

# 21/02694/CTY

**Applicant** Nottinghamshire County Council Childrens And Families

**Location** Land North Of Rempstone Road East Leake Nottinghamshire

**Proposal** Erection of 120 Place Temporary School Learning Village Accommodation with temporary lit access road and permanent lit access path. Associated areas of soft play, canopies, car parking and surface water balancing pond.

**Ward** Leake

## THE SITE AND SURROUNDINGS

1. The site is located towards the south-eastern edge of the village of East Leake. The application site comprises an arable field and an area of open space (afforded to the Persimmon housing development) that are located to the north of existing residential development sites being built out by David Wilson Homes and to the east of the Persimmon housing development that is accessed off of Kirk Ley Road. Access is proposed off Sheepwash Way within the Persimmon Development
2. The site location plan provided with this application shows the extent of the development parcel relevant to the first two phases of the Persimmon development, however the site location plan does not detail the approved layout of the David Wilson Homes site to its south and east. The site location plan details the proposed location for the vehicular connection (for staff/deliveries/emergency vehicles) as well as pedestrian/cycle links which would all be through the Persimmon development.

## DETAILS OF THE PROPOSAL

3. This is a County Matter application where Rushcliffe Borough Council is a Consultee. The County Council is the determining authority for this proposal and, whilst considering the application they are also the applicant in this instance. The land is, however currently owned by private entities.
4. Nottinghamshire County Council state there is an educational requirement for a new primary school at East Leake. This is to be satisfied by the permanent provision of a new School (Outline Application 8/21/01029/CTY was approved earlier this year). The educational need for pupil places is required from September 2022, by which time the permanent school is expected to be under construction but will not be complete (completion anticipated for opening September 2023). In the interim period the school place demand is proposed to be met with a Temporary School Learning Village to provide education for up to 120 pupils anticipated to be open September 2022.
5. The application therefore seeks full permission for the erection of a 120 Place Temporary School Learning Village Accommodation with temporary access road and permanent access path, both of which would be lit. Associated areas

of soft play, canopies, car parking and surface water balancing pond are also sought as part of the proposal.

6. Public access to the temporary school site from the David Wilson Homes development off Rempstone Road would be restricted until September 2023. Public access from that site will be determined by the housebuilder build rates and subsequent availability of safe access. In planning for pupil places, Nottinghamshire County Council needs to be certain that places will be available for September 2022 to meet its statutory duty. Therefore, public access is proposed from Sheepwash Way within the Persimmon Development to the temporary school.
7. The vehicular access road is proposed as a temporary measure for the use of construction and dismantling of the temporary school accommodation and to allow access for staff, service and emergency vehicles only for the duration of the temporary school's use. It would be lit to enable year-round access to the school. It is proposed that there would be a gate with access control to restrict the access located close to the turning head at Sheepwash Way. Adjacent to the vehicular access, a pedestrian access is also proposed to be provided off Sheepwash Way. This is intended to become a permanent pedestrian access in accordance with the proposals of the outline permission for the permanent school and would form part of the access to that school. This pedestrian access joins the existing right of way which would then be enhanced to provide access into the temporary school. It would be lit to enable year-round access to the School.
8. The proposed structures would be located to the east of the public right of way and would comprises an administration block, a hall/dining space with associated kitchen and store, three classrooms with associated w/c facilities and a reception classroom, also with associated w/c facilities. Adjacent to the proposed nursery two sun canopies are also proposed which would be relocated into the completed (permanent) school at a suitable time. The temporary buildings would all be single storey, and predominantly flat roofed structures with a height of 2.9m. the structures would be elevated slightly above ground level and with the fall of the land, the maximum height above ground level would be approximately 3.3m. The structures would form a concise grouping on the site, seeking to reduce the impact of the development and to create a courtyard feel to the school.

