

Reference: 22/00302/FUL	Site: Orsett Heath Academy Oakfield Long Lane Stifford Clays Grays RM16 2QH
Ward: Little Thurrock Blackshots	Proposal: Proposed siting of temporary classrooms for temporary period of 2 years and associated hard landscaping, and installation of artificial cricket strip.

Plan Number(s):		
Reference	Name	Received
2631/6 MAR22	Proposed Cricket Strip Layout	9th March 2022
2632/1	Existing Site Plan	8th March 2022
2632/2 REV A	Proposed Block Plan	8th March 2022
2632/3A	Proposed Site Layout	30th March 2022
2632/4	Proposed Floor Plans	8th March 2022
2632/5	Proposed Elevations	8th March 2022
2632/LOC A	Location Plan	8th March 2022
3632/7	Existing Block Plan and Pitch Layout	30 th March 2022
3632/8	Proposed Block Plan and Pitch Layout	30 th March 2022

<p>The application is also accompanied by:</p> <ul style="list-style-type: none"> - Design and Access Statement - Transport Assessment – (December 2018) Revision B, dated 30th March 2022 - Construction and Waste Management Plan, Encon Associates Limited, Reference A4050 Rev D, 31 March 2022 	
Applicant: South West Essex Community Education Trust / Thurrock Rugby Football Club	Validated: 8 March 2022 Date of expiry: 3 May 2022
Recommendation: Approve, subject to conditions.	

1.0 BRIEF SUMMARY

1.1 This application is submitted on behalf of both the South West Essex Community Education Trust (SWECET) and the Thurrock Rugby Football Club. The

application seeks temporary planning permission for the siting of temporary classrooms for a period of two years at the Orsett Heath Academy initial phase school site; associated hard and soft landscaping is also proposed along with sports facility improvements by way of the provision of an artificial cricket strip at the Rugby Club.

- 1.2 The future growth of school places in the Borough is forecast by the Thurrock Pupil Place Plan 2020-2024 ('the PPP') and the application site is located within the Central Secondary School Area ('Central SSA'). As of 2019 the Central SSA was 4,745 pupils and under projections for September 2024 Thurrock has an indicated admissions growth of 5,342, a growth of 597 pupils over 5 years within the Central Area. Furthermore, pupil admissions will exceed the Published Admission Number and the number of pupil places available in the Central SSA.
- 1.3 In order to address the projected requirement for school places, the provision of two new Free Schools have been agreed with the Education Funding Agency; one being the Thames Park School (currently under construction) and the other, Orsett Heath Academy; both are identified in the Education Support Strategy 2019-2022 document. Thames Park School was granted permission in May 2021, and the first phase of the Orsett Heath Academy was granted permission to operate from the Thurrock Rugby Club site in February 2019 and the school opened in September 2020. The Orsett Heath Academy is run by the South West Essex Community Education Trust (SWECET), the same Trust leadership team as William Edwards School.
- 1.4 In October 2021 Members of the Planning Committee resolved to grant planning permission for a new permanent location for the secondary school to be operated by SWECET on land to the south of the application site and north of Stanford Road. The legal agreement relating to the proposed new school development is nearing completion and it is anticipated that works on this permanent school site will commence in the very near future.
- 1.5 The existing Orsett Heath Academy has been operating from its current interim location at the application site since September 2020. The school is now in its second year of occupation and is at full capacity as intended.
- 1.6 There is a pressing need to provide teaching facilities for the new incoming 120 pupils starting the school in Year 7 in September 2022. The new permanent site for the school is not anticipated as being open until late 2023. The urgency for new pupil places within the Central SSA is evident and, while the permanent base for the Orsett Heath Academy has been developed as a direct response to this need, there is a need to accommodate these pupils in this area. The Department for Education recognises this urgent need and has agreed to fund the temporary classroom accommodation while the new school is being constructed. Subject to planning permission being granted, the temporary classrooms would be stationed

on site before the end of the summer term to ensure that are ready to use for the start of the academic year 2022/23.

2.0 DESCRIPTION OF PROPOSAL

2.1 The table below summarises some of the main points of detail contained within the development proposal:

Site Area	0.345 ha
Additional Floorspace	536 sq.m
Building Dimensions	Overall maximum height of proposal would be 5.6m, comprising: two storey, 7 classroom block at 51.8m in length, by 6m in depth.
Parking Spaces Provision	178 (including 9 disabled accessible spaces) car parking spaces which would not change as a result of the proposals.
Pupil / Staff numbers	360 (equating to 120 pupils for the three year groups that would be on site) / 33 staff (FTE)

2.2 The proposed structure will be two storey and located to the northern boundary of the application site, close by the adjacent main school building. The location of the temporary classroom building has been chosen given the constraints on the remainder of the site including the location of underground surface water drainage infrastructure, high voltage overhead cables and underground servicing and utilities. All of these constraints are significant and impact upon the location of the temporary building.

3.0 SITE DESCRIPTION

3.1 The application site comprises two parcels of land north and east of the interim school site and Rugby Club. To the north, the application site is an irregular rectangular shaped area of land which encompasses the interim school buildings as well as the narrower rectangular area of land running partway across the northern boundary of the overall site. The application site to the east comprises a narrow strip of land running north-south between the existing rugby pitches at the Rugby Club. The application site is located within the Metropolitan Green Belt (GB) and is located in Flood Risk Zone 1 (low risk). The site is designated as open space on the policies map accompanying the adopted Core Strategy.

