

Minutes

DEVELOPMENT CONTROL COMMITTEE

MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD ON MONDAY 4 NOVEMBER 2019 IN MEZZANINE ROOMS 1 & 2, COUNTY HALL, AYLESBURY, COMMENCING AT 10.00 AM AND CONCLUDING AT 10.43 AM

MEMBERS PRESENT

Ms J Blake, Mr N Brown, Mr C Clare, Mrs B Gibbs and Mrs J Teesdale

OTHERS IN ATTENDANCE

Ms C Kelham, Mr M Pugh, Ms S Taylor, Ms S Winkels, Mr D Periam and Mrs J Caprio

Agenda Item

1 APOLOGIES FOR ABSENCE / CHANGES IN MEMBERSHIP

Apologies were received from Ms N Glover and Mr D Shakespeare.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES

CC/0013/19 – Amersham School - Mr D Periam, Planning Lead Officer, updated the Committee that the Secretary of State had not intervened and that the planning permission had been issued.

RESOLVED: The minutes of the meeting held on 1 July 2019 were **AGREED** as an accurate record and were signed by the Chairman.

4 CC/0046/19 - STONEY DEAN SCHOOL, PROPOSED NEW SINGLE STOREY SELF-CONTAINED 6TH FORM BLOCK COMPRISING FOUR CLASSROOMS, COMMON ROOM, OFFICE, INTERVENTION ROOM, TOILETS AND STORAGE. EXTERNAL AREAS COMPRISING FENCED IN TEACHING AREA CONNECTED TO NEW BUILDING, PATIO AND PLANTING BEDS

Mr D Periam, Planning Lead Officer, reported that since the publication of the report contained in the agenda pack the applicant had submitted a Construction Traffic Management Plan and a School Travel Plan. Mr Periam had circulated an addendum to the committee members which would be attached to the minutes. The Flood Management Team had considered the additional information submitted referred to in paragraph 8.27 of the report and had no objection subject to a condition as set out in Appendix A of the addendum.

Mr Periam provided a short presentation of a number of photographs showing the location of the school, application site, footprint of the new building, existing school buildings, the former disused allotment area and housing near the school. Mr Periam advised that the school was in the Green Belt. The hedge had been trimmed so there were more open views from the upper floors; however the hedge provided screening to the ground floor rooms of nearby housing. There would be no change to the access off Orchard End Avenue.

Members of the committee raised and discussed the following points:

- A member of the committee stated that protection of the hedge would be important to residents but there was no condition on an agreement of the height of the hedge. Mr Periam confirmed that a condition could be included to maintain the hedge at a certain level.
- It was noted that a member of the committee considered it would be a positive change for the school.

Ms J Caprio, District Lawyer and Legal Services Manager, clarified that the members of the Development Control Committee would be voting on the recommendation to approve planning permission subject to the schedule of conditions listed in Appendix A of the addendum with an additional condition to maintain the hedge at a certain level in order to provide screening for the nearby residents.

For	5
Against	0
Abstention	0

RESOVLED: The Development Control Committee **APPROVED** application number CC/0046/19 - Proposed new single storey self-contained 6th Form block comprising four classrooms, common room, office, intervention room, toilets and storage. External areas comprising fenced in teaching area connected to new building, patio and planting beds at Stony Dean School, Orchard End Avenue, Amersham, subject to the amended conditions as set out in Appendix A of the addendum:

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section

91(1) of the Town and Country Planning Act 1990.

2. The development shall not be carried out other than in accordance with the following drawings:

PJT10117-MCA-ZZ-GF-DR-A-1001- Proposed Ground Floor Plan

PJT10117-MCA-ZZ-XX-DR-A-0003 - Site Plan

PJT10117-MCA-ZZ-XX-DR-A-2001 - Elevations

PJT10117-DID-ZZ-00-DR-C-5001 P03 - Proposed Drainage Layout

PJT10117-LRH-ZZ-GF-DR-E-0002 - Lighting and Fire Alarm Installations

Reason: To ensure the development is not detrimental to the character of the locality, in accordance with policies GC1 of the Chiltern District Local Plan and CS20 of the CSCD.

Pre-commencement

3. Prior to the commencement of the development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the County Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the County Planning Authority:

i) A preliminary risk assessment which has identified:

- All previous uses**
- Potential contaminants associated with those uses**
- A conceptual model of the site indicating sources, pathways and receptors**
- Potentially unacceptable risks arising from contamination at the site.**

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results of the detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. No changes to these components shall be made other than with the approval in writing of the County Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS4 of the CSCD.