## **SITE HISTORY**

9. The site forms part of a wider area which has an extensive planning history, the most relevant of which is listed below:
10. Application reference 14/01927/VAR, the Persimmon Homes Scheme for the adjacent Persimmon Housing Development was approved at appeal in December 2015.
11. Application reference 16/01881/OUT for planning permission for the wider surrounding site including 235 dwellings (David Wilson Homes site), primary school, infrastructure, green space, associated surface water attenuation and landscaping was approved at appeal in November 2017.

12. Application reference 19/01770/REM - application for approval of access, appearance, landscaping, layout and scale following outline permission 16/01881/OUT for the erection of 235 dwellings (David Wilson Homes site) - approved January 2020.
13. Application reference 20/02300/REM - application for approval of access, appearance, landscaping, layout and scale following outline permission 16/01881/OUT for the erection of 235 dwellings (partial re-plan of approved application ref 19/01770/REM) (David Wilson Homes site) – approved December 2020.
14. Application reference 20/00888/FUL for the erection of an additional 51 dwellings (David Wilson Homes site) with associated access, parking and landscaping (as an extension to application ref 20/02300/REM) received a committee resolution to approve as of the 21 February 2021, subject to the completion of the S106 agreement. The S106 agreement was completed, and the application approved in July 2021.
15. Application reference 21/01029/CTY for the erection of a Primary School for up to 2-forms of entry (in phases), plus 26 place nursery with associated car parking. Associated areas of soft play, hard play, grass playing field with landscaping works. Erection of 2m high security and lit 3m shared pedestrian and cycle path on route of Public Footpath, East Leake FP5. Bound surface and lit path and bridge between Sheepwash Way was not objected to by the Planning Committee in June 2021. The County Council, as the determining authority, subsequently resolved to grant planning permission.
16. A Section 106 agreement for (planning reference 16/01881/OUT) was entered into in November 2017. Contained within that agreement was the requirement for the provision of school land.
17. The Section 106 agreement signed as part of the adjacent Persimmon Homes scheme (planning reference 14/01927/VAR) allowed for vehicular and pedestrian access to serve the school site. However, for robustness, the full traffic impacts associated with any new school were also assessed as though access is proposed to be achieved via the new Rempstone Road access junction (planning reference 16/01881/OUT). In any event, pedestrian/cycle access to the school (and the development as a whole) could be achieved via the Persimmon development.

## **REPRESENTATIONS**

### **Ward Councillor(s)**

18. At the time of drafting this report none of the Ward Councillors have commented on the proposal. Members of the Planning Committee will be notified of any Ward Councillor comments received via the late representations process.

### **Town/Parish Council**

19. East Leake Parish Council advise that they resolved not to object to the application as the Council fully support the new school, but would like to make the following comments:

- a. Reassurance is needed that it will only be a temporary road and that the green space will be reinstated once completed.
- b. Measures need to be put in place to calm traffic down and to control traffic.
- c. Concern over access for emergency vehicles due to parking issues.
- d. Concerns about the increase in heavy construction traffic as already large vehicles are getting stuck in the hammerhead on Sheepwash Way.
- e. Request that No Construction Traffic signs be erected.
- f. Request that a planning condition be put in place for the access road to revert to a lit cycle and pedestrian path.
- g. Parking restriction needed near the school.
- h. Could access through the David Wilson Estate be a possibility?
- i. Access road is very narrow.
- j. Pond on the site, children's safety needs to be considered and suggest that the pond is cordoned off.

### **Statutory and Other Consultees**

20. The Borough Council's Design and Landscape Officer does not object to the proposal subject to conditions being attached to any grant of permission.
21. The Borough Council's Environmental Health Officer does not object to the proposal subject to conditions being attached to any grant of permission.

