

# **Planning Committee**

14 November 2018



Application Nos.	18/01084/FUL				
Site Address	The Matthew Arnold S	chool, Kingston Road, S	Staines Upon Thames		
Proposal	Construction of new school building, relocation of 2 floodlit sports pitches, demolition of existing school buildings and associated landscaping.				
Applicant	Wates Construction Li	mited			
Ward	Staines South				
Call in details	N/A				
Case Officer	Kelly Walker				
Application Dates	Valid: 26/07/2018	Expiry: 25/10/2018	Target: over 13 weeks. Extension of time agreed		
Executive Summary	the relocation of 2 floo building and associate The scheme is conside will provide a moder activities at the site c attractive form of deve area which is accepta of land. It will have an residential dwellings, t It is also considered to parking issues, provisi	dlit sports pitches, demo ed landscaping. ered to be an acceptable n school building while ontinue to operate. It is elopment which is in char ble on design grounds a acceptable impact on th he Scheduled Ancient M o conform to policies on ion of community facilitie			
Recommended Decisions	This planning applicat	ion is recommended for	approval.		

### MAIN REPORT

## 1. <u>Development Plan</u>

- 1.1 The following policies in the Council's Core Strategy and Policies DPD 2009 are considered relevant to this proposal:
  - SP1 (Location of Development)
  - ➤ LO1 (Flooding)
  - CO1 (Providing Community Facilities)
  - CO2 (Provision of Infrastructure for New Development)
  - > SP6 (Maintaining and Improving the Environment)
  - > EN1 (Design of New Development)
  - ➢ EN3 (Air Quality)
  - EN4 (Provision of Open Space and Sport and Recreation Facilities)
  - > EN8 (Protecting and Improving the Landscape and Biodiversity)
  - EN11 (Development and Noise)
  - EN13 (Light Pollution)
  - > EN15 (Development on Land Affected by Contamination)
  - SP7 (Climate Change and Transport)
  - CC1 (Renewable Energy, Energy Conservation and Sustainable Construction)
  - CC2 (Sustainable Travel)
  - CC3 (Parking Provision)
- 1.2 It is also considered that the following Saved Local Plan Policy is relevant to this proposal:
  - BE24 (Scheduled Ancient Monuments)
  - BE26 (Archaeology)
- 1.3 Also relevant are the following Supplementary Planning Documents/Guidance:
  - SPG on Parking Standards

#### 2. <u>Relevant Planning History</u>

- 13/01776/FULErection of a new purpose built external<br/>storage area.Granted<br/>05.03.2014
  - 13/01248/FUL Erection of a single storey extension to create Granted

	additional floor space to existing fitness facility	29.10.2013
12/01616/SCC	New 5m high ballstop fencing at east and west ends of existing artificial turf sports pitch	No objection 10.01.2013
12/00828/SCC	Use of extension to gymnasium without complying with Condition 6 of planning permission reference SP/99/0226 to allow establishment of a one-way vehicular access and exit scheme to and from the gymnasium.	No objection 14.08.2012
07/00815/SCC	Construction of a synthetic all weather pitch for school and community use with perimeter fencing, 8 x 15m floodlight columns, internal paths and 21 new parking spaces	No objection 21.11.2007
SP96/0431	Installation of a multi-use hard surface area and artificial grass pitch with 12 x 3m high floodlight columns and 3m high green chain link fence.	No objection 06.11.1996
	Note: Conditions restricted the use of the flood lights from 4pm until 9.30pm Monday to Saturda and 6pm on Sundays	У
SP91/283	Erection of 11 pole mounted floodlights	No objection 16.10.1991

## 3. Description of Current Proposal

#### Site description and surrounding area

- 3.1 This planning application seeks permission for the construction of a new school building along with the demolition of the existing school building and relocation of sports pitches and associated landscaping.
- 3.2 The Matthew Arnold is a mixed secondary school. The site comprises an area of 92 000 sq. m and has its main access from Kingston Road, to the north, adjacent to residential properties on Kingston Road. Directly opposite the entrance is Christ Church. The school is sited behind these existing residential properties rear gardens, with the access running along the side gardens of nos. 208 and 212 Kingston Road. To the east of the site is the Royal Estate with properties along Edinburgh Drive backing onto the school and the school playing fields. There is an unused vehicular access and gate in the north east corner via Edinburgh Drive. To the south, the playing fields border directly with the road at Elizabeth Avenue, with residential properties on the opposite site of the road. Laleham Methodist Church is located adjacent to the school, in the south east corner of site. To the west is a public footpath with pedestrian access to the school and many residential properties including those along Ash Grove which back onto the footpath. To the north west is a small housing estate at Matthew Arnold Close which was built on part of the school grounds some years ago.

- 3.3 The current site consists of the original 1956 2/3 storey school building in a square shape around an open court yard. This main school building is located directly in front of the access from Kingston Road, in the north western part of the site. There are also other school related buildings including various temporary classroom buildings, drama block, swimming pool and gym, along with hard surfacing for playgrounds and car parking in close proximity to the buildings. Grass playing fields and pitches occupy the south western part of the site. There is also a substation and a caretaker's house to the north of the site. close to the main entrance. To the east of the school buildings are various sports pitches with flood lighting. This includes the large all weather 3G pitch (AWP), providing a full size football pitch, with 5m fencing surrounding it. This large AWP will be retained in this position. In addition there is a smaller AWP in line with this and also a multi-use games area (MUGA) to the north of this, close to the rear boundaries with properties on Kingston Road. All of these pitches have flood lights. These pitches, are used by the school during the school day and then in the evenings and weekends are used by external clubs and groups within the community. There is currently a one way system operating for vehicles entering the site with the playground being used for car parking, out of school hours.
- 3.4 The site is located in the urban area with trees located around the edges of the field adjacent to properties on Kingston Road and Elizabeth Ave. There is a Scheduled Ancient Monument (SAM) beneath the playing fields. Historic England (HE) identify different possibilities for the marks, either a ditched enclosure of Roman or Medieval Period. The open space located towards the rear and side of the existing school building (south and east) is designated Protected Urban Open Space.
- 3.5 Constraints on the site which have an impact on limiting the location of the new school building include; the surrounding residential properties, the location of the existing main school building, the position of the SAM boundary, the location of the existing large AWP along with the fact that there needs to be an access route for third parties to use the gym and sports pitches and use of the existing school building during the construction phase of the new school building. The option chosen takes the constraints into account and allows for the segregation of the east part of the site during construction to build the new school building, before the students are moved out of the old school building and then the segregation of the west part of the site to allow the demolition of the existing building.

#### <u>Proposal</u>

- 3.6 The proposal is for the erection of a new school building, demolition of the existing main school building and relocation of sports pitches and associated landscaping. Some of the existing satellite buildings will be retained such as the gym, swimming pool, drama block and modular buildings to the north of the site.
- 3.7 Matthew Arnold School is part of the Priority School Building Programme (PSBP) which is a programme of refurbishment and development of existing school sites on the basis of their condition of the existing building stock and its ability to continue to perform as an educational establishment. This is funded

by the Education and Skills Funding Agency (ESFA) which has identified that the school qualifies for partial replacement. As such, an assessment of the school site has been carried out to explore what is required and where the new building would be located on site.

- 3.8 The proposed building will be located to the east of the existing main school building, in an L shaped block over 2/3 storeys. It will be located on the site of the existing MUGA and smaller AWP, with the existing large AWP being retained. This way, the new school building can be constructed while the existing facilities continue to be used. Once completed, the pupils will move across to the new building to allow demolition of the old building. As such, the school can still function without the need for temporary buildings. The applicants state that the new proposed building has been configured to make best use of the site, to create better cohesion between the retained school buildings and improving the legibility of the school campus.
- 3.9 The applicants note that they have worked closely with school representatives from the ESFA to reach the solution of the replacement of the ageing school buildings including fewer phases of construction to limit disruption to the user, a simple building organisation with clearly developed public presence with dining at its heart, creating a building with an enhanced sense of community, logical departmental planning and associated staff areas, highly performing spaces which are day-lit well ventilated and acoustically controlled and which are future proofed with flexibility and adaptable design.
- 3.10 The applicants go on to note that the rebuild would provide a simple 2/3 storey L shaped block that will accommodate the school with the same capacity and therefore number of students, including a replaced school entrance, administration area, main hall, kitchen and dining space. All general teaching, technology, art, science, IT, music and learning resource spaces will also be housed.
- 3.11 Providing a building on site in a different location to the existing building has the primary benefit of avoiding the need for temporary accommodation. The school will remain within the existing building and have continued use of the other satellite blocks through the construction phase. The initial enabling works will allow the relocation of the smaller AWP. Once the new buildings are complete, pupils will move into it and then the old block will be demolished. The final phase will include the landscaping and the relocation of the MUGA. The construction phasing is dealt with in detail within the submitted Construction Method Statement.
- 3.12 The same amount of parking is to be provided at the site as existing. Pedestrian and vehicular access will be made separate with a designated area for deliveries and refuse storage for the school. It will allow access and a turning area for vehicles and for 2 way traffic to the parking area at the rear of the site after school hours. The proposal also includes areas of landscaping, to improve the visual cohesion and 'way finding' at the site. The existing cycle storage structures to the north of the existing building will be retained in that location.
- 3.13 If approval is obtained, the school intend to commence enabling works in December 2018, with the new building construction commencing in February

2019. Demolition and external works in July 2020 and project complete by December 2020.

3.14 Site layout and elevation plans are provided as an Appendix.

## 4 <u>Consultations</u>

4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
County Highway Authority	No objection
Environment Agency	No comment
Head of Street Scene (refuse)	No objection
Local Lead Flood Authority (Surrey County Council)	Requested more detail, Members will be updated at the meeting
County Archaeologist	No objection, subject to conditions
Historic England	Raises concerns about the proposed school building affecting the setting of the ancient monument
Tree Officer	No objection subject to some replacement tree planting
Thames Water	No objection with regard to sewage infrastructure, recommends informative
Surrey Sports Fields Association	No comments received
Sport England	Raises an objection to the loss of the playing pitch.
Environmental Health (Contaminated land)	No objection, recommends conditions
Environmental Health (Air Quality)	No objection recommends condition
Environmental Health (noise/light)	No objection in regards to noise or lighting, subject to conditions

## 5. <u>Public Consultation</u>

5.1 256 neighbouring properties were notified by the Council of the planning application. Furthermore, statutory site notices were displayed and the application was advertised in the local press. Letters have been received from 27 separate properties regarding the proposal, as well as a letter of support from the Bourne Education Trust. In accordance with normal procedures,

copies of the letters of objection have been uploaded onto the Council's website and will be placed in the Member's room prior to the committee meeting.

5.2 Although most of the letters received support the erection of a new school building, they also have reasons to object, which include the following issues:-

-Overlooking and loss of privacy -Increase in traffic

-Noise, disruption and pollution during demolition and construction

-Impact on light of nearby properties

-Re-siting of AWP causing noise and light pollution to rear gardens of properties on Kingston Road. Closer to the boundary.