4.0 RELEVANT HISTORY

Application Reference	Description	Decision
66/00616/FUL	Extension to recreation ground	Approved
76/01030/FUL	Rugby pitches, clubhouse and 'A' Detailed plans and 'B' Revised layout	Approved
81/00221/TBC	Use of land for public open space	Approved
17/00341/FUL	New artificial grass pitch with associated pitch perimeter and gated entrances. Installation of new hardstanding areas with team shelters, a new maintenance storage container and the installation of a new flood lighting system to replace existing floodlights	Approved
18/00164/FUL	Retention of two trailer / caravan buildings for a temporary three year period for use as player's accommodation.	Refused
18/01709/FUL	Construction of new school building, extensions and alterations to existing rugby clubhouse and external works including parking, landscaping and play surface [rev]	Approved (and implemented)
19/30128/PMAJ	Development of an 8 form-entry secondary school (1200 pupils) at the site	Advice Given
20/30147/PMAJ	Development of an 8 form-entry secondary school (1200 pupils) at the site	Advice Given
21/01163/SCR	Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Request for a screening opinion for the construction of an 8-form-of-entry (1200 pupils) secondary school, total 8678 sqm GIA together with sports facilities, access, parking, highway improvements, landscaping and ancillary works at the application site.	EIA Not Required
21/01309/FUL	Development of a new secondary school with associated sports facilities, access, parking, highway improvements, landscaping and ancillary works	Members Resolved to Approve on 24.10.21 – awaiting completion of legal agreement

5.0 CONSULTATIONS AND REPRESENTATIONS

5.1 PUBLICITY:

This application has been advertised by way of individual neighbour notification letters, press advert and public site notices which have been displayed nearby. The application has also been advertised as a departure from the Development Plan.

At the time of drafting the report the public consultation period had not expired, however, one written objection had been received raising the following concerns:

- amenity impact
- additional traffic
- access to site
- out of character
- applicant continued to invite pupils to apply even though the temporary school was not completed until 2020.
- concern the proposed additional temporary classrooms will be permanent

5.2 CONSULTATION RESPONSES:

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

5.3 ANGLIAN WATER:

Informative recommended.

5.4 EDUCATION:

Support application, as the proposals will temporarily provide the much needed additional places within the Borough.

5.5 HOME TO SCHOOL TRANSPORT:

No objections, subject to the walking and cycling routes to school for pupils are safe for children to continue to travel.

5.6 HIGHWAYS:

Further information required regarding highways impact and the operation of the car park. Nevertheless, planning conditions are suggested.

5.7 TRAVEL PLAN:

No objections subject to condition

5.8 LANDSCAPE AND ECOLOGY ADVISOR:

No objections subject to condition

5.9 NATIONAL HIGHWAYS:

No objections

5.10 ENVIRONMENTAL HEALTH OFFICER:

No objections subject to condition controlling construction hours.

5.11 SPORT ENGLAND:

No objection subject to conditions.

6.0 POLICY CONTEXT

6.1 National Planning Policy Framework (NPPF)

The revised NPPF was published on 20th July 2021. The NPPF sets out the Government's planning policies. Paragraph 2 of the NPPF confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework is a material consideration in planning decisions. The following chapter headings and content of the NPPF are particularly relevant to the consideration of the current proposals:

- 2. Achieving sustainable development;
- 8. Promoting healthy and safe communities;
- 9. Promoting sustainable transport;
- 12. Achieving well-designed places; and
- 13. Protecting Green Belt land.

6.2 Planning Policy Guidance

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

- Design: process and tools;
- Determining a planning application;
- Green Belt;
- Healthy and safe communities;
- Open space, sports and recreation facilities, public rights of way and local green space;
- Renewable and low carbon energy;
- Transport evidence bases in plan making and decision taking;
- Travel plans, transport assessments and statements in decision-taking; and
- Use of Planning Conditions

The policy statement 'Planning for schools development' (2011) is also relevant.

6.3 Local Planning Policy Thurrock Local Development Framework (2015)

The statutory development plan for Thurrock is the 'Core Strategy and Policies for Management of Development (as amended)' which was adopted in 2015. The following adopted Core Strategy policies would apply to any future planning application:

Spatial Policies:

CSSP3 (Sustainable Infrastructure)

CSSP4 (Sustainable Green Belt)

CSSP5 (Sustainable Greengrid)

Thematic Policies:

CSTP9 (Well-being: Leisure and Sports)

CSTP10 (Community Facilities)
CSTP12 (Education and Learning)
CSTP14 (Transport in the Thurrock Urban Area: Purfleet to Tilbury)
CSTP20 (Open Space)
CSTP22 (Thurrock Design)
CSTP25 (Addressing Climate Change)

Policies for the Management of Development:

PMD1 (Minimising Pollution and Impacts on Amenity)
PMD2 (Design and Layout)
PMD5 (Open Space, Outdoor Sports and Recreational Facilities)
PMD6 (Development in the Green Belt)
PMD7 (Biodiversity, Geological Conservation and Development)
PMD8 (Parking Standards)
PMD9 (Road Network Hierarchy)
PMD10 (Transport Assessments and Travel Plans)
PMD12 (Sustainable Buildings)
PMD13 (Decentralised, Renewable and Low Carbon Energy Generation)
PMD14 (Carbon Neutral Development)

6.4 Thurrock Local Plan

In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. In December 2018 the Council began consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document, this consultation has now closed and the responses have been considered and reported to Council. On 23 October 2019 the Council agreed the publication of the Issues and Options 2 Report of Consultation on the Council's website and agreed the approach to preparing a new Local Plan.

6.5 Thurrock Design Strategy

In March 2017 the Council launched the Thurrock Design Strategy. The Design Strategy sets out the main design principles to be used by applicants for all new development in Thurrock. The Design Strategy is a supplementary planning document (SPD) which supports policies in the adopted Core Strategy.

7.0 **ASSESSMENT**

Procedure:

7.1 With reference to procedure, this application has been advertised as being a departure from the Development Plan. Should the Planning Committee resolve to grant planning permission, the application will be subject to the terms of the Town and Country Planning (Consultation) (England) Direction 2021. This Direction requires referral to the Secretary of State for proposals involving development involving GB land consisting of:

- building(s) where the floorspace created is 1,000 sq.m or more; or
- any other development which would have a significant impact on openness by reason of scale or the nature of the location.

