



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee North

**BY:** Head of Development and Building Control

**DATE:** 14 June 2023

**DEVELOPMENT:** Demolition of existing school buildings and the construction of a new part two storey, part single storey teaching block with external play areas, canopy, photovoltaic panels, and landscaping.

**SITE:** Greenway Academy, Greenway, Horsham, West Sussex, RH12 2JS

**WARD:** Trafalgar

**APPLICATION:** DC/22/1954

**APPLICANT:** **Name:** - **Address:** 129-130 Metal Box Factory 30 Great Guildford Street London SE1 0HS

**REASON FOR INCLUSION ON THE AGENDA:** More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

**RECOMMENDATION:** To approve planning permission subject to appropriate conditions

## **1. THE PURPOSE OF THIS REPORT**

1.1 To consider the planning application.

### DESCRIPTION OF THE APPLICATION

- 1.2 The application seeks full planning permission for the phased demolition of the existing primary school buildings and phased construction of a new modular part 1 storey and part 2 storey school teaching block with external play areas, along with plant, solar panels and green roof and a canopy in the southwest corner of the application site, along with associated landscaping. An existing modular classroom block (Block EFA-F) on the site containing 4 classrooms is to be retained as well as a nursery building in the northeast part of the site (Block EFA-C).
- 1.3 The buildings that are to be demolished have a Gross Internal Floor Area (GIFA) of 2,623m<sup>2</sup> and comprise:
- EFA-A – Main Building + Pool + Basement Plant Room, GIFA of 2,004m<sup>2</sup>
  - EFA-B – Year 3 Classroom, Staff Room, Admin, Cloaks, GIFA of 428m<sup>2</sup>
  - EFA-D – Teaching Rooms, GIFA of 102m<sup>2</sup>
  - EFA-E – Teaching Rooms, GIFA of 89m<sup>2</sup>

- 1.4 The proposed new two storey building is to have a GIFA of 2,306m<sup>2</sup>. The proposed floor plans are colour coded according to the proposed use of areas which have been designed in line with the school's specific brief as follows:
- **Blue Areas:** Administration areas (predominantly on the ground floor and to the east of the school building).
  - **Orange Areas:** teaching spaces (located either side of the central corridor. Specialist classrooms are provided with direct external access.
  - **Grey Areas:** Clustered toilet suites accessed directly from the corridor. Kitchen Area adjacent to the main hall (green area).
  - **Yellow Areas:** learning resource areas including ground floor SEN support resource and therapy room and first floor library and small group room.
  - **Green Area:** Double height hall to the south of the school with access to the north to the external playgrounds.
  - **Purple Areas:** Storage spread throughout the school
- 1.5 The proposed 'L' shape modular building (to be constructed off site) is part single storey and part two storey with a minimum height of approx. 4.7m (single storey element) and maximum height (two storey element) of approx. 7.5m to roof level, upon which are safety railings of 1.2m, and roof plant approx. 1.24m. The total width of the north and south elevations (as viewed across the east / west axis) measures approx. 41.16m, and the total width of the east and west elevations (as viewed across the north / south axis including the projecting porch at ground floor level) is approx. 54.3m.
- 1.6 The palette of materials at ground floor includes a robust range of brown and green panels. At first floor two different tone light grey panels (lighter than the panels at ground floor), along with green cladding is also proposed. The cladding colours reflect the colours in the school's logo. The supporting information describes the cladding material as being water resistant and resistant to rotting and warping; non-combustible and compliant with both DfE requirements (A2 s1 d0 fire rating), and UV fade resistant.
- 1.7 In addition to the teaching areas proposed the proposals include an outdoor learning area, external canopy, trim trail, and hard and soft external play area, including planting of a total of 17 new trees along the western boundary of the site. No changes are proposed to the main access, whilst the existing parking along the eastern side boundary will be retained. The access road will though branch off from the existing car park to provide a parking and turning area in front of the new building (along with 3x disabled bays), and four parking bays for the nursery building at the north eastern part of the site.
- 1.8 Greenway Academy, as existing, has been identified as part of DfE's 'Schools Rebuilding Programme'. A pre application design and review process involving the Multi Academy Trust (GLF Trust) alongside the Department for Further Education (DfE) and their technical advisers created a Specific Brief (SSB) and proposed schedule of accommodation for the Greenway Junior School, which formed a pre application submission for discussion and subsequent follow-ups with your Council Officers prior to submission of the full application. The accommodation schedule is based on the existing and required Junior School capacity of 480 pupils. No increase in the pupil capacity of the school is proposed.

#### DESCRIPTION OF THE SITE

- 1.9 The application site (approx. 2.5ha) falls within the Built-up Area Boundary of Horsham (BUAB) approximate 1 km northwest of Horsham Town Centre and to the north side of the public highway 'Greenway'. The site is accessed via an existing 3m vehicular access road at the southeast corner of the site, off Greenway. A 1.8m high weldmesh fence with a pedestrian and gated vehicular access to the southern and northern boundaries secures the perimeter of the site. The shared boundaries to the east and west of the site between the

school and rear gardens of neighbouring dwellings fronting Merryfield Drive and Churchill Avenue comprise timber fencing with various height lines. The topography of the land is relatively level within the central part but slopes down towards the west/northwest by approximately 3m. There is therefore an appreciable difference in land levels which rises by some 0.2m to 2.5m from the rear gardens of dwellings in Merryfield Drive, towards the site of the proposed school building to the west. The gardens of Merryfield Drive therefore sit at a lower level to the new school building as proposed.

- 1.10 The site itself comprises a complex of buildings dating from between the 1950's to 2010 and include a single storey irregular geometrical structure along with several interconnected single storey junior and a nursery school building (privately leased) which together occupy the east side and central parts of the application site with playing fields to the west. Cricket nets occupy the northeast corner of the site.
- 1.11 A small courtyard / hardstanding areas are located between the various wings of the existing irregular shaped school building; there is a school playground and rectangular 'pond' located adjacent to the east boundary of the application site. Remaining areas surrounding the existing school building are laid to grass and form part of the school's recreation areas and playing fields.
- 1.12 There are no formally designated area's relevant to the site (with exception of its location within the Sussex North Water Supply Zone), however there are several sporadic ancient/veteran trees to the north but outside of the application site boundaries. There is a double belt of mature trees along the southern boundary of the site, and a belt of trees along the northern boundary of the wider site adjacent to Larch End and bordering the recreation ground. There are two small clusters of trees (Oak, Blackthorn and Willow) within the central and west section of the school grounds. The site is surrounded by linear forms of residential development on all sides of its boundaries.
- 1.13 The application site lies in flood zone 1, however at its closet point (northwest corner) the site is approximately 62m to the northwest of an area identified as being within flood zone 2 and 3. A sewer runs also through the site from north to south which requires a 3m easement zone to either side. This has in part dictated where the new building is proposed to be located.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