- Re-siting of MUGA and soft play behind existing properties causing noise due to the removal of the existing school building

- Siting of welfare and parking areas for workers will impact on residential properties

- Trees and shrubs must be kept to help shield proposal
- Security light shines in bedroom
- Reduce value of property

- Impact on students – noise during exams/learning and play areas at break times

- Concerns about long term use of side access
- Side access is narrow and access to existing properties must be maintained
- Loss of current view of open field
- Block sunlight
- Construction traffic
- 5.3 In addition, it should be noted that the applicants carried out a consultation event prior to the submission of the application in June 2018. An additional consultation event was also held on 11 September 2018 for those residents of Kingston Road who had unfortunately been missed from the previous notification of the original consultation process.

## 6. Planning Issues

- Principle of the development
- Loss of open space
- Loss of existing playing pitch
- Design and appearance.
- Highway issues
- Parking provision
- Flooding
- Renewable energy
- Ecology
- Impact on trees
- Archaeology
  - Scheduled Ancient Monument

## 7. Planning Considerations

Principle of the development

- 7.1 Policy CO1 of the Core Strategy and Policies DPD 2009 (CS & P DPD) seeks to ensure community facilities are provided to meet local needs, as well as resisting the loss of existing facilities except where they are no longer needed or are provided in an alternative location. The policy lists a number of facilities to which it relates, including schools and other educational facilities, clubs, sport and leisure activities
- 7.2 In terms of community facilities, the site is in an educational use and also provides a gym and use of the sports pitches to the wider public and clubs out of school hours; during the evenings and weekends. The proposal is for a new school to accommodate the same number of children and also the relocation of the 2 sports pitches which need to be moved to allow for the new school building. As such, the use of the site will continue to be the same as at present for both educational purposes and also providing the community facilities of the sport pitches. Consequently there is no conflict with Policy CO1 relating to community facilities as the education and most of the community function will continue at the site, even during the construction phase.
- 7.3 Considerable attention has been given to the layout and design with extensive evolution of the proposal. The applicant notes that the aim has been to build a new school building while the existing school and sports pitches are still in use and then to transfer the students to the new building before the existing school is demolished. This has had to be designed around the existing constraints at the site and also to pay due regard to the impact on existing neighbouring properties which border the site.
- 7.4 The principle of the development is therefore acceptable provided all other policy requirements are met satisfactorily, including the impact on archaeology, protected open space and the amenity of neighbouring properties. These and other planning issues are considered below.

#### Loss of Open Space

- 7.5 The relevant development plan policies for the loss of urban open space are contained in policies SP6, EN4 and CO1 of the CS&P DPD and policy BE14 of the Saved Local Plan.
- 7.6 Policies SP6 and EN4 seek, amongst other matters, to maintain and improve existing provision and to maintain open space in the urban area. The site is Protected Urban Open Space (Site C6) Policy EN4 states that:-

"The Council will seek to ensure there is sufficient open space which is well sited and suitable to meet a wide range of outdoor sport, recreation and open space needs by:

- (a) providing additional space where required (see also Policy CO3)
- (b) maintaining and improving provision and access to open space through the design and layout of new development, encouraging owners and users of private sites to make improvements and also improving provision on Council owned land,

- (c) seeking to maintain, improve and where appropriate expand networks of green space and pedestrian and cycle routes with a recreational role,
- (d) retaining existing open space in the urban area used, or capable of use, for sport and recreation or having amenity value where
  - *i.* there is a need for the site for sport or recreation purposes, or
  - *ii.* the site as a whole is clearly visible to the general public from other public areas and its openness either:
    - makes a significant contribution to the quality and character of the urban area by virtue of its prominence, layout and position in relation to built development in the locality, or
    - is of particular value to local people where there is a shortage of open space in the locality.
  - *iii.* the site is of particular nature conservation value, of at least SNCI or equivalent quality.

Exceptionally, development may be allowed on part of a site within the urban area which should otherwise be maintained for the above reasons where:

- (e) the remainder of the site is enhanced so its public value in visual and functional terms is equivalent to the original site or better, or
- (f) essential ancillary facilities are proposed to support outdoor recreational use of the site, or
- (g) the sport or recreational use is relocated to an alternative site of equivalent or greater value in terms of quantity, quality and accessibility to users of the original site, and other factors do not justify retention."
- 7.7 The application site currently has an area of Protected Open space to the east and south of the school buildings and playground, on the school field and playing pitches. This area is used by the school during the day and although there is no public access, the sports pitches are rented out in the evenings and at the weekends.
- 7.8 In assessing the proposal against Policies EN4 and CO1, under part (d) we have to consider its existing recreational use, visibility and any nature conservation value. The field is currently a school playing field with football pitches marked out on it, as well as the MUGA and large and small AWP. It is not generally open to the public, but is used by the school and clubs. It is visible to the general public from a public place which is the road to the south along Elizabeth Avenue, as well as from the rear of residential properties bordering the site.
- 7.9 The proposed school building and the relocated small AWP will be within the protected urban open space. The re-provided AWP will be located behind the existing large AWP and to the rear of the gardens along Kingston Road. The rest of the field is visible from Elizabeth Ave to the south, which adjoins the southern boundary of the playing field. However the location of the new school

building and the new sports pitch is in line with the existing built form to the north of the site and some distance from the southern boundary, as such there will still be a large expansion of playing fields between the road to the south and the proposed building, which will retain the view of the open space from the public viewpoint. It will also be visible from the rear of neighbouring residential properties which border the site. It should also be noted that the existing school building will be removed from the site. As such the floor area of the new school building will be similar to the existing. The old school building will be removed and replaced with the new MUGA and landscaping, which will maintain the openness of the site as a whole.

7.10 The proposed development involves the construction of a school building and a new AWP which will be located on an area of the school playing field resulting in the loss of an existing playing pitch on the open space. This grass pitch is currently used as a small football pitch at the weekends and the relocated AWP will be located on it. This will involve a change in its surface material with a fence and floodlighting and allow it to be used more and retain the recreational use of the site. Overall, it is considered that the proposal is considered to accord with policies CO1 and EN4.

#### Loss of existing playing pitch

7.11 The proposed development involves the loss of an existing playing pitch on the open space. Because this pitch was used within the last 5 years, it has been necessary to consult Sport England as a Statutory Consultee. Sport England has since responded by raising an objection as the policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of their five exceptions stated in its policy apply. Sport England's principal concern relates to the relocated small-sided Artificial Grass Pitch (AGP). Sport England considers that the proposed development of the new school buildings will see the existing small-sided AGP relocated onto the school playing field, leading to the loss of playing field in this part of the site. Sport England notes that this area of playing field, to the north of the large 11x11 AGP, is used and marked out with 2no. football pitches (1no. 9x9 pitch and 1no. 7x7 pitch). The relocated small-sided AGP will therefore reduce the playing field area and affect its ability to be used and marked out for a combination of football pitches.

A summary of Sport England's Exception Policies, and paragraph 97 of the NPPF are set out below:

	Sport England Policy
	Summary of Exceptions
E1	
	in the catchment and the site has no special significance for sport
E2	The development is ancillary to the principal use of the playing field and
	does not affect the quantity/quality of pitches
E3	The development only affects land incapable of forming part of a playing
	pitch and would lead to no loss of ability to use/size of playing pitch
E4	Playing field lost would be replaced, equivalent or better in terms of
	quantity, quality and accessibility

#### Paragraph 97 of the NPPF

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current of former use."
- 7.12 Whilst the comments from Sport England is noted, it is considered that the loss of the existing playing pitch is acceptable in this particular case and complies with paragraph 97 of the NPPF. Each of the bullet points are responded to below:
  - The Council carried out a Playing Pitch Strategy for Spelthorne 2013 2018 (PPS), which identified that there was a surplus of adult playing pitches in the Borough. There are playing fields available nearby at Staines and Laleham Hockey and Cricket Club on Worple Road, as well as open park land at Staines Park on Commercial Road which has been used for club football in the past. It is also noted that Council pitches are currently available to be booked by clubs within the borough, including, on a Saturday at Ashford Park, Littleton Rec, Long Lane and Cedars Rec (juniors only), as well as junior pitches on a Sunday at Cedars Rec and Shepperton Rec. As such this demonstrates that currently there is a surplus of pitches in the Borough. The Council could mark any of the pitches as mini, junior or 9 v 9 or full size according to demand locally and if not restricted to junior, but at present they are not receiving enquiries for these pitches.
  - In addition the applicants have noted that the grass pitches on the school playing field can be reconfigured and as such would result in the loss of a smaller 5 by 5 pitch, only, rather than the 9 by 9 pitch that is currently located in this position. They also note that the school provides in excess of its required outdoor and indoor playing areas (as required by the Building Bulletin 103: Area Guidelines for Mainstream Schools), and also in excess of the soft play areas for educational purposes.
  - The loss of the existing grass pitch on the playing field will be clearly outweighed by the provision of a re provided AWP which will allow for an increase in use for recreational purposes compared to a grass pitch, in particular in the winter months when grass pitches can become muddy

and unusable. There is also a very large expanse of playing fields to the south of the site for use by the school and clubs out of school hours. The replacement AWP will be smaller than the pitch it replaces, but other pitches are available on other parts of the playing field some in close proximity. It should also be noted that the relocation of the AWP will allow for the school building to be sited on top of the existing AWP and will provide a significant public benefit in terms of a new educational establishment and the continued use of a synthetic sports pitch which can be used more regularly than the grass pitch it replaces, as well as many other grass pitches being provided on the existing large playing field.

7.13 Following on from the objection by Sport England, the applicants have noted that:

"Their principal concerns relates to the relocated All Weather Pitch. Sport England object to the pitch relocation as it would lead to the loss of a 9v9 playing field in this part of the site. They note that the requirements for outdoor sports areas are set out in Building Bulletin 103: Area Guidelines for Mainstream Schools. Below is a summary of the proposals and how they relate to the requirements under these guidelines. I have enclosed two plans showing the existing and proposed external play areas on the site. In response to Sports England's objection, the scheme proposes to relocate the 9v9 pitch to the north east, with the two 7v7 pitches being relocated further south along the eastern boundary. As a result, the proposal would involve the loss of the smaller 5v5 pitch, a substantially smaller loss than the 9v9 pitch. Having analysed the existing and proposed pitch provision, the enclosed plans show quantum of the existing and proposed play areas compared with the requirements as set out in Building Bulletin 103: Area Guidelines for Mainstream Schools, outlined below:

• There is a requirement for 1,870sqm of Hard Outdoor PE space. 2,163sqm is proposed in the application scheme. Provision of 2,163sqm results in a surplus of 293sqm for the proposed Hard Outdoor PE.

• The requirement for Soft Outdoor PE is 40,300sqm. The existing provision is 70,876sqm. The application proposes an area of 66,623sqm. Therefore, despite a minor loss of Soft Outdoor PE from existing, the proposed development results in a surplus of 26,323sqm over the standards.

