is located within the Metropolitan Green Belt, with residential development on three boundaries. The former Belhus Landfill site is to the north.

3.0 RELEVANT HISTORY

Application Reference	Description of Proposal	Decision
60/00268/FUL	Swimming pool	Approved
89/00995/FUL	Enclosure of existing open swimming pool	Approved
01/01057/FUL	Extension to the school to provide student achievement centre and changing room extension to swimming pool	Approved
03/01000/FUL	Extension to swimming pool to provide changing rooms and leisure suite	Approved
05/00969/TBC	Erection of a new music block and a new science laboratory.	Approved
06/00297/TTGFUL	Extension and refurbishment works to existing school to create new main entrance, dining hall, fitness suite and refurbished classrooms.	Approved
07/00162/FUL	Extension and refurbishment to existing school to create a new multi-purpose assembly hall with associated ancillary spaces. Existing car park to be increased	Refused

	from 48 no to 76 no spaces (including 6 no disabled bays).	
07/00464/TTGFUL	Amendments to planning permission 06/00297/TTGFUL to include mechanical plant on roof of fitness suite, a change of materials to entrance façade, and the retention of a sub-station, electrical intake room, netball court and MUGA pitch.	Approved
07/00581/FUL	Extension and refurbishment to existing school to create a new multi-purpose assembly hall with associated ancillary spaces. Existing car park to be increased from 48no to 76no spaces	Approved
11/50323/TTGFUL	New classroom block incorporating 8 classrooms, an open learning space, office and WC facilities	Approved
12/00390/FUL	New extension to existing school building to provide studio school facilities comprising classrooms, offices & an open learning zone along with associated car parking.	Approved
13/00438/FUL	Change of use of land to create new playing fields with ancillary changing rooms, artificial grass pitch with lighting, access road and extension to existing car park.	Approved
17/00660/FUL	New educational block consisting of 6 classrooms, office, WC facilities, electrical and boiler room.	Approved

4.0 CONSULTATIONS AND REPRESENTATIONS

Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council's website via public access at the following link: www.thurrock.gov.uk/planning

4.1 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby. No responses have been received.

4.2 HIGHWAYS:

No objections.

4.3 ENVIRONMENTAL HEALTH:

No objections subject to conditions.

4.4 LANDSCAPE AND ECOLOGY:

No objection subject to conditions.

4.5 CIVIL PROTECTION:

No objections.

4.6 EDUCATION:

No contribution required.

4.7 SPORT ENGLAND:

No objections.

4.8 HISTORIC ENVIRONMENT:

No objections.

4.9 ESSEX ARCHAEOLOGY:

No objections subject to conditions.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The following headings and content of the NPPF are relevant to the consideration of the current proposals:

7. Requiring good design

8. Promoting healthy communities
9. Protecting Green Belt land
12. Conserving and enhancing the historic environment

Planning Practice Guidance

5.2 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:

- Conserving and enhancing the historic environment
- Design
- Health and wellbeing
- Open space, sports and recreation facilities, public rights of way and local green space
- Transport evidence bases in plan making and decision taking
- Travel Plans, Transport Assessments and Statements
- Use of planning conditions

Local Planning Policy

Thurrock Local Development Framework (as amended 2015)

5.3 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” in December 2011. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- CSSP4 (Sustainable Green Belt)

Thematic Policies:

- CSTP9 (Well-being: Leisure and Sports)
- CSTP12 (Education and Learning)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP24 (Heritage Assets and the Historic Environment)

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD4 (Historic Environment)²
- PMD5 (Open Spaces, Outdoor Sports and Recreational Facilities)³
- PMD6 (Development in the Green Belt)²
- PMD8 (Parking Standards)³
- PMD9 (Road Network Hierarchy)

[Footnote: ¹New Policy inserted by the Focused Review of the LDF Core Strategy. ²Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. ³Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

Focused Review of the LDF Core Strategy (2014)

- 5.4 This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

Draft Site Specific Allocations and Policies DPD

- 5.5 This Consultation Draft "Issues and Options" DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD 'Further Issues and Options' was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the Borough.

Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

- 5.6 The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core

Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

Thurrock Local Plan

5.7 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken later in 2017.

6.0 ASSESSMENT

6.1 With reference to procedure, this application has been advertised as a departure from the Development Plan and as a major development. Any resolution to grant planning permission would need to be referred to the Secretary of State under the terms of the Town and Country Planning (Consultation) (England) Direction 2009 with reference to the 'provision of a building or buildings where the floorspace to be created by the development is 1,000 square metres or more'. The Direction allows the Secretary of State a period of 21 days (unless extended by direction) within which to 'call-in' the application for determination via a public inquiry. In reaching a decision as to whether to call-in an application, the Secretary of State will be guided by the published policy for calling-in planning applications and relevant planning policies. The Secretary of State will, in general, only consider the use of his call-in powers if planning issues of more than local importance are involved. Such cases may include, for example, those which in his opinion:

- may conflict with national policies on important matters;
- may have significant long-term impact on economic growth and meeting housing needs across a wider area than a single local authority;
- could have significant effects beyond their immediate locality;
- give rise to substantial cross-boundary or national controversy;
- raise significant architectural and urban design issues; or
- may involve the interests of national security or of foreign Governments.

6.2 The assessment below covers the following material considerations:

- I. Principle of development and impact upon the Green Belt
- II. Design and Layout
- III. Access, Traffic Impact and Car Parking

- IV. Impact Upon Ecology, Biodiversity and Landscape
- V. Heritage and Archaeology

I. PRINCIPLE OF DEVELOPMENT AND IMPACT UPON THE GREEN BELT

6.3 Under this heading, it is necessary to refer to the following key questions:

1. whether the proposals constitute inappropriate development in the Green Belt;
2. the effect of the proposals on the open nature of the Green Belt and the purposes of including land within it; and
3. whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development.

1. Whether the proposals constitute inappropriate development in the Green Belt

6.4 The site is identified on the LDF Core Strategy Proposal's Map within the Metropolitan Green Belt where policies CSSP4 and PMD6 apply. Policy CSSP4 identifies that the Council will 'maintain the purpose function and open character of the Green Belt in Thurrock', and policy PMD6 states that the Council will 'maintain, protect and enhance the open character of the Green Belt in Thurrock'. These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the Green Belt to accord with the requirements of the NPPF.

6.5 Paragraph 79 within Chapter 9 of the NPPF states that the Government attaches great importance to Green Belts and that the *"fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence."* Paragraph 89 states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. The NPPF sets out a limited number of exceptions to this, namely:

- buildings for agriculture and forestry;
- appropriate facilities for outdoor sport, recreation and cemeteries;
- proportionate extensions or alterations to a building;
- the replacement of a building;
- limited infilling in villages; and
- the partial or complete redevelopment of previously developed sites whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

- 6.6 The proposal is for an indoor sports facility for educational and community use. The hall would complement the extended outdoor sporting use of the approved pitches to the north (13/00438/FUL) but would not be required in order to make use of them. The hall would serve the educational needs of the school when inclement weather made outdoor sport impractical.
- 6.7 Although this part of the school site is considered previously developed land, the sports hall would have greater impact on the openness of the Green Belt due to the potential visibility of the large building compared to the flat playing surface which is there currently.
- 6.8 The proposal does not meet the tests of appropriate development in the Green Belt.
2. The effect of the proposals on the open nature of the Green Belt and the purposes of including land within it
- 6.9 Having established that the proposals are inappropriate development, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether there is any other harm to the Green Belt and the purposes of including land therein.
- 6.10 Paragraph 80 of the NPPF sets out the five purposes which the Green Belt serves as follows:
- a. to check the unrestricted sprawl of large built-up areas;
 - b. to prevent neighbouring towns from merging into one another;
 - c. to assist in safeguarding the countryside from encroachment;
 - d. to preserve the setting and special character of historic towns; and
 - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.11 In response to each of these five purposes:
- a. to check the unrestricted sprawl of large built-up areas*
- 6.12 In this case, it is considered that the development proposed would not spread the existing extent of built development further into this part of the Green Belt so as to amount to unrestricted sprawl on the edge of a settlement. The development would be contained within the defined boundaries of the school site and positioned amongst the existing school buildings. On balance, it is considered that the proposals would not have any impact upon the purpose of the Green Belt in checking the unrestricted sprawl of large built-up areas.
- b. to prevent neighbouring towns from merging into one another*