#### **National Planning Policy Framework**

##### **Horsham District Planning Framework (HDPF 2015)**

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 35 - Strategic Policy: Climate Change

Policy 36 - Strategic Policy: Appropriate Energy Use

Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding  
 Policy 39 - Strategic Policy: Infrastructure Provision  
 Policy 40 - Sustainable Transport  
 Policy 41 - Parking  
 Policy 42 - Strategic Policy: Inclusive Communities  
 Policy 41 - Community Facilities, Leisure, and Recreation

**West Sussex Joint Minerals Local Plan (July 2018)**

RELEVANT NEIGHBOURHOOD PLAN

**Horsham Blueprint Neighbourhood Plan (December 2022).**

HB1 Location of Development  
 HB4 Design of Development  
 HB5 Energy Efficiency of Development  
 HB7 A Welcoming Public Realm  
 HB10 Green and Blue Infrastructure and Delivering Biodiversity Net Gain  
 HB12 Encouraging Sustainable Movement  
 HB14 Community and Cultural Facilities

Supplementary Planning Guidance:  
 Horsham Town Design Statement (2008)

Planning Advice Notes:  
 Facilitating Appropriate Development  
 Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

HU/51/96	Erection of new nursery building Site: Greenway School Greenway Horsham	Application Permitted on 02.05.1996
HU/129/96	Extension to provide 2 classrooms Site: Greenway School Greenway Horsham	Application Permitted on 11.06.1996
HU/201/98	Double classroom unit Site: Greenway School Greenway Horsham	Application Permitted on 08.09.1998
DC/08/2548	Installation of twin lane non - turf cricket practice area with security cage and nets	Application Permitted on 03.02.2009
DC/11/2356	Retrospective application for surrounding playground walls; front entrance walls, railings, and piers. Proposed new shed, new wall and railings and new car parking area.	Application Refused on 26.06.2012
DC/17/1810	Demolition of existing double classroom demountable building and proposed erection of replacement four classroom modular building.	Application Permitted on 23.10.2017

**3. OUTCOME OF CONSULTATIONS**

3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

INTERNAL CONSULTATIONS

3.2 **HDC Landscape Architect:** No Objection (verbal)

- 3.3 **HDC Tree Officer:** No Objections subject to conditions
- 3.4 **HDC Environmental Health:** No Objection  
[summary] No objection but note that in the event rainwater harvesting systems are necessary then conditions to secure the quality of the water and its management will be required.
- 3.5 **HDC Environmental Health (Air Quality):** No Objection
- 3.6 **HDC Drainage Engineer:** No Objection

#### OUTSIDE AGENCIES

- 3.7 **WSSC Highways:** No Objection  
[summary] *In highway terms there is not likely to be any impact above and beyond the school's current highway impact.*

Following subsequent receipt of a Construction Environment Management Plan (CEMP):  
*All of the LHA's comments from the response dated 28th February 2023 have been taken on board and included within the CEMP.*

*The attached plans taken from the CEMP show the tracking of a large HGV accessing the site, this now appears to not track across the grass verges on the opposite side of the road. The LHA note that the tracking goes through the gates and fencing in these plans. The LHA recommend that the gateways/ temporary accesses are made wider to accommodate this. All these details can be agreed with the local area highway office as part of a temporary access works application once planning consent has been granted.*

- 3.8 **WSSC Fire Office:** Comment  
*Evidence is required to show a fire appliance can gain access to within 15% of the perimeter or within 45m of every point of the footprint of the new building in accordance with Approved Document – B (AD-B) Volume 1 - 2019 edition: B5 section 15. Access should also comply with the requirements of BB100 - Design for fire safety in schools, section 8.3.*
- 3.9 **WSSC Flood Risk Management:** No Objection

- 3.10 **Ecology Consultant:** No Objection  
[summary] *It is noted that no reptiles were recorded during the presence / likely absence survey and the eDNA test results were negative for Great Crested Newt (update ecology letter (Corylus Ecology, March 2023), Reptile Survey and Great Crested Newt eDNS Survey Report Corylus Ecology, October 2022)). In addition, terrestrial habitat suitable for reptiles is limited to a 1-3m wide swathe of bramble and tall grassland (update ecology letter (Corylus Ecology, March 2023)). We therefore agree that no further surveys are required for reptiles or for GCN. We support the use of reptile fencing around the site during the construction phase as a precautionary measure (update ecology letter (Corylus Ecology, March 2023)).*

*It is noted that there are no mature trees on site and no potential roost features for bats were identified (Preliminary Ecological Appraisal (RSK Biocensus Ltd, September 2021)) and therefore agree no further surveys are required for bats'.*

*The mitigation measures identified in the update ecology letter (Corylus Ecology, March 2023), Reptile Survey and Great Crested Newt eDNS Survey Report Corylus Ecology, October 2022), Preliminary Ecological Appraisal (RSK Biocensus Ltd, September 2021) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species. We support the proposed reasonable biodiversity enhancements.*

3.11 **Sports England:** No Objection

3.12 **Southern Water:** No Objection

3.13 **Natural England:** (standing advice) Objection

*It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.*

*To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.*

#### PUBLIC CONSULTATIONS

3.14 **Trafalgar Neighbourhood Council:** Comment

[summary] More imaginative use of colour and texture (greens and browns / tree bark) to ground floor materials; more curves would also make the building more appealing.

Support the use of the following:

- Full insulation for ambient temperature and sound
- Efficient and easy to use practical ventilation
- Maximising use of roof space with solar panel and green roof
- Verandas with water butts for sun/rain protection and water collection

Water Neutrality: maximum capacity of school and concerns regarding any future changes to pupil roll numbers in terms of increase in number of residential dwellings being built nearby and potential for any increase in school places and in regards to potential use of the school as a secondary school.

Outdoor lighting should be minimal and in a yellow / orange range rather than blue / white range so less intrusive.

Fully supports installation of poles and boxes for swift, house sparrow and / or starling (ecology).

The addition of further line of trees or a species rich native hedgerow along the western and northern boundaries with a mosaic of tall and shorter grassland would provide further opportunities for biodiversity and student engagement. Hedge planting around the perimeters and climbing plants that can support nature growing up the railings.