### **PLANNING POLICY**

#### **Relevant National Planning Policies and Guidance**

22. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. It carries a presumption in favour of sustainable development and makes clear that applications must be determined in accordance with the development plan unless material considerations indicate otherwise (Paragraph 11).
23. The sections of the NPPF that have relevance to the determination of this application include:
  - Section 8 - Promoting healthy and safe communities
  - Section 9 - Promoting sustainable transport
  - Section 12 - Achieving well-designed places
  - Section 14 - Meeting the challenge of climate change, flooding and coastal change
  - Section 15 - Conserving and enhancing the natural environment.

#### **Relevant Local Planning Policies and Guidance**

24. The Rushcliffe Local Plan Part 1: Core Strategy (LPP1) was formally adopted in December 2014. It sets out the overarching spatial vision for the development of the Borough to 2028.
25. The following other policies in the LPP1 are relevant:

- Policy 1 - Presumption in Favour of Sustainable Development.
  - Policy 2 - Climate Change.
  - Policy 3 - Spatial Strategy.
  - Policy 10 - Design and Enhancing Local Identity.
  - Policy 12 - Local Services and Healthy Lifestyles.
  - Policy 14 - Managing Travel Demand.
  - Policy 15 - Transport Infrastructure Priorities.
  - Policy 16 - Green Infrastructure, Landscape, Parks and Open Space.
  - Policy 17 - Biodiversity.
  - Policy 18 - Infrastructure, and
  - Policy 19 - Developer Contributions.
26. The Local Plan Part 2: Land and Planning Policies (LPP2) was adopted in October 2019 and the following policies in LPP2 are also considered material to the consideration of this application:
- Policy 1 - Development Requirements
  - Policy 18 - Surface Water Management
  - Policy 19 - Development affecting Watercourses
  - Policy 20 - Managing Water Quality
  - Policy 29 - Development affecting Archaeological Sites
  - Policy 37 - Trees and Woodlands
  - Policy 38 - Non-designated Biodiversity Assets and the wider Ecological network
  - Policy 39 - Health Impacts of Development
  - Policy 40 - Pollution and Land Contamination
  - Policy 43 - Planning Obligations Threshold

## **APPRAISAL**

### Principle of Development

27. An extant outline planning permission exists for the erection of a school building through the grant of outline planning permission 16/01881/OUT - *Outline application for up to 235 dwellings, primary school, infrastructure, green space, associated surface water attenuation & landscaping*. As part of the two adjoining residential developments currently being constructed by Persimmon Homes and David Wilson Homes Section 106 agreements have been entered into which relate to this land and the provision of the primary school.
28. The Section 106 agreement for the Persimmon development (application ref 14/01927/VAR) defined the “education contribution” as a financial sum for the first 175 dwellings from that development towards improvements at Brookside Primary School in the village, and a separate, larger amount for every dwelling over and above 176 dwellings towards the provision of “*The School*” which is defined separately in the S106 agreement along with definitions of “*The School Land*”, the “*School Land Purpose*” and the “*School Land Undertaking*”. The S106 also includes an entire schedule (the fifth schedule) which sets out the school land transfer provisions.

29. Similar to the above, the S106 agreement for the David Wilson Homes Development (application ref 16/01881/OUT) included financial contributions towards the provision of “...*primary education or primary education facilities in or within the vicinity of East Leake...*” It should also be noted that the description of development for application ref 16/01881/OUT also included reference to a primary school with the location shown indicatively on the plans within the submission.
30. Furthermore, the County Council have recently approved outline permission for a new school on the site and the Borough Council resolved not to object (via application ref 21/01029/CTY) earlier this year. The need to provide the school for the forthcoming academic year (September 2022) and the access restrictions via the David Wilson Homes housing site are the driving factors behind the need for the temporary school learning village, whilst the permanent school building is constructed on the neighbouring parcel of land.
31. For these reasons, although this is a full planning application for a temporary school, the principle of a school facility in this location is considered to be already established, and therefore acceptable.

