



Meeting: **Development Control and Regulatory Board**

Date/Time: **Tuesday, 22 August 2023 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mr E. Walters (Tel: 0116 3052583)**

Email: **euan.walters@leics.gov.uk**

Membership

Mr. L. Phillimore CC (Chairman)

Mr. R. G. Allen CC Mr. D. Harrison CC
Mr. N. D. Bannister CC Mr. P. King CC
Mr. M. H. Charlesworth CC Mr. B. Lovegrove CC
Mr. D. A. Gamble CC Mr. K. Merrie MBE CC
Mr. D. J. Grimley CC Mr. C. A. Smith CC

**Please note: this meeting will be filmed for live or subsequent broadcast via You Tube
https://www.youtube.com/playlist?list=PLrIN4_PKzPXjar7IOtLtNZvlwZ4xT_8yU
– Notices will be on display at the meeting explaining the arrangements.**

AGENDA

Item

1. Minutes of the meeting held on 3 August 2023. (Pages 3 - 6)
2. Question Time.
3. Questions asked by Members under Standing Order 7(3) and 7(5).
4. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.
5. Declarations of interest in respect of items on the agenda.
6. Presentation of petitions under Standing Order 35.



Reports of the Chief Executive on Planning Applications - County Council Applications.

7. 2023/0651/03 (2023/Reg3Ma/0043/LCC): Leicestershire County Council - Construction of a 210 place primary school with associated access, drainage, infrastructure, play areas, parking, ancillary facilities and landscaping- Land between Airfield Road and Owen Way, Market Harborough. (Pages 7 - 38)
8. Any other items which the Chairman has decided to take as urgent.
9. Chairman's announcements.



Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 3 August 2023.

PRESENT

Mr. B. Lovegrove CC (in the Chair)

Mr. R. G. Allen CC
Mr. M. H. Charlesworth CC
Mr. D. J. Grimley CC
Mr. D. Harrison CC

Mr. K. Merrie MBE CC
Mrs. R. Page CC
Mr. C. A. Smith CC

13. Minutes of the previous meeting.

The minutes of the meeting held on 22 June 2023 were taken as read, confirmed and signed.

14. Question Time.

The Chairman reported that no questions had been received under Standing Order 34.

15. Questions asked by Members.

The Chairman reported that no questions had been received under Standing Order 7(3) and 7(5).

16. Urgent items.

There were no urgent items for consideration.

17. Declarations of interest.

The Chairman invited members who wished to do so to declare any interests in respect of items on the agenda for the meeting.

It was noted that all members who were members of a Parish, Town or District Council, or Liaison Committee would have personal interests in applications which related to areas covered by those authorities. No further declarations were made.

18. Presentation of petitions.

The Chairman reported that no petitions had been received.

19. Application by Mrs. Michelle Skinner to divert a part of Public Footpath I63a at Ratcliffe on the Wreake.

The Board considered a report of the Director of Environment and Transport, a copy of which, marked 'Agenda Item 7', is filed with these minutes.

In accordance with the procedure for making representations to the Board, Mr. T. Chaplin (for Ratcliffe on the Wreake Parish Council) and Mr. J. Poland CC (the local member) spoke against the application and Mr. H. Shaw spoke on behalf of the applicant.

The Director of Environment and Transport advised the Board regarding guidance which had been published by the Government on 1 August 2023 concerning the diversion or extinguishment of public rights of way.

RESOLVED:

That an Order be made under Section 119 of the Highways Act 1980 to divert Public Footpath I63a at Ratcliffe on the Wreake as shown on the Plan no. 2585/R1 appended to the report.

REASONS FOR DECISION:

The application to divert Footpath I63a satisfies the relevant statutory criteria set out under the provisions of S119 of the Highways Act 1980. It is expedient in the interests of the owner to divert the path, the effect of the Order does not alter either point of termination of the path, and the alternative route is not substantially less convenient and would not have a significant negative effect on the public enjoyment of the path as a whole.

20. 2022/1491/03 2022/LD/0104/LCC: Beuparc Group & Tarmac Trading Limited - Application for Certificate of Lawfulness for an Existing Use or Development to seek to confirm that former and current/proposed uses fall within the same use class - Class B2 (General Industrial) Use - New Earth Solutions, Gibbet Lane, Shawell.

The application was withdrawn.

21. Delegated Decisions March 2023 to June 2023.

The Board considered a report of the Chief Executive which set out the Delegated Decisions issued in the period 28 March 2023 to 30 June 2023, a copy of which, marked 'Agenda Item 9', is filed with these minutes.

RESOLVED:

That the report be noted.

22. Delegated Tree Preservation Order Decisions January 2023 to June 2023.

The Board considered a report of the Chief Executive which set out the Delegated Decisions issued for works to trees protected by Tree Preservation Orders in the period 1 January 2023 to 30 June 2023. A copy of the report, marked 'Agenda Item 11', is filed with these minutes.

RESOLVED:

That the report be noted.

23. Chairman's announcements.

The Chairman reminded the Board that an additional meeting had been scheduled to take place on Tuesday 22 August, to consider an urgent planning application.

2.00 - 2.54 pm
3 August 2023

CHAIRMAN

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DEVELOPMENT CONTROL AND REGULATORY BOARD

22nd AUGUST 2023

REPORT OF THE CHIEF EXECUTIVE

COUNTY MATTER

PART A – SUMMARY REPORT

- APP.NO. & DATE:** 2023/0651/03 (2023/Reg3Ma/0043/LCC) - 27/04/2023
- PROPOSAL:** Construction of a 210 place primary school with associated access, drainage, infrastructure, play areas, parking, ancillary facilities and landscaping
- LOCATION:** Land between Airfield Road and Owen Way, Market Harborough
- APPLICANT:** Leicestershire County Council
- MAIN ISSUES:** Highway safety; design and landscaping; school place provision
- RECOMMENDATION:** PERMIT subject to the conditions set out in Appendix A.

Circulation Under Local Issues Alert Procedure

Mr. P. King CC.