Enhancement of the green area adjacent to the drive would be welcomed along with planting of fruit and nut trees and bushes such as current or rhubarb in an eco-garden with a pond would be welcomed.

Neighbours

35 neighbour representation letters (from 28 different households) including 3 x 2 letters from same households and 4 letters following re-consultation from 4 separate households) have been received, of which 25 Object to the proposals on the following grounds:

- Size and location of new school building
- Impact on skyline of local area; concerns regarding two storey element and extended use of building by wider community outside of school hours
- Sufficient ground area for separate single storey buildings
- Construction traffic route
- Traffic concerns
- 5G mast proposed where the construction access also proposed
- Two storey design and use of materials in appropriate and out of character
- Close proximity and visibility from Merryfield Drive
- Loss of playing field and visual impact on surrounding area
- Highway access and parking
- Pedestrian safety during construction period
- School undersubscribed - parking issues will get worse if increase in pupil numbers
- Impacts on private amenity – overlooking and noise pollution
- School kitchen adjacent to Greenway Road would produce smells and noise
- Impact on property values
- Siting of school building close to residential properties in Merryfield Drive
- Proximity of SEN area to residential rear gardens in Merrifield Drive
- Size of proposed Greenway Academy Sign
- Shade
- Concerns regarding agents' consultation and notification process
- Loss of daylight and sunlight (worse in winter)
- Separation distances
- Flooding / waterlogging / water run off
- 250m<sup>3</sup> Attenuation tank adjacent to property in Merryfield Drive
- Need for more trees
- External security lights / light pollution / amenity concerns
- Impact on wildlife and presence of Bats
- Discounted options for alternative location of school building
- BRE report not provided (sunlight / daylight)
- Potential CCTV and location
- Increase in ground levels proposed and impacts on gardens of Merryfield Drive
- Land level differences (school site and rear gardens of Merryfield Drive) and impacts on amenity
- Concerns regarding the location of the proposed hornbeam trees – heights and relationship to existing dwellings (5m from rear fence line) – liability risks concern regarding future subsidence

7 letters of Support have been received, citing:

- Environmental improvements
- Temporary buildings not welcomed
- Well insulated green building
- Positive community change
- Current proposals are sound and reasonable
- New school and facilities welcomed
- Modern construction and appropriate infrastructure
- Current building not fit for purpose
- School not increasing in size or pupil numbers

#### **4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS AND EQUALITY**

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.
- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

#### **5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

#### **6. PLANNING ASSESSMENTS**

- 6.1 The main issues to consider in the determination of this application are the principle of the proposed development in land use terms; the impact on the character and visual amenity of the landscape and locality; the impact of the development on the amenity of prospective and neighbouring occupiers; whether safe vehicular and pedestrian access can be provided to the site and the impact of the development on highway and pedestrian safety; drainage/flooding; whether the development can be delivered without harming the biodiversity and ecology interests of the site; and water neutrality.

##### **Principle of Development**

- 6.2 HDPF Policies 42 and 43 relate specifically to the need for the provision of new or improved community facilities to help create a socially inclusive and adoptable environment to meet the long term needs of people with additional needs, including those with learning disabilities. HDPF Policy 43 goes on to set out that new or improved community facilities particularly where they meet the identified needs of local communities as indicated in relevant studies will be supported.
- 6.3 HBNP Policy HB1 (Location of Development) states that development within the Blueprint Neighbourhood Area should be focused within the Built-up Area Boundary, HBNP Policy HB14 (Community and Cultural Facilities) states that:

*A. Proposals that would result in the loss of community and leisure facilities – in particular community halls and the library - will only be supported if alternative and equivalent facilities are provided. Such re-provision will be required to demonstrate that the replacement facility is:*

- i. at least of an equivalent scale to the existing facility; and*
- ii. is in a location accessible by foot or bicycle to the community of the Neighbourhood Plan area; and*
- iii. is made available before the closure of the existing facility; and*
- iv. is of a quality fit for modern use.*



*B. Proposals for new/improved community facilities – for example an art gallery will be encouraged subject to the following criteria:*

- i. the proposal would not have significant harmful impacts on the amenities of surrounding residents and the local environment; and*
- ii. the proposal would not have significant adverse impacts upon the local road network; and*
- iii. sufficient associated storage space and adequate parking space is provided.*

*C. Proposals that enable the diversification and flexible use of the buildings through the extension of and shared use of such buildings, to provide additional community facilities for example, will be supported.*

*D. Proposals must demonstrate that they are water neutral to prove that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar site.*

- 6.4 The principle of the proposed replacement school building is therefore considered to comply with the Policies 42 and 43 of the Horsham District Planning Framework (HDPF) and Policy HB14 of the Horsham Blueprint Neighbourhood Plan subject to a thorough assessment of the application against other relevant policies and criteria within the HDPF and HBNP. The proposals are also supported under Paragraph 95 of the NPPF which requires that a sufficient choice of school places be available and requires that planning authorities give great weight to the need to create, expand, or alter school buildings.

#### Character and Appearance

- 6.5 Paragraph 134 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.
- 6.6 Policies 32 and 33 of the HDPF promote development that is of a high-quality design, which is based upon a clear understanding of the local, physical, social, economic, environmental, and policy context. Development will be expected to provide an attractive, functional, and accessible environment that complements locally distinctive characters and heritage of the district. Development should ensure that the scale, massing, and appearance of the development relates sympathetically with the built surroundings, landscape, open spaces, and routes within and adjoining the site.
- 6.7 HBNP Policies HB3 (Character of Development) and HB4 (Design of Development) state that development is expected to (amongst others) demonstrate a high quality of design, which responds and integrates well with its surroundings, meets the changing needs of residents, and minimises the impact on the environment.
- 6.8 The character of the surrounding area is predominantly residential in nature and includes tree lined streets with grass verges or open green spaces, along with detached, semi-detached or bungalow dwellings with an assorted mix of post war style architecture, set back from the road frontage behind front dwarf garden walls, boundary hedges, or driveways. The dwellings comprise a mix palette of materials with primarily red or yellow brick, or part rendered elevations under pitched or hipped roofs that are located adjacent to the public highway surrounding the application site. The existing school buildings comprise brick single storey flat roofed structures of a broadly utilitarian appearance typical of their time.
- 6.9 The applicants have submitted a comprehensive Design and Access Statement that sets out the design parameters against which the proposed school building has evolved, with

consideration to the DfE requirements and other stakeholders. A sustainable design approach has been taken with consideration towards construction, production, and the operation of the school building. The proposed school building has been designed to ensure the long term needs of school users are met; that the building has been future proofed against the risk of climate change; the development results in a healthy and productive whole school setting and that the building is a low energy, fossil free building. The proposed school building is stated to be based on passive design encompassing cost effective whole life measures that are climate resilient and have a net zero impact.