• The requirement for Soft Informal space is 2,560sqm. The existing provision is 3,074sqm. The proposed development increases this provision to 8,962sqm resulting in an overall surplus of 6,402sqm. The above demonstrates that the proposed development results in a surplus in sports provision on the site compared to the requirements as set out in Building Bulletin 103: Area Guidelines for Mainstream Schools.

The applicant also notes that the grassed 9v9, 7v7 and 5v5 pitches are used for school use only and, as identified above, are in excess of the school's needs. Therefore, the loss of the 5v5 pitch would not have an effect on sports provision for the wider community. The new school building must be placed in this positon due to other constraints at the site including the SAM. As such the AWP needs

to be re-provided on the site. The AWP provides benefits over the grass pitch as it can be used more regularly throughout the year.'

7.14 In addition, the proposal allows the erection of a new school building whilst the existing one is in use; as such there is a public benefit being gained. Given the above assessment, it is considered that the loss of the grass playing pitch will be outweighed by the benefits of a new school building and most of the pitches can be re-provided by the reconfiguration of the existing large playing field which, as noted by the applicant, provides in excess of the required outside space for schools. As such the proposed loss of the grass pitch is considered to be acceptable despite the objection from Sport England.

#### **Design and appearance**

- 7.15 Policy EN1a of the CS & P DPD states that "the Council will require a high standard in the design and layout of new development. Proposals for new development should demonstrate that they will: create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land."
- 7.16 The existing main school building consist of the original 2/3 storey block, around a court yard. The 3 storey element is on one side only, positioned parallel to the boundary with properties along Kingston Road, in front of the main access. It is currently set back some 19m from the boundary with the rear gardens of properties located on Kingston Road to the north. Other buildings on site include portable classrooms to the North West corner, swimming pool building drama block, caretaker's house to the north and gym to the south west, all of which are to be retained.
- 7.17 The scale of the proposed school building is similar to the existing; however it will be sited further to the east and be an L shape layout. It will be located some 26m from the northern boundary with the rear gardens along Kingston Road, but this will be behind different properties compared to the existing school building. In addition part of the new building will be located adjacent to the caretaker's house, which will further buffer the proposed building to some of the properties on Kingston Road beyond. There are a number of trees located in the school grounds itself close to the boundary and in particular to the rear of the care taker's house, as well as a number of mature trees shrubs and hedges on the boundary and in the rear gardens of the neighbouring houses on Kingston Road. In addition some of the gardens have outbuildings located at the end of the gardens bordering with the school field. As such these elements will help to reduce the visual impact of the proposed new school building.
- 7.18 The proposed building will have the taller element perpendicular to the boundary. As such, the 2 storey part of the building will be located parallel and closest to the boundary with the neighbouring properties. Therefore the proposed school building will be lower in height and further away (some 7m) from the boundary with neighbouring properties compared to the existing relationship. The proposed building will be of a large modern boxy type design,

as schools often are, and it will not be particularly visible from the public domain, given its set back from the entrance, and from the road to the south. It will be visible from the properties on Kingston Road, although given the design and distance to these dwelling it is considered to be acceptable.

- 7.19 Simple landscaping along with some tree planting will be provided which will help to integrate the existing buildings and the new, provide an attractive and inviting entrance to the new school building and help to provide an easier way around the site, connecting the various uses and buildings.
- 7.20 Much of the parking will be provided in the same place as existing, on the main playground area. As such the proposed development is considered to be acceptable in design terms and conforms to policy EN1.
- 7.21 The AWP and MUGA will be re-provided on the site; they are features which are currently in existence on the school grounds. The MUGA will be further away from the northern boundary than it currently is, in the position of the existing school building, surrounded by landscaped areas. The relocated AWP will be located closer to the northern boundary than it currently is and 1m closer than the existing MUGA. It will be some 24m from the boundary with the residential properties and will have fencing around it of some 3.5m in height on both ends, and 4m in height to the sides. In addition there will be 8 no. 10m tall lighting columns surrounding it, 4 on each side. Given the distance to the boundary and over 60m to the rear of the properties, as well as the open nature of the fencing, the pitch is considered to have an acceptable visual impact when viewed from adjoining residential properties. It will be partly screened by the existing large AWP when viewed from the south. As such the sports pitches are acceptable in terms of design and visual impact according to policy EN1.

Impact on neighbouring residential properties

7.22 Policy EN1b of the CS & P DPD states that:

"New development should achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook."

- 7.23 The school is already in existence and the proposal does not change the use of the site including its intensity of use. The scale of the development and proximity to the boundaries with existing properties needs to be given consideration to ensure that there is an acceptable relationship and that existing residential properties will not be significantly adversely affected by the proposal. Although the proposal is not for residential development, the Council's Supplementary Planning Document on the Design of Residential Extensions and New Residential Development 2011 (SPD) sets out policy requirements in terms of separation distances, which acts as a helpful guide in assessing the location and impact of the new building in relation to the existing residential properties.
- 7.24 The SPD in para 3.6 acknowledges that 'most developments will have some impact on neighbours, the aim should be to ensure that the amenity of adjoining

occupiers is not significantly harmed.' It sets out minimum separation distances for development to ensure that proposals do not create unacceptable levels of loss of light, be overbearing or cause loss of privacy or outlook. These are set as a minimum for 2 storey development of 10.5m for back to boundary distance, and 21m for back to back development. Three storey development has a back to boundary distance of 15m and back to back distance of 30m.

- 7.25 The proposed school building will be 2 storey on the section running parallel with the properties on Kingston Road and will be set back some 26m. The properties on Kingston Road have relatively long gardens of approx. 40m in length from the main 2 storey dwelling. As such the new school building will be located over 60m from the rear of the residential properties along Kingston Road. The proposed building will substantially exceed the distance set out in the SPD for 3 storey residential development of 15m for back to boundary and 30m for back to back development, despite it only being 2 storey in height at this point although as indicated above, the distance is only a guide as the proposal is not residential In addition, the caretakers house is located between the rear boundary and part of the new school building, which along with some trees, will help to partly shield the proposed new school building from some dwellings. The school will mostly be occupied during the day time. It is considered that the proposal will not lead to a significant loss of light, be overbearing or cause overlooking to the detriment of the occupiers of the closest dwellings.
- 7.26 It is also important to note that this is an improvement to the current situation with the 3 storey school building being some 19m from the boundary with existing properties. The proposed 3 storey element of the new school building will be positioned on the north to south part, further away from the residential properties. Consequently, the part of the building adjacent to the boundaries with these existing dwellings has been designed to be lower in scale and height to ensure an acceptable relationship with these dwellings and their rear gardens.
- 7.27 The removal of the existing school building will allow for soft landscaping and the repositioning of the MUGA pitch in this location. This will remove the school building from behind properties on Kingston Road, which will allow for an improved outlook for these existing properties. The presence of the existing school building may have helped to reduce noise levels from the playground beyond, however the newly positioned MUGA is a use currently on the site and it will be located over 60m from the boundary to the north. The school will also continue to provide education for the same number of pupils so the use of the site is already in existence and it is probable that little or no further noise and disturbance is likely to occur as a result of intensity of use at the site. As such there is no objection to this part of the proposal.
- 7.28 Consequently, it is considered that the proposed new school building will have an acceptable impact on the amenity of occupiers of properties surrounding the site including those on Kingston Road which are located closest. The proposal will not cause a significant loss of light, be overbearing or lead to a loss of privacy. It is also considered that the proposal will have an acceptable impact on the amenity of other residential properties surrounding the site, conforming to Policy EN1.

#### Impact of the repositioned pitches

#### a) Position

- 7.29 The new school building will be erected in the position of the existing MUGA and smaller AWP. These pitches will then be re-provided on the site in alternative locations. The MUGA will be relocated in the position of the existing school building and is considered to have an acceptable impact on the amenity of neighbouring properties in particular as it will be located over 60m from the northern boundary, some 35m further than it currently is. The smaller AWP will be relocated to a position to the north of the existing larger AWP, adjacent to the new school building and closer to the northern boundary than its current position, however only 1m closer than the existing MUGA pitch.. The applicants have put forward the reasons why it needs to be located in this position noting that it could not be repositioned south of the larger AWP, '...which was considered during the design process, however this would not be achievable as the relocated pitch would have an impact on the Scheduled Ancient Monument.'
- 7.30 It is also noted that moving it further to the east would result in it being closer to other dwellings along Edinburgh Drive and if moved towards the south eastern corner it would be located too far away from the existing facilities such as car parking and changing rooms, and in addition this part of the school playing field is used as a running track during the summer months.
- 7.31 A number of residents had also questioned the relocation of the AWP as they understood, following the approval of the larger AWP in 2007 (ref. 07/00815/SCC), by Surrey County Council that pitches and lighting should be located no closer to the boundary given it showed a buffer zone limiting lighting between the larger pitch and the boundary with the properties on Kingston Road. However having reviewed this planning history and previous planning application and conditions, there are no planning conditions to this effect and in any event, each application needs to be considered on its merits. In addition the applicants have submitted a lighting and noise report with the application which displays the impacts of the current scheme, and this is discussed further below.

#### b) Noise and Lighting

- 7.32 Policy EN11 (Development and Noise) of the CS & P DPD states that the Council will seek to minimise the adverse impact of noise by a) requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level, and b) requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels.
- 7.33 The Planning Practice Guidance on noise notes that, ... noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.'

When discussing how to determine the noise impact it notes that, '...Local planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

In line with the Explanatory note of the noise policy statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level [This is the level of noise exposure above which significant adverse effects on health and quality of life occur].and the lowest observed adverse effect level for the given situation. As noise is a complex technical issue, it may be appropriate to seek experienced specialist assistance when applying this policy,'

- 7.34 The applicant has submitted a noise assessment to identify the overall effect of the noise exposure in line with the above guidance. This noise assessment concludes that the proposal would have a negligible impact on noise compared to existing. The report also concludes that, *'...based on considerations given to operational noise due to the scheme proposal, the proposed development is likely to have a negligible operational noise impact. The potential noise impact on the MUGA and AWP relocation has been considered and is assessed to be a low risk with respect to adverse noise impact on the nearest noise sensitive receptors.'*
- 7.35 In the report the impact on the relocation of the MUGA and AWP are assessed. It also notes Sports England document Artificial Grass Pitch (AGP) Acoustics – Planning implications 2015 which provides guidance on noise level for artificial pitches and MUGAs, including provision of typical noise levels, which notes a typical noise level at certain distances for the side line, as representative of AGP. The report notes that the nearest dwellings to the new MUGA pitch are some 80m along Ash Grove to the west and will have a minimal increase in noise levels which would amount to a ' slight impact', in particular given it is relocated from elsewhere on the site.
- 7.36 In terms of the impact on the relocated AWP, the report notes that it is marginally closer (by 1m) than the existing MUGA to neighbours and the existing MUGA will be removed from that position, as well as the fact that the new AWP will be located next to the larger AWP which is to be retained. It should also be noted that the entrance gates to the new AWP have been positioned on the western elevation facing the new school building which will help to reduce noise impact of the gates being opened and closed and also stop people having to walk around the pitch to enter it.
- 7.37 The Council's Environmental Health Officer (EHO) has been consulted and has raised no objection subject to a number of noise conditions, including an hours of use condition to restrict the use of the pitches until 9pm during the week and 5pm at weekends. It is acknowledged that the AWP is likely to have a more intense use compared to the grass pitch it replaces and also the existing MUGA which is to be removed from its current position, however any pitch could be

used within the hours permitted and this needs to be taken into account. As such it is considered that provided the hours of use of the pitches are conditioned, the re-provided AWP and MUGA will not cause an unacceptable noise level that would justify refusal and therefore accords with Policy EN11.