In this case the 1,000 sq.m floorspace threshold is not met and, as a matter of judgement, it is not considered that there would be a significant impact on GB openness. Therefore, although the application is a departure from GB planning policies, referral to the Secretary of State is not necessary.

7.2 The assessment below covers the following areas:

- I. Principle of the Development
- II. Design, Layout and Impact upon the Surrounding Area
- III. Traffic Impact, Access and Car Parking
- IV. Neighbour Amenity Impact
- V. Sports Facilities
- VI. Other Matters

I. PRINCIPLE OF THE DEVELOPMENT

7.3 Core Strategy policy CSSP3 (Sustainable Infrastructure) identifies a list of Key Strategic Infrastructure Projects which are essential to the delivery of the Core Strategy, including (under the heading of “Secondary Education”) “*new build, refurbishment and expansion of existing mainstream secondary schools*”. This policy therefore identifies the general need for the provision of secondary school buildings as items of key infrastructure.

7.4 Core Strategy policy CSTP12 (Education and Learning) sets out a general approach which includes:

- the Council's objective and priority to maximise the benefit of investment in buildings, grounds and ICT, to achieve educational transformation;
- the provision of pre-school, primary school, high school, further education and special education facilities meets current and future needs.

7.5 Under the heading of 'Secondary Education' CSTP12 goes on to state that, *"To meet the educational, training and community needs of young people and their families for the period of this plan, the Council is committed to replace and improve mainstream secondary school provision and will work with partners to identify and/or confirm sites of an appropriate size and location for schools"*.

7.6 Hence in general terms, Core Strategy policies support the provision of education facilities, including new classrooms. Paragraph 95 of the NPPF is also relevant and states 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:*

- *give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications;*
- *work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted'.*

7.7 Although not a part of either the NPPF or PPG, the national policy paper "Planning for Schools Development" (2011) is relevant to this application. This paper sets out a commitment to support the development and delivery of state-funded schools through the planning system. Furthermore the policy paper refers to the Government's belief that the planning system should operate in a *"positive manner"* when dealing with proposals for the creation, expansion and alteration of state funded schools. Finally, the policy paper sets out the following principles:

- there should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework;
- local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions;
- local authorities should make full use of their planning powers to support state funded schools applications;

- local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95;
- local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible;
- a refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority;
- appeals against any refusals of planning permission for state-funded schools should be treated as a priority; and
- where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.

- 7.8 The key issues to consider when assessing the principle of further development on this site is the impact upon the GB and the need for education provision within the Borough.
- 7.9 The site comprises the building and hardsurfaced play area of the interim school along with an area of hard landscaping to the immediate north of the main buildings which sits adjacent to a grassed strip of land fringing the rugby pitches which also forms part of the application site. The site is bounded by farm fields to the immediate north and the remainder of the Rugby Club buildings, pitches and site to the south and east. To the west lies Milford Road and residential properties on Springfield Road beyond. The separate part of the application sites is located between two of the rugby pitches and is broadly central to the Rugby Club site. The entire site is identified on the LDF Core Strategy Proposals Map as within the GB where policies CSSP4 (Sustainable Green Belt), PMD6 (Development in the Green Belt) apply, but also where policy CSTP20 (Open Space) is also relevant.
- 7.10 Policy CSSP4 (Sustainable Green Belt) identifies that the Council will, '*maintain the purpose function and open character of the Green Belt in Thurrock*', and Policy PMD6 (Development in the Green Belt) states that the Council will '*maintain, protect and enhance the open character of the Green Belt in Thurrock*'. The proposed temporary classrooms are not identified in any of the sections of policy CSSP4 (Sustainable Green Belt) and would not fall within any of the categories for appropriate development within policy PMD6 (Development in the Green Belt). These policies aim to prevent urban sprawl and maintain the essential characteristics of the openness and permanence of the GB.
- 7.11 In assessing the impact upon the GB with regard to the Core Strategy and NPPF policies, consideration needs to be given to the following key questions:

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

1. Whether the proposals constitute inappropriate development in the GB

7.12 Paragraph 147 of the NPPF makes it clear that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. Paragraph 149 goes on to state that: *'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- (a) buildings for agriculture and forestry;*
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- (e) limited infilling in villages;*
- (f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority'.*

7.13 The applicant's Design and Access Statement submitted refers to Paragraph 99 of the NPPF which outlines the Government's approach to open space and states, *"existing open space, sports and recreational buildings and land, including playing fields, should not be built upon unless:*

- a) *As assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) *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*
- c) *The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."*

While the above extract is accepted, the wording of paragraph 149(b) stipulates that *'the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.'*

7.14 The proposed development involves siting for a temporary two year period a temporary classroom block, providing 7 classrooms, a small office and w/c facilities for pupils on the grassed strip of land between the rugby pitch and the northern boundary of the site. No sports pitches or playing field would be built upon or lost as a result of the temporary development. The proposal also entails the installation of a new artificial cricket strip at the site for the benefit of the rugby club. There are no in principle objections to the proposed artificial cricket strip as it would fall within exception 149 b) subject to it not impacting upon openness; the installation of the artificial cricket strip would be unlikely to harm openness given the scale, size and nature of the development involved for the cricket strip surfacing which is predominantly at ground level with very little structural form above ground level. Notwithstanding the NPPF's position regarding the provision of outdoor sports facilities and the cricket strip forming part of the current application, the classroom proposals would not preserve the openness or character of the GB by reason of the siting of the two storey block and associated hard landscaping close to the northern perimeter of the site on the fringes of the GB.

7.15 Part of the site is considered to fall within the NPPF definition of Previously Developed Land (PDL). However, the proposed development is more extensive in terms of scale and mass, and spreads further across the northern boundary of the site than the development that presently exists. Accordingly, the proposal would have a greater impact on the openness of the GB and the purpose of including land within it than the existing development. Consequently, the proposals comprise

inappropriate development with reference to the NPPF and policy PMD6.