- 6.10 The proposed school building is to be sited in the southwest corner of the site set suitably back from the roadside behind an existing tree lined street frontage. Whilst the land slopes down towards the rear gardens of dwellings in Merryfield Drive in this location, the land slope is less severe than in the northwest corner of the site and therefore the finished floor level would not be as appreciably higher as it would be in the northwest corner of the site. The degree of land slope the northwest corner of the site also suffers from drainage problems which are a constraint to new development in this location. The location in the southwest corner of the site further allows for a greater separation distance between the existing dwellings and the new school building than elsewhere on the site. It also allows for maximisation of external site area for different uses; provides good flow and connectivity to the outdoor spaces; utilises existing pedestrian site access; level site reduces excavation works; maintains buffer distance to nearest residents; ensures good viability from the site frontage; maintains good operational link with retained classroom block; and avoids the need for temporary accommodation. Having regard the limited options for locating the building on the site (as set out in detail in the supporting documents) and given the existing buildings need to remain operational at all times, the proposed location in the southwestern part of the site is considered the optimum location for the building in visual terms.
- 6.11 The proposed school building is to be of a modular construction that is of a typical 'box' formation, with rounded canopy over the main public entrance to the school entrance. It forms an 'L' shape largely two storey flat roofed structure finished in a mix of two tone grey and green composite cladding. Although largely of a utilitarian box design, the overall design has been softened with the introduction of a sweeping curved canopy above the pupil / public entrance and through the introduction and use of contrasting panel colourways, sought as part of improvements during consideration of the application proposals. A covered outdoor teaching area under a canopy is proposed, whilst two outdoor Physical Education (PE) areas (one hard surfaced area and one soft surface area) are located to the east of the proposed school building along with the location of a new trim trail.
- 6.12 Design Code Guidance for schools is provided by the Department for Education (DfE). The application proposals have been based on a specific design code provided by the DfE. Design codes cover issues relating to *'locations of schools to maximise usability for the community and supports local shops and services, where appropriate; provide guidance on factors that need to be considered when integrating schools into neighbourhood (e.g., noise, traffic, congestion and overlooking); provide guidance on the design of schools; taking account of the following components: Built form; building line height; access and public and private space'*. Advice further states that *'a key issue is the management of public and private space. Ideally the setting of the school building and associated safeguarding measures would consider the transition from the street into the managed space of the school'*.
- 6.13 The DfE specifies that the development must incorporate low and zero carbon technologies including photovoltaic (PV) panels. The building roof is the main area of provision (171 PV Panels) with a further 164 PV units provided via the external canopy above outdoor teaching area to the west of the nursery building. The solar canopies will provide shelter and shade to the teaching area alongside energy generation for the school building.

- 6.14 Overall Officers advise that the location of the building and its design are of a suitable quality and would not harm the character of the street or wider area, in accordance with policies 32 and 33 of the HDPF and policy HB4 of the HBNP. Whilst comments have been received in respect of the colour palette and lack of curves within the building, overall the building's appearance is considered appropriate as a modern functional education facility.

#### Landscaping and trees

- 6.15 The landscape plans submitted with the application identify the areas of hard and soft landscaping within the site boundaries, including the proposed new access spur road and parking area which runs adjacent to the southern boundary of the site as well as the continuation of the existing access road into the site up to the retained nursery building; the hard informal and social outdoor PE court and the soft outdoor PE court to the east of the proposed school building; and a hard surfaced triangular courtyard between the new building and the existing retained building (containing 4 classrooms). It is advised that hard surfacing materials for the vehicular paving will be grey / black asphalt. Details relating to the colour of 1.8m high weldmesh fences which separates the playground areas from the pedestrian and vehicular routes has not been provided, neither has the colour of the 1.2m high safety railing that encloses the SEN teaching space, however these details (within the site and in respect of boundary treatments), along with a planting schedule, details of surfacing materials and specific details relating to the proposed canopy can be required though conditions.
- 6.16 The landscape plans identifying the proposed location of 11 new trees (native heavy standards) along the western boundary of the site and a further 6 new trees planted in proposed island areas located within the hard informal and social courtyard area. Retained trees within the site boundaries are also identified. A new trim trail is identified to immediately to the north of the retained modular building and outdoor PE court. Habitat areas have also been identified and are being considered as part of the ecology proposals.
- 6.17 No specific landscaping strategy has been submitted as part of the application and as such a suitable landscaping condition is required to ensure a satisfactory scheme is bought forward to ensure compliance with policy 33 of the HDPF.
- 6.18 The submitted Arboricultural Impact Assessment Plan identifies that two trees (T7 and T10) will be removed in order to facilitate the proposed development; however, 17 new trees will be planted as part of the proposals.
- 6.19 The Council's Tree Officer has been consulted and it is advised *'the relationship of new built form to trees is reasonable although a little close to the largest early mature oak (T12) that has significant future growth potential. The two trees proposed to be removed to enable new vehicle access and car parking are not of a form/size/condition that would warrant them being considered as constraints on site development. Their loss can be reasonably mitigated by appropriate mitigation planting. Minor encroachment of new hardstanding into the minimum recommended radial root protection area of tree T30 is not of undue concern bearing in mind the age/condition of the tree and extent of surrounding soft ground area available for rooting.*
- 6.20 Subject to the imposition of conditions relating to provision of underground services and tree protection measures, no objections are raised, and the proposals are considered to accord with Policy 33 of the HDPF.

#### Impact on neighbouring amenity

- 6.21 Policies 32 and 33 of the HDPF seek to ensure an attractive, functional, accessible, safe, and adaptable environment avoiding unacceptable harm to the amenity of occupiers/users of nearby property and land through overlooking or noise.