- 7.38 Policy EN13 (Light Pollution) seeks to minimise the adverse impact from light pollution on the environment, It states that the Council will seek to reduce light pollution by a) encouraging the installation of appropriate lighting including that provided by other statutory bodies, b) only permitting lighting proposal which would not adversely affect amenity or public safety and requiring the lights to be i) appropriately shielded, directed to the ground and sited to minimise any impact on adjoining areas, and ii) or a light and illumination level of the minimum required to serve their purpose.
- 7.39 The Planning Practise Guidance (PPG) on light notes that, '... Artificial light provides valuable benefits to society, including through extending opportunities for sport and recreation, and can be essential to a new development. Equally, artificial light is not always necessary, has the potential to become what is termed 'light pollution' or 'obtrusive light' and not all modern lighting is suitable in all locations.'
- 7.40 It goes on to note that in sensitive locations, such as adjacent to other sites, lighting needs to be designed to take account for light intrusion by considering where, when and how much the light shines. It states that, *…Light intrusion occurs when the light 'spills' beyond the boundary of the area being lit. For example, light spill can impair sleeping, cause annoyance to people, compromise an existing dark landscape and/or affect natural systems (e.g. plants, animals, insects, aquatic life). It can usually be completely avoided with careful lamp design selection and positioning:* 
  - Lighting near or above the horizontal is usually to be avoided to reduce glare and sky glow (the brightening of the night sky).
  - Good design, correct installation and ongoing maintenance are essential to the effectiveness of lighting scheme.'

It goes on to note the use of planning conditions is usually required to control the hours of use to ensure they do not become a nuisance.

7.41 It should be noted that the existing MUGA pitch is flood lit and located some 25m from the boundary with properties on Kingston Road. The caretaker's house is located between this pitch and the residential properties to the north. The proposed relocated AWP will be re-sited adjacent to the current position of the existing MUGA and will be some 24m from the rear boundary with properties on Kingston Road, closer than the existing MUGA by 1m, but further along to the east. The proposed lights will be more modern than the existing lighting and as such will be more efficient. The proposal is for 8 no. 10m columns with LED heads with low light spill. The report clearly shows that light spill from the relocated AWP will not reach residential areas to the north of the site. The applicants have submitted an amended light impact assessment. It is considered that the applicant has demonstrated that there are no unacceptable adverse impacts as a result of the lighting. The applicant has noted that, *'...Concerning lighting, the proposed lighting is built to a better* 

specification than on the existing pitches. We have commissioned an additional lighting report which compares the lighting impact of the existing MUGA with the relocated All Weather Pitch (AWP). The report demonstrates that there would be no greater impact on neighbouring residents than there is from the existing MUGA.' This would be subject to hours of use controlled by condition.

7.42 The Council's Environmental Health section was consulted and has raised no objection on lighting grounds. As such subject to conditions for hours of use, the impact of light on the neighbouring properties is considered to be acceptable and not a reason to refuse the scheme. The proposal is considered to minimise the adverse impact from light pollution on the environment, by providing appropriate lighting to serve their purpose and would not adversely affect the amenity of neighbouring residential properties according to policy EN13

#### Highway and Parking provision

7.43 Strategic Policy SP7 of the CS & P DPD states that:

"The Council will reduce the impact of development in contributing to climate change by ensuring development is located in a way that reduced the need to travel and encourages alternatives to car use. It will also support initiatives, including travel plans, to encourage non car-based travel."

7.44 Policy CC2 of the CS & P DPD states that:

"The Council will seek to secure more sustainable travel patterns by: ... (d) only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative impact including other proposed development; (iv) access and egress to the public highway; and (v) highway safety.

- 7.45 The County Council was consulted as the Highway Authority (CHA) and has no objection to the proposal recommending a number of conditions.
- 7.46 The proposal itself provides the same number of car parking spaces as existing and given the uses will remain the same, this is acceptable. The cycle parking facilities will remain within the existing covered bike store to the north of the site, which will continue to be used.
- 7.47 Policy CC3 (Parking Provision) of the CS & P DPD states that the Council will require appropriate provision to be made for off-street parking in development proposals in accordance with its maximum parking standards.
- 7.48 It is relevant to note that the roads in the surrounding area are subject to some on-street parking restrictions (i.e. single and double yellow lines), which limit the scope for on-street parking demand. However surrounding residential roads allows for pupils to be dropped off and collected from school if required.

7.49 The CHA does not object to the use of the access from Edinburgh Drive to provide access to the proposed contractor parking area. The CHA states that:

"It is considered that this route would be unacceptable as a delivery access, and HGVs or machinery should not be permitted to access the site via this route. However, the proposed Construction Method seeks only to allow contractors to park their vehicle in the compound served by the Edinburgh Drive access. Providing a dedicated contractor parking facility will help to reduce the impact of the construction phase on the local road network. It is acknowledged that the access via Edinburgh Drive is narrow, and can facilitate only one-way traffic. Generally, it is considered that contractor arrivals and departures will be fairly tidal – most contractors will arrive in the morning and leave in the afternoon, so there is unlikely to be a significant conflict of movements. In addition, Edinburgh Drive is a lightly trafficked residential road, and any driver required to wait in the carriageway for a vehicle to exit the site is unlikely to result in a material safety issue."

7.50 Therefore the CHA has raised no objection to the proposed scheme on highway safety grounds or parking provision. As such it is considered that the scheme is acceptable in terms of policies CC2 and CC3 on highway and parking issues.

#### Flooding

- 7.51 Policy LO1 of the CS & P DPD states that the Council will seek to reduce flood risk and its adverse effects on people and property in Spelthorne by not requiring all development proposal within Zones 2, 3a and 3b and development outside the area (Zone1) on sites of 0.5ha or of 10 dwellings or 1000sqm of non-residential development or more, to be supported by an appropriate Flood Risk Assessment (FRA).
- 7.52 The site is located within Flood Zone 1, which has a low probability of flooding with a less than 1 in 1000 year chance of flooding, and no uses are precluded on flooding grounds. The applicant has submitted a Flood Risk Assessment & Surface Water Drainage Strategy, as is required by Policy LO1 of the CS & P DPD. The proposal is for the same use as existing and the proposal will involve building a new school following the demolition of the existing, for the same number of pupils. Therefore, the proposal is acceptable on flooding grounds
- 7.53 With regards to surface water drainage, the applicant is proposing to implement infiltration drainage devices to discharge surface water to the underlying soil in the form of soakaways and permeable paving to provide much improved surface water drainage than currently on site. The proposal also includes the provision of more soft landscape areas which will improve the permeability of the site.
- 7.54 The Environment Agency (EA) was consulted but have replied stating that they need not be consulted on this application. The Lead Local Flood Authority at Surrey County Council has requested further detail about the proposed sustainable drainage scheme, and this matter will be updated at the meeting.

#### Renewable Energy

7.55 Policy CC1 of the CS & P DPD states that the Council will require residential development of one or more dwellings and other development involving new building or extensions exceeding 100 sq. m to include measures to provide at least 10% of the development's energy demand from on-site renewable energy sources unless it can be shown that it would seriously threaten the viability of the development. The applicants have not provided details to show how they intend to provide this, however it is likely that photovoltaic panels on the roofs of the proposed buildings will be able to achieve at least 10% energy reduction. Accordingly, a renewable energy condition will be imposed to ensure that the 10% requirement is achieved on the site.

### <u>Ecology</u>

- 7.56 Policy EN8 of the CS and P DPD states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest.
- 7.57 The proposed new school building will be located on existing sports pitches and hard surfacing areas. With one of these being relocated to the position of the existing building and one being relocated to the northern part of the school field, which adjacent to the retained AWP, The rest of the playing field is open grassland which has been managed. There are also a number of existing trees, mostly located around the edges of the site which are likely to have some ecological value most of these will be retained. The trees that are being removed are justified in particular due to the presence of existing trees/hedges and due to the proposed planting of replacement trees, to which the Councils Tree Officer has raised no objection. As such the proposal has an acceptable impact on Ecology.

#### Archaeology/Scheduled Ancient Monument

- 7.58 As noted previously, there is a Scheduled Ancient Monument (SAM) beneath the playing fields. Historic England identify different possibilities for the marks, either a ditched enclosure of Roman or Medieval Period and the site is in an Area of High Archaeological Potential. Consequently the applicant has submitted an Archaeological Assessment as required by Saved Local Plan Policy BE25.
- 7.59 Saved Local Plan Policy BE24 notes that there are four scheduled ancient monuments within Spelthorne which are by definition of national importance and which the Council will seek to preserve from any development adversely affecting its site or setting. It notes that an application for scheduled ancient monument consent must be made for any proposal affecting those sites (this has been submitted separately to the Historic England) It states that:-

'There will be a presumption against any development which would adversely affect a scheduled or other nationally important ancient monument or its setting. Development adversely affecting a site or monument of County archaeological importance will not normally be permitted.'

- 7.60 Paragraph 90 of the NPPF states that 'Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of the proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal
- 7.61 Paragraph 192 goes on to note that in determining applications Local Planning Authorities (LPAs) should take account of:
  - a) The desirability of sustaining and enhancing the significant of heritage assets and putting them to viable uses consistent with their conservation
  - b) The positive contribution that conservation of heritage assets can make to sustainable communities including other economic vitality and
  - c) The desirability of new development making a positive contribution to local character and distinctiveness.
- 7.62 The NPPF goes on to consider the potential impacts. It states that: '...great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Para 196 notes that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The NPPF goes on to note that, '... Local Planning Authorities should look for opportunities for new development within conservation areas and World Heritage Sites and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.'

7.63 The County Archaeologist was consulted on the application and has recommended that further archaeological works are required which can be imposed by condition. He notes that:

"The development site is largely within an Area of High Archaeological Potential defined around the wider environs of the Scheduled Monument and the possible presence of prehistoric and Romano-British or Roman features...There is clearly the potential for archaeology to be present within the site and as such, there is a need for further archaeological work in order to properly assess the nature and extent of any archaeology that may be present. I agree with the recommendations contained within the report 7.64 In addition and due to the presence of the SAM, Historic England (HE) was also consulted. As already noted, most of the school playing field has the scheduled monument (National Heritage List no 1005919) beneath it.