6.13 The development would not conflict with this Green Belt purpose.

c. to assist in safeguarding the countryside from encroachment

6.14 For the same reasons given above, it is not considered that the development would encroach upon the countryside.

d. to preserve the setting and special character of historic towns

6.15 As there are no historic town in the immediate vicinity of the site, the proposals do not conflict with this defined purpose of the Green Belt.

e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

6.16 Although in principle the sports hall could be constructed off-site, for practical purposes it is required within the envelope of the school, and the entire school site is Green Belt. On this basis it is considered that the development does not conflict with this defined purpose of the Green Belt.

6.17 In light of the above analysis, it is considered that the proposals would not be contrary to the purposes of including land in the Green Belt. However, as noted above, there would be in-principle harm by reason of inappropriate development and harm by reason of loss of openness. Substantial weight should be afforded to these factors.

3. Whether the harm to the Green Belt is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify inappropriate development

6.18 Neither the NPPF nor the Adopted Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. However, some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). However, the demonstration of very special circumstances is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether 'very special circumstances' exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites could be used on different sites leading to a decrease in the openness of the Green Belt. The provisions of very special circumstances which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being 'very special circumstances'.

Ultimately, whether any particular combination of factors amounts to very special circumstances will be a matter of planning judgment for the decision-taker.

6.19 With regard to the NPPF, paragraph 87 states that *‘inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’*. Paragraph 88 goes on to state 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, is clearly outweighed by other considerations”*.

6.20 The Planning Statement sets out the applicant’s Very Special Circumstances which are assessed below:

a. *The school has a genuine need for additional facilities*

6.21 The school has a known demand to increase intake by 30 pupils per annum however the school currently suffers from insufficient classrooms, w/c’s and dining facilities. The following table shows the current floor area for sports, assemblies and exam facilities:

Facility	Area
Sports Hall	544m ²
Gym	268m ²
Dining Room	201m ²
Main Hall	310m ²
Total	1323m²

6.22 The next table shows the area guidelines for mainstream school halls, dining and PE reproduced from the government’s DfE Building Bulletin 1-3 (June 2014):

Facility	Student Population of 1,200	Student Population of 1,500	Student Population of 1,350 ¹
Main Hall	260m ²	340m ²	300m ²
Activity Studio	160m ²	160m ²	160m ²
3-4 Court Sports Hall	640m ²	640m ²	640m ²
Minimum Dining Area	320m ²	400m ²	360m ²
Optional Dining Area	140m ²	160m ²	150m ²
Total Area	1520m²	1700m²	1610m²

The current student population is 1,161 but is expected to exceed 1,350 within the coming years. It is therefore necessary for the school to provide facilities for a student population of 1,500; assessed against these criteria the facilities at the school at present would fall considerably below the DfE guidance.

- 6.23 In order to comply with the DfE requirements, the school must swiftly provide enlarged dining areas and a larger sports hall. This proposal would introduce a new purpose built sports hall which would allow the existing gymnasium to be renovated to create the required enlarged dining facilities.

The Council's Education Team support the application, advising that the school must continue to grow as more students enter its catchment area. It is clear that school has outgrown the current facilities on several fronts and this proposal is considered to be a reasonable response to these pressures. It is also recognised that the existing community access to the facilities would be maintained through the development proposal. Members should accord significant weight to this factor in the balance of judgement.

b. It is not possible to locate the development outside of the Green Belt

- 6.24 The entire school site is Green Belt so there are no alternate sites available. Members should accord some weight to this factor in the balance of judgement – if it is agreed that the development is required for the continued operation of the school at or above current levels of quality.

c. There should be a presumption in favour of the development of state-funded schools

- 6.25 According to the DCLG Policy Statement – planning for schools development (2011), “Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision” and “Local authorities should make full use of their planning powers to support state-funded schools applications. This should include engaging in pre-application discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.”