#### Design and impact upon neighbouring amenity

32. Policy 10 of the LPP1 requires that all new development should, amongst other things, make a positive contribution to the public realm and sense of place and should have regard to the local context and reinforce local characteristics. Specifically, with regard to design, the policy requires that development be assessed in terms of its massing, scale and proportion, and in terms the proposed materials, architectural style and detailing. Policy 1 of the LPP2 broadly echoes policy 10.
33. Chapter 12 of the Framework is concerned with achieving well-designed places. Specifically, it requires that development should function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development. Development should also be visually attractive as a result of good architecture, layout and landscaping, and should be sympathetic to local character and history and maintain a strong sense of place. Importantly, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
34. The submission is a full application albeit for temporary structures/buildings on the site. The submission clarifies that the school would comprise a total of 6 buildings, 4 classrooms, 1 administration building and 1 building to serve as a hall/dining area/kitchen and store. Two sun canopies are also proposed which are intended to be relocated to the permanent school once it is completed. The proposed temporary buildings would be single storey in height, predominantly flat roofed with a height of 2.9m (maximum 3.3m above ground level) and located to create a courtyard. The buildings would be clad in painted plastisol coated steel panels although no colour is specified in the application.
35. The buildings would be located on the northern part of the approved site for the permanent school, as the permanent building will be constructed on the southern part of the site. The buildings would therefore be sited to the east of Sheepwash Way and would give a closer relationship to the adjacent housing

development and its pedestrian and cycle access. The existing open recreational land adjacent to the West creates separation from the housing on Sheepwash Way which was provided as part of that housing development (Persimmon).

36. In the context of its surrounds, alongside an approved development, the overall heights and footprint of the buildings, the degree of separation from the existing housing, and factoring in the temporary nature of the proposal, the proposal is considered to be acceptable subject to conditions requiring the removal of the buildings including their foundations, the temporary vehicular access and any associated hardstanding's within the site and restoration to its current form (or the form approved by the as yet unsubmitted reserved matters for the permanent school) once the permanent school building is capable of occupation.
37. Therefore, on the basis that the buildings are temporary the proposal is considered capable of according with the requirements of Policy 10 of the LPP1 and Policy 1 of the LPP2.

#### Highway Safety, Parking and Access

38. The proposed site is intended to be served by a new, temporary, service road off of Sheepwash Way in the Persimmon development. The road is proposed as a temporary measure for the use in the construction and dismantling of the temporary school accommodation and to allow access for staff, service and emergency vehicles only for the duration of the temporary school's use. It would be lit to enable year-round access to the school. It is proposed that there would be a gate with access control to restrict the access located close to the turning head at Sheepwash Way. Adjacent the vehicular access, a pedestrian access would also be provided off Sheepwash Way. This is intended to become a permanent pedestrian access in accordance with the proposals of the outline permission for the permanent school and would form part of the access to that school. This pedestrian access joins the existing right of way (footpath 5) which would be enhanced to provide access into the temporary school. The pedestrian/cycle access would be lit to enable year-round access to the school.
39. A staff car parking area is proposed to be located directly adjacent the new temporary school accommodation providing 18 spaces including two accessible spaces. Adjacent to the school would be areas of hard and soft play to cater for the school. These would be removed with the temporary building accommodation once the permanent school can be used. They comprise a turfed soft play zone and an area of hard play between and adjacent the classroom accommodation. The topography of the site is fairly level with a gradual fall from a highpoint adjacent the existing copse of trees (to the south), falling towards the watercourse at the site's northern boundary. The existing right of way (footpath 5) through the site (running broadly North/South) is to be retained and partially enhanced to form an access into the temporary school. The new access for vehicles and into the temporary school would cross over this footpath but a crossing would be provided, and the footpath would remain open.
40. Rather than re-route footpath 5, the permanent (and temporary) school proposal gives an opportunity to enhance this route and to link the school with

the adjacent housing. The applicants advise that the reserved matters for the permanent school will propose shared pedestrian cycle route running from the end of Sheepwash Way to the existing footpath. To enable this a small bridge would be required over the existing ditch adjacent the end of Sheepwash Way. The path/cycle route is a requirement of the David Wilson Homes permission already granted. The existing Right of Way would be maintained during the construction and operation of the temporary school. During the construction this may mean short diversions whilst work that covers the Right of Way are carried out. Once the temporary school is operational the Right of Way would be maintained. The applicants anticipate the construction of the shared cycleway/footpath as part of this temporary scheme, and it would then be retained to link to the completed permanent school project. For its extent described as above, the surface would be a bound type and the route would be lit to give year-round access for the school.

