



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**CENTRAL AREA PLANNING COMMITTEE
25 JANUARY 2023**

Application Number	22/01075/FUL
Location	All Saints Church Of England Primary School, Highlands Drive, Maldon, CM9 6HY
Proposal	Single storey front extension, single storey rear extension, internal remodelling and alteration works.
Applicant	Mr Philip Brown - All Saints C Of E Primary School
Agent	Barker Associates - Barker Associates (Essex) Limited
Target Decision Date	30 January 2023
Case Officer	Hayley Sadler
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Related to a member of staff

1. **RECOMMENDATION**


APPROVE subject to the conditions (as detailed in Section 8 of this report).

2. **SITE MAP**

Please see below.

All Saints Church Of England Primary School – Highlands Drive – Maldon
 22/01075/FUL



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Committee
	Date:	29/12/2022
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on the western side of Highlands Drive within the settlement of Maldon. The site is occupied by a single storey primary school.
- 3.1.2 The proposal involves a single storey front extension, a single storey rear extension and Internal alterations to reconfigure the position of classrooms and offices. External alterations would involve relocation of an existing door, installation of new windows and an infill of an existing window to the side. Materials would match and or complement the existing building.

3.2 Conclusion

- 3.2.1 The development would upgrade and enhance the facilities of the school, are in keeping with its character and would not harm neighbouring amenity The proposed development is therefore in accordance with the relevant policies contained within the Local Development Plan (LDP).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework (NPPF) 2021, including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54 – 57 Planning conditions and obligations
- 119 – 123 Making effective use of land
- 126 – 136 Achieving well-designed places

4.2 Maldon District Local Development Plan (LDP) approved by the Secretary of State

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- H4 Effective Use of Land
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD (MDDG) (2017)
- Maldon District Vehicle Parking Standards SPD

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The main considerations in the determination of this application are the principle of the development, the impact of the proposal on the character and appearance of the

area, any impact on the amenity of the occupiers of neighbouring residential properties and highways/parking.

5.2 Design and Impact on the Character of the Area

- 5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.
- 5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the National Planning Policy Framework (NPPF). Similar support for high quality design and the appropriate layout, scale and detailing of development is required by Policy D1 and H4 of the LDP and is found within the MDDG (2017).
- 5.2.3 A successful development needs to integrate well with the existing streetscene. Visual cues such as rhythm, proportions and alignments taken from adjacent buildings should be used to inform the design of the development.
- 5.2.4 The proposed single story front extension would be visible from Highlands Drive as it is located to the front of the building. The extension would infill an existing covered area of paving leading up to the entrance of the school to create a new reception area. The single storey rear extension would be located to the rear, infilling existing covered and uncovered areas of paving. Neither extension would project beyond either the existing front or rearmost elevations. The materials proposed are to closely match the existing building. The school accommodation and facilities would be improved as a result of the extensions, reconfiguration of internal areas and external alterations. Overall, it is considered that the development would integrate successfully into the existing building and is therefore acceptable.
- 5.2.5 The proposal would not harm the character or appearance of the building or the surrounding area, and as such is in compliance with Policies D1 and H4 of the LDP.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.3.2 Due to the position of the proposed extensions within the application site, as well as its limited scale and height, it is not considered that the development would represent an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of Policy D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards.
- 5.4.2 The proposed development would have no impact upon car parking requirements on site and would not reduce the availability of on-site parking. Therefore, no objection is raised in relation to traffic and transport issues.

5.5 Other Material Considerations

- 5.5.1 The Council's Environmental Health Specialist has advised that there are no objections to the proposed works subject to the imposition of conditions in relation to surface water drainage and the submission of the construction management plan if the application were to be approved.