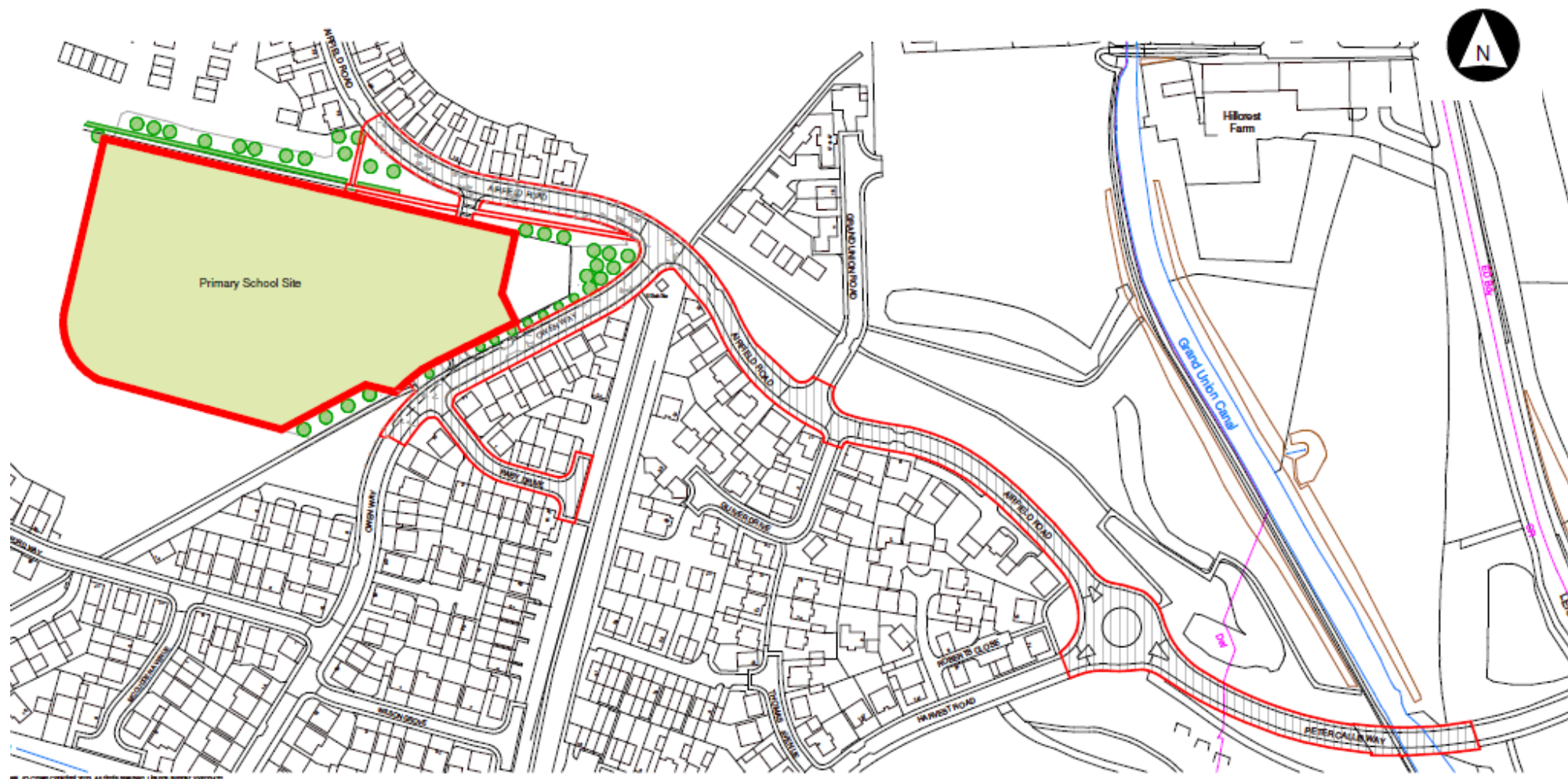
Officer to Contact

Oliver Meek
Email: planningcontrol@leics.gov.uk

PART B – MAIN REPORT

The Site and Surroundings

1. The application site is located approximately 2 km northwest of Market Harborough (measured, as the crow flies, from The Square to the location of the proposed primary school) and approximately 2.5 km (again, as the crow flies) northwest of Market Harborough Railway Station within the North West Market Harborough Strategic Development Area (SDA), known as Wellington Place and being developed by William Davis and Taylor Wimpey. The location of the school is approximately 250m west of Grand Union Canal.
2. The northern edge of the primary school site is bound by Airfield Road and the southern boundary of the primary school site is bound by Owen Way. Footpath A23 is located between the primary school site and Airfield Road and Footpath A25 is located between the primary school site and Owen Way.
3. The application site is an irregular shape with the location of the proposed primary school at the western end of the site, south of Airfield Road and north of Owen Way. The red line for the planning application extends eastwards to Leicester Road. This is in order to meet national information requirements requiring the red line to include all of the land necessary to carry out the proposed development; this includes the land required for access to the site from a public highway. Airfield Road, Owen Way and Peter Callis Way are intended to be adopted by Leicestershire Highways but this has not yet happened, therefore, the nearest public highway is Leicester Road.
4. The application site is located in a residential setting with recently constructed housing located south of Owen Way and north of Airfield Road. The western boundary of the site will be bound by new housing which is currently under construction. The masterplan for the North West Market Harborough SDA shows a 'local centre' planned to be located northeast of the application site, on the eastern side of Airfield Road.
5. The application site is roughly triangular in shape. It was formerly in agricultural use and has since been cleared of all features, trees and hedgerows and is covered by low quality scrubby grass. The southern boundary of the site is currently delineated by a timber, 1.8m close-boarded fence topped by a decorative timber trellis. The northern boundary of the site is delineated by a low (approximately 50 cm), timber post and rail style fence. The western boundary of the site is currently marked by a temporary metal fence. The site is generally flat although there is a gradual cross fall of approximately 1:86 from the north-east corner of the site down to the western corner. The site is not located within, or adjacent to any statutory environmental designations. However, it does sit within an Impact Risk Zone for the Great Bowden Borrowpit Site of Special Scientific Interest (SSSI) but the proposed development does not trigger the requirement to consult Natural England. The application site is located wholly in Flood Zone 1 (which has a low probability of flooding from rivers and the sea).



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Background

6. As part of Leicestershire County Council's strategic vision, a need for an additional primary school has been identified to serve Market Harborough. The provision of a new primary school will ensure there is access to good quality schools within the area, and in particular to meet the demand arising from new housing (i.e. that being delivered within the North West Market Harborough SDA, known as Wellington Place).

Planning History

7. This section highlights the planning history for a primary school within this location, which is deemed relevant to the consideration of this planning application. There is plenty of planning history relating to the wider Strategic Development Area, however, it is not considered relevant to the assessment of this planning application and is therefore not listed below. The following planning applications are relevant;
 - Planning application reference: 11/00112/OUT (Land at Airfield Farm Leicester Road Market Harborough) Outline application for residential development (up to 924 dwellings), construction of access roads including bridge across the Grand Union Canal, demolition of footbridge and diversion of footpath 24, local centre with retail (A1, A3,,A4, A5), healthcare (D1) and community (D2) uses, primary school, construction of marina with hotel (C1) and retail leisure uses (A1, A3, A4, D2), provision of open space including country park, sports fields, allotments, parks, play areas and other open space, landscaping and formation of surface water storage ponds. Approved: 13 May 2016.
 - Planning application reference: 18/01023/REM (Land at Airfield Farm Leicester Road Market Harborough) Application for approval of school layout and landscaping reserved matters for structural landscaping area (i.e. Outside of development parcels) in relation to phases 2, 3 and 4 of outline consent 11/00112/OUT (EIA development, ES submitted with outline application). Approved: 7 November 2018.

Description of Proposal

8. Full planning permission is sought for the construction of a 210 place primary school with associated access, drainage, infrastructure, play areas, parking, ancillary facilities and landscaping.
9. Should planning permission be permitted, it is the intention that the proposed primary school would be operational in the academic year starting September 2024. The school would have a phased opening and which would reach capacity in the academic year starting September 2030.

	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
Reception	30	30	30	30	30	30	30
Year 1		30	30	30	30	30	30
Year 2			30	30	30	30	30
Year 3				30	30	30	30
Year 4					30	30	30
Year 5						30	30
Year 6							30
Total	30	60	90	120	150	180	210

10. The school building is proposed to be located, set back from but parallel to, the northern boundary of the site and would be single storey with a dual pitched roof and a double height, flat roofed element containing the hall. The ridge of the main building would be approximately 6m tall and the maximum height (to the top of the double height element) would be 7.7m. The building would be approximately 69m wide and 19.2m deep, with a maximum depth of 27m including the hall.
11. The finish materials are proposed to include brick, render and cladding. Windows and doors would be in aluminium framed powder coated with triple glazing. The roof is proposed to be finished with a metal standing seam roof.
12. The accommodation proposed within the school building includes classrooms, teaching accommodation for pupils with Special Educational Needs, toilets, hall, kitchen, administration areas, offices, back of house storage areas and plant.
13. Two vehicular access points are proposed to the site to create a one-way route through the school, one from Airfield Road (entrance) and one from Owen Way (exit). The vehicle access points are at the eastern end of the site and the junctions will be priority junctions. The access points connect to a drop off area providing nine spaces and a car park providing 31 spaces. Within the car park 23 of the spaces are standard sized spaces, four are electric vehicle charging spaces (of which two are disabled spaces) and a further four spaces would have the infrastructure available to become electric vehicle parking spaces in the future. The car park would also provide space for motorcycles to be parked. Access to the site, and the car park therein, would be controlled by drop-down bollards. In the north-eastern corner of the car park a secure refuse storage area is proposed. 18 cycle stands are proposed in various locations around the site in close proximity to the school building.
14. Pedestrian access to the primary school is proposed via the main entrance (located roughly in the middle on the northern boundary), which will have a standalone gated pedestrian access leading from both of the footways on Airfield Road; and the public footpath that runs adjacent along the northern boundary. Pedestrians will also be able to access the site via footways located at the vehicular access points which will link to internal footways located on the western edge of the car park.
15. Cycle access will be via the aforementioned vehicular access points which will link to the adjacent shared footway/cycleways on Airfield Road and Owen Way.
16. The hard landscaping elements of the proposed development include tarmac areas for pedestrians, tarmac areas for vehicles, feature paving to the front of

the main entrance, soft fall areas and the multi-use games area surface. Some of the proposed hard landscaping will be in permeable paving and forms part of the sustainable urban drainage strategy for the site.

17. Various fence types are proposed around and within the site. The site boundary and the pond would be secured by a high weldmesh fence. Close boarded fences and vegetation are proposed to screen externally sited plant. A low timber fence is proposed to enclose the dedicated play space for the youngest pupils.
18. A robust planting strategy without fences is proposed at the front of the school to create a more open, welcoming feel.
19. There is also a comprehensive soft landscaping strategy proposed which includes amenity grass, wildflower grass, wetland, sports grass, shrubs and groundcover planting, hedges and woodland scrub planting. It is also proposed to plant 48 trees (9 standard specimens and 39 whip specimens).
20. To facilitate the vehicular exit from the site, two existing trees would need to be removed.