41. The access road is intended to be temporary for the duration of the school operation and its bound surface would be removed when the permanent school is complete. Hard surfacing is provided to access the temporary accommodation and to provide a play area. This would also be removed but some area may be retained to form a base for the potential MUGA pitch of the permanent school.
42. The County Council are responsible for both the highway network at a local level as the Highway Authority, as well as the footpath network through their Rights of Way Team. As the determining authority, the County Council will therefore have to consider the impacts on the traffic generation and as a result of the proposed new access road and footpath improvements in the determination of the application.
43. The adopted Rushcliffe Local Plan Part 1: Core Strategy advocates the reduction in car dependency and promotes the use of sustainable transport modes as a primary method of transport. The proposed permanent improvements to the pedestrian and cycle links to and from both the temporary and permanent school are therefore welcomed. It is acknowledged that the temporary vehicular access is likely to increase traffic flows along Sheepwash Way during school hours for the temporary school. However, this is a matter for the County Council to consider and assess, and the temporary nature of the application and therefore the short-term nature of any impact is acknowledged. Subject to the County Council, as Highway Authority, being satisfied with the impacts of the proposed new temporary access and the single point of access for all school pupils being via Sheepwash Way, the application is capable of accords with the requirements of Policy 10 of the LPP1 and Policy 1 of the LPP2.

#### Flood Risk and Contamination

44. Rushcliffe Borough Council notes the submission references a Drainage Strategy being prepared and that foul drainage would be dealt with via a pumped connection into the existing system on Sheepwash Way. The submission also states that surface water drainage would be discharged into the adjacent watercourse, via an attenuation pond as proposed and shown on the site layout. The northern edge of the site is located within flood zones 2 and 3 although the majority of the site is located within flood zone 1. None of the buildings or car parking areas proposed for the temporary school would be



located in Flood zones 2 or 3.

45. The technical guidance to the NPPF states that developments of a more vulnerable category, such as the proposed educational use, are appropriate within flood zone 1, without the application of the Sequential Test. However, as none of the built part of the site is shown within flood zone 3, the proposal would not need to be covered by the Sequential Test. Nevertheless, it is acknowledged that the parts of the development classed as more vulnerable being proposed are indicated to be located within flood zone 1 only, the proposed development site would likely be judged as sequentially preferable. Any recommendations contained within the Drainage Strategy, which was not included in the submission) should be implemented.
46. As part of a major development site, consultation with the Lead Local Flood Authority has taken place with respect to the residential developments that already benefit from planning permission. Nottinghamshire County Council are themselves the Lead Local Flood Authority and, therefore, it is advised that their views and advice in respect of the proposed Sustainable Drainage Systems should be sought.
47. The Borough Council's Environmental Health Officer has commented on this proposal advising that they do not object to the proposal subject to several conditions being attached to the grant of any planning permission. Those requested conditions include a requirement that a written report of the findings of an exploratory Site Investigation (SI) with either a generic and/or detailed quantitative risk assessment of those findings be submitted prior to any works commencing on site. This was despite the inclusion of the preliminary risk assessment submitted with that application.
48. Other conditions requested by the Environmental Health Officer for the permanent school related to testing for any stone or topsoil imported to the site; the submission of a construction management plan (CMP); controls on the hours of construction and deliveries to the site, details of any lighting to be installed on site and the noise levels for the proposed air source heat pump. It is considered pertinent to suggest these conditions be attached to the proposed temporary school.