There is some discrepancy in the actual location of the SAM, it would appear from crop marks visible from aerial photographs that the remains are in fact partly outside the area de-marked as a constraint. HE note that, '... The enclosure identified on crop marks should be considered at this stage as of equal significance to archaeology included within the scheduling, and should therefore be considered subject to the same NPPF policies. It is likely that a review of the scheduling will be required and this may include the additional remains of the enclosure,'

- 7.65 The monument was thought to be a Roman marching camp (Caesars camp) and is scheduled as such. However, more recent investigations indicate it may be of medieval date; in either respect the monument can be classed as a nationally important heritage asset. Following concerns raised by Historic England, the applicant has provided additional information consisting of a construction schedule and a Heritage Impact Assessment by Wessex Archaeology, to supplement the Historic Environment Desk Based Assessment.
- 7.66 HE note the following:-

'In the new Heritage Impact Assessment an updated scale drawing has been provided ...indicating the proposed new building will be positioned almost 10m (8.5m) to the north of the undesignated enclosure. If this is the case, the applicant has addressed our concerns regarding direct physical impacts to previously identified remains that may directly relate to the scheduled monument.'

- 7.67 However the HE still raise concern about the setting of the SAM noting that, 'Our view remains that having a relatively open area around the monument and its associated features is important with regard to preserving the significance of the site, and do not therefore agree with the conclusion that there is no harm to the designated asset from this proposed development.... We note however that the setting back of the building by 8.5 metres from the identified enclosure, is a positive improvement as compared to the previous iteration of the design plan we had seen.'
- 7.68 HE does, however, note that the associated landscaping changes that remove the AWP and revert part of the scheduled area to turf is a positive improvement to the monument and the HE encourages the suggestions for enhancement and interpretation opportunities to explain that the monument is there and what is actually is.
- 7.69 HE consider that the proposed building will cause some harm to the setting of the heritage asset, however the HE does note that it is up to the LPA to decide the level of harm, taking into account other requirements and constraints'

'...We agree ... that construction of a new building to the north of the designated heritage asset and its associated archaeological features does constitute change within the setting of a designated heritage asset, and that a

building here would be more prominent to the north of the monument than the current level of development in this area. We suggest that this change would constitute some harm to a designated heritage asset through development within its setting, but think that harm would be of a lower level and not substantial. Had there been an opportunity during development of the scheme for us to comment in detail on the design proposals, we would have sought to try and reduce this harm even further. It will be for your authority to decide therefore if the applicant has sufficiently avoided and minimised harm, through the design and configuration presented in their application, taking into account the range of other constraints and requirements that the site and its function as a school imposes.'

- 7.70 The applicants state in their Heritage Impact Assessment that they consider the proposal will result in a minor change to the setting of the scheduled monument, which is considered to be minor in terms of its impact. The building has been designed to take account of the position of the actual monument rather than just the Scheduled Monument shown on the maps. As such they consider the Council should not object to this aspect of the proposal and in particular great weight should be given to the proposal as it is for a new school building which has a wider public benefit.
- 7.71 It is considered that the proposal will not directly affect the SAM, however it will have an impact on its setting. The SAM is of national importance given it is a Scheduled Ancient Monument and as such, great weight should be given to its conservation. In terms of the harm caused by the proposal, it is agreed that because the monument is within the school grounds and surrounded by urban development, the significance of the Scheduled Monument lies in its archaeological interest, and this does not depend upon the visual contribution from setting. It is located beneath the school playing field and there is no evidence of its presence to anyone using the site. The proposed building will be some 8.5m from the crop marks and 20m from the actual designated asset. It will be no closer to the SAM than the existing structures of sports pitches and fencing. As such this is considered to be far enough away in this instance to be a minor impact on the setting of the SAM, causing less than substantial harm to the significance of the designated heritage asset, Due to the requirements of the school building being in this location, given the other constraints at the site and the need for a new school of a certain size, to replace the existing, while it is still operating, the proposed design and location cannot be further amended to be located further away from the SAM.
- 7.72 As such, and as noted by HE. if a proposal cannot be amended to avoid all harm, then if the proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal as set out in para 196 of the NPPF.
- 7.73 The public benefits of this scheme which include the provision of a new up to date educational facility to accommodate the same number of pupils as existing, while the existing school is still in use. This, along with the community use of the facilities on the site will be of great public benefit to the local community and should be offered great weight. Therefore it is considered that the public benefits of the scheme would weigh in favour of the application and when weighed against the less than substantial harm to the setting of the SAM

caused by the new school building, would, on balance result in an acceptable impact on the heritage assets in this instance, which will conform with Saved Local Plan Policies BE24 and BE26 and the NPPF, in particular paragraph 196. As such the proposal is considered to have an acceptable impact on the heritage assets at the site.

#### Impact on Trees/Landscaping

- 7.74 A soft landscape plan has been submitted which show areas of landscaping. Existing trees along the site boundaries will mostly be retained to provide screening and complement the proposed building, however a total of 11 trees and one group trees will be removed either due to operational constraints or because of the health of the tree. An Arboricultural Impact Assessment has been provided and this includes measures to protect trees during construction.
- 7.75 The loss of the existing trees, some located behind the caretaker's house, is acceptable as the main trees in this group are to be retained and there is already some screening with high hedges and some established trees. The proposal will be subject to a landscaping condition, and many existing trees on the boundary will be retained. It is proposed to provide replacement trees which will sufficiently mitigate the tree losses. This will help provide some screening benefit to the proposal from neighbouring residential properties. The Council's Tree Officer has been consulted and raises no objection subject to the replacement planting to enhance the tree cover in the long term, as such the scheme is acceptable.

#### Contaminated Land and dust

- 7.76 The applicant has submitted a Phase 1 Contaminated Land Assessment which recommends that further ground investigation is required in order to carry out a quantitative risk assessment. The investigation is expected to require testing of soil and groundwater samples, and ground gas and groundwater monitoring. Therefore in accordance with paras. 178, 179, and 180 of the new NPPF and Council Policy EN15, the Council's Pollution Control Officer has raised no objection but requested standard conditions to be imposed requiring a further investigation to be carried out to refine risks and remediation measures. Subject to these conditions, the proposal is considered acceptable.
- 7.77 The proposal involves substantial demolition which comprises the entire main school building. Given the close proximity of sensitive receptors, particularly the school children (as the demolition of the existing building will take place once the new building is complete) and surrounding dwellings, there is a high potential for the demolition phase to have an impact on local amenity through noise and dust impacts. The Environmental Health Officer (EHO) was consulted and raises no objection, recommending conditions for a demolition method statement. The EHO notes that the applicants have submitted a comprehensive Construction Method Statement, and that its implementation should be secured by condition.
- 7.78 The submitted Construction Method Statement is detailed and provides the working methods for the staged construction to allow the segregation of the

school from the construction site of the proposed new building before moving the pupils over and segregating the site for demolition of the old building, while retaining the function as a school and gym. It will ensure noisy works take place at times to cause least disruption to neighbours and pupils, as well as deliveries to ensure they do not coincide with school start and end times. The proposal includes the use of the existing side access for construction workers to gain access to the site. As noted before, the CHA has raised no objection to this and the access is already there, so its use is the most efficient way of providing an alternative access to the site apart from the main school entrance It will allow the construction workers to be kept separate from the main school entrance from pupils, staff and deliveries while the school is continuing to function.

- 7.79 The plans show a welfare building which would provide an office and welfare facilities and parking for the workers during the day. This is located towards the north eastern corner of the site, close to the access within easy reach of the location of the new school building. It should be noted that this would be for a limited period only, and in this particular case there is a deadline to provide the new school building by September 2020. As such the end date is known, which is often not the case with development sites. Although it is acknowledged that most construction/demolition works at any site will result in some noise and disturbance to neighbouring properties, this is not a reason to refuse planning permission. It would be unreasonable for the Council to object to this part of the proposal or require the applicant to relocate the access or location of the parking/welfare area in particular given the temporary nature of this element and the fact that it is not considered that it would cause highway safety issues or a significant loss of amenity to neighbouring properties.
- 7.80 The Council's Pollution Control section was consulted on the application and has raised no objection, subject to conditions. As such subject to these conditions, the proposal is acceptable in regards to dust and contaminated land.

#### **Refuse Storage and Collection**

- 7.81 The layout of the site has been designed to ensure that delivery and refuse collection vehicles can enter and exit from the main entrance and manoeuvre and turn on site to leave in a forward gear. A refuse storage areas has been provided to the north of the new school building to allow for efficient collection process. This is located approx. 12m from the boundary with the closest Kingston Road garden and is considered to be acceptable, in particular as the use of the site will continue as existing and the level of refuse will remain as existing.
- 7.82 The Council's Head of Street Scene has raised no objection to the arrangement now proposed. Furthermore, the County Highway Authority has raised no objection on this particular issue. Accordingly, the proposed refuse storage and collection facilities are considered acceptable.

#### **Other Matters**

7.83 It was unfortunate that some residents of Kingston Road were not notified about the original consultation event by the applicant, but this was carried out at a

later date by the applicant. The publicity carried out by the Council, as part of the planning application itself, has been carried out in the correct manner and a number of letters have been received as a result. It should also be noted that house price value is not a planning issue that can be taken into consideration.

#### **Conclusion**

- 7.84 With most planning applications there are a range of issues which have to be weighed up in the overall consideration of the proposal. There will be some which add weight in favour of the scheme, some weigh to some degree against it and some may be neutral. These factors need to be considered alongside those elements that weigh strongly in favour of the development. The proposal will secure a new modern up to date educational facility while the existing site building continues to be used to allow the least disruption to the use of the school as possible.
- 7.85 The proposal will make a positive contribution overall to its immediate locality providing public benefit for the local community of a new modern school building. The school and the relocated pitches are considered to have an acceptable impact on the amenity of neighbouring residential properties. The application is recommended for approval.
- 7.86 Following the objection raised by Sport England in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application will need to be referred to the Secretary of State, via the National Planning Casework Unit. The recommendation below is worded accordingly.