Planning Policy

The Development Plan

Harborough Local Plan 2011-2031 (adopted April 2019)

- GD1 Achieving Sustainable Development
- GD5 Landscape Character
- GD8 Good design in development
- HC2 Community facilities
- G11 Green infrastructure networks
- G15 Biodiversity and geodiversity
- CC1 Mitigating climate change
- CC3 Managing flood risk
- CC4 Sustainable drainage
- IN1 Infrastructure provision
- IN2 Sustainable transport
- IN4 Water resources and services

National Policy

National Planning Policy Framework (revised July 2021)

21. Paragraph 95 states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:
 - a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Other Policy Considerations

Harborough District Council's Development Management Supplementary Planning Document (December 2021)

Consultations

22. **Harborough District Council (Planning)** – no objection, no planning conditions suggested.
23. Harborough District Council is pleased to see the application for the proposed development and notes that advice given during the pre-application stage has been taken into account.
24. **Harborough District Council (Environmental Health)** – no objection, planning conditions relating to land contamination suggested.
25. Should planning permission be approved suggests two planning conditions relating to contaminated land.
26. **Environment Agency** – no comment.
27. **Lead Local Flood Authority (Leicestershire County Council)** – no objection, no planning conditions suggested.
28. The information provided is sufficient with respect to the management and maintenance of surface water during construction and operation.
29. **Highways Authority (Leicestershire County Council)** – no objection subject to the imposition of suitably worded planning conditions.
30. The Highways Authority raises no objection to the proposed development with respect to the proposed site access (vehicle and pedestrian), general highways safety, trip generation (and impact on the wider transport network), internal layout (including servicing arrangements), transport sustainability, as well as the submitted framework travel plan and construction environmental management plan (including traffic management) – subject to the imposition of suitably worded planning conditions.
31. **Leicestershire County Council Ecology** – no objection subject to conditions regarding biodiversity net gain, a landscape and ecological management plan and ecological mitigation and enhancements.
32. The ecology officer recognises that the supporting ecological information is proportionate and appropriate for the site and proposed development and has been completed to a good standard.
33. **Leicestershire County Council Landscape** – no comment.

34. **Leicestershire County Council Archaeology** – no objection, no planning conditions suggested.
35. The proposal is not anticipated to result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets.
36. **Sport England** – no comment.

Publicity and Representations

37. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
38. An additional period of consultation was undertaken further to information being received in response to representations made by consultees.
39. One letter of representation has been received reporting their support for the proposed development for the following reasons:
 - a) Support the principle of a primary school within the development;
 - b) Recognises that a primary school could reduce journeys by car and increase journeys by foot;
 - c) Recognises the community value that a school can provide.
40. One letter of representation has been received providing the following comments on the proposed development:
 - a) General support for the principle of a primary school within the development however, concern about the location of the proposed exit from the primary school site and its proximity to Raby Drive.
41. Two letters of representation have been received stating their objection to the proposed development on the following grounds:
 - a) Concern about the extent of the red line boundary into Raby Drive and nuisance parking within Raby Drive;
 - b) Concern whether parking and drop-off/pick-up proposals are safe for the youngest of the pupil's attending the school and sufficient to avoid nuisance parking in surrounding roads;
 - c) Queries about the provision of disabled parking;
 - d) Concern about traffic and congestion;
 - e) Concern about the outcome of the Road Safety Audit and whether the suggestions have been incorporated.

42. Within the objections support was expressed for the suggestion of a single vehicle access point to the site from Airfield Road as well as increasing the size of the car park/number of parking spaces provided within the site.
43. A representation was also received by the Harborough Transport Action Group who would support the provision of a single vehicular access to the site from Airfield Road, the provision of a puffin crossing on Airfield Road, increasing the width of footways surrounding the primary school site to 3 m (highlighting Owen Way) and increasing the provision for cycle/scooter parking (as well as covering it).
44. The issues raised are considered in the Assessment of Proposal section of this report.

Assessment of Proposal

Principle of development

45. The application site is located within the North West Market Harborough SDA for which there is a Master Plan. The Master Plan shows that a primary school, in the location of the application site, forms an integral part of the North West Market Harborough SDA.
46. The Harborough Local Plan (2011-2031, adopted in 2019) does not include a specific planning policy or site allocation policy for a primary school within the site. However, the site is recognised as an existing SDA on the key diagram, as well as a housing commitment (on the policies map) which references the planning policy history of the site as described below.
47. Policy CS13: Market Harborough, of the Harborough District Core Strategy (2006-2028, adopted in 2011 and since superseded by the Harborough Local Plan (2011-2031, adopted in 2019)), allocated a strategic development area of at least 1,000 dwellings to the North West of Market Harborough. The allocation included a primary school if evidence of need existed. Subsequently, an outline planning application (11/00112/OUT) at Land at Airfield Farm, Leicester Road, Market Harborough was submitted, seeking outline planning permission for 924 dwellings and various other uses, including a primary school. Outline planning permission was approved by Harborough District Council on Friday 13th May 2016, subject to planning conditions. Condition 3 of the planning permission required that all reserved matters applications were to be submitted to Harborough District Council within 7 years of the date of the outline permission (13th May 2023). An application agreeing the layout of the school was approved by Harborough District Council in 2018 (18/01023/REM) – no further reserved matters applications have been submitted for the school and this permission has subsequently expired.
48. Notwithstanding the above, Policy HC2 (Community facilities) of the Harborough Local Plan supports applications for the provision of new community facilities where they are within easy and safe walking distance of the majority of the community they will serve. The proposed primary school is likely to serve the population of the North West Market Harborough Strategic Development Area who will be able to walk safely and easily to it.

49. Therefore, the proposed development is considered to be consistent with the development plan.

Design

50. Policy GD8 (Good design in development) of the Harborough Local Plan requires all proposals to achieve a high standard of design quality to ensure that new development is both sustainable and attractive. It aims to safeguard and improve the character and distinctiveness of the area both now and for future generations.
51. The application site is located within the North West Market Harborough SDA. To ensure development within this SDA is co-ordinated and avoids piecemeal development the District Council produced the North West Market Harborough SDA Master Plan. The Master Plan sets out guidelines for new development within the SDA, which draws upon the findings of relevant technical evidence. The guidelines will help to ensure that individual development proposals within the SDA contribute to the overall objectives for the area.
52. The Master Plan provides specific design criteria for the proposed primary school, namely that it will be designed to county standards and a maximum of 2 storeys high (with specific minimum and maximum heights prescribed – minimum height 3 m, maximum height 10 m).
53. The Design and Access Statement submitted alongside the planning application explains that the building design is based on a standardised design for a 1 form entry extendable school that has been developed for Leicestershire County Council by KAST Architects.
54. The proposed school building is single storey with a low, dual pitched roof and a double height, flat roofed element containing the hall. The ridge of the low, dual pitched element of the main building would be approximately 6m tall and the ridge of the double height, flat roofed element containing the hall would be 7.7m; both are within the parameters of the North West Market Harborough SDA Master Plan)
55. In terms of scale and layout, the proposed school is designed to meet the space requirements for a one form entry school (with potential to expand at a future date) and the layout has been subject to a considered and iterative design process. The proposed layout utilises the natural contours of the site, with the building positioned on the higher ground near the northern boundary. The layout also allows for a significant planted margin to the car park area and additional soft landscaping areas within the site. The school building's siting in the northern part of the application site, and its east to west orientation, would result in its frontage forming part of the street scene on Airfield Road and contribute to the identity and structure of this area.
56. Turning to the mass and form of the proposed building, the siting of the double height portion of the building in a prominent location on the northern frontage is not particularly favourable, largely because there are no windows or doors on the façade to break up its block-like appearance. However, the placement of the cladding panels on the elevations of this element have been designed to reduce

the mass of the building and help assimilate the building into the setting of the site more easily.