### Noise

49. Hard outdoor and soft play areas are proposed directly adjacent the school building. The land between Sheepwash Way and the proposed school creates a natural break between the school site and adjacent housing. Any potential noise impact is therefore minimised. Nevertheless, if the Environmental Health Officer notes any concerns these will be reported via the Late Representations procedure.

### Ecology

50. The application references the Preliminary Ecological Assessment Report (PEAR) that was undertaken by Consultants as part of the previous Outline Application for the permanent school. Since that report and its recommendations were undertaken, reptile surveys have also been carried out which show no presence of Great Crested Newts. A further recommendation (to the outline permission) was to retain a 5m wide strip of land adjacent the

existing watercourse. This proposed learning village development does not impinge on that area other than to form an outfall from the balancing pond into the watercourse. The Borough Council's Environmental Sustainability Officer had not commented on the proposal at the time this report was drafted, however the Committee will be notified of any comments received via the Late Representations procedure.

### Landscaping

51. The Borough Council's Design and Landscape Officer has commented that they would expect that when the temporary school is no longer needed, the site, including the temporary access road, should be made good including replanting any lost trees from within the open space that forms part of the Persimmon housing development. The Design and Landscape Officer also advises that they expect that tree protection measures in accordance with BS5837 should be installed whilst the site is constructed. The submission clarifies that the access to the proposed temporary school has been deliberately routed to avoid the existing copse of trees (but does not reference any trees within the open space afforded to the Persimmon development). The applicants assert that no trees are to be removed as part of the development, so a tree survey is not required. The applicants also state that, as identified in the appended Ecological assessment, there are trees of some value located along the existing watercourse, but these are not affected by this development. On the basis of the limited information provided it is suggested that any recommendation to "not object" to the proposal should be conditional on the protection of the existing trees on the site and replacement of any trees damaged or lost through the construction hereby sought.

### Archaeology

52. The submission correctly states that an archaeological desktop survey was previously provided as part of the discharge of conditions for planning application reference 19/02832/DISCON in 2019 as conditioned on permission reference 16/01880/OUT. This written scheme of investigation indicated an assessment and trench to the south of the site approximately where the school building is proposed to be located. The Borough Council are a consultee on this application and, therefore, the determining authority (Nottinghamshire County Council) would need to seek the technical expertise of the relevant consultees prior to determining the application.

### Conclusion

53. The principle of a school with pedestrian and cycle access from Sheepwash Way in this location is already established, acceptable and required to serve the needs of the wider residential development(s).
54. The proposal would meet an immediate demand for school places in East Leake. Without the temporary school provision, the alternative could be to bus children to schools outside the village which would not support the expanding community and require additional journeys contrary to sustainable travel objectives.
55. Nevertheless, the County Council have submitted a full application for a temporary school with a temporary vehicular access alongside the approved

permanent pedestrian and cycle links to Sheepwash Way.

56. Although the details of the proposed colour of the external materials is not clarified, on the basis that this is a temporary permission, the scale (single storey structures) over an area of 832m<sup>2</sup> and access (vehicular via Sheepwash Way with additional pedestrian cycle access alongside it connecting into Footpath 5), landscaping and appearance are considered to be acceptable subject to conditions. However, the recommendations as set out in the supporting documents, along with the technical input of the Highway Authority, the Lead Local Flood Authority and Archaeological Team are recommended to be sought.
57. The Borough Council also advises the County Council to consider the implications of the Traffic Regulation Orders in the area around Sheepwash Way in the event that such controls are not secured through the democratic process. Further consideration should be given to the impact of the construction of the development upon the biodiversity habitat of the surrounding area as well as an ecological enhancement scheme being secured as part of the development.