- 6.26 Given the known future demands arising from the expansion of the school, it is clearly demonstrated that the current facilities are insufficient to serve the student population. The proposal seeks to future-proof the site in the most logical and efficient way possible. Members should accord significant weight to this factor in the balance of judgement.

- 6.27 As ever, in reaching a conclusion on Green Belt issues, a judgement as to the balance between harm and whether the harm is clearly outweighed must be reached. In this case there is harm to the Green Belt with reference to

inappropriate development and loss of openness. However, this is considered to be the full extent of the harm and given the assessment elsewhere in this report there is no significant harm, to landscape and visual receptors, ecology etc. Several factors have been promoted by the applicant as 'very special circumstances' and it is for the Committee to judge:

- i. the weight to be attributed to these factors;
- ii. whether the factors are genuinely 'very special' (i.e. site specific) or whether the accumulation of generic factors combine at this location to comprise 'very special circumstances'.

6.28 Taking into account all Green Belt considerations, Officers are of the opinion that the identified harm to the Green Belt is clearly outweighed by the accumulation of factors described above, so as to amount to the very special circumstances justifying inappropriate development.

II. DESIGN AND LAYOUT

6.29 The sports hall would be sited within the grounds of the school on the northern boundary. Alternate sites within the grounds were considered but were ruled out as either more obtrusive or would result in the loss of essential outdoor sport facilities. The hall would benefit from proximity to the retained sports facilities and the proposed outdoor sport areas on the site to the north. On balance there is no objection to the siting; however, due to the proximity to the boundary, it will be visible from the open space to the north. However, from that vantage point it will be seen against the backdrop of the school campus. It should also be noted that the ground level on the northern site is significantly higher than the level of the site, which will reduce the appearance of height.

6.30 The design and layout of the development is considered acceptable and would provide beneficial improvements to the existing site conditions. Planning conditions would be necessary with regard to the approval of materials and boundary treatments.

6.31 The proposal is sufficiently distant from adjacent residential properties that there would be no overlooking, overshadowing, overbearing or loss of outlook. There are no other impacts to nearby residents of sufficient weight to justify refusal. The proposal would comply with Core Strategy Policies PMD1 and PMD2 with regards to design, appearance and amenity impacts.

III. ACCESS, TRAFFIC IMPACT AND PARKING

6.32 Given the likely increase in the student population at the school and because the new facilities will be open to the public outside of school hours, a condition to agree a Travel Plan is necessary to ensure the school continues to be served by sufficient

parking, with mitigated impacts to traffic on the highway network, in order to comply with policies PMD8 and PMD9 of the Adopted Core Strategy.

- 6.33 The submitted Highways Statement demonstrates that the projected parking requirements for the sports hall fit comfortably within the available parking on the site which comprises 99 regular spaces and 4 disabled spaces. The Council's Highways Officer has raised no objections to the proposal on parking or grounds of impact to the public highway. The proposal complies with policy PMD8 of the Adopted Core Strategy.

IV. IMPACT UPON ECOLOGY, BIODIVERSITY AND LANDSCAPE

- 6.34 The site itself is not of ecological interest. However, an improvement in biodiversity may be achieved through mindful landscaping. This could be agreed by a suitable planning condition.
- 6.35 Impact to the openness of the landscape could also be mitigated somewhat by new planting along the north elevation. This could again be agreed by a suitable planning condition.