57. In respect of materials and features, the elevational treatments proposed are brick, render and cladding which reference to the character area identified in the Design and Access Statement submitted at the time of the outline planning application (2011). Windows and doors would be in aluminium framed powder coated with triple glazing. The roof is proposed to be finished with a metal standing seam roof.
58. A plan showing the proposed finish materials (M00504-A&G-XX-XX-DR-A-0155 Rev. S1-P02) as well as samples of the following external finish materials have been submitted by the applicant:
- Elevations:
 - a. Equitone Linea ribbed fibre cement cladding, colour 'chalk' at high level, 'hessian' at low level and inset panels;
 - b. Equitone Tectiva textured fibre cement cladding, colour 'linen';
 - c. Through-colour render with 2 mm aggregate, colour 'off-white';
 - d. Ibstock Brick, Mellow Regent Stock 3010.
 - Roof
 - a. Metal cladding ES400 PVDF RAL 7000 Alaska Grey.
 - Fenestration
 - a. Aluminium windows, doors and rooflights, powder coated, colour 'graphite grey' RAL 7024.
59. The proposed palette of materials is considered to be contemporary and distinctive, complementing the streetscene and locality.
60. Several external structures/plant equipment are proposed within the site (sprinkler tank, air source heat pump enclosure and bin store). Details of the appearance of these elements has not been provided by the applicant, although they are due to be screened by 2.4 m close boarded fences (sprinkler tank and air source heat pump enclosure) or a 1.8 m metal slatted fence (bin store). It is considered appropriate, in the interests of visual amenity, to impose a planning condition requiring details of the sprinkler tank, air source heat pump and bin store to be submitted to the County Planning Authority prior to first use of the building
61. Furthermore, Policy CC1 (Mitigating climate change) of the Harborough Local Plan relates to major development and development in the SDAs. The supporting text to the policy explains that new build development should be designed to reduce carbon emissions as close to zero as practicable. The submitted Design and Access statement confirms that the fabric of the building has been designed to meet Leicestershire County Council's Zero Carbon Policy requirements and the building will be zero carbon in operation, using air source heat pumps to meet heating and ventilation requirements and photovoltaics on the roof to supplement power requirements. The location of the photovoltaic panels is shown on the submitted roof plan and the location of the air source heat pump is shown in the submitted site plan.
62. The proposed development is considered to be consistent with the requirements of Policy GD8 (Good design in development) and Policy CC1

(Mitigating climate change) of the Harborough Local Plan, as well as the requirements of the Development Management Supplementary Planning Document (SPD).

Landscape and Visual Impact

63. Policy GD5 (Landscape character) of the Harborough Local Plan requires development to be located and designed in such a way that it is sensitive to its landscape setting and landscape character area.
64. The application site is located within the North West Market Harborough SDA. Development within the North West Market Harborough SDA should be delivered in accordance with the North West Market Harborough SDA Master Plan which draws upon the findings of the Landscape and Visual Assessment prepared for Harborough District Council by the Landscape Partnership in June 2012.
65. The proposed development will be viewed in the context of residential development (to the north, south and west), and eventually the local centre (subject to planning permission). It has been designed in accordance with the design principles included within the North West Market Harborough SDA Master Plan, which have been based on a thorough understanding of the landscape and visual impact of the North West Market Harborough SDA.
66. LCC's landscape advisors have been consulted and have made no comment on the application.
67. Therefore, the proposed development is considered to respect the local landscape, in accordance with Policy GD5 (Landscape character) of the Harborough Local Plan.

Landscaping

68. Policy GD8 (Good design in development) seeks to secure a high standard of design in new development, including protecting and enhancing existing landscape features, wildlife habitats and natural assets (including trees, hedges and watercourses) as an integral part of the development and enhancing the public realm, including high quality open spaces and links to the wider green infrastructure network to promote healthy lifestyles.
69. Information has been submitted to explain the approach to the hard and soft landscaping of the site.
70. The hard landscaping elements of the proposed development are functional and include tarmac areas for pedestrians, tarmac areas for vehicles, feature paving to the main entrance, soft fall areas and the multi-use games area surface; they provide suitable surfaces for the various practical and recreational uses that will take place within the application site. Some of the proposed hard landscaping will be in permeable paving and forms part of the sustainable urban drainage strategy for the site.
71. The varying fencing types provide appropriate means of enclosure and security for different parts of the site depending on their position and use. Within the site

means of enclosure are proposed to enclose the swale/pond in the southwest corner of the site (1.5 m weldmesh fence), the early years play area (low timber fence) and the multi-use games area (3 m multi use games area fencing). The styles and colour palette are likely to lessen the visual impact of these elements and balance the need for security and safety within the site.

72. There is also a comprehensive soft landscaping strategy for the proposed development which offers areas for recreation and education, as well as way finding, water management and biodiversity opportunities. There will be amenity grass, wildflower grass, wetland, sports grass, shrubs and groundcover planting, hedges and woodland scrub planting. It is also proposed to plant 48 trees (9 standard specimens and 39 whip specimens). To facilitate the vehicular exit from the site, two existing trees (recently planted) would need to be removed. The proposed soft landscaping strategy provides interest and variety both within the sites and for views into and out of the site.
73. Therefore, the proposed development is considered to make a positive contribution in terms of the soft and hard landscaping proposed, in accordance with Policy GD5 (Landscape character) of the Harborough Local Plan, as well as the requirements of the Development Management Supplementary Planning Document (SPD).

Ecology and Biodiversity

74. Policy GI5 (Biodiversity and geodiversity) of the Harborough Local Plan requires development to contribute towards protecting and improving biodiversity and geodiversity.
75. The planning application has been accompanied by a suite of supporting documents, namely: a Preliminary Ecology Appraisal prepared by Estrada Ecology and dated March 2023, a Biodiversity Net Gain Report prepared by Estrada Ecology and dated April 2023 and a suite of landscape drawings prepared by DSA and dated April 2023.
76. The landscape strategy includes a mix of taller and shorter fences to secure the site softened by native hedge and woodland planting with native trees and screen vegetation. Within the site ornamental planting including specimen flowering shrubs is proposed. Specimen tree planting is also proposed to help the proposed development assimilate with the surroundings.
77. Smaller trees and hedging are proposed within the car park area. There are opportunities for biodiversity value at the margins of the formal and informal grassy areas of the playing field. In the southwest corner of the site a shallow wet basin is proposed. Whilst this is a feature that is integral to the management of water within the site, it presents an opportunity for habitat creation and biodiversity. It is also proposed to provide a range of habitat features within the site (bird boxes, bat boxes, hedgehog highways).
78. The Biodiversity Net Gain Report concludes that, based on the proposed development as submitted, there will be a net gain for habitat units of 15.29% and a net gain of 100% for hedgerow units.

79. A consultation response has been received from LCC's ecology team acknowledging the quality of the information provided and recommending some planning conditions be included should the planning application be recommended for approval.
80. The proposed development contributes towards protecting and improving biodiversity in accordance with Policy GI5 of the Harborough District Local Plan.

Traffic, Access and Parking

81. Policy IN2 (Sustainable transport) of the Harborough Local Plan sets out the policy expectations relating to access, highways impacts, parking and safety for vehicles and non-motorised users.
82. Vehicular access to the primary school site is proposed via a one-way system, entering from Airfield Road and exiting onto Owen Way via the car park. Both access points will comprise priority junctions with 6m radii which are shown on Drawing No. M00504-BWB-XX-XX-DR-T-0018 Rev. S2-P13. Whilst the design speed of Airfield Road and Owen Way is 20 mph, and there are traffic calming measures on Owen Way close to the egress junction of the primary school site onto this road, visibility splays (based on the Manual for Streets stopping sight distance of 43 m (for 30 mph)), are readily achievable and shown on the aforementioned drawing. It is recommended that a planning condition be imposed requiring the implementation of the visibility splays prior to the primary school coming into use and their retention in perpetuity in the interests of highways safety.
83. The vehicle entrance and exit to the site are proposed to be controlled by drop-down bollards. The Highways Authority would support the imposition of a suitably worded planning condition to manage the operation of these bollards to ensure that the vehicle entrance and exits are available for use during the school day to prevent vehicles waiting on Airfield Road.
84. Turning to emergency vehicle access it is proposed that emergency vehicles would enter the site via the main vehicular access from Airfield Road, before turning into the informal hard play area via a gated access. A turning area would be left free of obstacles within the hard play area as shown in the proposed site plan. The applicant has submitted evidence of a vehicle tracking exercise with a long wheel base fire tender (M00504-BWB-XX-XX-DR-TR-0015).
85. Servicing and refuse vehicles would also access the site via the main vehicular access from Airfield Road, before pulling into the loading bay located on the western side of the car park. This bay is located between the main service area of the school and bin store area. The applicant has submitted evidence of a vehicle tracking exercise with a 11.6 m refuse vehicle (M00504-BWB-XX-XX-DR-TR-0016). It is noted that the loading bay is located in the same area as the drop-off spaces, and there could be conflict should deliveries or refuse collection happen at the same time as drop-off/collection times for the primary school. Therefore, it is considered appropriate to impose a suitably worded planning condition requiring refuse collections/deliveries to take place outside of the drop-off/collection times for the primary school (08:30-09:30 and 15:00-16:00), in the interests of highways safety.