2. The effect of the proposals on the open nature of the GB and the purposes of including land within it;

- 7.16 The analysis in the paragraphs above concludes that the proposal constitutes inappropriate development which is, by definition, harmful to the Green Belt (NPPF para. 147). However, it is also necessary to consider whether there is any other harm (NPPF para. 148).
- 7.17 Paragraph 137 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belt being described as its openness and its permanence. The proposals would comprise a substantial amount of new built development across the northern boundary of the site, which is currently open.
- 7.18 Advice published in NPPG (July 2019) addresses the role of the Green Belt in the planning system and, with reference to openness, cites the following matters to be taken into account when assessing impact:
- openness is capable of having both spatial and visual aspects;
 - the duration of the development, and its remediability; and
 - the degree of activity likely to be generated, such as traffic generation.
- 7.19 In terms of NPPG, it is considered that the proposed development would have a detrimental impact on both the spatial and visual aspects of openness, i.e. an impact as a result of the footprint of development and building volumes. With regard to the visual impact on the B assessment of openness, the quantum of development proposed would undoubtedly harm the visual character of the site. In light of the above, given that the site is located in an open and exposed position, bordered by the Thurrock Rugby Football Club and the interim Orsett Heath Academy accessible and visible from Long Lane and visible from Milford Road, the development of the site as proposed would clearly harm the visual component of openness. It is noted that the applicant has sought a temporary planning permission for 2 years and it is assumed that the classroom block would be removed at the end of that period once the permanent school is completed. The temporary period that the structure would be on the site would therefore result in a more limited impact upon openness. Finally, the development would generate traffic movements associated with an additional year group of 120 pupils operating at the school and it is considered this activity would also impact negatively on the openness of the GB. It is therefore considered that the amount and scale of the development proposed would significantly reduce the openness of the site. As a consequence, the loss of openness, which is contrary to the NPPF, should be

accorded substantial weight in the consideration of this application.

7.20 Paragraph 138 of the NPPF sets out the five purposes which the GB serves. In terms of whether the planning application would cause harm to the five purposes of the GB, these are considered below:

a) to check the unrestricted sprawl of large built-up areas;

7.21 The NPPF does not provide a definition of the term 'large built-up areas' but the site is located on the fringes of the built up area around Grays, which represents the largest built-up area within the Borough. The proposal would extend further into the GB than the existing built up area. However, the site is somewhat separated from the built-up area by the local road network and nearby areas of open land. As a result of these circumstances it is considered it would have limited impact in terms of the unrestricted sprawl of this built up area into the GB, nevertheless some harm to this purpose would occur.

b) to prevent neighbouring towns from merging into one another;

7.22 The site is located on the immediate fringes of Grays and some distance from Chadwell St Mary; the site is somewhat disconnected from Chadwell St Mary principally by the existing road network. While the proposal would increase the built form in the area between these urban areas it is considered that the proposal would not result in towns merging into one another to any significant degree.

c) to assist in safeguarding the countryside from encroachment;

7.23 The site currently comprises the interim school grounds and the rugby club site and pitches. Current views across the site contribute towards the countryside setting and mark the beginning of relatively open countryside beyond the urban area of Grays linking to the open areas of land to the east and north of Stanford Road. The detailed plans show that a significant built form will be introduced on the most prominent northern part of the site. The introduction of a significant level of built form within this area would result in encroachment into the countryside. As a result the proposal would conflict with this purpose of including land within the GB.

d) to preserve the setting and special character of historic towns;

7.24 As there are no historic towns in the immediate vicinity of the site, the proposals would not conflict with this defined purpose of the GB.

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

- 7.25 The site is located on the fringes of the urban area and therefore the granting of permission outside of this area would not encourage urban regeneration. Therefore, the proposal would conflict with this purpose of including land within the GB, albeit the Applicant's site selection is considered below.
- 7.26 Based upon the above tests from paragraph 138 of the NPPF the proposal would be contrary to purposes c and e with some limited impact on purpose a. The proposal would result in harm to some of the purposes of including land in the GB, and harm to the openness of the GB in addition to the definitional harm by reason of its inappropriateness. Reference to "any other harm" (NPPF para. 148), that is non-GB harm, is referred to in the paragraphs below.

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

- 7.27 Paragraph 147 makes it clear that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'Very Special Circumstances'*. Paragraph 148 of the NPPF then states *'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations'*.
- 7.28 Neither the NPPF nor the Core Strategy provide guidance as to what can comprise 'Very Special Circumstances' (VSC), either singly or in combination. However, some interpretation of VSC has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances (i.e. 'very special' is not necessarily to be interpreted as the converse of 'commonplace'). The demonstration of VSC is a 'high' test and the circumstances which are relied upon must be genuinely 'very special'. In considering whether VSC exist, factors put forward by an applicant which are generic or capable of being easily replicated on other sites, could be used on different sites leading to a decrease in the openness of the GB. The provisions of VSC which are specific and not easily replicable may help to reduce the risk of such a precedent being created. Mitigation measures designed to reduce the impact of a proposal are generally not capable of being VSC. Ultimately, whether any particular combination of factors amounts to VSC will be a matter of planning judgment for the decision-taker.
- 7.29 The Design and Access Statement submitted to accompany the application sets out the applicant's case for VSC under the following main headings:

- a) Temporary nature of the proposal limits any considered harm to a two-year period
- b) Specific need for these secondary school places in Thurrock
- c) The site already houses the established interim school
- d) Lack of Alternative Sites

7.30 The detail of the applicant's case under these headings and consideration of the matters raised is provided in the paragraphs below.

a) Temporary nature of the proposal limits any considered harm to a two-year period

7.31 The Design and Access Statement outlines the fact that the temporary nature of the proposal limits any considered harm to a two-year period along with the prefabricated style of units to be installed which minimises any initial ground works required.