4. The development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles has been

submitted to and approved in writing by the County Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Incorporation of above ground SuDS, where possible
- Construction details of all SuDS and drainage components
- Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
- Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

Reason - The reason for this pre-start/construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

Construction vehicles

5. The development hereby permitted shall be carried out in accordance with the approved Construction Management Plan.

Reason - In order to minimise danger and inconvenience to highway users and users of the highway in general in accordance with policies CS25 and CS26 of the CSCD.

Pre-occupation

6. Following completion of the measures identified in the approved remediation scheme approved pursuant to condition 3 and prior to the first occupation of the development; a verification report that demonstrates the effectiveness of the remediation carried out shall be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the County Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS4 of the CSCD. (The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11).

7. Following first occupation of the development hereby permitted the School Travel Plan shall be implemented. The School Travel Plan shall be reviewed on Modeshift STARS and submitted for approval, on an annual basis, at the end of each academic year.

The annual submission shall include a full analysis of the existing modal split for staff and pupils at the school and detailed proposals for future sustainable transport promotion and provision, with the aim of securing no increase in the number of car movements generated on the school journey. In the event of an increase in the number of car movements, the school shall undertake measures, which will have previously been identified in the travel plan, as are necessary to promote a reduction in the number of car borne trips.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway. Also in order to promote sustainable methods of travel, to minimise danger, obstruction and inconvenience to users of the highway and in accordance with policies CS25 and CS26 of the CSCD.

- 8. Prior to the occupation of the development, measures for the mitigation of the impacts on protected species and other ecological features of interest shall be implemented in accordance with the recommendations set out in Sections 7.2 (habitats) and 7.3 (protected/notable species) of the updated Preliminary Ecological Appraisal (Middlemarch, October 2019). This should include the preparation a non-licensed method statement for reptiles and amphibians in accordance with the recommendation made in section 7.3 (R4). The condition will be considered discharged following a written statement from the ecologist acting for the developer testifying to the mitigation and restoration measures having been implemented correctly.**

Reason: To comply with the requirements of the National Planning Policy Framework, ODPM 06/2005, The Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended).

Ongoing conditions

- 9. No lighting with the exception of security lighting of $\leq 10W$ shall be used between the hours of 7pm -7am.**

Reason - To protect the amenity of local residents particularly those adjacent to the development on Pineapple Road in accordance with policy GC3 of the CDLP.

- 10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the County Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 3, which is subject to the approval in writing of the County Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the County Planning Authority in accordance with condition 3.**

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS4 of the CSCD.

- 11. Tree protection measures in accordance with British Standard BS5837:2012 shall be implemented throughout the construction period.**

Reason: To ensure that existing trees are protected from any damage in accordance with policy GC4 of the CDLP.

Plus an additional condition to maintain the hedge at a certain level in order to provide screening for the nearby residents.

5 CC/0050/19 - WESTFIELD SCHOOL, FRONT AND REAR SINGLE STOREY EXTENSIONS TO EXISTING SCHOOL AND WITH CAR PARK ALTERATIONS

Ms C Kelham, Senior Planning Officer, stated that Westfield School was a school for pupils with Special Educational Needs and Disabilities (SEND) and was located in Bourne End. The number of pupils would be expanding from 52 to 70. Ms Kelham reported that since publication of the report for application CC/0050/19 the applicant had submitted a Construction Traffic Management Plan and an addendum to the report had been circulated to the committee members and would be appended to the minutes. Appendix A contained a list of the updated recommendation conditions.

Ms Kelham provided a presentation showing photographs of the location of the school which was within a residential area, near the library and the railway station. There were three main elements to the proposed development; the rear extension would be approximately 65 square metres in area and would have a flat roof to match the existing school. The extension to the front of the school would also be flat roofed to match the existing building with an extended roof cover over the entrance with a pitched tiled roof and a canopy between the proposed extension and the existing school. One car parking space would be removed but Ms Kelham stated there would be sufficient spaces for the school staff. Photos were shown of the front of the school, the trees which would be removed, the car parking area and the area with the Wendy house. There were no proposed changes to the school entrance.