## **RECOMMENDATION**

It is RECOMMENDED that the Borough Council does not object to the proposal subject to the following recommended condition(s)

1. The building(s), their foundations, all hard surfacing and vehicular access along with any items/chattels including (but not limited to) the access gates, the vehicular access lighting associated with the use hereby permitted must be removed from the land on or before 31 December 2023. The land must also be restored to its former condition by that date.
2. The development hereby permitted must not proceed above foundation level until details of the type, texture and colour of the materials to be used in the construction of the exterior of the structures hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development must only be constructed in accordance with the approved materials.
3. The development hereby approved shall not commence until the recommendations listed in the Preliminary Ecological Assessment Report (PEAR) have been undertaken and the relevant reports containing any mitigation measures have been submitted to the Local Planning Authority. Thereafter the development shall be carried out in accordance with the recommendations contained within the details and retained as such for the lifetime of the development.
4. The development hereby permitted shall not be occupied or first brought into use until a Landscaping Scheme (LS), has been submitted to and approved in writing by the Local Planning Authority. The LS must provide details of all hard and soft landscaping features to be used and include the following:
  - An accurate survey of all existing trees and other natural features showing those to be retained and those to be removed.

- Detailed plans showing the location of all new trees and shrubs to be planted, including the number and/or spacing of shrubs in each shrub bed or hedgerow.
- A schedule of the new trees and shrubs (using their botanical/Latin names) to be planted including their size at planting (height or spread for shrubs, height or trunk girth for trees).
- Plans showing the proposed finished land levels/contours of landscaped areas.
- Details of all proposed hard surfaces areas, retaining structures, steps, means of enclosure, surface finishes and any other hard landscaping features.
- Details of the protection measures to be used of any existing landscape features to be retained.

The approved LS must be carried out and completed in accordance with the approved details no later than during the first planting season (October – March) following either the substantial completion of the development hereby permitted, or it being first brought into use, whichever is sooner.

If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved LS is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal.

Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

The landscape protection measures shall be retained for the duration of the construction period. No materials, machinery or vehicles are to be stored or temporary buildings erected within the perimeter of the fence, nor is any excavation work to be undertaken within the confines of the fence without the written approval of the Borough Council. No changes of ground level shall be made within the protected area without the written approval of the Borough Council.

5. The development hereby permitted must not commence and no preparatory operations in connection with the development hereby permitted (including demolition, site clearance works, fires, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) shall take place on the site until a detailed Arboricultural Method Statement (AMS) prepared in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations', has been submitted to and approved in writing by the Local Planning Authority and all protective fencing has been erected as required by the AMS. The AMS must include full details of the following:
  - a. The timing and phasing of any arboricultural works in relation to the approved development.
  - b. Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.
  - c. Details of a Tree Protection Scheme in accordance with BS5837:2012 which provides for the retention and protection of trees, shrubs and

- hedges growing on or adjacent to the site which are to be retained or which are the subject of any Tree Preservation Order.
- d. Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the Tree Protection Scheme.
  - e. Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees on the site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, no services shall be dug or laid into the ground other than in accordance with the approved details.
  - f. Details of any changes in ground level, including existing and proposed spot levels, required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.
  - g. Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the AMS.
6. a) Notwithstanding the Preliminary Risk Assessment from VIA East Midlands (Job No: CN2050801 dated November 2020) submitted with the application, the development (excluding any demolition) hereby permitted must not commence until a written report of the findings of an exploratory Site Investigation (SI) with either a generic and/or detailed quantitative risk assessment of those findings has been submitted to and approved in writing by the Local Planning Authority. The SI must be prepared by a suitably qualified 'competent person' (as defined in the National Planning Policy Framework February 2019) and must be in accordance with the Environment Agency's 'Land Contamination Risk Management' (LCRM).
- b) Where the findings of the submitted SI identifies unacceptable risks to human health and/or the environment, the development (excluding any demolition) hereby permitted must not commence until a detailed Remediation Scheme (RS) has been submitted to and approved in writing by the Local Planning Authority.
- The submitted RS must include:
- full details of how the contamination on the site is to be remediated and include (where appropriate) details of any options appraisal undertaken;
  - the proposed remediation objectives and criteria; and,
  - a verification plan.
- The RS must demonstrate that as a minimum the site after remediation will not be capable of being classified as contaminated land under Part 2A of the Environmental Protection Act 1990.
- c) The development hereby permitted must not be occupied or first brought into use until the site has been remediated in accordance with the approved RS and a written Verification Report (VR) confirming that all measures outlined in the approved RS have been successfully carried out and completed has been submitted to and agreed in writing by the Local Planning Authority. The VR must include, where appropriate the results of any validation testing and copies of any necessary waste management documentation.