Consideration

7.32 The application seeks temporary permission for a two year period for these temporary classrooms. This suggests the need of the applicant for these structures in this location would also be temporary particularly in light of the recent resolution regarding the permanent school development. The resulting impact upon the openness of the GB would be reduced somewhat by the temporary period of time in which the development would be located on the site. As a consequence it is considered that some positive weight can be afforded to this factor in the balance of GB considerations.

b) Specific need for these secondary school places in Thurrock

7.33 The Design and Access statement states that the specific need for these secondary school places in Thurrock is an unprecedented situation. The Local Authority has confirmed that following national offer day on 1st March 2022, there are insufficient places at other school sites within the Borough to accommodate these pupils elsewhere. This position will become even more challenging when late applications are considered. Without additional provision at Orsett Heath Academy, the Local Authority will not be able to meet its statutory obligation for school places.

Consideration

- 7.34 As was considered in both the original interim school planning application (ref. 18/01709/FUL) and the more recent permanent school application (ref. 21/01309/FUL) it is recognised that Orsett Heath Academy has an immediate and projected need for permanent long term and purpose built accommodation; paired with the projected published admissions numbers over the next 5 years within the Central SSA, it is understood and acknowledged that there is a need for pupil places within this area of Grays. 120 pupils were offered places at the Orsett Heath Academy on national offer day. There is sufficient compelling evidence to demonstrate there is a quantitative need for pupil places in the area. Furthermore, although not part of the NPPF, the policy statement 'Planning for schools development' (2011) sets out a "presumption in favour of the development of state-funded schools". Significant positive weight is afforded to this factor in the balance of GB considerations.

c) The site already houses the established interim school.

- 7.35 The applicant indicates that the site already houses the interim school buildings which is ideal for staffing, shared facilities, and the continued success of the school when the main site opens. The existing interim building works in harmony with the existing sports facilities. The applicant considers that any temporary increase in pupil numbers will further connect and enhance this, whilst also linking to the adjacent main school site (now having received Member's resolution to approve and due to open in September 2023). The applicant also states that there has been greater certainty with respect to this proposed opening of the main school by this date as the DfE has confirmed the permanent school site development will be built out by one of their highest performing contractors taking over the project.

Consideration

- 7.36 The interim school opened in September 2020 and the permanent school located very nearby is due to open in late 2023. Given the proposal relates to a temporary development for a temporary period on the interim school site, which is an established school, there is considered to be a logic and consistency in the approach by the school in seeking to providing the temporary classrooms development on this interim site. As a consequence significant positive weight is afforded to this argument.

d) Lack of Alternative Sites

- 7.37 The Applicant's Design and Access Statement advises that alternative sites have

been considered for this temporary accommodation both within the interim school site and elsewhere, and include:

- *The Orsett Heath Academy (OHA) front playground.*

This location was not considered viable due to site constraints including a large underground surface water attenuation tank, and high voltage overhead cables.

- *The main car park for the site.*

This would locate the classrooms outside of the established safeguarding boundary and would significantly reduce the available parking space numbers at the school.

- *Splitting the school and locating one year group at William Edwards School.*

The William Edwards School is also on GB land and therefore holds the same planning policy requirements. This would also represent enormous logistical challenges for the educational delivery, having shared staff and adding greater pressure on the current William Edwards site.

- 7.38 The Applicant contends that ultimately only one site was deemed a suitable option for the temporary classrooms development proposals school. This site, the Applicant put forward, is the best option to provide a well-integrated link with the current provision and sits within the established safeguarding parameters with additional positive impacts for sport provision and general amenity at Thurrock Rugby Football Club. The Applicant concludes that the application provides an exceptional solution to an unprecedented school place planning challenge.

Consideration

- 7.39 The assessment and methodology adopted by the applicant in considering other sites or locations for the temporary classroom block have been deemed sufficiently robust and adequately demonstrate the site is the most practicable in the circumstances. Although the proposals would result in some harm to purpose e. of the GB, the applicant's analysis shows that there are no available sites within the built-up area. In conjunction with the needs analysis discussed in part (b) above, this factor is also afforded significant positive weight.
- 7.40 Under the heading of Promoting Healthy and Safe Communities, paragraph 94(a) of the NPPF states: *'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 give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications.'*

- 7.41 Policy CSTP12 (Education and Learning) is the relevant policy and it has already been established that the principle of a new build schools is acceptable. The Council is committed to replace and improve mainstream secondary school provision and work with partners to identify appropriate locations within the Borough.
- 7.42 The Government's policy statement from 2011 'Planning for schools development: statement', while not forming part of the NPPF or NPPG, is also relevant to this proposal. This statement includes the following principles for the planning system:
- there should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework;
 - local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions;
 - local authorities should make full use of their planning powers to support state funded schools applications;
 - local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95; and
 - a refusal of any application for state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.
- 7.43 As the site is located in the GB it is not considered that the positive approach encouraged by national policy (above) would necessarily supersede the protection afforded to the GB elsewhere within national planning policies. Therefore, it is still necessary to consider both the harm and benefits of the proposal and undertake a balancing exercise. Nevertheless, it is considered that local and national planning policies supporting the delivery of additional facilities for this new school can be afforded positive weight in the balance of GB considerations.

Other Harm

- 7.44 The application site is within the GB and, consistent with its use as part of the interim school and rugby club site and pitches, the site topography is relatively flat. The site is located in Flood Risk Zone 1.
- 7.45 In terms of layout, the built form would be concentrated towards the northern boundary of the rugby club with the proposed artificial cricket strip installed running north-south between two of the pitches central to the site. The temporary classroom building would be sited on the fringe of the rugby club boundary and northern side

of the pitches. While the building would be located adjacent to the interim school building it would be clearly visible in the landscape from the north of the site.