Members of the committee raised and discussed the following points:

- Following a comment by a member of the committee regarding concern over the flat roofed areas; Ms Kelham clarified that there was a very slight pitch to the roof; it would be described as a flat roof but was not totally flat.
- A member of the committee asked for clarification on the 'infilling' and whether it would result in a decrease in the amount of light and ventilation. Ms Kelham stated that roof lights would be installed and there would be windows on the west facing aspect. Some of the light was already blocked by the existing building so there would not be a considerable change. The classroom had windows on the elevation.
- A member of the committee queried whether there would be enough parking spaces with the increase in the number of pupils, staff and visitors. It was also noted that the number of staff at the school was provided as full time equivalent (FTE) meaning there were a number of part-time staff who could all be on site at one time. Ms Kelham agreed to bear this point in mind.

Ms J Caprio, District Lawyer and Legal Services Manager, clarified that the members of the Development Control Committee would be voting on the recommendation to approve planning permission subject to the schedule of conditions listed in Appendix A of the addendum.

For	5
Against	0
Abstention	0

RESOLVED: The Development Control Committee **APPROVED** application number CC/0050/19- Front and rear single storey extensions to existing school and with car park alterations at Westfield School, Bourne End, subject to the amended conditions as set out in Appendix A of the addendum:

Time limit for commencement

1. The development to which this permission relates must be begun within three years from the date of this consent.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the County Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

Approved Drawings

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:
 - Drawing number: PL04, Revision B, Dated: July 2019 “Proposed Site Plan”
 - Drawing number: PL06, Revision B, Dated: July 2019 “Proposed Elevations”
 - Drawing number: PL05, Revision B, Dated: July 2019 “Proposed Ground Plan Floor”
 - Westfield School, Highfield Road, Bourne End, Application Site Boundary at 1:1250 (A4)
 - Drawing number: 10275 TPP 01, Revision -, Dated: August 2019 “Westfield School, Highfield Road, Tree Protection Plan”

For the avoidance of doubt this includes the specified finishing materials.

Reason: To define the development which has been permitted so to control the operations and to comply with policy DM37 of the WDLP.

Pre-commencement Conditions

3. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the County Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - Capacity and condition assessment of the existing surface water drainage network and updating works where required
 - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
 - Consideration of incorporating SuDS
 - Confirmation of the proposed rate of discharge
 - Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), together with storage volumes of all SuDS component(s)
 - Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
 - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

Reason: To manage surface water and prevent flooding in accordance with policy

DM38 and DM39 of WDLP.

- 4. Should the development not commence by 1st January 2020, the ecology survey and report submitted to support this application should be updated as recommended in section 6.2 of the Ecological Impact Assessment Report (ECOSA, July 2019).**

Reason: To ensure that there are no changes in the assessment of potential impacts on protected species and/or other ecological features of interest in the time that has elapsed thereby ensuring protected species are safeguarded in accordance with policy DM34 of the WDLP.

Development Phase Conditions

- 5. The development shall be carried out in accordance with the submitted Construction Traffic Management Plan, titled Construction Deliveries Statement Revision 1.**

Reason: In order to prevent danger, obstruction and inconvenience to users of the highway and of the development during the construction of the development in accordance with policy DM33 of the WDLP.

Post Development Phase Conditions

- 6. Prior to the initial occupation of the development, the scheme for parking and manoeuvring indicated on the submitted plans shall be laid out in accordance with the approved plans and that area shall not thereafter be used for any other purpose.**

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with policy DM33 of the WDLP.

- 7. Prior to the initial occupation of the development, a school travel plan shall be submitted to and approved in writing by the County Planning Authority. The plans shall include a named travel plan coordinator, a programme for facilitating the monitoring of the travel plan and full analysis of the existing modal split for staff and pupils at the school, detailed proposals for future sustainable transport promotion and provision, with the aim of securing no increase in the number of car movements generated on the school journey.**

Reason: In order to promote more sustainable transport options in accordance with paragraph 102 of the NPPF and policy DM33 of the WDLP.

- 8. Measures to mitigate the impact of the development on protected species and other ecological features of interest and measures for enhancement shall be implemented in accordance with the details set out in Section 5 of the Ecological Impact Assessment Report (ECOSA, July 2019).**

Reason: To ensure that protected species are safeguarded at all phases of development and to ensure a net gain for biodiversity in accordance with policy DM34 of the WDLP.

On-going Conditions

- 9. For the duration of occupation of the development, the school travel plan shall be reviewed annually and updated. In the event of an increase in the number of car movements as identified in the school travel plan, the school shall undertake measures, as identified in the travel plan, as necessary to promote a**

reduction in the number of car borne trips.