86. Furthermore, the applicant has submitted evidence of a vehicle tracking exercise for a 14m coach to account for school trips (M00504-BWB-XX-XX-DR-TR-0017).
87. Turning to the provision of car parking within the site, the County Council's Highway Design Guide requires, for schools, one car space per member of teaching staff plus three additional spaces. For similar sized schools there are 14 teaching staff (each class being served by one teacher and one assistant teacher). Therefore, a minimum of 17 car parking spaces are required within the site.
88. The proposed development provides 31 car parking spaces made up of 23 standard sized spaces, four electric vehicle charging spaces (of which two are disabled spaces) and the infrastructure provided for a further four electric vehicle charging spaces should the demand for them increase in the future. Motorcycle parking is also proposed within the car park. The Highways Authority raise no objection to the parking proposals within the site.
89. In addition to the 31 car parking spaces, nine drop off spaces are proposed to be located on the western side of the car park, adjacent to the internal footway. The location of the proposed drop off bays has been identified so that pupils do not have to cross the internal road within the site. Drawing No. M00504-BWB-XX-XX-DR-TR-0014 provides confirmation that an estate car can use the proposed parking bays. The drop off spaces are proposed to reduce the impact of the proposed primary school at peak times on the surrounding streets. To ensure that the proposed drop-off spaces are not misused outside of the key drop-off periods Leicestershire Highways has suggested the imposition of a suitably worded planning condition to ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety.
90. Cycle/scooter parking is proposed within the site, split between locations close to the main entrance and the entrances at the east and west ends of the proposed school building. 18 cycle/scooter parking stands are proposed, the applicant has advised that this will be monitored and increased as appropriate subject to demand (subject of their own application if required). The Highways Authority support the provision of the proposed 18 cycle stands.
91. Turning to the impact of the proposed development on the highways network when the proposed school is operating at its full capacity (i.e. 210 pupils), it is expected that 75% of the 210 pupils who would attend the proposed school would live within 1 mile of the school and most of them would walk or cycle to and from school. It is accepted that some of the pupils would be driven to school in a car or van. It has been forecast that this would result in 68 journeys in the morning (school peak and network peak) and 68 journeys in the afternoon (school peak but not network peak). Most of these trips are anticipated to be pass-by trips, i.e. resulting from parents/carers dropping off children on the way to employment, and therefore are not anticipated to result in any significant additional trips on the local highway network. The Highways Authority accepts this assessment and raises no objections.
92. Furthermore, it is expected that the proposed primary school will mainly serve pupils living within the wider development, many of which will be able to access

the school via foot or cycle. Pedestrian access to the primary school site is proposed via the main entrance to the primary school (from Airfield Road), which would have a standalone gated pedestrian access leading from both the footways on Airfield Road; and the public footpath that routes adjacent along the northern boundary (footpath A23). Pedestrians could also access the site via footways located at the vehicular access points (both Airfield Road and Owen Way) which link to footways at the western edge of the car park.

93. Cycle access is proposed via the aforementioned vehicular access points which would link to the adjacent shared footway/cycleways on Airfield Road and Owen Way.
94. A Framework Travel Plan Rev. P2 (by BWB dated July 2023) has been produced and submitted alongside the planning application. The Framework Travel Plan outlines the proposed targets and measures aimed at reducing single occupancy car travel for pupils and staff to and from the primary school site by encouraging travel by sustainable modes. Rev. P2 of the Framework Travel Plan has been amended to take into account comments made by Leicestershire Highways. Leicestershire Highways is satisfied that the measures and actions in the Framework Travel Plan Rev. P2 are suitable to reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the NPPF. A suitably worded condition can be imposed requiring the Framework Travel Plan to be implemented.
95. A Construction Environmental Management Plan (Willmott Dixon Construction Ltd dated 3rd April 2023) has been produced and submitted alongside the planning application. The Construction Environmental Management Plan details the measures proposed to manage construction traffic including the identification of a route for construction vehicles which utilises the A6 and B6047. The proposed route means that construction vehicles (HGVs) would avoid Market Harborough town centre and Great Bowden which Leicestershire Highways supports. A suitably worded planning condition is suggested to ensure that the requirements of the Construction Environmental Management Plan are adhered to during construction.
96. The impact of the proposed primary school on the wider road network was assessed in the Transport Assessment submitted at the time of the outline planning application. It was expected that the primary school would cater solely for pupils who would live within the wider development, particularly given that the school size was determined based on the additional school places that would be required for a residential development of this scale. Therefore, the vast majority of pupil trip generation would be internalised and have no significant impact on the wider highway network. This position has not changed and will be supported by the measures and incentives to encourage walking and cycling as noted in the accompanying School Travel Plan, which has been submitted to support this planning application.
97. The proposed development has been assessed as generating 20 two-way staff trips per day, this is based on a similar sized one form primary school in Hinckley – the Highways Authority accepts that this is a comparable site in terms of the level of staff trips. To provide the most robust assessment possible, it has been assumed that 100% of staff trips would be in private vehicles during

the morning and evening peak hour periods. This is a worse-case scenario as it is highly unlikely that all staff would be on site at any one time and that all staff would travel by private car, whilst many staff may also commute outside of the traditional peak hours. Regardless, the increase in traffic as a result of staff travelling to/from the school would be indiscernible when distributed across the wider external road network.

98. A scheme of highways alterations (on Airfield Road, Owen Way, the entrance to Raby Drive and within the car park of the proposed primary school) need to be provided around the site of the primary school to ensure safe and sustainable vehicle and pedestrian access to the proposed primary school. The scheme of highways alterations required currently includes staggered pedestrian guard rails/fencing, Traffic Regulations Orders (single yellow line road markings, 'school – keep clear' road markings and associated zig zags, 'ahead only' road markings with arrow, one way signage and no entry road markings), a zebra crossing (linking the north side of Airfield Road to the south side) and connections between the footways and PRowWs.
99. The proposed development and scheme of highways alterations has been scrutinised through a Road Safety Audit (Stage 1 Road Safety Audit by BWB dated April 2023), which has been submitted alongside the planning application. The Road Safety Audit identified six issues; the applicant has submitted their response to the Stage 1 Road Safety Audit (Stage 1 Road Safety Audit Response by BWB dated 18th April 2023) which documents how each issue has been responded to and why. A subsequent Stage 1 Road Safety Audit Supplement (Stage 1 Road Safety Audit by BWB dated July 2023) has also been produced and submitted. This supplement confirms that all of the previously identified problems have been addressed with the exception of an issue with the pedestrian crossing at the vehicle egress of the site and an issue with public footpath located outside of the primary school site. The applicant has confirmed that an informal crossing (with tactile paving and dropped kerbs) is indicated in Drawing No. M00504-BWB-XX-XX-DR-T-0018 Rev. S2-P13 across the site egress between the two footways, addressing the first issue. Turning to the second issue relating to the footpath, this is beyond the scope of the current planning application and no changes have been made. The Stage 1 Road Safety Audit Supplement also considered the location of the zebra crossing and raised no issues.
100. The scheme of highways alterations needs to be implemented prior to the first use of the proposed primary school. Therefore, it is considered appropriate to impose a suitably worded planning condition to this effect in the interests of highways safety.
101. Therefore, the proposed development is considered to comply with the requirements of Policy IN2 (Sustainable transport) of the Harborough Local Plan and paragraph 111 of the NPPF.

Public Rights of Way

102. Policy GI1 (Green infrastructure networks) of the Harborough Local Plan relates to assets within Harborough District which are strategic in their importance and potential impact. However, the supporting text recognises that the NPPF

requires planning policies to protect and enhance public rights of way and access.

103. The application site is located in close proximity to a number of Public Rights of Way (PRoW):
- A23 – Footpath located north of the site;
 - A24 – Footpath starts east of the site (on the eastern side of Airfield Road);
 - A25 – Footpath located south of the site.
104. The PRoWs would be located beyond the boundaries of the proposed primary school. Pedestrian and vehicular access and egress to the site would cross footpaths A23 and A25.
105. There may need to be temporary diversions to the A23 and A25 footpaths during construction of the proposed development, if necessary these would be dealt with by a separate application.
106. The presence of a primary school is likely to be heard by users of the PRoWs (more so at certain times of the day and/or times of the year). However, this type of noise is considered to be commensurate with the setting of the site (in a residential location) and is unlikely to detract from the amenity of the users of the PRoWs.
107. The proposed development is not considered to undermine the integrity of the PRoWs within the vicinity of the site, in accordance with the NPPF and Harborough Local Plan.

