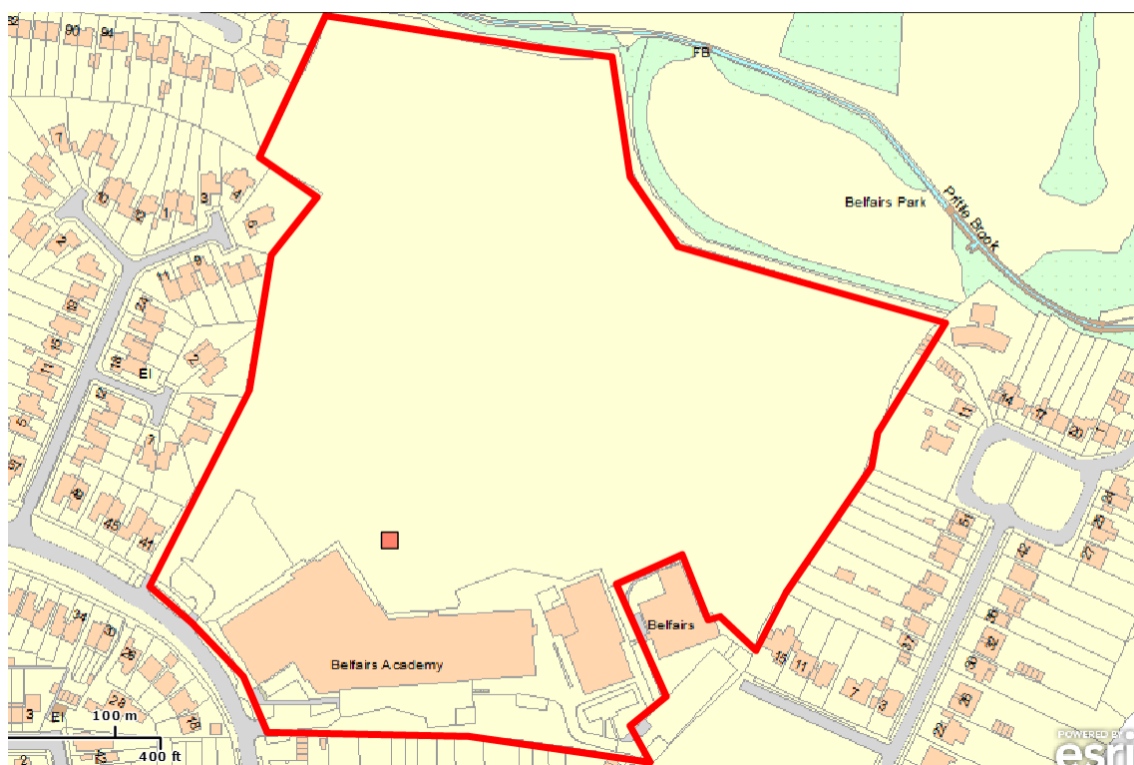


Reference:	18/01075/FULM	
Ward:	West Leigh	
Proposal:	Erect three storey infill extension to form additional classrooms, sports facilities and associated rooms and extend main school hall	
Address:	Belfairs Academy, Highlands Boulevard, Leigh-On-Sea	
Applicant:	Legra Academy Trust	
Agent:	Barker Associates LLP	
Consultation Expiry:	29.08.2018	
Expiry Date:	03.10.2018	
Case Officer:	Kara Elliott	
Plan Nos:	BA/P18-099-N204/B, BA/P18-099-N200, BA/P18-099-N203/C, BA/P18-099-N205/B, BA/P18-099-N301, BA/P18-099-N350, BA/P18-099-N201/C, BA/P18-099-N141, BA/P18-099-H141, BA/P18-099-N202/C, BA/P18-099-N121, BA/P18-099-H202, BA/P18-099-H401, BA/P18-099-H103, BA/P18-099-N101	
Recommendation:	GRANT PLANNING PERMISSION subject to conditions	



## **1 The Proposal**

- 1.1 Planning permission is sought for a three storey infill extension to the existing sports hall and single storey extension to the main hall. The proposed development would improve facilities and allow for expansion by two forms of entry (8 to 10) comprising 60 pupils a year over 5 years, in order to support local demand for pupil places. The gradual increase in capacity at the school would eventually result from a total of 1350 pupils to 1650 (300 increase).