Reason: In order to promote more sustainable transport options in accordance with paragraph 102 of the NPPF and policy DM33 of the WDLP.

6 BUCKINGHAMSHIRE LOCAL MONITORING AND ENFORCEMENT PLAN

Mr M Pugh, Enforcement Officer, stated the Buckinghamshire Local Monitoring and Enforcement Plan (BLMEP) had been brought to committee for the following reasons:

- To outline the approach that would be taken by the Council to remedy unauthorised development in accordance with Paragraph 50 of the National Planning Policy Framework (NPPF).
- The Buckinghamshire Minerals and Waste Local Plan (BMWLP) 2016-36 was adopted in July 2019. Policy 28 of the BMWLP acted as the current policy framework with regard to enforcement but there was no restrictive guidance on how the plan should be set.
- The BLMEP needed to be clear so the public could understand what was required. The BLMEP would contain a 'frequently asked questions' section and explanations on commonly used words.
- The District Councils had enforcement plans in place. Buckinghamshire County Council (BCC) was keen to have the BLMEP published so the council's approach was visible and would provide a basis for a single enforcement plan in the new Buckinghamshire Council.

Members of the committee raised and discussed the following points:

- Following a query on how the BCC plan compared with the district councils' plan; Mr Pugh confirmed that BCC and the district councils had used the same toolkit and the structure was reminiscent of the Chiltern and South Bucks and Wycombe District Council plans.
- A member of the committee commented that the BCC plan related to the processing of waste materials; whereas the district council plans were more concerned with housing; it was noted that the plan was well written.
- Mr Pugh agreed that it was difficult to educate people on enforcement procedures and advised that the second part of the plan aimed to upskill people who engaged with planning control. There was also a section on what to expect and what to do when submitting a report. Ms S Winkels, Planning and Enforcement Manager, suggested adding information on the need to demonstrate that harm has to be proven if planning authorisation was breached.

For	5
Against	0
Abstention	0

RESOLVED: The Development Control Committee APPROVED the Buckinghamshire Local Monitoring and Enforcement Plan.

7 DATE OF NEXT MEETING

Monday 2 December 2019 at 10.00 am, Mezzanine Rooms 1 and 2, County Hall.

8 EXCLUSION OF THE PRESS AND PUBLIC RESOLVED

That the press and public be excluded for the following item which is exempt by virtue of Paragraph 1 of Part 1 of Schedule 12a of the Local Government Act 1972

because it contains information relating to an individual.

9 CONFIDENTIAL MINUTES

10 ENFORCEMENT REPORT

CHAIRMAN

Development Control Committee 4th November 2019 - addendum for Item 4:

Application Number:	CC/0046/19
Title:	Proposed new single storey self-contained 6th Form block comprising four classrooms, common room, office, intervention room, toilets and storage. External areas comprising fenced in teaching area connected to new building, patio and planting beds.
Site Location:	Stony Dean School Orchard End Avenue Amersham
Applicant:	Buckinghamshire County Council

Since the publication of the report, the applicant has submitted a Construction Traffic Management Plan and a School Travel Plan. The Highway Authority and Safer Routes to School teams have been consulted on these and are both happy with the submissions. The recommended conditions requiring submissions of these schemes are therefore revised to required compliance with those as submitted as set out below.

The Flood Management team has considered the additional information submitted referred to in paragraph 8.27 of the committee report and now has no objection subject to a condition as set out below.

Following consultation with the County Ecologist on the further information submitted referred to in paragraph 8.29 of the committee report, her advice is that the concerns raised in the committee report can now be addressed through the attachment of a condition. The recommendation remains to approve the application subject to amended conditions as set out below.

Appendix A - Schedule of Conditions

General

1. The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason:

To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the

development in the light of altered circumstances and to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990.

2. The development shall not be carried out other than in accordance with the following drawings:

PJT10117-MCA-ZZ-GF-DR-A-1001-Proposed Ground Floor Plan

PJT10117-MCA-ZZ-XX-DR-A-0003-Site Plan

PJT10117-MCA-ZZ-XX-DR-A-2001-Elevations

PJT10117-DID-ZZ-00-DR-C-5001 P03- Proposed Drainage Layout

PJT10117-LRH-ZZ-GF-DR-E-0002- Lighting and Fire Alarm Installations

Reason:

To ensure the development is not detrimental to the character of the locality, in accordance with policies GC1 of the Chiltern District Local Plan and CS20 of the CSCD.