#### 8. <u>Recommendation</u>

- 8.1 In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, refer to the Secretary of State with a recommendation to approve subject to the following:
- 8.2 GRANT subject to the following conditions:-
  - 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: - This condition is required by Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

 The development hereby permitted shall be carried out in accordance with the following approved plans and drawings: 138765-PL1-ZZ-ZZ-DR-1-0001 P03, 138765-PL1-ZZ-ZZ-DR-1-0002 P02 138765-PL1-ZZ-ZZ-DR-1-00021 P03 138765-PL1-ZZ-ZZ-DR-1-00022 P04 138765-PL1-ZZ-ZZ-DR-1-00023 P04 138765-PL1-ZZ-ZZ-DR-1-00024 P03 138765-AHR-ZZ-ZZ-VS-A-A500 D5 P3 138765-AHR-ZZ-ZZ-VS-A-A501 D5 P3 138765-AHR-ZZ-ZZ-VS-A-A502 D5 P3 138765-AHR-ZZ-ZZ-VS-A-A505 D5 P2

138765-AHR-ZZ-ZZ-VS-A-2031 D5 P1 138765-AHR-ZZ-ZZ-VS-A-1000 D5 P1 138765-AHR-ZZ-ZZ-VS-A-1010 D5 P1 138765-AHR-ZZ-ZZ-VS-A-1011 D5 P1 138765-AHR-ZZ-ZZ-VS-A-1012 D5 P1

138765-AHR-E00-DR-A 1000 D5 P1 138765-AHR-E01-DR-A 1000 D5 P1 138765-AHR-E02-DR-A 1000 D5 P1 138765-AHR-E03-DR-A 1000 D5 P1

138765-AHR-XX-00-DR-A-9200 D5 P2 138765-AHR-XX-00-DR-A-9201 D5 P3

138765-AHR-L00-DR-A-2002 D5 P 138765-AHR-L01-DR-A-2002 D5 P 138765-AHR-L02-DR-A-2002 D5 P

138765-AHR-L-22-DR-A-2012 D5 P1 138765-AHR-L-22-DR-A-2013 D5 P1 138765-AHR-L-RF-DR-A-2002 D5 P1

Received on 26 July 2018

138765-PL1-ZZ-ZZ-DR-9002 P02 138765-PL1-ZZ-ZZ-DR-9003 P02 33820-MET-XX-00-DR-E-6321 S2-P01

Received on 17 October 2018

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

3. No development above damp-proof course level shall take place until details of the materials and detailing to be used for the external surfaces of the building are submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason:- To ensure that the proposed development does not prejudice the appearance of the development and the visual amenities and character of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

4. No development shall take place until:-

(i) A site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.

(ii) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

Reason: - To protect the amenities of future occupants and the environment from the effects of potentially harmful substances.

#### NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected by Contamination: Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at www.spelthorne.gov.uk.

In accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. Prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: - To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

6. Following construction of any groundworks and foundations, no construction on the buildings shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for the proposed building to meet the requirement for the scheme. The agreed measures shall be implemented with the construction of the building and thereafter retained.

Reason: - To ensure that the development is sustainable and complies with Policy SP7 and CC1 of the Spelthorne Development Plan Core Strategy and Policies DPD.

7. No development shall commence until a Construction Transport Management Plan, to include details of:

(a) parking for vehicles of site personnel, operatives and visitors

(b) loading and unloading of plant and materials

(c) storage of plant and materials

(f) HGV deliveries and hours of operation

(j) no HGV movements to or from the site shall take place between the hours of 8.15 and 9.00 am and 14.30 and 16:00 nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Kingston Road, Warwick Avenue, Petersfield Avenue, Fenton Avenue, Chestnut Grove or Woodthorpe Road during these times

(k) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and accord with the National Planning Policy Framework 2012 and policies CC2 and CC3

8. That within 3 months of the commencement of any part of the development permitted, or such longer period as may be approved by the Local Planning Authority, facilities shall be provided within the curtilage of the site for the storage of refuse and waste materials in accordance with the approved plans, and thereafter the approved facilities shall be maintained as approved.

Reason:- To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and the appearance of the locality, in accordance with policies SP6 and EN1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

9. Prior to the occupation of the building hereby permitted, details including a technical specification of all proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority. The external lighting on the site shall be implemented prior to the occupation of the building and shall at all times accord with the approved details.

Reason: - To safeguard the amenity of neighbouring residential properties.

10. The development shall accord with the details submitted in the Construction Method Statement dated July 2018 by Wates construction

and only the approved details shall be implemented during the development.

Reason: The condition above is required in order that the development should not prejudice highway safety and have an acceptable impact on other highway users and the amenity of neighbouring residential properties to accord with policy CC2 and EN1 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.

11 Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason: To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

12. Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the Sustainable Drainage System is built to the approved designs.

13. No demolition, site clearance or building operations shall commence until a demolition method statement has been submitted to and approved in writing by the Local Planning Authority. The demolition works shall be carried out strictly in accordance with the approved method statement.

Reason: - To safeguard the amenity of neighbouring properties.

14. The rated noise level from any plant, together with any associated ducting shall be at least 10 dB (A) below the background noise level at the nearest noise sensitive property as using the guidance contained in BS414292015)..

Reason: - In the interest of the amenity of neighbouring residential properties. .

15. That the use of the MUGA and AWP hereby approved, as well as the use of the flood lighting serving these pitches shall not be used for the purposes hereby permitted before 8.00am or after 9.00pm on any week day or before 9am and after 6pm on Saturday or Sunday and at no time during a bank holiday.

Reason: To safeguard the amenity of neighbouring properties.

16. The proposed tree protection measures shall be carried out strictly in accordance with the details provided in the Arboricultural Survey, Arboricultural Impact Assessment and Method Statement dated September 2018 by Thomson Ecology

Reason:- To prevent damage to the trees in the interest of the visual amenities of the area, in accordance with policies SP6 and EN1 of the Spelthorne Core Strategy and Policies Development Plan Document 2009.

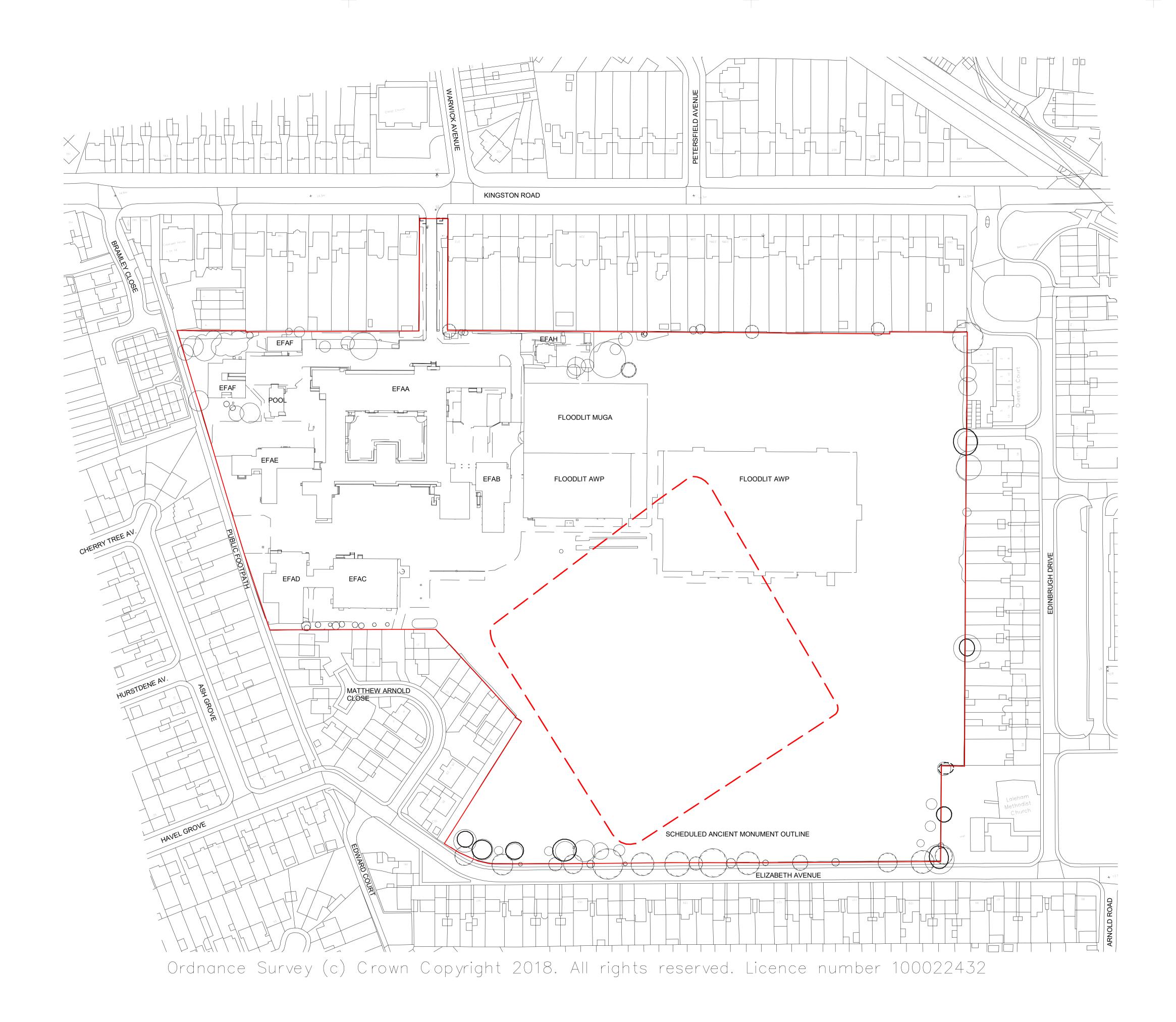
17 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason: - To prevent damage to any archaeological remains which may be present on site, in accordance with saved Local Plan policies BE24 and BE26

#### Informatives to be attached to the planning permission

- 1. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see http://www.surreycc.gov.uk/roadsand-transport/road-permits-and-licences/the-traffic-management-permitscheme. The applicant is also advised that Consent may be required under Section Land Drainage Please 23 of the Act 1991. see www.surreycc.gov.uk/people-and-community/emergency-planning-andcommunity-safety/flooding-advice.
- 3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

- 8. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 9. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc., may be required before the Company can give its consent. Applications should be made at http://www.thameswater.co.uk/business/9993.htm or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.



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Building Key EFAA - Main Teaching Block EFAB - Drama

EFAC - Sports Hall

EFAD - Fitness

EFAE - Design Technology

EFAF - SEN

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05/06/2018	P1	mas	AS	Pre-App Planning meeting issue pre CEM05
date	rev	name	chk	note