Amenity

108. Policy GD8 (Good design in new development) of the Harborough Local Plan requires development to be designed to minimise impact on the amenity of existing and future residents.
109. A Noise Impact Assessment has been carried out by Apex Acoustics (dated 31st March 2023) and submitted to support the planning application. The Noise Impact Assessment concludes that, based on the noise levels measured at site and the predicted noise levels from Airfield Road and Owen Way, the Building Bulletin 93: Acoustic design of schools - performance standards for indoor ambient noise levels within teaching and learning spaces can be achieved with suitable building design.
110. Plant is proposed to be installed to the north west of the proposed primary school building which has the potential to generate noise which could impact upon the amenity of the occupiers of nearby properties, as well as the pupils and staff of the school. The Noise Impact Assessment submitted alongside the planning application recommends noise limits for plant which would comply with the relevant standards. It is considered that a suitably worded planning condition could be imposed to ensure noise limits remain acceptable.
111. Details of the external lighting strategy have not been submitted. To ensure that any external lighting required within the site does not have an unacceptable

impact on the amenity of neighbouring occupiers, a suitably worded planning condition is proposed.

112. Given the scale and siting of the proposed school building within the site, the proposed development is not considered to result in a loss of sunlight or loss of privacy for neighbouring residential occupiers.
113. Should planning permission be approved for the proposed development, the construction phase of the development could give rise to adverse impacts on the occupiers of neighbouring residential properties and users of the surrounding PRow network. Therefore, a Construction Environmental Management Plan, which addresses potential environmental impacts of the construction and methods to mitigate the specific environmental disturbances such as noise, vibration and dust, has been submitted alongside the planning application. The measures included therein are considered to be acceptable and a suitably worded planning condition should be imposed on any planning permission requiring the developer to adhere to the Construction Environmental Management Plan.
114. On the basis of the above, the proposed development is considered to comply with Policy GD8 (Good design in new development) of the Harborough Local Plan as well as relevant national policy and guidance with regard to issues of amenity during construction and operation. It would be appropriate to impose planning conditions to ensure that the construction and operation of the proposed development is acceptable.

Flood Risk

115. Policy CC3 (Managing Flood Risk), in accordance with the NPPF, seeks to direct development to areas at the lowest risk of flooding. The application site is located within Flood Zone 1, in accordance with this planning policy.
116. The site is larger than 1 ha and, accordingly, a site-specific Flood Risk Assessment, produced by BWB dated January 2023, has been submitted alongside the planning application. The Flood Risk Assessment concludes that the site, and proposed development, are not subject to significant flood risk. It also concludes that the proposed development will not increase flood risk within the wider catchment area.
117. The proposed development is considered to comply with Policy CC3 and the NPPF with respect to flood risk.

Surface water and drainage

118. Policy CC4 (Sustainable drainage) of the Harborough District Local Plan requires development to incorporate sustainable drainage systems. Policy IN4 (Water resources and services) seeks to protect water resources and water services provided.
119. A Drainage Strategy Report by Residential Engineering Design Ltd. dated May 2023 has been submitted for consideration. The Drainage Strategy Report confirms that the storm drainage network for the North West Market Harborough

SDA has been designed to provide attenuation storage for the whole SDA within a series of balancing ponds serving the whole allocation.

120. Notwithstanding this, the proposed development incorporates sustainable drainage measures to ensure that the site does not increase the risk of flooding off site.
121. The surface water drainage strategy includes the following measures:
- a) Rainwater gardens (all rainwater down pipes from the northern elevation of the school flow to the three rainwater gardens);
 - b) A swale located at the western boundary of the site;
 - c) An attenuation pond located at the lowest point of the site (southwest corner);
 - d) Filter drains (all rainwater downpipes on the southern elevation of the school either flow to filter drains or to the sub-base of permeable tarmac areas); and
 - e) Permeable tarmac (the access road and parking, together with the multi-use games area and fire access turning area are permeable).
122. The Lead Local Flood Authority has been consulted and raises no objection to the proposed development subject to the imposition of suitably worded planning conditions to ensure the strategy for managing surface water is implemented.
123. On the basis of the above, the proposed development is considered to comply with Policy CC4 (Sustainable drainage) and Policy IN4 (Water resources and services) of the Harborough District Local Plan.

Contamination

124. The site is an undeveloped, greenfield site which, prior to becoming part of the North West Market Harborough SDA was used for agricultural purposes.
125. Planning condition 7 of 11/00112/OUT required the submission of a Further Risk Based Land Contamination Assessment, and Remedial Scheme and Verification Plan if required. On 4th May 2017 an application (17/00725/PCD) to agree the information required by planning condition 7 of 11/00112/OUT was submitted to Harborough District Council. In consultation with the environmental health team the information submitted was agreed (23rd August 2017). It is considered appropriate to include a condition to manage the detection of previously unidentified contamination during construction of the proposed development.

Sustainability

126. Policy GD1 (Achieving sustainable development) of the Harborough Local Plan sets out Harborough District Council's commitment to promoting sustainable development in line with the 'presumption in favour of sustainable development' in the NPPF. This presumption is at the heart of the NPPF so as to ensure that sustainable development is pursued in a positive way. Policy GD1 confirms that the presumption will be applied locally and reflects the NPPF in making it clear that development which is considered sustainable will be approved without delay. Furthermore, Policy IN1 (Infrastructure provision) recognises that schools

are social assets and form a type of infrastructure that is important to enable the sustainable growth of communities.

127. The NPPF defines sustainable as 'meeting the needs of the present generation without compromising the ability of future generations to meet their own needs'. It emphasises that three dimensions need to be considered in achieving sustainable development, namely economic, social and environmental. The proposed development contributes to sustainable development by providing employment (both during construction and for staff during operation), a community facility (for the education of pupils) and various environmental opportunities (including the incorporation of renewable energy sources and biodiversity and ecology mitigation and enhancements).
128. The proposed development is considered to contribute to sustainable development, as defined by the NPPF and captured by the Harborough Local Plan, in accordance with the development plan.

Other Issues

Community facility

129. Outline planning application 11/ 00112/OUT was approved subject to planning conditions and planning obligations, secured through a S106 legal agreement. This was agreed between Harborough District Council, Leicestershire County Council and Hallam Land Management Limited and William Davis Limited on 13th May 2016.
130. Part 10 (On Site Primary School Provision) of the Third Schedule (The Owner's Covenants with the Council and the County Council) sets out that a primary school and a community facility were to be provided on the land identified in pink on Plan 2 of the legal agreement. The land identified in pink in the legal agreement relates to the land subject of this planning application and 900 sqm of land further east.
131. The legal agreement required the provision of a community facility within the primary school site if the primary school operator is responsible for the operation and management of the community facility. If the primary school operator is not responsible for the operation and management of the community facility, 900 sqm of land is to be severed from the total primary school land (shown in pink on Plan 2 of the legal agreement) and the community facility is to be provided independently.
132. This is a planning application for full planning permission for a primary school. There is no planning mechanism to link the proposed development to the planning obligations secured in the legal agreement associated with outline planning permission 11/ 00112/OUT. However, the applicant has considered the requirements of this legal agreement and a 900 sqm site has been identified to the east of the proposed primary school site (shown on drawing no.'s M00504-A&G-XX-XX-DR-A-0010 Rev S1-P02 and M00504-A&G-XX-XX-DR-A-0104 Rev S1-P13). Furthermore, the applicant has submitted a drawing to show that it is possible to provide an independent vehicular access to this site from Owen Way (drawing no. M00504-BWB-XX-XX-DR-T-0018 Rev S2-P04) which

demonstrates that the proposed development does not preclude the development of a community facility on the adjacent site, or landlock this site.

133. Whilst there might be aspirations for vehicular access to the community facility site from within the primary school site this would need to be negotiated between the operator of the primary school and the operator of the community facility and is not a matter for consideration for this planning application.

Extent of red line

134. The application site is an irregular shape, the location of the proposed primary school is at the western end of the site, south of Airfield Road and north of Owen Way. The red line for the planning application extends eastwards to Leicester Road. The reason that the application extends this far is because national information requirements require the red line to include all of the land necessary to carry out the proposed development which includes the land required for access to the site from a public highway. Airfield Road, Owen Way and Peter Callis Way are intended to be adopted by Leicestershire Highways but this has not yet happened, therefore, the nearest public highway is Leicester Road. Furthermore, Raby Drive has been included within the red line by the applicant to highlight the connection via Raby Drive between the site of the proposed primary school and the footpath located at the end of Raby Drive.