7.46 The applicant acknowledges the nature of the proposal would result in change within the wider landscape but considers that the siting of the building to the northern boundary of the application site is the only feasible location within the wider interim school and rugby club site that the classrooms could be located. The Applicant considers the positioning of the building would be viewed in conjunction with the main school building and minimises the intrusion into the GB as far as possible and ensuring the main built form would not protrude beyond that of the existing envelope of built development at the site.

7.47 It is considered that the proposal would result in harm to this open landscaped setting by way of a loss of openness. This harm needs to be considered in the context of “any other harm” in addition to GB harm (paragraph 144). Notwithstanding this, the above GB assessment has identified that the applicant has advanced factors which could combine to clearly outweigh the identified harm to the GB such that VSC could exist and, for these reasons, it is considered that these outweigh the harm to the openness of the landscape.

GB Conclusions

7.48 It is clear that the proposals comprise inappropriate development. Consequently, the development would be harmful in principle and reduce the openness of the GB. Furthermore it is considered that the proposals would harm the openness of the GB in terms of both the spatial and visual aspects of openness and would cause some harm to the role which the site plays in fulfilling the purposes for including land within the GB. In accordance with policy, substantial weight should be attached to this harm. With reference to the applicant’s case for VSC, an assessment of the factors promoted is provided in the analysis above, and a summary of the weight which should be placed on various GB considerations is provided in the table below:

Summary of Green Belt Harm and Very Special Circumstances			
Harm	Weight	Factors Promoted as Very Special Circumstances	Weight
Inappropriate Development	Substantial	Temporary nature of the proposal limits any considered harm to a two-year period	Some Weight

Reduction in the openness of the Green Belt	Specific need for these secondary school places in Thurrock	Significant Weight
	Site already houses the established interim school	Significant Weight
	Lack of alternative sites	Significant Weight

7.49 Within the table above, the factors promoted by the applicant can be assessed as attracting varying degrees of ‘positive’ weight in the balanced of considerations. As ever, in reaching a conclusion on the GB issues, a judgement as to balance between the harm and whether the harm is clearly outweighed must be reached. In this case there is harm to the GB with reference to inappropriate development, loss of openness and conflict with a number of GB purposes. Consideration should also be given to the other harm arising from the proposal when undertaking the GB balancing exercise. A number of factors have been promoted by the applicant as comprising the VSC required to justify inappropriate development and it is for the Committee to judge:

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

7.50 Taking into account all GB considerations, Officers are of the opinion that in this case the identified harm to the GB is clearly outweighed by the accumulation of factors described above, so as to amount to VSC justifying inappropriate development.

II. DESIGN, LAYOUT AND IMPACT UPON THE SURROUNDING AREA

7.51 With respect to the layout of the site, Policy CSTP20 (Open Space) states that the Council will seek to ensure that a diverse range of accessible public open spaces, including natural and equipped play and recreational spaces is provided and maintained to meet the needs of the local community. The same policy goes on to state that wherever possible, open spaces should be identified, planned, designed and managed as areas that can perform multiple functions. As the proposals do not seek to alter the provision of the rugby pitches, and include the addition of the installation of an artificial cricket strip, it is not considered that the proposals conflict specifically with the objectives and aims of CSTP20.

7.52 Chapter 12 of the NPPF is titled “*Achieving well-design places*” and the following paragraph nos. are relevant:

Para. 126

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve”

Para. 130

“Planning policies and decisions should ensure that developments:

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping”

7.53 PMD2 of the Core Strategy states; *‘The Council requires all design proposals to respond to the sensitivity of the site and its surroundings, to optimize the potential of the site to accommodate development, to fully investigate the magnitude of change that would result from the proposals, and mitigate against negative impacts’.*

7.54 As detailed earlier in the report, the siting of the temporary classrooms block on the application site has been determined by the significant constraints of the site, along with the practical use and operation of the interim school. The proposed two storey block of temporary classrooms would be sited along the narrow grassed northern boundary of the Rugby Club site between the boundary and the main pitches. The proposal would be visible from the north, however, the structure would be screened from most public viewpoints. It is therefore considered that the proposed temporary classroom would not result in any significant adverse landscape or visual effects. There is one tree to the east of the proposed classroom block. This tree would be retained and would be unaffected by the development. The Landscape and Ecology Advisor has raised no objections subject to the protection of the tree along with appropriate suitable landscaping condition.

7.55 The temporary classroom block would measure 6.05m in depth by 51.8m in length and have an overall height of 5.6m to its flat roof and would be constructed and converted as fit for purpose from containers. The external appearance of the temporary classroom block is described in the Design and Access statement as *“Painted walls with areas of timber cladding”*. All doors and windows would be UPVC. The classroom block would be situated on the grassed area along the northern edge of the site and the existing fencing to the Rugby Club and interim school would be retained.

7.56 The siting of the classroom block would not impact upon the use or function of the existing rugby pitches. The proposed artificial cricket strip would measure 30m by

2.74m in size and would be situated on a grassed area between rugby pitches 2 and 3 and would not be constructed on any delineated pitches. The artificial strip would be constructed at ground level and as cricket is played in the off-season for rugby so there would be no conflict of use between the cricket strip and rugby pitches. Discussion and consultation with Sport England has been carried out and on this basis that there is no objection from Sport England in this regard.

- 7.57 It is recognised that the temporary classroom block is of a utilitarian design and form and the Design and Access Statement is vague in describing the external appearance. The proposal would fall short of the NPPF policy test of “beautiful” buildings. The structure is not considered to be of the high standard of design required for permanent retention however it is recognised that the classrooms are necessary in the short term to meet the needs of the interim school while the permanent school is constructed. Furthermore, it is noted the applicant has endeavoured to reflect the appearance and materials used on the remainder of the interim school building. On this basis, no objection is raised in terms of the design or form of the building.
- 7.58 It is considered that the temporary siting, design, landscape and amenity impacts of the proposal would be acceptable and accord with Core Strategy Policies CSTP22, PMD1 and PMD2.