### *Infill Extension*

- 1.2 The three storey extension, measuring approximately 775m<sup>2</sup>, would be situated between, and linked to, the main academy building (three storeys) and an existing sports hall block (part one/part two storeys). The flat roofed extension would have a contemporary appearance with a symmetrical arrangement of fenestration as well as features such as a large section of vertical glazing to the south elevation entrance and an atrium to the west elevation. The ground level of the proposed infill extension is set 1 metre lower than the ground level of the existing sports hall in order to accommodate ground level changes.
- 1.3 The extension would provide 15 additional teaching classrooms, sports facilities and associated rooms in order to accommodate the pupil expansion. The Academy is currently an eight form entry secondary school.

### *Main Hall Extension*

- 1.4 The single storey extension to the main hall would be situated to the rear of the building and would have a footprint of 90m<sup>2</sup>. The simple extension would have a flat roof and would reach a height of approximately 5.3 metres, providing additional space to the existing main hall. The extension would be fully glazed with the east elevation and roof framed by Corten weathering steel.
- 1.5 For information, the development was subject to pre-application advice, in line with the NPPF's guidance.
- 1.6 The application is defined as Major Development based on site area (in excess of 1 hectare) and therefore falls under the jurisdiction of the Development Control Committee.

## **2 Site and Surroundings**

- 2.1 The application site relates to Belfairs Academy, a secondary school located on the north-east side of Highlands Boulevard. The application site extends to approximately 8.35 hectares and is surrounded by residential development to the south, east and west. Belfairs Park is located to the north of the site.
- 2.2 The site is not located within a conservation area, does not relate to a listed building and is not located within a Flood Zone.

## **3 Planning Considerations**

- 3.1 The main considerations are the principle of development, design and impact on

the character of the area, traffic and transportation, impact on residential amenity, sustainable development and CIL contributions.

## 4 Appraisal

### Principle of Development

**National Planning Policy Framework (NPPF) (2018); Core Strategy (2007) policies KP1, KP2, CP4, CP6, CP7; Development Management Document (2015) Policies DM1 and DM3 and the Design and Townscape Guide (2009).**

4.1 This proposal is considered in the context of the National Planning Policy Framework, Core Strategy, Development Management Document and the Design and Townscape Guide relating to community services.

4.2 The NPPF (2018) at paragraph 91(c), states that;

*“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*

4.3 Furthermore, paragraph 94 relates to education and stresses that;

*“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.*

*They should;*

*a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*

*b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.*

4.4 With regard to the Council's Core Strategy, Policy CP7 relates to sport, recreation and green space and states that the Borough Council will bring forward proposals that contribute to sports, recreation and green space facilities within the Borough for the benefit of local residents and visitors.

4.5 Policy CP6 of the Core Strategy advocates the need to improve educational facilities to ensure that the needs of the local community are met. The policy states that subject to the maintenance of satisfactory environmental conditions and residential amenities, the Borough Council will support the improvement or extension of existing public and private education establishments and will encourage the use of their facilities for community purposes where this would meet identified requirements.

- 4.6 It should be noted that the proposed development would not result in the significant loss of any part of an existing playing field. Furthermore, Sport England supports the application, stating that;

*“The development would encroach slightly onto the school’s natural turf playing field. However, the impact would be minimal as the areas affected would be very small and would only appear to be used for informal recreation.”*

- 4.7 The proposed development is considered acceptable in principle, subject to the detailed material considerations discussed below as the provision of the type of facilities proposed is supported by development plan policies.

### **Design and Impact on the Character of the Area**

**National Planning Policy Framework (2018); Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) policies DM1 and DM3 and the Design and Townscape Guide (2009).**

- 4.8 It should be noted that good design is a fundamental requirement of new development to achieve high quality living environments. Its importance is reflected in the NPPF, in the Policies KP2 and CP4 of the Core Strategy and also in Policy DM1 of the Development Management Document. The Design and Townscape Guide also states that; *“the Borough Council is committed to good design and will seek to create attractive, high-quality living environments.”*

- 4.9 Paragraph 124 of the NPPF states that;

*“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*

- 4.10 Policy DM1 of the Development Management Document states that all development should *“add to the overall quality of the area and respect the character of the site, its local context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, layout, proportions, materials, townscape and/or landscape setting, use, and detailed design features”*.

- 4.11 According to Policy KP2 of the Core Strategy states that new development should; *“respect the character and scale of the existing neighbourhood where appropriate”*. Policy CP4 of the Core Strategy requires that development proposals should *“maintain and enhance the amenities, appeal and character of residential areas, securing good relationships with existing development, and respecting the scale and nature of that development”*.