V. HERITAGE AND ARCHAEOLOGY

- 6.36 The site is not itself listed or within the curtilage of a listed or undesignated heritage asset, but is situated between the Grade II *Belhus Park* Registered Park and Garden and the Grade II* listed *Little Belhus* and *Garden Walls and Gateway at Little Belhus*. The potential impact of the new building upon these assets has been fully assessed within the application and the Council's Heritage Advisor raises no objection.
- 6.37 The Council's Specialist Archaeological Advisor states that the site lies within an area of known archaeological deposits. A condition is recommended in order to ensure any artefacts are appropriately recovered. It is noted that the school has already arranged trial trench works both on the site of the proposed sports hall and on the site of the approved classroom block.
- 6.38 In conclusion under this heading, the proposal would not conflict with Core Strategy Policies CSTP24 and PMD4.

7.0 CONCLUSIONS AND REASON(S) FOR APPROVAL

The principle issue for consideration in this case is the assessment of the proposals against planning policies for the Green Belt and whether there are very special circumstances which clearly outweigh harm such that a departure from normal policy can be justified. The proposals are 'inappropriate development' in the Green Belt and would lead to the loss of openness. Substantial weight should be attached to this harm in the balance of considerations. Nevertheless, it is considered that no

harm should be attached to the impact that the proposals would have on the role of the site in fulfilling the defined purposes for including land in the Green Belt.

- 7.1 The applicant has cited factors which are promoted as comprising very special circumstances which could outweigh the harm to the Green Belt. The weight which can be attached to these factors is considered in detail in the paragraphs above.
- 7.2 On balance, and as a matter of judgement, it is concluded on this point that the case for very special circumstances clearly outweighs the identified harm to the Green Belt described above.
- 7.3 Subject to conditions, there are no objections to the proposals with regard to the design of development, the impact on the highway network or impact on ecology.
- 7.4 This planning application requires close scrutiny with particular regard to Green Belt considerations and the Committee should take a balanced view, taking into account all of the relevant material considerations described above. As a matter of judgement, it is considered that the proposals should be supported.
- 7.5 All other material considerations have been assessed and are considered acceptable and where necessary mitigation is required planning conditions are recommended as stated below.

8.0 RECOMMENDATION

Grant planning permission subject to:

A: Referral to the Secretary of State (Planning Casework Unit) under the terms of the Town and Country Planning (Consultation) (England) Direction 2009, and subject to the application not being 'called-in' for determination;

B: The following conditions:

Standard Time

1. The development hereby permitted must be begun not later than the expiration of 3 years from the date of this permission.

Reason: In order to comply with Section 51 of the Planning and Compulsory purchase Act 2004.

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Number(s):		
Reference	Name	Received
0003 2	Location Plan	8th June 2017
0004 3	Proposed Plans	8th June 2017
0005 3	Proposed Elevations	8th June 2017
6107-D - 2	Site Layout	8th June 2017
S.16119-1 (F1)	Other	8th June 2017

Reason: For the avoidance of doubt and in the interest of proper planning.

Construction Environmental Management Plan (CEMP)

3. No site clearance works or construction works shall commence until a Construction Environmental Management Plan [CEMP] has been submitted to and approved in writing by the local planning authority in writing. The CEMP shall including the following details:

- Wheel washing facilities and arrangements for the sheeting of vehicles transporting loose aggregates or similar materials on or off site,
- Location and size of on-site compounds [including the design layout of any proposed temporary artificial lighting systems]
- Details of any temporary hoarding;
- Water management including waste water and surface water discharge,
- Method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals,
- Timing of vegetation removal
- details of hours of construction (it is recommended that general construction activities should only occur between the hours of 08.00-18.00 (Mon-Fri) and 08.00-13.00 (Sat). If impact piling is proposed there should be no activity before 09.00.

Works on site shall only take place in accordance with the approved CEMP.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with Policy PMD1 of the Adopted Thurrock Local Development Framework Core Strategy and Policies for the Management of Development DPD [2015].

Landfill Gas

4. The development hereby permitted shall not be commenced until a comprehensive site survey has been undertaken to;
- 1) determine the existence, depth, extent and character of any filled ground;
 - 2) determine the existence, extent and concentrations of any landfill gas with potential to reach the application site.