- 6.22 A number of objections have been received from residents concerned at the proximity of the building to the properties on Merryfield Drive. The building in this location would be on higher ground to these properties and the concerns refer to a consequential loss of daylight and sunlight, and general amenity as a result.
- 6.23 The rear gardens of dwellings fronting Merryfield Drive, located west of the application site, share a common boundary with the western boundary of the school site. The dwellings along Merryfield Drive are located between approximately 34.3m from the proposed school building, with the proposed school building approximately 14.2m from the garden boundary with these properties.
- 6.24 A number of design options and locations for the siting of the proposed school have been considered and discounted by the applicants. These are set out in the REDS10 'Planning Update' document Rev A dated 31 January 2023 and provide suitable justification as to why the alternative options that were considered in respect of the 'site location and analysis' were unacceptable.
- 6.25 These include siting the building in the northwest corner of the site (option DL1); the southeast corner of the site (DL2); and the northeast corner of the site (DL3). Option DL1 was discounted due to severe level changes, the distance between the site entrance and new school building, poor wayfinding from the main entrance, no connection to the retained classroom block, inefficient vehicular access to the new school building, complicated phasing and construction access, and the removal of existing trees which are desirable to retain.
- 6.26 Option DL2 was discounted due to severe disruption to the use of the existing school during demolition, a complicated phasing and construction access, removal of existing trees, and poor connection to retained classroom block. Option DL3 was discounted due to the severe disruption to the use of the existing school during demolition, a complicated phasing and construction access, removal of existing trees, no connection to retained classroom block, disruption to pedestrian access to retained nursery, extremely close position to the eastern boundary, overshadowing of the existing nursery block, and the need for temporary accommodation during construction.
- 6.27 The proposed building is part single storey and part two storey with a minimum height of approx. 4.7m (single storey element) and maximum height (two storey element) of approx. 7.5m to roof level facing the properties on Merryfield Drive, upon which are safety railings of 1.2m, and a set back roof plant approx. 1.24m. The total width of the north and south elevations (as viewed across the east / west axis) measures approx. 41.16m, and the total width of the east and west elevations (as viewed across the north / south axis including the projecting porch at ground floor level) is approx. 54.3m. This creates a large expanse of building that would be visible from the rear elevations and gardens of Merryfield Drive.
- 6.28 The proposed west to east alignment of the school building from the properties on Merryfield Drive is shown on section drawings B-BB and C-CC. These drawings show that proposed school building would be approximately 34m from the rear of the dwellings and a minimum of 14m from their common rear garden boundaries with the school site. The building's finished floor level sits at 2.1m above the existing site level at the common boundary leading to the building's roof (minus railings and plant) being some 9.6m in height relative to the gardens on Merryfield Drive. This increases the impact of the scale and massing of the building, even accounting for the building being partially set into the sloping ground at its eastern end.
- 6.29 The applicants have demonstrated on section plans and within the Design and Access Statement (Part 2) that the proposed building comfortably meets the BRE (Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice 2022) guidance such that it would not detrimentally impact on natural lighting within the rear facing habitable rooms of the dwellings on Merryfield Drive and to the majority of their rear gardens. The tests within

the BRE guidance are designed to assess the impact on daylight, sunlight and outlook, and as best practice helps to determine whether there would be any adverse effect to the amenities of neighbouring properties.

- 6.30 A further overshadowing study has been provided modelling the impact of the building on the gardens to Merryfield Drive. These gardens are east facing and as such enjoy good early morning and afternoon sunlight. The study demonstrates that with the exception of winter mornings, the building will not detrimentally overshadow these gardens during winter afternoons, at the March and September equinoxes, and throughout the summer months. Daylight and sunlight to the habitable rooms within these properties will therefore not be affected.
- 6.31 The Council's supplementary guidance, as a guide, recommends a separation distance of 21m between rear facing habitable room windows (first floor level) and new neighbouring development. This compares to a separation distance of between 15-20m as set out in The National Model Design Code. The separation distance between the rear of properties in Merryfield Drive and the proposed new school building is considerably greater at approximately 34.3m.
- 6.32 The provision of 11 heavy standard trees along the western boundary as proposed will further mitigate against any concerns regarding perceived overlooking towards rear garden areas and habitable room windows in these properties. Whilst these trees would likely result in some overshadowing of the rear garden areas when the sun is low in the sky, this would not be significant as demonstrated in the overshadowing study. The details of the proposed trees will be required through condition to ensure that the height of the proposed species is acceptable. Subject to the planting of these trees the relationship between the proposed school building and the dwellings along the West boundary of the site (particularly with those dwellings numbers 66 – 76) is therefore considered to be acceptable.
- 6.33 To help limit the perception of overlooking from the classroom windows, the addition of angled oriel windows or obscure glazing to the west facing windows of the proposed school building has been considered by the applicants at your Officers request. However, the applicants advise that modelling based on a 45-degree angled oriel window at a typical first floor window utilising Climate Based Daylight Modelling software, demonstrated that there would be insufficient daylight levels achieved and supplementary artificial lighting would be necessary to reach the daylight levels as set out within the DfE Technical Annex 2E. Furthermore, the applicants state that the use of oriel windows would not overcome overlooking of rear gardens.
- 6.34 Additionally, the use of frosted / obscure glazing was considered however, the applicants advise that *the DfE specification for Schools requires views from classrooms for both pupils and teachers*. Therefore, it was considered that obscure glazing which would block external views entirely from within the classroom, was not considered appropriate. Therefore, both of the suggested options were considered inappropriate as they would reduce natural light levels below the minimum requirements for teaching environments, and they have not been incorporated into the design.
- 6.35 Whilst the strong objections submitted by local residents are noted, it is considered by your officers that that the proposed building is sufficiently separated from rear gardens in that it complies with the recommended minimum separation distances between the west elevation of the proposed new school building and the rear of existing residential dwellings in Merryfield Drive, and that whilst it is accepted that there is a level of perceived overlooking to habitable rooms at the rear of the dwellings, this would be mitigated by the suitable separation distances and the planting of boundary trees. Consequently there would be no appreciable or significant harm to private amenity arising from loss of privacy or light as a result of the proposed development.