- 4.12 The main hall extension would have an internal floorspace of 90sqm with a depth of 3.6 metres and a width of 15.3 metres (approximately). It is considered that this extension, due to its siting at the rear of the building, appropriate size, scale, bulk, height and contemporary appearance is acceptable and in keeping with the existing building. The use of extensive glazing gives a lightweight appearance and is considered to be a positive contribution to the site. In addition, the use of Corton steel reflects to the existing front entrance and is therefore considered acceptable.

- 4.13 The three storey infill extension would link between the existing school building and detached sports hall. It would reach a height of approximately 12.2 metres, at a height similar to that of existing school building. It would have a flat roof and due to its straight lines and block form, would result in a modern appearance which assimilates successfully with the existing buildings. The three storeys and depth of the development reflecting that of the existing building would not dominate the existing main building or appear underscaled or too subservient. The extension is considered to make good use of the site in this regard. In terms of its design, the glazing linking section achieves a cohesive link between the two buildings.
- 4.14 It is also acknowledged that, like the main hall extension, the three storey extension would have little public impact due to its infill siting between two existing buildings, within the existing site and largely absent from clear views from the public.
- 4.15 In terms of finishing materials, the external walls of the building would consist mainly of flat rainscreen cladding with full-height glazed end elevations with either intermittent or full use of Aluminium 'Brise Soleil' solar shading louvered panels. When viewed next to the existing main brickwork building is considered acceptable and would provide distinction between the two buildings, therefore not attempting to replicate or appear as a continuous extension.
- 4.16 Overall, it is considered that the proposed development is acceptable on character and appearance grounds and policy compliant in these regards.

### **Traffic and Transportation**

#### **National Planning Policy Framework; Core Strategy (2007) policies KP2, CP3 and Development Management Document (2015) Policy DM15.**

- 4.17 DM15 of the Development Management Document states that development will be considered acceptable where there is, or it can be demonstrated that there will be, physical and environmental capacity to accommodate traffic and parking demand generated in a safe and sustainable manner.
- 4.18 Policy DM15 of the Development Management Document sets a maximum standard of 1 space per 15 students for years 7-11. For schools with further education 1 space per 15 students for full time equivalent staff plus 1 space per 15 students for student parking is required.
- 4.19 Paragraph 109 of the NPPF (2018) states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.20 In terms of the existing site and the options for sustainable transport options, the application site is located within a residential area with safe and clear pedestrian routes. A pedestrian crossing is located close to the existing pedestrian entrance. In addition, Highlands Boulevard is located on a bus route and the school is served by stops located in both directions on and close to its frontage. There is also a dedicated school bus stopping area. In terms of cycling, the local road network provides suitable cycling routes and the school site benefits from a large (340

spaces), secure and covered cycle park, which is stated as being well-used by pupils and staff. The nearest rail station, Leigh-on-Sea is located approximately 1.5km to the south and provides services between Shoeburyness and London.

- 4.21 The existing site benefits from a car park with 122 spaces for the use of staff. A transport assessment and travel plan have been submitted as part of this application. The statement sets out that no increase in car or cycle parking is provided as part of the application. A travel survey has been carried out which informs the submitted Travel Plan which would be managed and monitored closely, as well as secured by way of a condition if considered acceptable.
- 4.22 The Travel Plan aims to reduce the reliance on the private car in favour of sustainable transport modes and to;
- Improve site access and travel choice;
  - Reduce congestion and demand for on and off-site parking;
  - Increase awareness of staff, visitors and pupils/parents of the advantages and potential for more environmentally friendly and healthy forms of travel for example, use of public transport, cycling and walking;
  - Introduce a package of measures that will facilitate travel by non-single occupant car modes of transport or at least minimising the need to do so where practical;
  - Work with the LPA and local bus operators to ensure that visitors to and from the development are able to access local amenities by public transport, cycle or on foot.
- 4.23 A Travel Plan Coordinator has been appointed to be responsible for the administration of the plan as well as its implementation, consultation between the LPA and the school as well as its continued promotion. The plan details how the above will be carried out and in consultation with the Council's Highways and Transport officer, is considered acceptable and has sufficiently provided detailed information relating to the current travel patterns of the school and how the school will operate when the proposal is fully implemented. As the pupil numbers will be phased, details of how the travel plan will operate and be monitored will be key to the expansion of the school. The travel plan should be secured by condition with details of monitoring and intervention to be agreed with the Travel Engagement Officer.
- 4.24 Due to the existing parking provision on site, in consideration of the sustainability of the site and the options for alternative transport options other than the private car and subject to the implementation and monitoring of a Travel Plan, the proposed development is not considered to result in significant additional vehicle movements, provides safe access and egress within the site and is not considered to cause additional on street parking to the detriment of highway and pedestrian safety or the local highway network. The proposed development is therefore found to be acceptable and Policy compliant in its parking and highway safety implications.