Pre-commencement

3. Prior to the commencement of the development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the County Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the County Planning Authority:

i) A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This should include an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, pests, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

iii) The site investigation results of the detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance

and arrangements for contingency action. No changes to these components shall be made other than with the approval in writing of the County Planning Authority. The scheme shall be implemented as approved.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS4 of the CSCD.

4. The development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the County Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Incorporation of above ground SuDS, where possible
 - Construction details of all SuDS and drainage components
 - Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
 - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

Reason

The reason for this pre-start/construction condition is to ensure that a sustainable drainage strategy has been agreed prior to construction in accordance with Paragraph 163 of the National Planning Policy Framework to ensure that there is a satisfactory solution to managing flood risk.

Construction vehicles

5. The development hereby permitted shall be carried out in accordance with the approved Construction Management Plan.

Reason:

In order to minimise danger and inconvenience to highway users and users of the highway in general in accordance with policies CS25 and CS26 of the CSCD.

Pre-occupation

6. Following completion of the measures identified in the approved remediation scheme approved pursuant to condition 3 and prior to the first occupation of the development; a verification report that demonstrates the effectiveness of the remediation carried out shall be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer

notes relating to exported and imported soils shall be submitted to the County Planning Authority for approval. The approved monitoring and maintenance programme shall be implemented.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS4 of the CSCD. (The above must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11).

7. Following first occupation of the development hereby permitted the School Travel Plan shall implemented. The School Travel Plan shall be reviewed on Modeshift STARS and submitted for approval, on an annual basis, at the end of each academic year.

The annual submission shall include a full analysis of the existing modal split for staff and pupils at the school and detailed proposals for future sustainable transport promotion and provision, with the aim of securing no increase in the number of car movements generated on the school journey. In the event of an increase in the number of car movements, the school shall undertake measures, which will have previously been identified in the travel plan, as are necessary to promote a reduction in the number of car borne trips.

Reason:

In order to minimise danger, obstruction and inconvenience to users of the highway. Also in order to promote sustainable methods of travel, to minimise danger, obstruction and inconvenience to users of the highway and in accordance with policies CS25 and CS26 of the CSCD.

8. Prior to the occupation of the development, measures for the mitigation of the impacts on protected species and other ecological features of interest shall be implemented in accordance with the recommendations set out in Sections 7.2 (habitats) and 7.3 (protected/notable species) of the updated Preliminary Ecological Appraisal (Middlemarch, October 2019). This should include the preparation a non-licensed method statement for reptiles and amphibians in accordance with the recommendation made in section 7.3 (R4). The condition will be considered discharged following a written statement from the ecologist acting for the developer testifying to the mitigation and restoration measures having been implemented correctly.

Reason: *To comply with the requirements of the National Planning Policy Framework, ODPM 06/2005, The Conservation of Habitats and Species Regulations 2017 (as amended), and the Wildlife and Countryside Act 1981 (as amended).*

Ongoing conditions

9. No lighting with the exception of security lighting of $\leq 10W$ shall be used between the hours of 7pm -7am.

Reason:

To protect the amenity of local residents particularly those adjacent to the development on Pineapple Road in accordance with policy GC3 of the CDLP.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the County Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 3, which is subject to the approval in writing of the County Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the County Planning Authority in accordance with condition 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS4 of the CSCD.

11. Tree protection measures in accordance with British Standard BS5837:2012 shall be implemented throughout the construction period.

Reason:

To ensure that existing trees are protected from any damage in accordance with policy GC4 of the CDLP.

Informatives

Compliance with Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015

In determining this planning application, the County Planning Authority has worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in relation to dealing with the proposed development by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. For this application, additional information was sought about the ecological impact of the development and drainage which following discussion with the County Ecologist and County Flood Management team led to the advice that the development was acceptable subject to the attachment of conditions to the planning permission. This approach has been taken positively and pro-actively in accordance with the requirements of the National Planning Policy Framework as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Highways

It is an offence under S151 of the Highways Act 1980 for vehicles leaving the development site to carry mud onto the public highway. Facilities should therefore be provided and used on the development site for cleaning the wheels of vehicles before they leave the site.

No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under S137 of the Highways Act 1980.

Site Notice

Please remove any site notice that was displayed on the site pursuant to the application.