6. ANY RELEVANT SITE HISTORY

- **MAL/398/75** – Swimming Pool, Approved – 9 June 1975
- **MAL/398/75/A** – Swimming Pool, Approved – 7 July 1975
- **90/00880/FULF** – Continued use of RL3 relocatable classroom in accordance with resolution, Approved – 11 October 1991
- **96/00005/ECC** – Continued use of 1no. relocatable classroom, No Objections – 19 December 1996
- **01/00129/ECC** – Proposed two new class bases, No Objections – 30 March 2001
- **01/01086/ECC** – Creation of additional area of hard play from existing grass surface. Area to include timber decking, soil mounding and access paths, No Objections – 11 January 2002
- **02/00029/ECC** – Proposed variation of condition 1 (time limit) attached to approved application CC/MAL/05/96 to allow retention of one relocatable class base until 31 December 2006, No Objections – 14 February 2002
- **04/00034FUL** – Proposed staffroom/WC extension including internal alterations for educational use, Approved – 9 March 2004
- **07/00021/ECC** – The continued use of a relocatable classroom unit until 31 December 2011 without complying with Condition 1 (time limit) attached to planning permission CC/MAL/06/02, No Objections – 8 February 2007
- **08/00464/ECC** – Demolition and removal of an existing relocatable classroom and the construction of a new single storey extension, No Objections – 18 April 2008
- **08/01078/ECC** – Single storey extension, No Objections – 17 October 2008
- **08/01130/ECC** – Extend existing car park to provide 26 staff spaces, 2 visitors spaces and 1 disabled space, No Objections – 24 October 2008
- **09/00444/FUL** – Installation of canopy/covered area to cover an existing outdoor learning area, Approved – 2 July 2009
- **11/00614/FUL** – Single storey extension to provide four new class bases, rebuilding of front entrance area to provide new reception area and head teacher's office, new plant room and associated internal alterations, Approved – 29 September 2011
- **12/00678/FUL** – Siting of a timber cabin style single storey building within the school grounds, Approved – 15 November 2012
- **13/00312/FUL** – Extension of hard surface areas adjacent to existing hard play area and school building, Approved – 23 May 2013
- **16/00818/FUL** – Replace existing dilapidated workshop with new workshop fit for purpose, Approved – 22 September 2016
- **17/00494/FUL** – Installation of a bicycle shelter, Approved – 3 July 2017
- **18/000429/FUL** – Erection of single storey nursery building and construction of car parking facilities, Approved – 25 June 2018

- **20/00217/FUL** – Removal of conditions 3 (samples of external materials), 4 (details of extract ventilation system, compressors etc), 9 (foul and surface water drainage systems), 13 (car parking details) & 14 (Travel Plan) of planning permission FUL/MAL/18/00429 (Erection of single storey nursery building and construction of car parking facilities), Approved – 30 April 2020

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Recommends approval	Noted

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Council Highways	No objection	Noted
Education Department	No response	N/A

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions	Noted – refer to section 5.5 of report

7.4 Representations received from Interested Parties

7.4.1 No letters of representation for the application have been received.

8. **PROPOSED CONDITIONS**

- The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
- The development hereby permitted shall be carried out in accordance with the following approved plans and documents: BA P22-0577 101 Rev A, BA P22-0577 102 Rev A, P22-0577 103 Rev A, BA P22-0577 104 Rev A, P22-0577 105, BA P22-0577 106 Rev B, P22-0577 107
REASON To ensure the development is carried out in accordance with the details as approved.
- The materials used in the construction of the development hereby approved shall be as set out within the application form/plans hereby approved.
REASON To ensure the external appearance of the development is appropriate to the locality in accordance with Policy D1 of the approved Maldon District Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.
- No development works above ground level shall occur until details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented

prior to the first occupation of the development. The scheme shall ensure that for a minimum:

- 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.
- 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield)

You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

REASON To ensure the adequate provision of surface water drainage within the proposal and to encourage sustainable forms of drainage within development in accordance with the National Planning Policy Framework and policy D5 of the Maldon District Local Development Plan.

5. Prior to the commencement of the development the applicant shall submit in writing a construction management plan to the local planning authority for approval. Within the construction management plan, it must consider the following requirements:

The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours and to this effect:

- a) no waste materials should be burnt on the site, instead being removed by licensed waste contractors
- b) no dust emissions should leave the boundary of the site
- c) consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site
- d) hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.

If it is known or there is the likelihood that there will be the requirement to work outside of these hours or there will be periods where there will be excessive noise that will significantly impact on sensitive receptors Environmental Health at Maldon District Council must be notified prior to the works as soon as is reasonably practicable. The developer is advised to consult nearby sensitive noise premises and may be advised to apply for a Prior Consent under Section 61 of the Control of Pollution Act 1974.

Care must be taken to prevent the pollution of ground and surface waters. This will include during works and the location of any hazardous materials including fuel from vehicles and equipment.

Where any soils that are known to be contaminated are being excavated or exposed a site waste plan must be prepared in order to store treat and dispose of the

materials in accordance with the waste duty of care. It is recommended that advice is sought from the Environment Agency on this matter.

Where there is requirement for dewatering the site, the relevant consent must be sought from the Environment Agency

Where there is a requirement to obstruct or alter watercourses a consent under section 23 of the Land Drainage Act must be obtained from Essex County Council.
REASON To ensure the amenity of neighbouring properties and highway safety in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.