### **Impact on Residential Amenity**

**National Planning Policy Framework (2018); Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) Policy DM1 and the**

## **Design and Townscape Guide (2009).**

- 4.25 Policy DM1 of the Development Management Document ensures that development protects the amenity of the site, immediate neighbours, and surrounding area, having regard to privacy, overlooking, outlook, noise and disturbance, visual enclosure, pollution, and daylight and sunlight.
- 4.26 In terms of impact on nearby residential properties, both of the proposed buildings will be located within the existing school site and will be distant from nearby dwellings. Eaton Road contains the nearest residential properties, to the south. The three storey linking extension would be a distance of approximately 50 metres to the rear of these properties and approximately 30 metres to their gardens. Due to the resulting distances and its containment between existing school buildings, it is not considered that the proposed development results in any demonstrable harm upon nearby residential occupiers through visual or dominant, overbearing impacts or any loss of privacy or loss of light/outlook.
- 4.27 A Noise Impact Assessment and Acoustic Design Report have been submitted in support of the application. The reports conclude that all internal noise criteria can be achieved with the implementation of mitigation and recommendations detailed within the report. In addition, a full review of the proposed development was also undertaken to ensure that all internal partitions, reverberation times and mechanical service noise also meet the relevant criteria set out in British Standard BB93.
- 4.28 Furthermore, the sports activities in the linking extension will be contained within the building and are not considered to result in potential noise impacts upon neighbouring residential properties due to significant separation distances. The proposal would result in a 300 additional pupils (gradually introduced over 5 years) at a long established school site; it is not considered there would be a material increase in noise and disturbance as a result of the proposal when compared with the existing situation such as to warrant a reason for refusal on noise and disturbance grounds.
- 4.29 Therefore, it is not considered that the proposed development results in demonstrable harm upon the amenity of nearby residential occupiers in accordance with Policy DM1 of the Development Management Document, Core Strategy (2007) policies KP2, CP4 and guidance contained with the Design and Townscape Guide (2009).

## **Sustainable Development**

### **National Planning Policy Framework (2018); Core Strategy (2007) policies KP1, KP2 and CP4 and Development Management Document (2015) Policy DM2.**

- 4.31 Policy KP2 of the Core Strategy states that all new development proposals should demonstrate how they will maximise the use of renewable and recycle energy, water and other resources. The policy states that at least 10% of the energy needs of new development should come from on-site renewable options. The roof of the proposed development would be fitted with photo-voltaic cells to deliver on site renewals to achieve the Councils Core Strategy

requirements of 10% for new development.

### **Community Infrastructure Levy (CIL) Charging Schedule.**

- 4.32 Although this application is CIL liable, in this instance the chargeable amount has been calculated as a zero rate due to it being for educational facility.

## **5 Conclusion**

- 5.1 Having taken all material planning considerations into account, it is found that subject to compliance with the attached conditions, the three storey linking extension and main hall extension will provide improved and enhanced education facilities. The buildings will not result in the loss of existing playing fields. The proposed development is considered acceptable on character and appearance grounds and would not result in demonstrable harm to the site or the wider area. The highway impacts are considered to be acceptable and it is considered that the proposal will not harm the amenities of residential properties taking into account the siting of the development and separation distances. The application is therefore recommended for approval subject to conditions.