A copy of the site survey findings together with a scheme to bring the site to a suitable condition in that it represents an acceptable risk including detailing measures to contain, manage and/or monitor any landfill gas with a potential to reach the site shall be submitted to and agreed in writing with the local planning authority prior to the commencement of development hereby permitted.

Formulation and implementation of the scheme shall be undertaken by competent persons. Such agreed measures shall be implemented according to timings stipulated in the agreed scheme. No deviation shall be made from this scheme without the written express agreement of the local planning authority.

Should any ground conditions or the existence, extent and concentrations of any landfill gas be found that was not previously identified or not considered in the scheme agreed in writing with the local planning authority, the site or part thereof shall be re-assessed in accordance with the above and a separate scheme to bring the site to a suitable condition in that it represents an acceptable risk shall be submitted to and agreed in writing by the local planning authority. Such agreed measures shall be implemented according to timings stipulated in the agreed scheme.

If any landfill gas is found during the survey or subsequent monitoring, the following requirements are invoked:

- the developer shall give one-month's advanced notice in writing to the local planning authority of the impending completion of the agreed works;
- within four weeks of completion of the agreed works a validation report undertaken by competent person or persons shall be submitted to the local planning authority for written approval;
- there shall be no commencement of use of the site until the local planning authority has approved the validation report in writing;
- prior to the commencement of the use hereby approved, the developer shall submit to the local planning authority a signed and dated certificate to confirm that the works have been completed in strict accordance with the documents and plans comprising the scheme agreed in writing with the local planning authority.

Reason: To ensure that any potential risks arising are properly assessed and that the development incorporates any necessary measures and subsequent

management measures to satisfactorily deal with contamination / gases in the interests of amenity in accordance with policy PMD1 of the Thurrock Core Strategy and Policies for the Management of Development DPD [2011].

Finishing Materials

5. Notwithstanding the information on the approved plans, no development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity and to ensure that the proposed development is satisfactorily integrated with its surroundings in accordance with Policy PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

Soft Landscaping

6. No development above ground level should take place until a scheme for on-site soft landscaping including schedules of plants, noting species, plant sizes and proposed numbers / densities where appropriate; an implementation timetable; and ongoing management and maintenance arrangements has been submitted to and approved in writing by the local planning authority. The submitted scheme shall demonstrate that all works to existing trees or hedgerows shall be undertaken outside of nesting season. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the proposed development does not impact the Vange and Fobbing SSSI nearby and ensure the landscaping integrated with its immediate surroundings as required by policies CSTP18 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD (as amended) (2015).

Travel Plan

7. Prior to the first occupation of the development hereby approved, a Travel Plan shall be submitted to the Council for approval via the Mode Shift STARS online Travel Plan Monitoring. For the entire time the site is operated, the measures within the approved Travel Plan shall be operated and regularly monitored and updated to promote initiatives to improve sustainable travel choices for both pupils and staff members.

Reason: In the interests of improved sustainable travel choices, safety and efficiency on the highways network.

Lighting

8. Any external lighting shall be installed and operated in accordance with a scheme previously submitted to and approved by the local planning authority prior to first operational use of the development.

Reason: In the interests of ecology and biodiversity and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1 and PMD7 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Archaeology

9. No development or preliminary groundworks of any kind shall take place until the applicant has secured and undertaken the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to and approved in writing by the planning authority.

Reason: To ensure that investigation and recording of any remains takes place prior to commencement of development in accordance with Policy PMD4 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development DPD [2015].

Community Use

10. No occupation shall commence of the development hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports hall and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy CSTP9.

Informatives:

1. A recognised professional team of archaeologists should undertake any archaeological work. The archaeological work would consist of the initial excavation of a trial trench in the area of the proposed school building followed by open area archaeological excavation if significant archaeological deposits are identified. An archaeological brief defining the requirements can be supplied from Essex County Place Services.
2. Anglian have noted that an application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

Further they recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence.

Anglian Water also recommends the installation of properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.”

3. **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.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: <http://regs.thurrock.gov.uk/online-applications>



Application No: 17/00772/FUL

The Ockendon Academy

Erriff Drive, S.Ockendon

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