Addendum to Committee Report CC/0050/19

1.0 Addendum

- 1.1 Since the publication of the report for application CC/0050/19, the applicant submitted a revised Construction Management Plan to address the concerns raised by the Highways Development Management Officer relating to the afternoon delivery slot of 13:30 to 14:30 and vehicles reversing safely.
- 1.2 The Highways Development Management Officer has reviewed the document and considers the amended Construction Traffic Management Plan sufficient to secure safe and suitable management of construction traffic for the proposed development.
- 1.3 In light of this, condition 3 on the schedule of recommended conditions in the published report has been removed and a compliance condition has been inserted. An updated schedule of recommended conditions is included in Appendix A.
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APPENDIX A: Recommended Conditions

Time limit for commencement

1. The development to which this permission relates must be begun within three years from the date of this consent.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the County Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

Approved Drawings

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:
 - Drawing number: PL04, Revision B, Dated: July 2019 "Proposed Site Plan"
 - Drawing number: PL06, Revision B, Dated: July 2019 "Proposed Elevations"
 - Drawing number: PL05, Revision B, Dated: July 2019 "Proposed Ground Plan Floor"
 - Westfield School, Highfield Road, Bourne End, Application Site Boundary at 1:1250 (A4)
 - Drawing number: 10275 TPP 01, Revision -, Dated: August 2019 "Westfield School, Highfield Road, Tree Protection Plan"

For the avoidance of doubt this includes the specified finishing materials.

Reason: To define the development which has been permitted so to control the operations and to comply with policy DM37 of the WDLP.

Pre-commencement Conditions

3. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the County Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
 - Capacity and condition assessment of the existing surface water drainage network and updating works where required
 - Calculations to demonstrate that the proposed drainage system can contain up to the 1 in 30 storm event without flooding. Any onsite flooding between the 1 in 30 and the 1 in 100 plus climate change storm event should be safely contained on site.
 - Consideration of incorporating SuDS
 - Confirmation of the proposed rate of discharge
 - Drainage layout detailing the connectivity between the dwelling(s) and the drainage component(s), together with storage volumes of all SuDS component(s)
 - Details of how and when the full drainage system will be maintained, this should also include details of who will be responsible for the maintenance
 - Details of proposed overland flood flow routes in the event of system exceedance or failure, with demonstration of flow direction

Reason: To manage surface water and prevent flooding in accordance with policy DM38 and DM39 of WDLP.

4. Should the development not commence by 1st January 2020, the ecology survey and report submitted to support this application should be updated as recommended in section 6.2 of the *Ecological Impact Assessment Report* (ECOSA, July 2019).

Reason: To ensure that there are no changes in the assessment of potential impacts on protected species and/or other ecological features of interest in the time that has elapsed thereby ensuring protected species are safeguarded in accordance with policy DM34 of the WDLP.

Development Phase Conditions

5. The development shall be carried out in accordance with the submitted Construction Traffic Management Plan, titled Construction Deliveries Statement Revision 1.

Reason: In order to prevent danger, obstruction and inconvenience to users of the highway and of the development during the construction of the development in accordance with policy DM33 of the WDLP.

Post Development Phase Conditions

6. Prior to the initial occupation of the development, the scheme for parking and manoeuvring indicated on the submitted plans shall be laid out in accordance with the approved plans and that area shall not thereafter be used for any other purpose.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway in accordance with policy DM33 of the WDLP.

7. Prior to the initial occupation of the development, a school travel plan shall be submitted to and approved in writing by the County Planning Authority. The plans shall include a named travel plan coordinator, a programme for facilitating the monitoring of the travel plan and full analysis of the existing modal split for staff and pupils at the school, detailed proposals for future sustainable transport promotion and provision, with the aim of securing no increase in the number of car movements generated on the school journey.

Reason: In order to promote more sustainable transport options in accordance with paragraph 102 of the NPPF and policy DM33 of the WDLP.

8. Measures to mitigate the impact of the development on protected species and other ecological features of interest and measures for enhancement shall be implemented in accordance with the details set out in Section 5 of the Ecological Impact Assessment Report (ECOSA, July 2019).

Reason: To ensure that protected species are safeguarded at all phases of development and to ensure a net gain for biodiversity in accordance with policy DM34 of the WDLP.

On-going Conditions

9. For the duration of occupation of the development, the school travel plan shall be reviewed annually and updated. In the event of an increase in the number of car movements as identified in the school travel plan, the school shall undertake measures, as identified in the travel plan, as necessary to promote a reduction in the number of car borne trips.

Reason: In order to promote more sustainable transport options in accordance with paragraph 102 of the NPPF and policy DM33 of the WDLP.