### **Planning Policy Summary**

- 6.1 National Planning Policy Framework (2018)
- 6.2 Core Strategy (2007): KP1 (Spatial Strategy), KP2 (Development Principles), CP3 (Transport & Accessibility), CP4 (The Environment and Urban Renaissance), CP6 (Community Infrastructure), CP7 (Sport, Recreation and Green Space)
- 6.3 Development Plan Document (2015): DM1 (Design Quality), DM2 (Low Carbon and Development and Efficient Use of Resources), DM3 (Efficient and Effective Use of Land), DM15 (Sustainable Transport Management)
- 6.4 The Design & Townscape Guide (2009)

## **7 Representation Summary**

### **Public Consultation**

- 7.1 A site notice was displayed at the site, a notice was published in the local paper and 72 letters were sent to nearby occupiers. A total of 3 letters of objection have been received. Summary of comments received;
- Submitting the former approved application for plant equipment prior to the submission of this application is 'devious';
  - Why can't the building (linking extension) be built on the playing fields away from houses?
  - Will all vehicle access be via the main entrance (Highlands Boulevard).  
**Officer comment: Yes. Existing access and parking remains.**
  - Concerns regarding loss of privacy;
  - Concerns regarding parking especially at peak times;
  - Harm to neighbours and areas amenity.



**Officer comment; Sections 4.26 to 4.30 of this report relate to the implications of the proposed development upon the amenities of local residents. The concerns are noted and they have been taken into account in the assessment of the application. However, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.**

### **Environmental Health**

- 7.2 No objection. Suggests conditions in relation to contaminated land, hours of work, no burning of waste on site, mitigation measures to be taken to minimise and/or control noise and potential fugitive dust emissions resulting from the works.

### **Sport England**

- 7.3 No objection as the land affected would be very small and would only appear to be used for informal recreation. The areas used for marking out playing pitches on the main body of playing fields to the north would not appear to be affected. Informative to be added advising that the indoor sports facilities should be designed in accordance with Sport England's relevant design guidance notes.

### **Traffic and Transport**

- 7.4 No objection, subject to condition regarding Travel Plan.

### **Education**

- 7.5 Supports. Comments; "Southend Borough Council's is midway through a secondary school expansion programme to match the recent primary expansions and additional forecast numbers. Belfairs Academy is expanding by sixty places per year seven admissions starting from September 2018 and this new accommodation is to ensure there are sufficient facilities for the extra pupils. The expansion is by sixty places year on year until an extra three hundred places are created over the next five years.

## **8 Relevant Planning History**

- 8.1 12/00727/AD - Application for approval of details pursuant to condition 11 (community use agreement) of planning permission 09/00841/BC3M granted on 14th August 2009 – Agreed
- 8.2 12/00227/AD - Application for Approval of Details pursuant to condition 04 (Drainage System) of Planning Permission 11/01368/FUL granted 9th November 2011 - Agreed
- 8.3 11/01368/FUL – Re-grade and raise ground level of central landscaped area within site (in connection with redevelopment of the site) – Granted Permission.
- 8.4 11/01344/AD - Application for approval of details pursuant to condition 13 (technical details of proposed relocated bus stop) of planning permission 09/00841/BC3M dated 14/09/11 – Agreed.

- 8.5 11/01286/BC3M - Variation of condition 11 of planning permission 09/00841/BC3M granted on 13/08/2009 to state that the approval period for community use from prior to occupation to within 12 months of occupation – Agreed.
- 8.6 11/00792/AD - Application for approval of details pursuant to conditions 11 (Community use agreement) 14 (Travel Plan) of planning permission 09/00841/BC3M granted on 14/08/09 – Split Decision.
- 8.7 11/00584/BC3M - Removal of condition 13 (Requirement for replacement bus stop) of planning permission 09/00841/BC3M dated 13.08.2009 which states full technical details of the proposed relocated bus-stop shall be submitted and agreed in writing by the Local Planning Authority prior to first occupation of the school building – Refused.
- 8.8 10/02005/AD - Application for Approval of Details pursuant to condition 05 (Cycle Parking) and condition 12 (Public Art) of planning permission 09/00841/BC3M dated 14/08/10 – Agreed.
- 8.9 10/01723/BC3M - Extend opening hours 6.30 to 23.00 hrs (variation of condition 07 of planning permission 09/00841/BC3M states hours of opening 6.30-22.00 Monday to Saturday 8.00-14.00 Sunday and Bank Holidays) – Withdrawn.
- 8.10 10/01117/ADV - Install non-illuminated fascia signs to North West and South East elevation of new school building fronting Highlands Boulevard – Consent Granted.
- 8.11 09/01972/AD - Application for approval of details pursuant to Conditions 10 (Water Drainage) and 22 (Water Resource Efficiency) of planning permission SOS/09/00841/BC3M – Agreed.
- 8.12 09/01645/AD - Application for approval of details pursuant to Conditions 02 (Material samples), 06 (Landscaping), 8 (Acoustic fence), 16 (Demolition Strategy), 23 (Site investigation), 24 (Traffic during construction) and 27 (Service access) of planning permission SOS/09/00841/BC3M – Agreed.
- 8.13 09/00839/BC3M - Erect two storey temporary building to south west of existing science block incorporating external staircase and covered linkway to existing main building – Permission Granted.