Matthew Arnold School Kinsgston Road Staines-upon-Thames Middlesex TW18 1PF

# Existing Site and Location Plan

status D5 - FOR PLANNING

DRAWING NUMBER

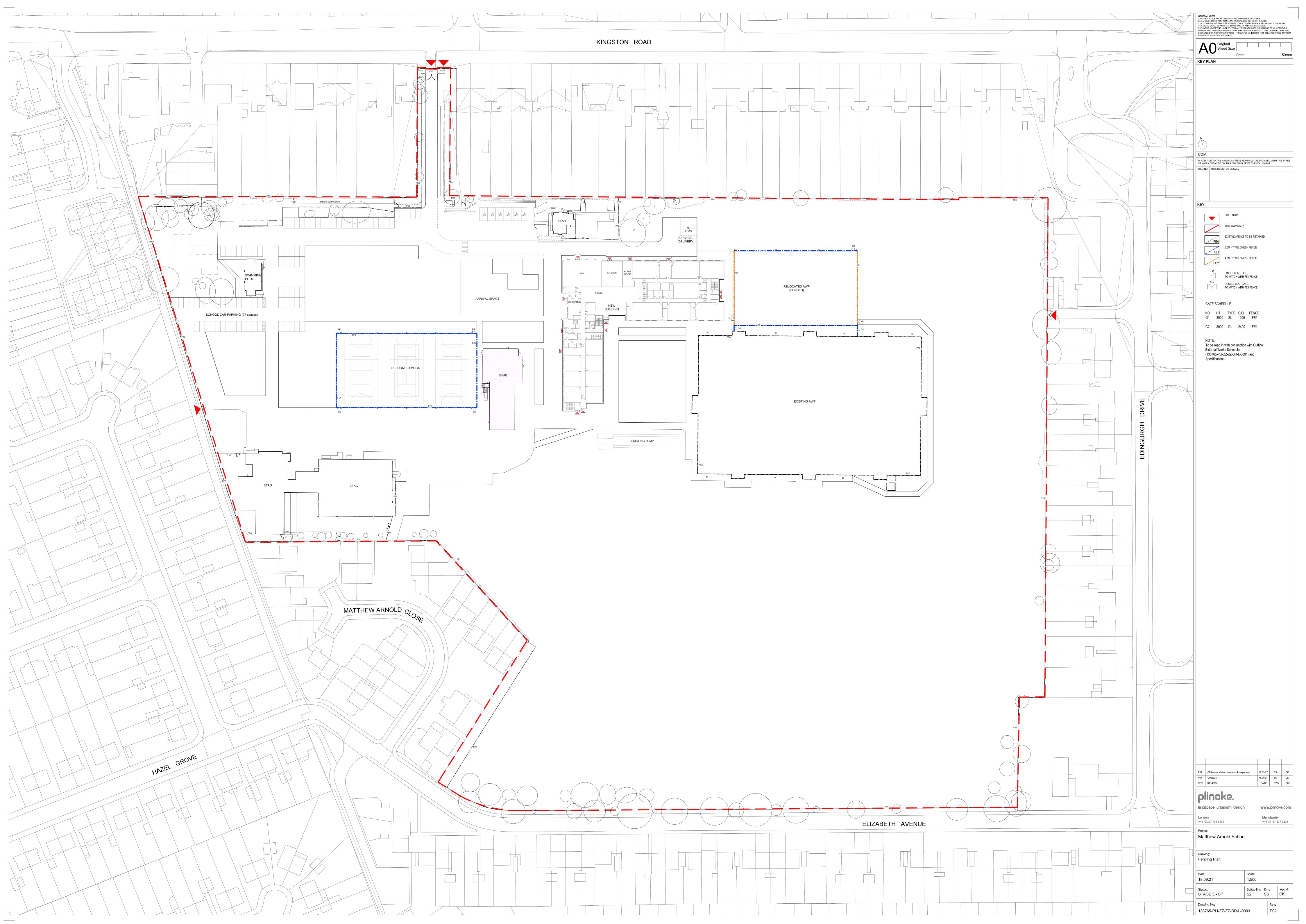
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138765-AHR-XX-00-DR-A-9200

REVISION NO.





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18/07/2018 20-06-2018 05/06/2018	P3 P2 P1	ON SL mas	AS AS AS	Issued for Planning Drawing content moved to A502 Aerial View and replaced with approach view sketch. Final Issue ITT Pre-App Planning meeting issue pre CEM05
date	rev	name	chk	note



PROJECT Matthew Arnold School Kingston Road

DRAWING TITLE

# Artists Impression Academy Approach View

STATUS D5 - FOR PLANNING

DATE SCALE 19/06/18 1 : 10

drawn by SL CHECKED BY

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138765-AHR-ZZ-ZZ-VS-A-A500

REVISION NO.



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06/07/2018	P2	IA	AS	Revised to CEM 06 layout for ITT submission
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date	rev	name	chk	note



PROJECT Matthew Arnold School Kingston Road

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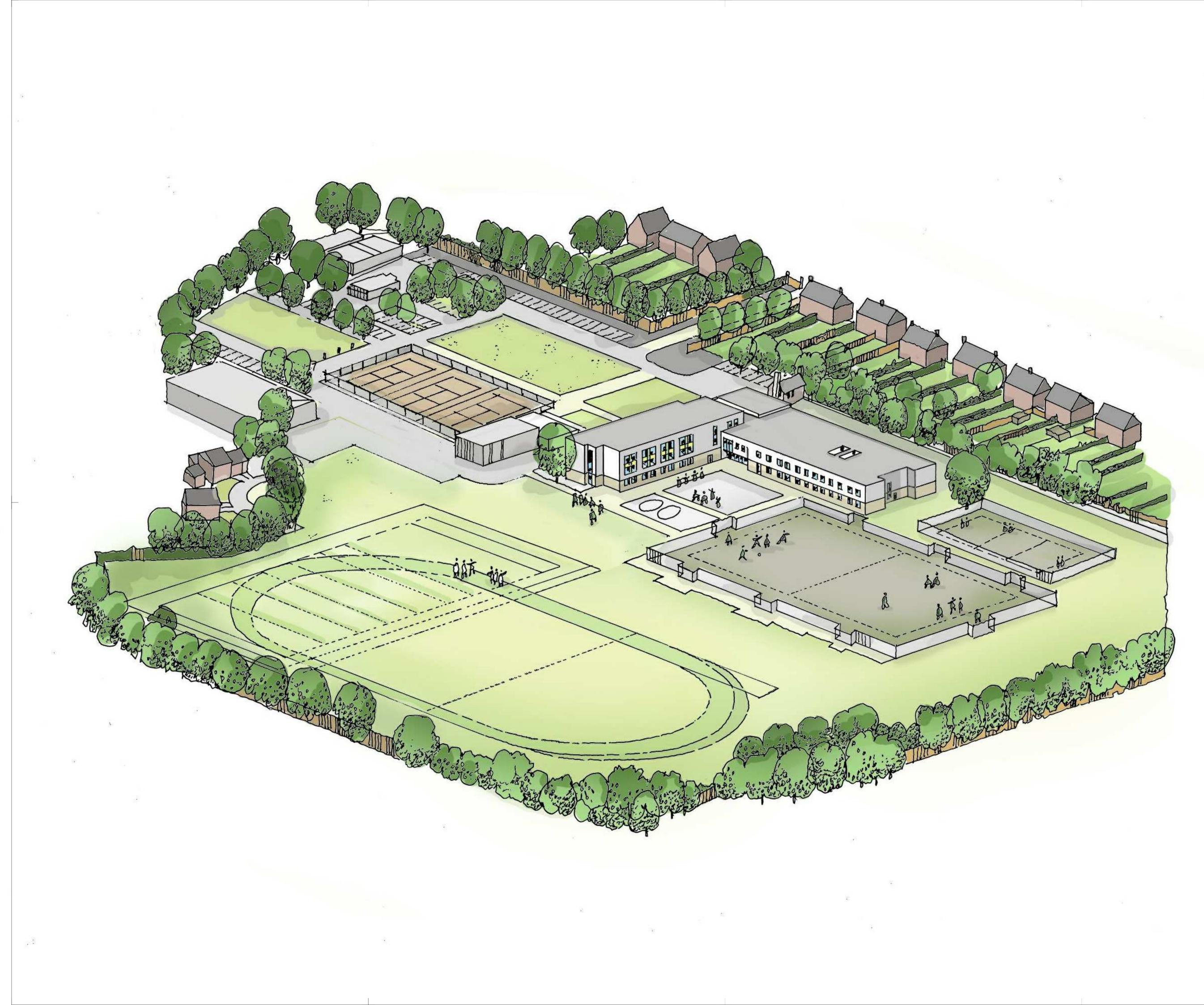
# Artist Impression from North-West

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DRAWING NUMBER 138765-AHR-ZZ-ZZ-VS-A-A502



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date	rev	name	chk	note



PROJECT Matthew Arnold School Kingston Road

DRAWING TITLE

# Artist impression from South-East

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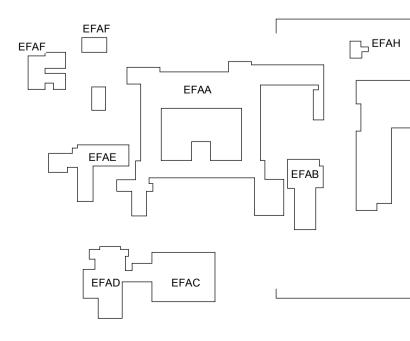
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All weather pitch fencing outline	
Playing Fields	



# North Context Elevation 1 : 200









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date	rev	name	chk	note



PROJECT Matthew Arnold School Kingston Road

DRAWING TITLE

# North & South Context Elevation

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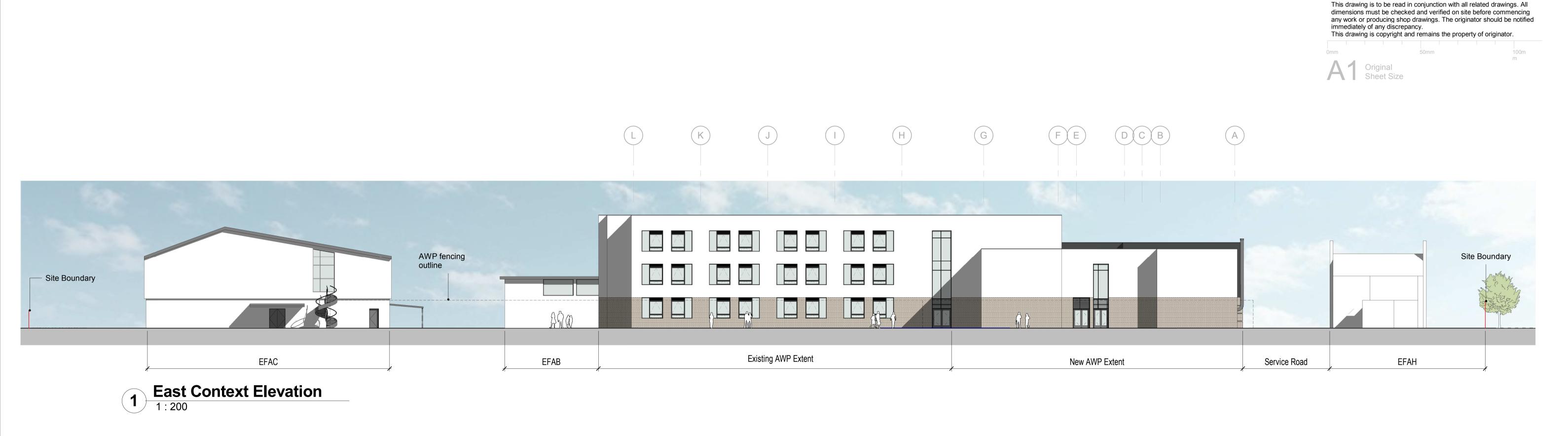
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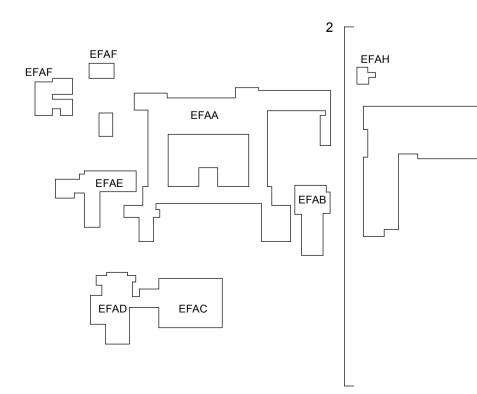
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PROJECT Matthew Arnold School Kingston Road