Conclusion

135. The development of a primary school in this location complies with the development plan and the strategic development area North West of Market Harborough.
136. The design and landscaping of the development would soften the appearance of the building's functional form. The landscaping on this site also offers the benefit of enhancing biodiversity, which alongside sustainable building materials and energy efficiency measures would result in the school meeting environmental standards supported by local policy.
137. The proposed development includes safe access to and egress from the site for all users. It is anticipated to have an acceptable impact on the local and wider highway network and is supported by a Framework Travel Plan to reduce impacts further and promote sustainable modes of transport. Parking is proposed in excess of policy requirements within the site and access has been considered for emergency vehicles and servicing which can be managed by planning condition to ensure they are used as intended.
138. With the imposition of conditions to secure the proposed design and landscaping scheme and manage the impacts of the development on the local highway network, the amenity of the area, the proposed development accords with the development plan and should be granted planning permission subject to conditions.

Statement of Positive and Proactive Engagement

139. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application

discussion; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

Recommendation

140. PERMIT subject to the conditions set out in Appendix A.

Officer to Contact

Oliver Meek – Team Manager Planning.
E-Mail planningcontrol@leics.gov.uk

Conditions

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the submitted application (as amended) the following plans:

- Drawing No. M00504-A&G-XX-XX-DR-A-0010 Rev. S1-P03 titled 'Proposed Red Line Boundary' dated 3rd August 2023
- Drawing No. M00504-A&G-XX-XX-DR-A-0104 Rev. S1-P14 titled 'Proposed Site Plan' dated 3rd August 2023
- Drawing No. M00504-A&G-XX-00-DR-A-0110 Rev. S1-P07 titled 'Ground Floor Plan – General Arrangement 1FE (Extendable)' dated 19th April 2023
- Drawing No. M00504-A&G-XX-RF-DR-A-0111 Rev. S1-P07 titled 'Roof Plan – General Arrangement 1FE (Extendable)' dated 19th April 2023
- Drawing No. M00504-A&G-XX-XX-DR-A-0150 Rev. S4-C05 titled 'External Elevations 1FE (Extendable)' dated 6th July 2023
- Drawing No. M00504-A&G-XX-XX-DR-A-0125 Rev. S1-P07 titled 'Key Sections 1FE (Extendable)' dated 19th April 2023
- Drawing No. M00504-A&G-XX-XX-DR-A-0155 Rev. S1-P02 titled 'Materials' dated 8th August 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0600 Rev. S3-P02 titled 'Stage 3 External Levels' dated 17th April 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0610 Rev. S3-P02 titled 'Stage 3 Site Sections' dated 17th April 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0630 Rev. S3-P02 titled 'Stage 3 Cut and Fill' dated 17th April 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0700 Rev. S4-C03 titled 'Stage 4 Kerbing and Surfacing Plan' dated 23rd June 2023
- Drawing No. M00504-DSA-XX-XX-DR-L-0001 Rev. P02 titled 'Landscape Strategy' dated 19th April 2023
- Drawing No. M00504-DSA-XX-XX-DR-L-0002 Rev. P02 titled 'Landscape Areas' dated 19th April 2023
- Drawing No. M00504-DBS-ZZ-XX-DR-E-9021 Rev. P01 titled 'External Electrical Services Layout' dated 31st March 2023

Reason: For the avoidance of doubt as to the development that is permitted.

3. The development hereby permitted shall primarily be used as a school, and for no other purposes than use classes F1(a), F2(b) and F2(c) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: For the avoidance of doubt as to the development that is permitted.

4. The use of the multi-use games area hereby approved shall not be used, nor shall the lighting be on, between the hours of 20:30-9:00 Monday to Sunday.

Reason: In the interests of good design, visual amenity and to ensure a satisfactory form of development in accordance with Policy GD8 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

5. All site preparation or construction works, deliveries of and movement of materials and machinery associated with the development hereby permitted shall be limited to taking place only between the following hours:

- Monday to Friday between 07:30 and 18:00
- Saturday between 08:00 and 13:00.

No such works shall take place at any other times or on Sundays or bank or public holidays.

Reason: To manage to amenity impacts of the construction phase in accordance with Policy GD8 and IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

6. The development hereby permitted shall be carried out in accordance with the submitted Construction Environmental Management Plan by Willmott Dixon Construction Ltd Rev. B dated 17th April 2023.

Reason: To manage to amenity impacts of the construction phase in accordance with Policy GD8 and IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

7. All (HGV) construction traffic associated with the development hereby permitted shall follow the routeing plan shown on Airfield Farm Traffic Management Plan Revision B.

Reason: To ensure that construction traffic does not use unsatisfactory roads.

8. Prior to the construction of the damp proof course a detailed landscaping scheme in line with the approved landscape strategy shown on Drawing No. M00504-DAS-XX-XX-DR-L-0001 Rev. P02 titled 'Landscape Strategy' dated 19th April 2023 shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include details of:

- The species mix for new planting/seeding
- Ground preparation
- Planting specification
- Maintenance/protection and management measures
- Phasing and timing
- Trees/other vegetation to be removed
- Trees/other vegetation to be retained
- Root protection areas

The detailed landscaping scheme will be accompanied by an updated Biodiversity Net Gain metric to demonstrate that Biodiversity Net Gain is still achievable on site.

The approved landscaping scheme shall be implemented in the first available planting season following the substantial completion of the primary school

building hereby permitted. All planting shall be suitably maintained and replaced as necessary for a period of not less than 5 years from the date of planting.

Reason: In the interests of good design, to safeguard the appearance of the locality and to enhance biodiversity and ecology within the site in accordance with Policy GD8 and GI5 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

9. Prior to the construction of the damp proof course a 30-year Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the County Planning Authority. This will need to demonstrate how Biodiversity Net Gain will be achieved.

Reason: In the interests of good design, to safeguard the appearance of the locality and to enhance biodiversity and ecology within the site in accordance with Policy GD8 and GI5 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

10. Prior to the construction of the damp proof course a detailed a scheme for the installation of bird boxes and bat boxes shall be submitted to and approved in writing by the County Planning Authority.

Reason: In the interests of good design, to safeguard the appearance of the locality and to enhance biodiversity and ecology within the site in accordance with Policy GD8 and GI5 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

11. Prior to the construction of the damp proof course a scheme detailing the external lighting (including the intensity of illumination and predicted lighting contours) and CCTV shall be submitted to, and approved by, the County Planning Authority. The scheme shall be implemented as approved and operational prior to the first use of the building and retained in perpetuity.

Reason: In the interests of good design, visual amenity and to ensure a satisfactory form of development in accordance with Policy GD8 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

12. Prior to the first use of the school hereby permitted, a scheme of highways alterations, in line with Drawing No. M00504-BWB-XX-XX-DR-T-0018 Rev. S2-P13 titled Proposed Access Points and dated 8th August 2023 (and comprising staggered pedestrian guard rails/fencing, Traffic Regulations Orders (single yellow line road markings, 'school – keep clear' road markings and associated zig zags, 'ahead only' road markings with arrow, one way signage and no entry road markings), a zebra crossing (linking the north side of Airfield Road to the south side) and connections between the footways and PRoWs), which has been submitted to and agreed in writing by the County Planning Authority will be implemented and retained in perpetuity.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, and in the interests of general highway safety and in accordance with policy IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

13. Prior to the first use of the school building, details of the sprinkler tank, air source heat pump and bin store shall be submitted to, and approved in writing by, the County Planning Authority. The sprinkler tank, air source heat pump enclosure and bin store shall be constructed as per the approved details.

Reason: In the interests of good design, visual amenity and to ensure a satisfactory form of development in accordance with Policy GD8 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

14. Prior to the first use of the school building, or part thereof, a Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remediation Scheme and a report showing the findings of the Verification Investigation relevant to the whole development, or part thereof, shall be submitted to and approved in writing by the Local Planning Authority. The Verification Investigation Report shall:

- Contain a full description of the works undertaken in accordance with the agreed Remedial Scheme and Verification Plan;
- Contain results of any additional monitoring or testing carried out between the submission of the Remedial Scheme and the completion of remediation works;
- Contain Movement Permits for all materials taken to and from the site and/or a copy of the completed site waste management plan if one was required;
- Contain Test Certificates of imported material to show that it is suitable for its proposed use;
- Demonstrate the effectiveness of the approved Remedial Scheme; and
- Include a statement signed by the developer, or the approved agent, confirming that all the works specified in the Remedial Scheme have been completed.