## **9 Recommendation**

### **9.1 Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions;**

- 1 The development hereby permitted shall begin no later than three years from the date of this decision.**

**Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.**

- 2 The development hereby permitted shall be carried out in accordance with the following approved plan: BA/P18-099-N204/B, BA/P18-099-N200, BA/P18-**

**099-N203/C, BA/P18-099-N205/B, BA/P18-099-N301, BA/P18-099-N350, BA/P18-099-N201/C, BA/P18-099-N141, BA/P18-099-H141, BA/P18-099-N202/C, BA/P18-099-N121, BA/P18-099-H202, BA/P18-099-H401, BA/P18-099-H103, BA/P18-099-N101.**

**Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.**

- 3 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, no development shall take place, other than for demolition and construction up to the ground floor slab level, until samples of the materials to be used in the construction of the external elevations of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.**

**Reason: To safeguard character and appearance of surrounding area in accordance with Policies KP2 and CP4 of the Core Strategy 2007, Policy DM1 and DM3 of the Development Management Document 2015 and the Design and Townscape Guide 2009.**

- 4 No construction works other than demolition works and construction up to ground floor slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include: proposed finished levels or contours; hard surfacing materials; Details for the soft landscape works shall include the number, size and location of any trees, shrubs and plants to be planted together with a planting specification, the management of the site (e.g. the uncompacting of the site prior to planting) and the initial tree planting and tree staking details. The approved hard landscaping works shall be carried out prior to first occupation of the development hereby approved and the soft landscaping works within the first planting season following first occupation of the development.**

**Reason: In the interests of visual amenity and the amenities of occupiers and to ensure a satisfactory standard of landscaping pursuant to Policy CP4 of the Core Strategy DPD1 with CP4 of the Core Strategy DPD1 and policies DM1 and DM3 of the Development Management DPD 2015.**

- 5 The photovoltaic solar roof panels shall be implemented in full prior to the first occupation of the buildings as per drawing no. P18-099-N205\_B and shall provide at least 10% of the total energy needs of the new buildings. This provision shall be made for the lifetime of the development.**

**Reason: In the interests of providing sustainable development in accordance with the National Planning Policy Framework (NPPF) and Policy KP2 of the Core Strategy (2007).**

- 6 The use of the development hereby approved shall be used for no purposes other than for those falling within Use Class D1 only. Notwithstanding the content of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order revoking or amending or re-enacting**

this order, the development shall be used for no other purposes falling outside Use Class D1 as defined by the Town and Country Planning (Use Classes) Order 1987.

Reason: In order to protect the impacts on community infrastructure, the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with the NPPF, Policies KP2, CP4 and CP6 of the Core Strategy (2007) and Policies DM1 and DM3 of the Development Management Document (2015).

- 7 Demolition or construction works associated with this permission shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time Sundays or Bank Holidays.

Reason: In order to protect the amenities of occupiers of the development surrounding occupiers and to protect the character the area in accordance with policies KP2 and CP4 of the Core Strategy DPD1 and Policies DM1 and DM3 of the Development Management DPD 2015.

- 8 No part of the development shall be occupied or brought into use until details of refuse and recycling facilities, a waste management plan and service plan have been submitted to and agreed in writing by the Local Planning Authority. The refuse and recycling facilities, waste management and servicing of the development shall thereafter be implemented and made available for use in accordance with the approved details before first occupation of any of the development and shall be permanently maintained thereafter.

Reason: To ensure that the development is satisfactorily serviced and that satisfactory waste management is undertaken in the interests of highway safety and visual amenity and to protect the character of the surrounding area, in accordance with Policies KP2 and CP3 of the Core Strategy (2007) and Policy DM15 of the Development Management Document (2015).

- 9 The development hereby granted shall be implemented in accordance with the recommendations and noise mitigation measures contained within the Noise Impact Assessment and Acoustic Design Report dated 17 May 2018 by Encon Associates before it is occupied and retained as such thereafter.