- 6.36 Concern has also been raised by neighbours regarding the relationship with dwellings to the south (Greenway), given the school is set back 13m behind the front boundary fence line and would be located behind an established 11m high tree screen, it is not considered that the relationship between the frontage of the proposed school and adjacent dwellings to the south side of Greenway is such that it would result in any adverse harm arising from overlooking, additionally given the orientation of the school building there are no concerns regarding overshadowing to dwellings in Greenway.
- 6.37 Subject to the imposition of suitable landscape conditions to secure the new trees along the western boundary of the application site, the proposed development is considered to accord with the requirements of Policies 32 and 33 of the HDPF and with Policy

### **Ecology**

- 6.38 Policy 25 of the HDPF aims to conserve the natural landscape and biodiversity and aiming to enhance biodiversity where possible. Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Policy 31(2) states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.
- 6.39 The existing site ecology has been identified as comprising four broad habitats including grassland; woodland; standing water; and built-up areas with gardens and has potential to provide suitable habitats for protected or notable species including commuting and foraging bats; great crested newts; nesting birds; reptiles and invertebrates. The Applicants have submitted a full suite of Ecological reports including a Preliminary Ecological Appraisal (PEA) (RSK Biocensus Ltd, September 2021) and eDNA Survey.
- 6.40 The proposed mitigation measures include the retention and protection of the existing habitats and planting of 17 new trees across the site as well as the creation of a 1,063 sqm green roof.
- 6.41 The identified enhancement measures include the biodiversity net gain improvements based on the school's site design and the DfE specifications for new school buildings which states that '*sites shall demonstrate an increase in the level of greening across the site to achieve a biodiversity net gain*'. Measures for net gain included in the submission include the green roof, tree canopies, amenity grassland, permeable and sealed paving. A semi-intensive bio solar green roof is also proposed and incorporates a variety of versatile plants which will grow around and within the shaded areas beneath the roof mounted PV units in order to increase the vegetated area across the roof of the building. Habitat creation across the site includes 5,695sqm of species rich amenity grassland; 60sqm of standard native tree planting; and 800sqm of biodiverse extensive green roof. The proposals deliver a biodiversity net gain of 11.03% to the site through replacement of approximately 6,495sqm of predominantly sealed surfaces with greening.
- 6.42 The ecology submissions detail the required mitigations and a series of ecological enhancements to the site as above. Biodiversity enhancements as outlined in Paragraph 174 (d) of the National Planning Policy Framework 2021 are supported and are required within a subsequent Biodiversity Enhancement Layout which should be secured through condition. w(BNG) has been included within the DAS in order to demonstrate that the development provides for a net gain and would have a positive impact on the site as promoted by the recently endorsed Planning Advice Note on Biodiversity and Green Infrastructure, and demonstrates ecological enhancements as required by local and national policy.
- 6.43 The Council's Ecology Consultant has confirmed that the submitted ecology information provides satisfactory mitigation and enhancement measures, which are to be secured by condition. Accordingly, the proposals are now considered to accord with the provisions of

HDPF Policies 25 and 31, the Planning Advice Note on Biodiversity, and Paragraph 174d of the NPPF.

### Water Neutrality

- 6.44 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advises the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.
- 6.45 In assessing the impact of development on protected habitat sites such as those in the Arun Valley, decision makers must, as the competent authority for determining impact on such sites, ensure full compliance with the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations). The Regulations require that a Habitats Regulations Assessment (HRA) be carried out to determine if a plan or project may affect the protected features of a habitats site before the grant of any planning permission. Section 70(3) of the Regulations requires that planning permission must not be granted unless the competent authority (Horsham District Council) is satisfied that the proposed development will not adversely affect the integrity of the affected habitats site. Section 63 of the Regulations sets out the process by which an HRA must take place.
- 6.46 The requirements of Section 70(3) are reflected in paragraph 180 of the NPPF, which states that 'if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused'.
- 6.47 The application site at falls within the Sussex North Water Supply Zone which draws its water supply from groundwater abstraction at Hardham (near Pulborough), adjacent to the Arun Valley sites. The water abstraction issues raised by the Natural England Position Statement are therefore a material planning consideration relevant to the application. Given the requirements of the Habitat Regulations and paragraph 180 of the NPPF, adverse impact on the integrity of the Arun Valley sites must be given great weight in decision making.
- 6.48 The proposals do not seek to increase the capacity of the school, with there being no increase in the number of classrooms. Whilst it is understood that there is a single community user of the site using the facilities once a week, the proposals would not increase the community use potential of the site. On this basis there is no evidence that the development proposals will increase mains water consumption at the school therefore the proposals would not result in a significant impact on the Arun Valley sites. The proposals have therefore been screened out from requiring an appropriate assessment under the Habitats Regulations.
- 6.49 The applicants have nevertheless submitted a Water Neutrality Statement setting out existing and proposed water consumption at the school. The school's existing baseline for water consumption at the existing school is stated to be between 17 and 36 litres per pupil per day (l/p/d) with an average of 24.2 l/p/d based upon 480 pupils for 190 days per annum. The average site consumption is 6,053.51 litres per day). Water bills have been submitted by the applicants. This is based on data taken from water bills from 2017 to 2022.
- 6.50 A BREEAM 2018 Wat 01 water calculator has been completed which calculates that the proposed site consumption for the new building would be 5,180 litres per day (1,892 m<sup>3</sup>/annum) based upon a building occupancy of 574 people and improved fixtures and

fittings. This would therefore provide a saving of 873.39 litres per day (319 m<sup>3</sup> per annum), equivalent to 14.4% when compared to the existing buildings.

#### *Conclusion on Water Neutrality*

- 6.51 The development proposals will not result in an increase in the pupil capacity of the school as there is to be no increase in the overall numbers of classrooms, or increase any community use of the site compared to existing. Officers therefore conclude that, the proposals will not have a Likely Significant Effect on the designated features of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects and therefore the proposals have been screened out from requiring an HRA Appropriate Assessment. Nevertheless the applicants Water Neutrality Statement calculates that the new building will result in a water saving of some 873.39 litres per day (319m<sup>3</sup> litres per year) as a result of the improved efficiency of fixtures and fittings being installed.

#### Highways Access and Parking

- 6.52 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.53 The primary vehicular and pedestrian access to the site is from the southern east corner of the site boundary, with a separate pedestrian access midway along the site frontage. Access arrangements into the school are to remain as existing, however it is proposed to extend the existing southeast spur access road from the spine road towards the pupil / public entrance of the new school building to create 3 additional disabled parking spaces. The proposals also seek to extend the existing northern access spine road towards the retained nursery building creating a further 4 car parking spaces at the northern end. The existing informal parking arrangements to the eastern site boundary have been formalised to provide 17 car parking spaces (providing 24 spaces in total).
- 6.54 WSCC Highways have been consulted and have raised no objection to the proposals subject to the imposition of the construction management plan as submitted. WSCC Highways advise that the proposal would not likely result in any impact above and beyond the school's current highway impacts. WSCC have advised that the current WSCC parking standards do not dictate a requirement for schools to provide Electric Vehicle Charging points. Given that the travel demands with the development would not be greatly different to the existing demands the betterment that EV charging would offer has not been sought.
- 6.55 The proposals are considered to be in accordance with the National Planning Policy Framework (paragraph 111), and there are no transport grounds to resist the proposal. Subject to conditions, the Highway Authority raises no objection to this application. The proposal is therefore in accordance with Policies 40 and 41 of the HDPF and the NPPF.