DRAWING TITLE

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# West & East Context Elevations

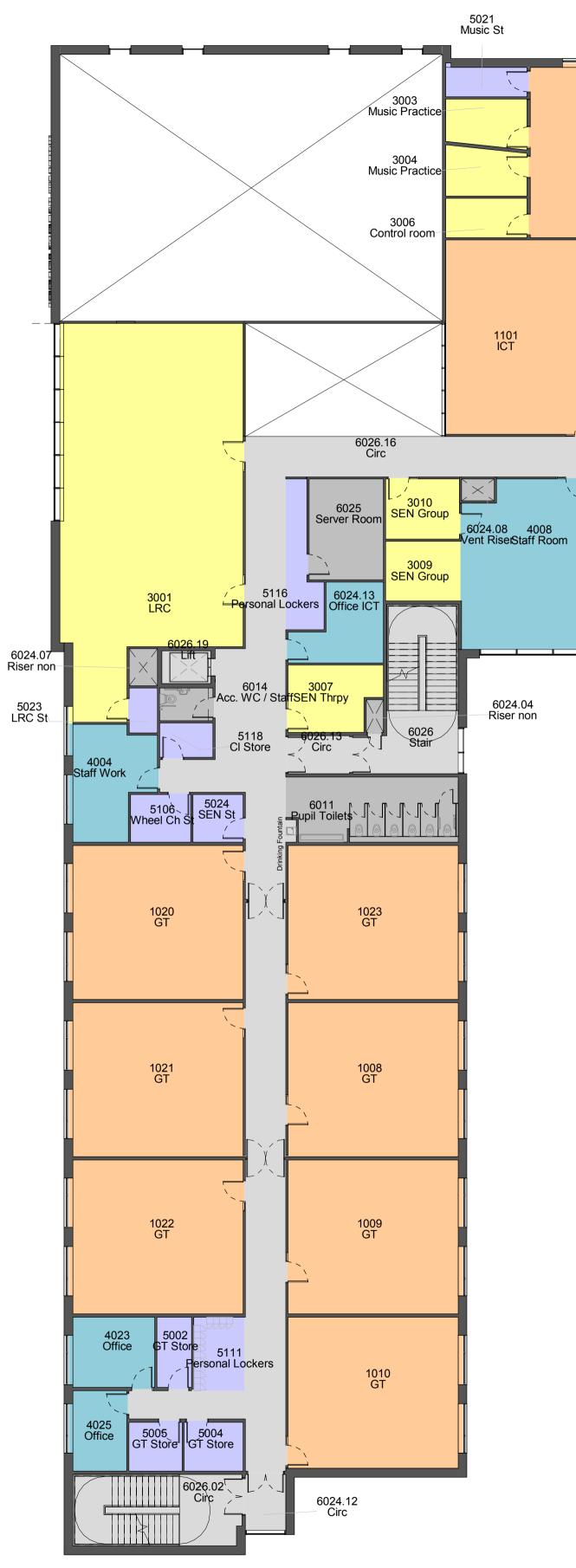
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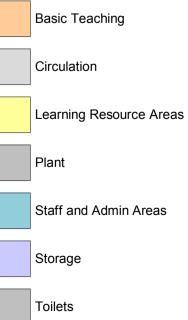
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> 18/07/2018 P1 ON AS Issued for Planning name chk note

Wates

CONSTRUCTION

PROJECT Matthew Arnold School

Kingston Road

Staff and Admin Areas



GA First Floor Plan - Planning

STATUS D5 - FOR PLANNING

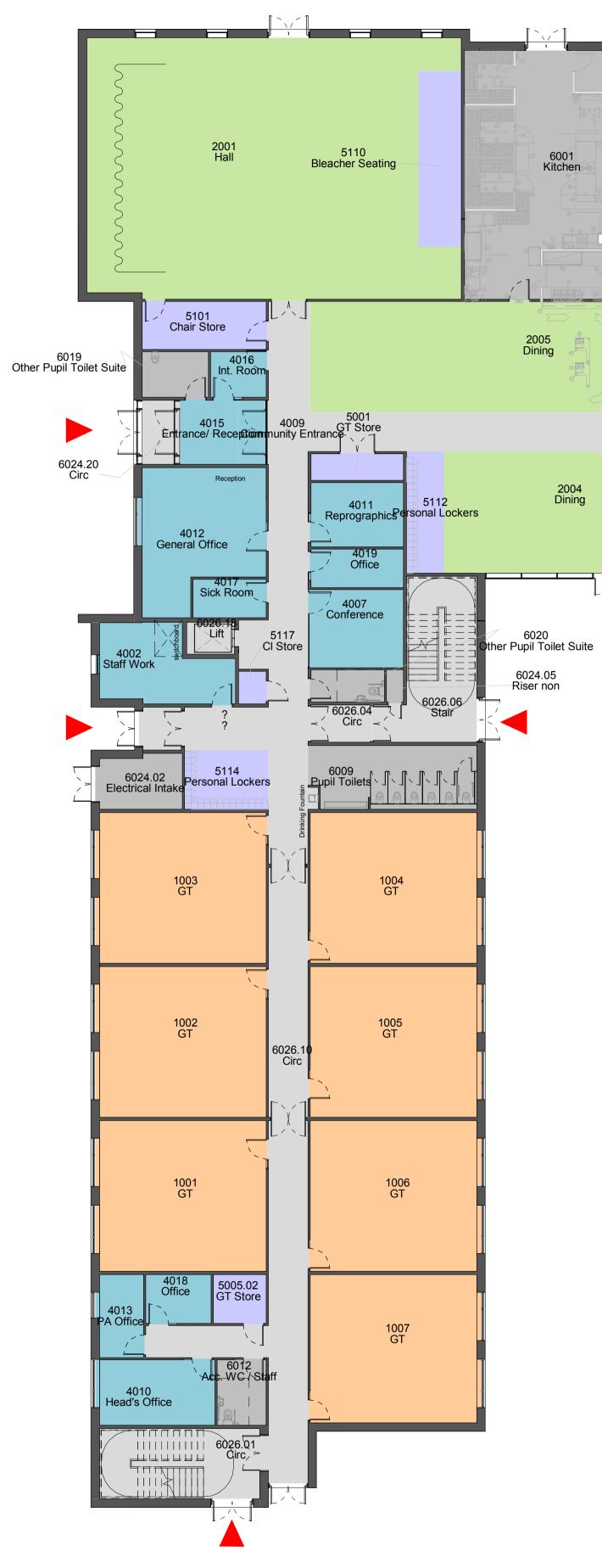
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SCALE DATE 20/07/18 1 : 150

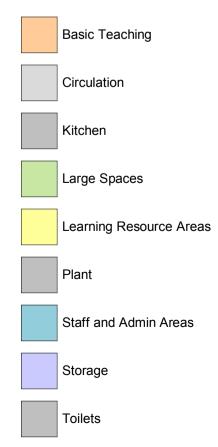
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CHECKED BY AS

DRAWING NUMBER 138765-AHR-L-01-DR-A-2002







Department Legend

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18/07/2018 P1 ON AS Issued for Planning chk note name



CONSTRUCTION

PROJECT Matthew Arnold School Kingston Road

Staff and Admin Areas



GA Ground Floor Plan - Planning

STATUS D5 - FOR PLANNING

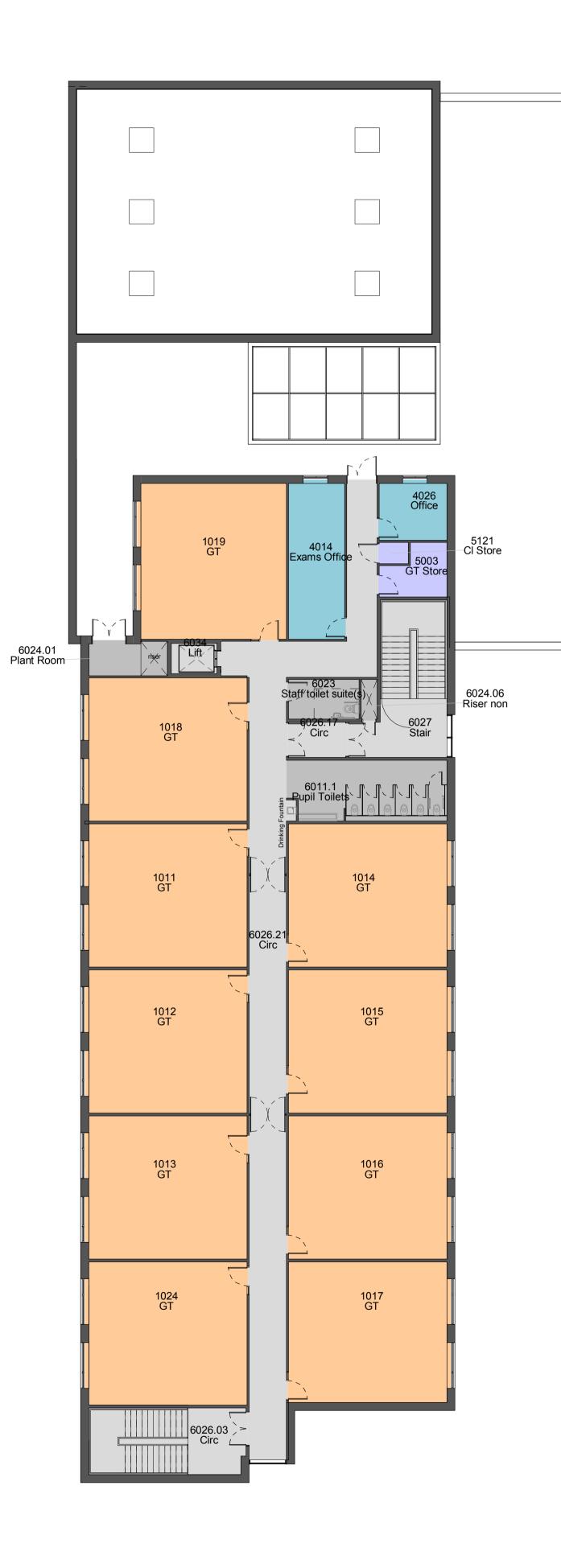
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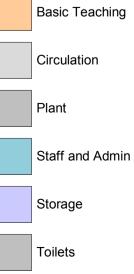
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Department Legend



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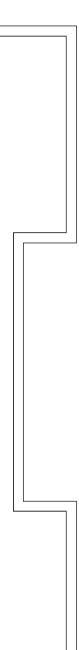
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PROJECT Matthew Arnold School Kingston Road

Staff and Admin Areas



GA Second Floor Plan - Planning

STATUS D5 - FOR PLANNING

DRAWING TITLE

DATE SCALE

20/07/18 1 : 150

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DRAWING NUMBER 138765-AHR-L-02-DR-A-2002