Reason: To minimise the noise and disturbance impacts of the development in order to protect the amenities of neighbouring occupiers in accordance with National Planning Policy Framework (2018); Core Strategy (2007) policies KP2, CP4; Development Management Document (2015) Policy DM1 and the Design and Townscape Guide (2009).

- 10 The rating level of noise for internal activities (including amplified and unamplified music and human voices) at the site shall be at least 10dB(A) below the background noise level to ensure inaudibility in noise sensitive premises as measured at 1 metre from the nearest residential properties. If noise modelling software is used to calculate the likely levels or impact of the noise then any actual measurement taken such as LA90 must be taken in accordance with BS7445. The assessment shall be carried out by a suitably

qualified and experienced acoustic consultant who would normally be a member of the Institute of Acoustics.

**Reason:** To protect the environment of people in neighbouring properties and general environmental quality in accordance with Core Strategy (2007) Policies KP2 and CP4, Development Management Document (2015) Policies DM1 and DM3 and Design and Townscape Guide (2009).

- 11** Prior to occupation of the development, a Travel Plan must be submitted to and approved in writing by the local planning authority. The Travel Plan must include details of;

- (a) A comprehensive survey of all staff ;
- (b) Targets set in the Plan to reduce car journeys to the premises;
- (c) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the building is occupied for A4 use.

The site shall be managed and operated in full accordance with the approved travel plan from its first occupation. At the end of 3 months following first occupation of the premises for D1 use a travel survey/questionnaire shall be carried out for staff and customers/visitors, and within 28 days of the survey the travel plan document must be updated to take into account the results of the staff/customer/visitor survey and submitted to the Local Planning Authority for approval. Immediately following approval of the revised Travel Plan it must be implemented and the site managed and operated in full accordance with it.

At the end of the first and third years of the life of the Travel Plan, reports monitoring the effectiveness of the Travel Plan and setting out any proposed changes to the Plan to overcome any identified problems must be submitted to and approved in writing by the local planning authority. The further revised Travel Plan must be implemented immediately and the site managed and operated in full accordance with it thereafter.

**Reason:** In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance with Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1 and DM15 and Design and Townscape Guide (2009).

- 12** No development shall take place until a site investigation of the nature and extent of any land contamination present has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority.

The results of the site investigation shall be made available to the local planning authority before any construction begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority before any construction begins. The site shall be remediated in

accordance with the approved remediation measures before the development hereby approved is occupied and evidence to demonstrate that the remediation has taken place shall be submitted in writing to the Local Planning Authority before the development is occupied.

If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and these shall be fully implemented before the site is occupied.

Reason: To ensure that any contamination on the site is identified and treated so that it does not harm anyone who uses the site in the future, and to ensure that the development does not cause pollution to Controlled Waters in accordance with Core Strategy (2007) policy KP2 and Policies DM1 and DM14 of the Development Management Document (2015).

- 13 Prior to occupation of the development, details of additional cycle parking must be submitted to and approved in writing by the local planning authority.

Reason: In the interests of sustainability, accessibility, highways efficiency and safety, residential amenity and general environmental quality in accordance Core Strategy (2007) Policies KP2, CP3 and CP4, Development Management Document (2015) Policies DM1 and DM15 and Design and Townscape Guide (2009).

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

#### **Informatives**

1. Community Infrastructure Levy Liability Notice (CIL Regulation 65):- You are advised that in this instance the chargeable amount for the Community Infrastructure Levy (CIL) has been calculated as zero due to the specific nature of the use. However, should the nature of the use change then you are advised to contact the planning department to discuss the requirement for planning permission and CIL liability. See [www.southend.gov.uk/cil](http://www.southend.gov.uk/cil) for further details about CIL.
2. The applicant is reminded that this permission does not bestow compliance with other regulatory frameworks. In particular your attention is drawn to the statutory nuisance provisions within the Environmental Protection Act 1990 (as amended) and also to the relevant sections of the Control of Pollution Act 1974. The provisions apply to the construction phase and not solely to the operation of the completed development.

3. The developer should also consider control measures detailed in Best Practice Guidance “The control of dust and emissions from construction and demolition”. <http://www.london.gov.uk/priorities/planning/supplementary-planning-guidance>
4. The applicant is advised that the design and layout of the sports hall should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to Sport England’s “Sports Hall Design & Layouts” design guidance note; <https://www.sportengland.org/facilities-planning/design-and-cost-guidance/>.
5. Please be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council may seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the Borough.