7. Any topsoil (natural or manufactured), or subsoil that is to be imported onto the site must be assessed for chemical or other potential contaminants in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the local planning authority prior to the material being brought onto the site. Only material that has been tested in accordance with the approved investigation scheme shall be imported onto the site.
8. The development hereby permitted shall not commence and no preparatory operations in connection with the development (including site clearance works, fires, soil moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) shall take place on the site until a site specific Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP must include details outlining:
  - Appropriate provision for the parking of vehicles within the site belonging to construction operatives and/or visitors.
  - Areas for loading and unloading plant and materials.
  - The location and appearance of any site compound/material storage areas, including heights of any cabins to be sited and details of any external lighting.
  - Measures to control the emission of dust and dirt during construction.
  - Measures for the storage/recycling/disposal of waste resulting from the construction works.
  - Any hoarding to be erected.
  - Details of the construction hours; and
  - Details of delivery hours to the site.

The approved CMP must be adhered to at all times throughout the construction period for the development.

9. Prior to the construction of any of the temporary buildings being brought onto site, a scheme for the provision of Electric Vehicle Charging Points (EVCP's) must be submitted to and approved in writing by the Local Planning Authority. The submitted scheme must include details of the type, number and location of the proposed EVCP apparatus. The school building(s) shall not be brought into use until the EVCP's have been installed in accordance with the approved scheme. Thereafter EVCP's must be permanently retained in accordance with the approved scheme throughout the lifetime of the development.
10. Any aggregate (other than virgin quarry stone) that is to be imported onto the site must be assessed for chemical or other potential contaminants in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the local planning authority prior to the material being brought onto the site. Only material that has been tested in accordance with the approved investigation scheme shall be imported onto the site.
11. Details of all external lighting (including security lighting and floodlights) [together with a lux plot of the estimated illuminance] shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. All lighting will need to conform to the Institute of Lighting Engineers document 'Guidance Note 01/20 Guidance note for the reduction of obtrusive light'.

Thereafter the approved lighting shall be installed in accordance with the approved details and be retained as such for the lifetime of the development.

12. Before the uses commenced, the noise levels for the air source heat pump that is to be installed shall be submitted to and approved by the Borough Council. If this information is inconclusive or not complete, then the applicant will be required to undertake a full noise assessment in accordance with BS 4142: 2014+A1: 2019 Methods for rating and assessing industrial and commercial sound. This report will need to make it clear that the plant/equipment is capable of operating without causing a noise impact on neighbouring properties.

### Informatives

- The technical input of the Highway Authority, the Lead Local Flood Authority and Archaeological Team are recommended to be sought and consideration be given to the environmental credentials of the building through the use of solar panels, grey water harvesting, EV charging points etc.
- The Borough Council also advises the County Council to consider the implications of the Traffic Regulation Orders in and around Sheepwash Way in the event that such controls are not secured through the democratic process.
- Further consideration should be given to the impact of the construction of the development upon the biodiversity habitat of the surrounding area as well as an ecological enhancement scheme being secured as part of the development.
- Consideration should be given to a dedicated vehicular drop-off/pick-up zone outside of the school, including for buses/coaches.
- Consideration should be given to the provision of a dedicated gathering area for parents/guardians etc. so as not to block the public footpath/ pavements/ cycle paths for other users at school start and end times.