Reason: To ensure that the land is fit for purpose in accordance with Policy IN4 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

15. Prior to the first use of the school building vehicular visibility splays of 2.4 metres by 43 m shall have been provided at the site egress. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, in accordance with policy IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

16. Prior to the first use of the school building the cycle/scooter parking shall have been implemented in accordance with Drawing No. M00504-A&G-XX-XX-DR-A-0104 Rev. S1-P14 titled 'Proposed Site Plan' dated 3rd August 2023 . Thereafter, cycle parking shall be so maintained in perpetuity. Monitoring the use of, and demand for, the cycle/scooter parking will be undertaken as per the Framework Travel Plan Rev. P2 by BWB dated July 2023 and provision increased as required.

Reason: To promote travel by sustainable modes in accordance with policy IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

17. Prior to the first use of the school building the staff car park and drop off area shall have been implemented in accordance with Drawing No. M00504-A&G-XX-XX-DR-A-0104 Rev. S1-P14 titled 'Proposed Site Plan' dated 3rd August 2023. Thereafter, the onsite vehicle parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety in accordance with policy IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

18. Prior to the first use of the school building the surface water drainage strategy, as detailed on the following documents and plans, must be implemented and maintained in perpetuity:

- Document No. M00504-BWB-XX-XX-RP-C-0002 Rev. P02 titled 'Drainage Strategy Report' dated 23rd May 2023
- Document No. M00504-BCB-XX-XX-CA-0590 titled 'Storm Simulations' dated 5th July 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0500 Rev. S4-C03 titled 'Stage 4 Drainage Layout' dated 5th July 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0510 Rev. S4-C02 titled 'Stage 4 Drainage Details Sheet 1' dated 5th July 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0511 Rev. S4-C01 titled 'Stage 4 Drainage Details Sheet 2' dated 13th May 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0530 Rev. S4-C01 titled 'Stage 4 Water Flow Exceedance Plan' dated 13th May 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0531 Rev. S4-C01 titled 'Stage 4 Impermeable Area Plan' dated 13th May 2023
- Drawing No. M00504-BWB-XX-XX-DR-C-0700 Rev. S4-C03 titled 'Stage 4 Kerbing and Surfacing Plan' dated 23rd June 2023

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with Policy CC4 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

19. The vehicle access (from Airfield Road) and egress (onto Owen Way) should be available for use Monday - Friday during school terms between 08:30 and 16:00 to prevent vehicles waiting on Airfield Road.

Reason: In the interests of general highway safety and in accordance with policy IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

20. The external finishes of the school building hereby permitted shall be finished in accordance with Drawing No. M00504-A&G-XX-XX-DR-A-0155 Rev. S1-P02 titled 'Materials' dated 8th August 2023 and the following details:

- Elevations:
 - a. Equitone Linea ribbed fibre cement cladding, colour 'chalk' at high level, 'hessian' at low level and inset panels
 - b. Equitone Tectiva textured fibre cement cladding, colour 'linen'

- c. Through-colour render with 2 mm aggregate, colour 'off-white'
- d. Ibstock Brick, Mellow Regent Stock 3010
- Roof
 - a. Metal cladding ES400 PVDF RAL 7000 Alaska Grey
- Fenestration
 - a. Aluminium windows, doors and rooflights, powder coated, colour 'graphite grey' RAL 7024

Reason: In the interests of good design, visual amenity and to ensure a satisfactory form of development in accordance with Policy GD8 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

21. The development shall be undertaken in line with the agreed Remediation Scheme and Verification Plan:

- BWB report Wilmott Dixon Airfield Farm Primary School Market Harborough Remediation Strategy Report Document Number: M00504-BWB-ZZ-XX-RP-YE-0004_RS BWB Reference: 221841 April 2023

If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remediation Scheme and Verification Plan) must be submitted to and approved in writing by the Local Planning Authority.

The Risk Based Land Contamination Assessment shall be carried out in accordance with:

- BS10175:2011+A2:2017 Investigation Of Potentially Contaminated Sites Code of Practice; and
- BS8576:2013 Guidance on Investigations for Ground Gas – Permanent Gases and Volatile Organic Compounds (VOCs); and
- Gov.uk Land contamination risk management (LCRM) website <https://www.gov.uk/government/publications/land-contamination-riskmanagement-lcrm>;
- Or any documents which supersede these.

The Remedial Scheme shall be prepared in accordance with the requirements of:

- CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004; and
- BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings; and
- Or any documents which supersede these.

The Verification Plan shall be prepared in accordance with the requirements of:

- Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010; and

- Gov.uk Land contamination risk management (LCRM) website <https://www.gov.uk/government/publications/land-contamination-riskmanagement-lcrm>.; and
- BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings; and
- CIRIA C735, “Good practice on the testing and verification of protection systems for buildings against hazardous ground gases” CIRIA, 2014; and
- Or any documents which supersede these.

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity.

Reason: To ensure that the land is fit for purpose in accordance with Policy IN4 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

22. The Framework Travel Plan (Document No. M00504-BWB-XX-XX-RP-H-0002 Rev. P2 by BWB dated July 2023) shall be made available to all users of the primary school site upon the first use of the site as such, and the measures and incentives implemented, monitored and reviewed as detailed.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with policy GD1 and IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

23. The hard surfaced areas within the site shall be constructed in accordance with the plans and particulars submitted with the planning application.

Reason: In the interests of good design and safeguard the appearance of the locality in accordance with Policy GD8 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

24. The drop off spaces shown on Drawing No. M00504-A&G-XX-XX-DR-A-0104 Rev. S1-P14 titled ‘Proposed Site Plan’ dated 3rd August 2023 will have a strict no-waiting policy and will be monitored by CCTV to ensure they are not misused outside of the key morning and evening drop off periods (08:30-09:30, 15:00-16:00).

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with policy IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

25. Refuse collections/deliveries will be arranged by the operators of the primary school to take place outside of the key morning and evening drop off periods (08:30-09:30, 15:00-16:00).

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward

direction) in the interests of highway safety and in accordance with policy IN2 of the Harborough Local Plan (2011-2031) and requirements of the NPPF.

Notes to the Applicant

1. The consent of Severn Trent Water will be required for either a direct or indirect connection to the public sewerage system under the provisions of Section 106 of the Water Industries Act 1991. Current guidance notes and an application form can be found at www.stwater.co.uk or by contacting Severn Trent Water New Connections Team (01332 683369).
2. Although statutory sewer records do not show any public sewers within the site there may be sewers which have recently been adopted under the Transfer of Sewer Regulations. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and it is advised that Severn Trent Water should be contacted (0247 771 6843).
3. The Environment Agency advises that all building work should be in compliance with best working practices and in particular Government guidance on 'Construction, inspection and maintenance' www.gov.uk/guidance/pollution-prevention-for-businesses#construction-inspection-and-maintenance. You are advised to contact the Environment Agency to arrange a site meeting to agree necessary measures to prevent pollution of the water environment during the construction phase of the development. The Environment Agency can carry out pollution prevention visits. Please contact EastMidWaterQuality@environment-agency.gov.uk for further information and advice.

DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all the preceding applications.

EQUALITY AND HUMAN RIGHTS IMPLICATIONS

Unless otherwise stated in the report there are no discernible equality and human rights implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Children and Family Services and the Director of Corporate Resources will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970 and the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984 and to the Equality Act 2010. You are advised to contact the Equalities function of the County Council's Policy and Partnerships Team if you require further advice on this aspect of the proposal.

COMMUNITY SAFETY IMPLICATIONS

Section 17 of the Crime and Disorder Act 1998 places a very broad duty on all local authorities 'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all reasonably can to prevent, crime and disorder in its area'. Unless otherwise stated in the report, there are no discernible implications for crime reduction or community safety.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 38(6) OF PLANNING AND COMPULSORY PURCHASE ACT 2004

Members are reminded that Section 38(6) of the 2004 Act requires that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are given in the Town and Country Planning Act 1990:

- Section 70(2) : determination of applications;
- Section 77(4) : called-in applications (applying s. 70);
- Section 79(4) : planning appeals (applying s. 70);
- Section 81(3) : provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
- Section 91(2) : power to vary period in statutory condition requiring development to be begun;
- Section 92(6) : power to vary applicable period for outline planning permission;
- Section 97(2) : revocation or modification of planning permission;
- Section 102(1) : discontinuance orders;
- Section 172(1) : enforcement notices;
- Section 177(2) : Secretary of State's power to grant planning permission on enforcement appeal;
- Section 226(2) : compulsory acquisition of land for planning purposes;
- Section 294(3) : special enforcement notices in relation to Crown land;
- Sched. 9 para (1) : minerals discontinuance orders.