III. TRAFFIC IMPACT, ACCESS & CAR PARKING

- 7.59 The planning application is accompanied by a Transport Assessment (TA) (Rev B 30th March 2022) that Highways Officers have been consulted upon.
- 7.60 The interim Orsett Heath Academy is currently accessed by vehicles via Long Lane and the proposal seeks no changes to the access arrangements or the existing parking facilities. The site currently provides 178 parking spaces for staff and visitors. The Highways Officer considers that this number is sufficient to accommodate the existing uses and the additional requirement and the two uses of the car park do not conflict. The applicant in the TA has indicated from its surveys undertaken that the car park is currently well under-utilised and as indicated previously will comfortably accommodate the additional staff need and additional pick up and drop off need.
- 7.61 The development would allow the school to accept a further year group of 120 additional pupils for a temporary period of 2 years, in addition to the existing two year groups at the school. The number of staff working at the school was 16 in the first year it opened in 2020, 29 in the second year, and is expected to rise to 33 for September 2022. This proposal is in addition to the school building, extensions and alterations to existing rugby clubhouse and external works including parking,

landscaping and play surface that were formally applied for under application ref. 18/01709/FUL and considered acceptable, duly approved and constructed.

- 7.62 Previously, the principle of the change of use to a temporary facility to a secondary school use was deemed acceptable in highway terms and it was considered that the traffic impact of the previous development would likely to be within the limits of PMD9 Road Network Hierarchy. In addition, the layout of the parking was acceptable in principle as it enabled effective pick-up and drop-off facilities and provision for adequate parking for the proposed site and existing uses.
- 7.63 In respect of this further temporary addition to the school, the TA submitted sets out that this further addition would not significantly impact on the highway network and that there is adequate parking and drop off and pick up facilities to accommodate the temporary classrooms. The Highways Officer broadly agrees with the findings of the TA and further advises that, as with any school, there are always acute highways issues and there will be challenges for the applicant and Council to overcome. The main concerns for this development would be its impact on the local highway network and the operation of car park to ensure that there is sufficient parking within the site and that pick up and drop off facilities do not impact on the highway. The Highways Officer has advised that the applicant will need to ensure that the site is effectively managed for visitor and staff parking and additional measures are introduced to continue to ensure safe pedestrian and cycle access.
- 7.64 To this end, the Highways Officer has recommended that effective management of the parking provision would be required for the proposals and that this should be included in an updated Mode Shift Stars Travel Plan and/or by a parking management strategy. The requirement of an updated Travel Plan is also endorsed by the Travel Plan Co-ordinator and the applicant has agreed to the updated Travel Plan.
- 7.65 The applicant's submitted Construction Environment Management Plan details how the construction phase of the development of the site will be made secure and what appropriate traffic management will be put in place. In relation to the specific highway elements, given the imminent construction of the new signalised junction works, close collaboration with the Highways Authority will take place. The Highways Officer raises no highway objections to the proposed Construction Environment Management Plan and a condition has been included ensuring its provision.
- 7.66 Subject to appropriate conditions, the Council is satisfied that the proposal for the temporary classrooms would comply with all Core Strategy policies in relation to highway matters.

IV. NEIGHBOUR AMENITY IMPACT

- 7.67 The closest neighbours to the application site are those living on Springfield Road to the immediate west of the application site. The rear gardens of these closest neighbours back on to the school playground and main school and rugby club buildings, although they are further separated from the school by Milford Road and the access from Long Lane. There would be a separation distance of approximately 85m from the ends of the closest rear gardens on Springfield Road to the proposed temporary classrooms. In addition, the proposed temporary classroom structure and proposed artificial cricket strip would be set behind the main school building. In light of the separation distance it is considered that the proposals would not result in loss of light, privacy or outlook for these residential receptors.
- 7.68 With respect to impacts upon neighbour amenity the proposals are considered to comply with Policy PMD1.

V. SPORTS FACILITIES

- 7.69 The proposals include the installation of an artificial cricket strip at the Rugby Club on land between pitches 2 and 3 at the Club. The applicant advises that there was an historic grass cricket strip at this location which has been lost over time. The application seeks to provide a new artificial cricket strip for the use by the Club in the rugby off-season.
- 7.70 Sport England has been engaged in detailed discussions with the applicant and the Council during the consideration of the application and has made provided comments. Sport England raises no objection subject to a number of conditions to ensure the adequate provision and delivery of the artificial cricket strip and the siting of the temporary classroom structure has no adverse impact upon the use and operation of the rugby pitches.
- 7.71 Subject to these appropriate conditions, the Council considers the proposals comply with Policies CSTP9, CSTP10 and PMD2 and would be acceptable.

VI. OTHER MATTERS

- 7.72 The Council's Environmental Health Officer has reviewed the applicant's submitted Construction Environment Management Plan and considers this adequately addresses those matters of concern to Environmental Health namely control of dust, control of noise and road sweeping. However, the Officer recommends that the hours of work on Saturday are conditioned to be 08:00 to 13:00 and not as

08:00 to 14:00 as proposed in the submitted document. Subject to this conditions, the Environmental Health Officer has raised no objections.

8.0 CONCLUSIONS AND REASONS FOR APPROVAL

8.1 The application seeks temporary planning permission for a two storey classroom structure proving 7 classrooms for a maximum of 2 years to allow the school to accommodate additional year group pupils offered places at the school while the permanent school is constructed. The site is located in the MGB and the proposal constitutes inappropriate development however, as a matter of judgement, considerations have been demonstrated which clearly outweigh the in principle harm and other harm which might occur such that VSC exist. The proposal would result in no amenity, landscape or highway impacts which would prevent planning permission being granted for temporary permission.

9.0 RECOMMENDATION

9.1 Grant planning permission subject to the following conditions:

TEMPORARY PERMISSION

1. The planning permission hereby granted shall be for a temporary period only, expiring on 30 April 2024, on or before which date the temporary classroom structure hereby approved shall be removed from the site and the land reinstated in accordance with a written scheme to be submitted to and agreed by the local planning authority before the expiration of planning permission.