#### Climate Change

- 6.56 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity, and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.
- 6.57 In accordance with Policies 35, 36 and 37 of the HDPF, the scheme includes an Energy and Sustainability Statement (Section 6.10 of the Design and Access Statement). The statement incorporates sustainable design measures to reduce energy use. It is advised that the proposed school building has been designed in accordance with Technical Annex 2J: Sustainability (Further Education Output Specification) November 2022. The document summary advises that 'Technical Annex 2J provides the minimum requirements for



sustainability. It responds to the demands of Climate Change and aims to mitigate the effects and recognise adaptations required in educational establishments for a changing environment. This document focuses on the path to reduce carbon emissions within the DfE estate to zero'. The document requires a sustainable approach to building design; construction; production and operation of education buildings and grounds which:

- put the long term needs of the building users at the centre of discussions
- is future proofed against the risk of climate change
- creates a healthy and productive whole site setting
- prioritises the application of low energy, fossil fuel free buildings
- calculates and reports on embodied carbon in construction at key stages as defined by standards within the Net Zero Carbon Buildings UK Green Building Control

6.58 In addition to the provisions included as part of the submission detailed in the applicants planning statement, Officers consider that the following measures can be secured as part of the application in order to reduce the development impact on climate change.

- Solar Panels (171 PV panels on the building roof & 164 PV panels on solar canopy)
- SUDS and green infrastructure to manage flood risk
- Requirement to provide full fibre broadband site connectivity
- Refuse and recycling storage
- Cycle parking facilities
- Opportunities for biodiversity gain

6.59 The Energy Statement provided (within the Design and Access Statement) adopts a 'Fabric First' approach to meeting energy targets, to provide an energy efficient scheme that results in minimal carbon emissions through regulated energy and improvements to the thermal performance of the building fabric. The Applicants advise that these measures meet and may exceed Building Regulations standards. The Fabric First building approach also allows consideration of photo voltaic panels and a green roof to the proposed canopy roof space.

#### Air Quality

6.60 There is no increase in the school capacity and as such an air quality statement is not required. However, it is advised that planting around the perimeter of the school building, tree planting along the western boundary of the site as well as native trees, hedgerows and amenity planting and the proposed green roof will all maximise the opportunity to improve air quality throughout the site.

#### Flooding and Drainage

6.61 HDPF Policy 38 seeks to ensure that flood risk is considered during the planning process in order to direct development away from high-risk areas and to avoid inappropriate development and to ensure that required development can be carried out without flood risk elsewhere.

6.62 The Environment Agency's flood zone map indicates that the application site is located wholly within Flood Zone 1. The site is over 1 hectare and as such a Flood Risk Assessment is required as part of this application. The Applicants have submitted a Drainage Strategy dated 20 September 2022.

6.63 The Drainage Design included with this application state that a sustainable drainage system (SuDS) is proposed to control surface water from the development, the Drainage Strategy advises that '*underground storage in geocellular tanks adjacent to the new school building along with permeable structures with subbase attenuation*' are proposed. It is advised that

*'rainwater from the proposed new building and soft landscaping will discharge into the public sewer located in Greenway Road to the south'.*

- 6.64 HDC Drainage Engineer has been consulted as part of the application process and has confirmed that subject to the imposition of appropriate foul and surface water conditions and approval in consultation with Southern Water there are no objections to the surface water drainage strategy proposed.
- 6.65 WSCC as Lead Local Flood Authority have also been consulted on the application, and have advised that 'all works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles' and that the maintenance and management of the SUDs system should be set out in a site specific maintenance manual and submitted to, and approved in writing by the Local Planning Authority and implemented in accordance with the approved designs.
- 6.66 A suitable condition is recommended in respect of foul and surface water drainage. Subject to this condition, the scheme is in accordance with Policy 38 of the HDPF.

#### Other Matters

- 6.67 Policy 24 of the Horsham District Planning Framework states developments will be expected to minimise exposure to and the emission of pollutants including noise.
- 6.68 The applicants have submitted a Noise Impact Assessment (DBX Acoustics dated 8 September 2022), which contains an assessment of the potential noise impacts generated by the proposed development on the nearby residential properties based on the noise survey carried out by RSK Acoustics who prepared a 'Feasibility Assessment – Noise' for the site, reference 298314-RSK-RP-004-(00), dated 25 August 2021. RSK Acoustics completed attended and unattended noise measurements between Tuesday 20th July and Thursday 22nd July 2021 at specified locations as referred to within the report.
- 6.69 The Council's Environmental Health officers have been consulted as part of the application process and have raised no objections subject to the imposition of suitable pre-commencement noise control conditions in respect of a requirement for an assessment of the acoustic impact arising from the operation of all internally and externally located plant and also a condition restricting the use of the development of operation of any building service plant until a post-installation noise assessment has been carried out.
- 6.70 A Phase 2 Geo-Environmental and Geotechnical Site Investigation report (RSK geosciences dated December 2021) has been submitted as part of the application proposals. The Council's Environmental Health Officers have raised no concerns in this respect but have requested that a condition be imposed to deal with unsuspected contamination in the event that such a contamination is found during works.
- 6.71 Other matters, including the imposition of a condition to secure a suitable lighting scheme along the nursery access road has been requested by the Council's Environmental Health officers on the basis that the proposed 6m lighting columns have raised concerns and are not considered appropriate on the boundary to properties along Churchill Avenue. A suitable lighting condition should therefore be imposed in the event that the application is approved.
- 6.72 The application details also refer to the use of the premises for community use purposes which is supported under HBNP Policy HB14(C). It is advised by the applicants that there is currently a table tennis club that uses the existing school building 1 x week. It is not considered that the proposed development will increase the extent of the after school use of the premises by community groups compared to that capable of being provided as existing.

- 6.73 Subject to the imposition of conditions as identified above the proposals are considered to accord with Policy 24 of the HDPF.

#### Sport England

- 6.74 As the proposals impact on land currently being used as playing fields, consultation with Sport England is a statutory requirement before granting planning permission. Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 99), and against its own playing fields policy, which states that:

*'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:*

- *all or any part of a playing field, or*
- *land which has been used as a playing field and remains undeveloped, or*
- *land allocated for use as a playing field*

*unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'*

- 6.75 Sports England have raised no objections to the proposed development as it is considered to meet exception 4 of the five exceptions. Exception 4 states that *'the area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:*

- *of equivalent or better quality, and*
- *of equivalent or greater quantity, and*
- *in a suitable location, and*
- *subject to equivalent or better accessibility and management arrangements.*

- 6.76 Sports England also state that *'the siting of the new building has been considered during the design process and this is clearly the most logical. The building would result in the loss of an existing area of playing field of approximately 0.32 hectares that appears to be well used. In addition, the site contains another area of playing field to the north of the existing tree group of similar size that would not be affected by the proposal. An area of hard courts to the east of the existing buildings would be replaced immediately to the east of the white block to be retained and a new area of playing field provided to the east of that on more level land, that would compensate fully the loss of the existing area of playing field'.*

- 6.77 The new playing field area and hard courts / pitch would not be provided until the existing buildings are demolished following the completion and occupation of the new building.

- 6.78 Given the above assessment, Sport England have advised that they do not wish to raise an objection. The absence of an objection is subject to the recommended conditions being imposed as set out within the consultation response in the event that the application is approved.

- 6.79 The proposals are therefore considered to comply with the National Planning Policy Framework (in particular Para. 99) and with HDPF Policies 42 and 43 of the HDPF as well as The Horsham Blueprint Neighbourhood Plan, (HBNP) specifically HB14 Community and Cultural Facilities.

#### **Planning Balance and Summary**

- 6.80 The principle of the proposed school building at Greenways, has already been established through the existing use of the site for purposes of education and as such the principle of the new school building is acceptable and is considered to comply with HDPF Policies 42 and 43 of the HDPF. Your Officers consider that the proposed modern energy efficient, modular constructed school building, which can be constructed off site in order to prevent

unnecessary disruptions to the education of existing pupils, would meet the needs of the community and provide a modern fit for purpose school building, that has a pleasant and welcoming appearance, and is beneficial for both teachers and their pupil's current educational needs.

- 6.81 The proposals are considered to comply with The Horsham Blueprint Neighbourhood Plan, (HBNP) specifically Policies HB1, HB3, HB4 and HB14, specifically criteria's i-iv of Part A of HB14 in that the replacement school building is of an equivalent scale to the existing education facility and will be capable of meeting the current needs of the pupils and teaching staff; the new school building will be located on the same site as the existing school building to be demolished and is within a sustainable location; the phased construction and demolition approach proposed means that the new school building will be available for use prior to the complete demolition of the existing school building; the new school building will be of a modern construction and quality fit for its modern-day use education purpose.
- 6.82 It is accepted that the proposals would result in some loss of outlook to residents from the rear of Merryfield Drive given the current largely open rear aspect, however the loss of outlook would not be significant given the separation distances. Your Officers consider that the proposed school building will be suitably separated from residential dwellings and as such it is not considered that there would be any significant impacts arising from either overlooking or overshadowing of rear gardens to Merryfield Drive or to dwellings on Greenways; the proposals are not considered to result in any adverse highway impact on the local road network; and there are suitable parking spaces provided as part of the proposals.
- 6.83 In respect of HDPF Policy 31 and HB14 criteria D, the proposals are considered to be Water Neutral as set out above and it is considered that there is no adverse impact on the integrity of the Arun Valley SAC/SPA and Ramsar site.

## 7. RECOMMENDATIONS

- 7.1 To approve full planning permission subject to appropriate conditions

### Conditions:

1. Plans
- 2 **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason: To comply with Section 91 of the Town and Country Planning Act 1990
- 3 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved scheme.  
  
Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).
- 4 **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery, or materials onto the site, until the following preliminaries have been completed in the sequence set out below:

- All trees on the site shown for retention on approved drawing number [insert number], as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
- Areas so fenced off shall be treated as zones of prohibited access and shall not be used for the storage of materials, equipment, or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Pre-Commencement Condition:** No development shall commence until it has been demonstrated to the satisfaction of WSCC Fire and Rescue Service that a fire appliance can gain access to within 15% of the perimeter or within 45m of every point of the footprint of the new building in accordance with Approved Document – B (AD-B) Volume 1 - 2019 edition: B5 section 15. Access should also comply with the requirements of BB100 - Design for fire safety in schools, section 8.3. The development shall thereafter be carried out in accordance with the agreed details.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Pre-Commencement (Slab Level) Condition:** Following demolition of the existing buildings and structures, no development of the replacement area of playing field shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:

(i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soil's structure, proposed drainage, cultivation, and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation in accordance with the timescale specified in condition [1] unless otherwise agreed by the LPA in writing. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy 43 of the Horsham District Planning Framework 2015.

- 8 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 9 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (RSK Biocensus Ltd, September 2021) has been submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 10 **Pre-Occupation Condition:** No internally and/or externally located plant, machinery equipment or building services plant shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until a soft and hard landscape specification has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of

responsibility) for all communal landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** The operation of any building services plant, shall not commence until a post-installation noise assessment has been carried out including suitable measurements to confirm compliance with the approved noise criteria and has been submitted to and approved by the planning authority. The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 14 **Post-Occupation Condition:** Within 12 months of the occupation of the new school building hereby permitted the car parking spaces necessary to serve the school shall have been constructed and made available for use in accordance with approved drawings. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 15 **Post-Occupation Condition:** Within 12 months of the new school building hereby permitted a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority in writing. The development shall be maintained in accordance with the approved report.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 16 **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 17 **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment plan 2119-MAC-XX-XX-DR-L-00013 P02

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

- 18 **Regulatory Condition:** The replacement playing field and hard court/pitch areas hereby approved shall be completed and made available for use within 24 months of construction

commencing on the existing playing field unless otherwise agreed in writing by the Local Planning Authority following consultation with Sport England.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy 43 of the Horsham District Planning Framework (2015).

- 19 **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination will be dealt with.

Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

- 20 **Regulatory Condition:** The development hereby approved shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) REV 2 dated 13.03.2023 submitted by REDS 10. The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 21 **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the update ecology letter (Corylus Ecology, March 2023), Reptile Survey and Great Crested Newt eDNS Survey Report Corylus Ecology, October 2022), Preliminary Ecological Appraisal (RSK Biocensus Ltd, September 2021).

This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham Development Framework.

- 22 **Regulatory Condition:** The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).