Reason: To define the scope of the planning permission hereby granted which is on the basis of the urgent need for special educational needs provision, in the interests of the visual amenities of the locality and the site’s location in the Green Belt, in accordance with Policies PMD1, PMD2 and PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (as amended 2015).

ACCORDANCE WITH PLANS

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

Plan Number(s):		
Reference	Name	Received
2631/6 MAR22	Proposed Cricket Strip Layout	9th March 2022

2632/1	Existing Site Plan	8th March 2022
2632/2 REV A	Proposed Block Plan	8th March 2022
2632/3A	Proposed Site Layout	30th March 2022
2632/4	Proposed Floor Plans	8th March 2022
2632/5	Proposed Elevations	8th March 2022
2632/LOC A	Location Plan	8th March 2022
3632/7	Existing Block Plan and Pitch Layout	30 th March 2022
3632/8	Proposed Block Plan and Pitch Layout	30 th March 2022

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved with regard to policies PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (2015).

MATERIALS AND EXTERNAL FINISHES

3. Prior to the construction of the development above ground level written details of the external appearance of the classroom block, including materials and colour(s), shall be submitted to and agreed in writing by the local planning authority. The classroom block shall be constructed in accordance with the agreed details.

Reason: In the interests of visual amenity and to ensure that the proposed development is integrated with its surroundings in accordance with policy PMD1 and PMD2 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

ARTIFICIAL CRICKET WICKET PHASING AND DELIVERY

4. The replacement artificial cricket wicket shall be provided in accordance with Drawing Nos 2632/8 (Proposed Block Plan Proposed Pitch Layout) and 2632/6 (Proposed Cricket Strip Details) and made available for use prior to first occupation of the temporary classrooms hereby permitted and thereafter maintained and retained.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with policies CSTP9 and PMD5 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

TRAVEL PLAN

5. Prior to the to the first use of the temporary school structure hereby permitted, a Travel Plan shall be submitted to and agreed in writing with the local planning authority. The Travel Plan shall include the Mode Shift STARS Travel Plan process and detail specific measures to reduce the number of journeys made by car to the school buildings hereby permitted and shall include specific details of the operation and management of the proposed measures. The commitments explicitly stated in the Travel Plan shall be binding on the applicants or their successors in title. The measures shall be implemented upon the first operational use of the building hereby permitted and shall be permanently kept in place unless otherwise agreed in writing with the local planning authority. Upon written request, the applicant or their successors in title shall provide the local planning authority with written details of how the agreed measures contained in the Travel Plan are being undertaken at any given time.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with Policy PMD10 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015]

CAR PARK MANAGEMENT

6. Prior to the first use or operation of the temporary classroom structure, a written scheme for the management of the car parking areas on the site shall be submitted to and approved in writing by the local planning authority. The scheme shall, in particular, include measures for the restriction of unauthorised car parking, details of management of community use activities and details of monitoring and reporting measures to the local planning authority, including the feasibility of remedial measures to be agreed with the local planning authority in the event of overspill car parking onto the surrounding highways network. The approved scheme shall be operated on the first use or operation of the vehicle parking areas and maintained during the operation of the school thereafter.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies PMD8 and PMD9 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (as amended 2015).

EXTERNAL LIGHTING

7. Any additional lighting proposed for the development hereby approved shall require the prior written approval of the local planning authority.

Reason: In the interests of highway safety, residential amenity and visual impact and to ensure that the development can be integrated within its immediate surroundings in accordance with Policies PMD1, PMD2 and PMD6 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (as amended 2015).

HOURS OF DEMOLITION / CONSTRUCTION

8. No demolition or construction works in connection with the development shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

Monday to Friday 0800 – 1800 hours
Saturdays 0800 – 1300 hours

Unless in association with an emergency or the prior written approval of the local planning authority has been obtained.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development (as amended 2015).

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN (CEMP)

9. With exception to the hours stated for demolition or construction works in connection with the development on Saturdays, which are appropriately controlled under Condition 9, the development shall be carried out in accordance with the details considered and agreed within submitted Construction and Waste Management Plan, Encon Associates Limited, Reference A4050 Rev D, March 2022. All works and development shall be carried out in accordance with the approved CEMP and the measures contained therein and any variation will require the written approval of the local planning authority.

Reason: In order to minimise any adverse impacts arising from the construction of the development in accordance with policy PMD1 of the adopted Thurrock LDF Core Strategy and Policies for the Management of Development [2015].

Informatives:-

- 1 Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Positive and Proactive Statement:

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

2 Anglian Water

The applicant's attention is drawn to advice and guidance in the response from Anglian Water dated 21st March 2022 in relation to its assets within or close to the development boundary.

3 Rugby Football Union

The applicant's attention is drawn to the Rugby Football Union's advice that 'ongoing and regular risk assessments according to the nature of the activities undertaken should be undertaken by the Thurrock Rugby Football Club of the area around the artificial cricket wicket as the siting of the artificial cricket wicket would fall within the run-off areas of the two adjoining rugby pitches'.

Important Information

1. This notice relates only to the requirements for planning permission under the Town and Country Planning Act 1990 (as amended). You may require consent from other statutory regulators before commencing with this development. **In particular you may require permission under the Building regulations. You must therefore contact the Building Control Division at this Council as soon as possible**
2. The applicant is reminded that under the Wildlife and Countryside Act 1981 (section 1) it is an offence to take, damage or destroy the nest of any wild bird while the nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1 March and 31 July. Any trees and scrub present on the application site should be assumed to contain nesting birds between the above dates unless survey has shown it is absolutely certain that nesting birds are not present. The RSPB publish a booklet "Wild Bird and the Law". English Nature also produce Guidance Notes relating to Local Planning and Wildlife Law – both of which are useful.

Documents:

All background documents including application forms, drawings and other

supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning

