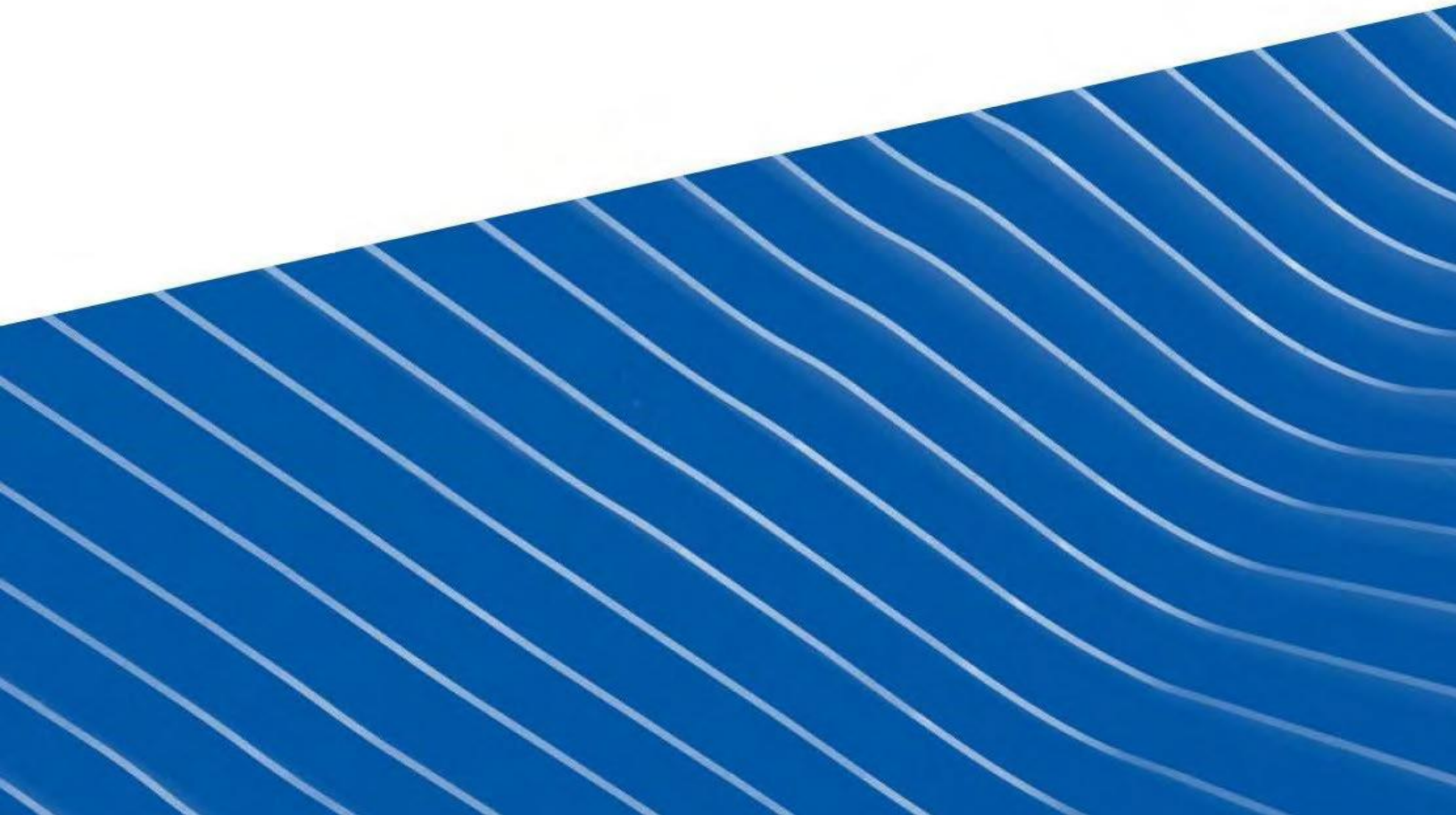


Planning Statement

Application for Full Planning Permission in relation to
Cedar Hall School, Hart Road, Thundersley, SS7 3UQ

May 2022



Issue Sheet

Report Prepared for: Essex County Council and Morgan Sindall

Planning Statement

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1 Introduction

1.1 Overview

- 1.1.1 This Planning Statement has been prepared by Lanpro Services Limited ('Lanpro') on behalf of our clients, Essex County Council and Morgan Sindall (jointly referred to hereafter as 'the Applicants'), in respect of an Application for Full Planning Permission ('planning application') at Cedar Hall School ('the School'), Hart Road, Thundersley, Benfleet, Essex, SS7 3UQ ('the Site').
- 1.1.2 This planning application is made pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, and therefore Essex County Council are to be the determining authority. However, the Site is located within the administrative boundary of Castle Point Borough Council ('the Borough Council').
- 1.1.3 The proposed development comprises the construction of a permanent new two-storey standalone teaching block, the removal of existing temporary relocatable classrooms (hereafter referred to as the 'RLs'), extension to existing hard surface sport area, and associated works. The new building is to be broadly rectangular in shape, and approximately 17m by 30m in extent.
- 1.1.4 The Site extends to approximately 1.7 hectares (4.2 acres). The Site is located to the south of the existing School and currently comprises an area of open space within its grounds. An existing Multi-Use Games Area ('MUGA'), together with other hard-surfaced areas used for play and sport, is to the west. A synthetic sports pitch is located to the south.
- 1.1.5 The proposals include the reintroduction of grassed areas in place of RL 3, RL 4, and RL 5, together with the extension of the existing hard-surface to the west in place of RL 1 and RL 2. The extension to the hard-surface is to be enclosed by a low-lying perimeter fence to protect the surface from wildlife and other animals. Sport England are satisfied with the proposed measures introduced by the Applicant in respect of grassed areas and an extension to the existing hard surface MUGA.
- 1.1.6 On the Proposals Map which accompanies the Borough Council's Adopted Local Plan, the existing built form to the north is designated as a '*School*'. The part of the Site to the south of the existing built form is located in the Green Belt. Therefore, proposed location of the new building, the existing MUGA, existing hard-surfaced play area, and associated soft landscaping, are within the Green Belt.
- 1.1.7 On the Proposals Map which accompanies the Borough Council's emerging planning policies, specifically the Pre-Submission iteration of the Local Plan 2018 – 2038 ('New Local Plan') as subsequently modified during the Examination, the part of the Site to the south of the existing built form and MUGA is proposed to be removed from the Green Belt and designated as a School Playing Field. The School building, together with the MUGA and existing hard-surfaced play area, is proposed to be designated as a '*Community Facility*'.
- 1.1.8 The Site is located in Flood Zone 1 and has a 'very low' risk of surface water flooding. There are no statutorily listed buildings or structures on the Site or in the immediate vicinity. The Site is also not within a designated Conservation Area.
- 1.1.9 Pre-application discussions with Essex County Council as Planning Authority have taken place. A meeting was held on 6th April 2022, and the subsequent written advice was received on 20th April 2022. A number of meetings have also taken place with Sport England. Details of the discussions and outcomes, which have informed and

shaped the proposed development as presented in this planning application, are outlined in Section 5 of this Planning Statement.

1.2 Cedar Hall School

1.2.1 Cedar Hall is an all-age Specialist Educational Needs and Disabilities ('SEND') School. The Building Bulletin 104: Area Guidelines for SEND and Alternative Provision (2015) ('BB104') classifies Specialist Educational Needs ('SEN') schools as either 'ambulant' or 'non-ambulant', and in accordance with BB104 Cedar Hall School is classified as an 'ambulant' school.

1.3 Planning Application Supporting Drawings and Documents

1.3.1 In accordance with the County Council's Validation Requirements (December 2020), and in addition to this Planning Statement, the planning application is supported by the following drawings and documentation:

- Completed Application Form, including Ownership Certificate;
- Appropriate Fee (£3,728.20);
- Drawings prepared by Concertus:
 - Site Location Plan (reference 121229-CDP-ZZ-XX-DR-A-2019-P2);
 - Site Levels Plan (reference 121229-CDP-ZZ-00-DR-C-2004-P1);
 - Proposed Site Plan (reference 121229-CDP-ZZ-XX-DR-L-2002-P3);
 - Existing Site Plan (reference 121229-CDP-ZZ-XX-DR-A-0105-P2);
 - Proposed Elevations (reference 121229-CPD-ZZ-XX-DR-A-2004-P5);
 - Proposed Sections A-A and B-B (reference 121229-CDP-ZZ-XX-DR-A-2010-P5);
 - Proposed Sections C-C, D-D, and E-E (reference 121229-CPD-ZZ-XX-DR-A-2011-P5);
 - Ground Floor General Arrangement (reference 121229-CDP-ZZ-00-DR-A-2001-P4);
 - First Floor General Arrangement (reference 121229-CDP-ZZ-01-DR-A-2001-P4);
 - Roof General Arrangement (reference 121229-CDP-ZZ-R1-DR-A-2001-P5);
 - Outline Planting Plan (reference 121229-CDP-ZZ-XX-DR-L-2004-P1);
 - Drainage Plan (reference 121229-CDP-ZZ-B1-DR-C-2001-P5);
 - Drainage Details (reference 121229-CDP-ZZ-XX-DR-C-6001-P2);
 - Existing Floor Plan 1 of 2 (reference 121229-CDP-ZZ-XX-DR-A-2021-P1);
 - Existing Floor Plan 2 of 2 (reference 121229-CDP-ZZ-XX-DR-A-2021-P1).
- Design and Access Statement prepared by Concertus (version 1.0)

- Tree Survey, Implications Assessment & Outline Method Statement prepared by Wynne-Williams Associates (reference 2220-WWA-ZZ-XX-RP-L-601-P01; rev. PL01);
- Tree Survey (Sheet 1 or 2) prepared by Wynne-Williams Associates (reference 2220-WWA-ZZ-XX-DR-L-0700; rev. P01);
- Tree Survey (Sheet 2 of 2) prepared by Wynne-Williams Associates (reference 2220-WWA-ZZ-XX-DR-L-0701; rev. P01);
- Tree Protection Plan (Sheet 1 of 2) prepared by Wynne-Williams Associates (reference 2220-WWA-ZZ-XX-DR-L-0702; rev. P01);
- Tree Protection Plan (Sheet 2 of 2) prepared by Wynne-Williams Associates (reference 2220-WWA-ZZ-XX-DR-L-0703; rev. P01);
- Preliminary Ecological Appraisal prepared by Richard Graves Associates (reference RGA202);
- Essex Biodiversity Validation Checklist;
- Flood Risk Assessment prepared by Concertus (reference 121229; rev. V1);
- Cedar Hall School Travel Plan (September 2021);
- Framework School Travel Plan prepared by Journey Transport Planning (reference JTP494);
- Construction Management Plan prepared by Morgan Sindall.

1.4 Purpose of this Planning Statement

1.4.1 This Planning Statement provides an assessment of the proposed development in the context of pertinent national planning guidance and local planning policy. It also provides a summary of the various supporting documentation, and therefore performs the role of a non-technical summary. This Planning Statement should be read alongside all other drawings and documentation submitted as part of this planning application. It comprises:

- Section 2. Site and Surroundings. Provides a description of the Site and its immediate surroundings, together with its planning policy context.
- Section 3. Planning History. Provides a description of the applications submitted in respect of the Site, together with those submitted in respect of land and buildings in the vicinity that are considered to be relevant.
- Section 4. Proposed Development. Provides a description of the proposal, together with a summary of the format and scope of the planning application.
- Section 5. Pre-Application Consultation. Summarises the discussions undertaken with the County Council as part of the pre-application process, and details the methodology and outcomes of stakeholder consultation.
- Section 6. Planning Policy Context. Identifies the pertinent national and local planning policies considered relevant to the proposed development, and provides 'weight' to them on the basis of whether they form part of the Development Plan or are a material consideration in the determination of the planning application.

- Section 7. Planning Assessment. Provides an assessment of the proposed development in the context of national and local planning policy, and other material considerations, including whether the proposals constitute sustainable development when assessed against the three overarching objectives of sustainable development provided in national policy.
- Section 8. Conclusion. Determines the acceptability of the proposed development, having regard to national planning guidance and local planning policy, and summarises the key benefits created by the proposals.

2 Site and Surroundings

2.1 The Site and Surrounding Area

- 2.1.1 The Site extends to approximately 1.7 hectares (4.2 acres). The Site sits on a north/south axis, is broadly rectangular in shape and is located to the south of the existing School. It is directly accessible via the existing means of vehicular and pedestrian access. It currently comprises an area of open space within the grounds of the School. An existing Multi-Use Games Area ('MUGA'), together with other hard-surfaced areas used for play and sport, is to the west. A synthetic sports pitch is located to the south.
- 2.1.2 The Site is located in the vicinity of residential dwellings, interspersed by areas of grassed open space, to the north and west. There are further areas of grass open space to the south and east; however, it is prudent to note that there is a 'live' application for 44no residential units on land to the east of the Site. There are mature trees along the west, south, and much of the eastern, boundaries.
- 2.1.3 Hart Road to the north connects to Rayleigh Road (A129) to the east which leads onto the Southern Arterial Road. There are two bus stops within 200m of the Site, to the northwest, which provide frequent services to Southend, North Shoebury, and Rayleigh. There are a range of local amenities and facilities within short walking distance of the Site.



2.2 Planning Policy Context

- 2.2.1 On the Proposals Map which accompanies the Adopted Local Plan, the entirety of the Site is designated as a 'School'. The part of the Site to the south of the existing built form is located in the Green Belt. Therefore, the proposed location of the new building, MUGA, hard-surfaced play area, synthetic playing field and associated soft landscaping are located within the Green Belt.
- 2.2.2 On the Proposals Map which accompanies the Borough Council's emerging planning policies, specifically the Pre-Submission iteration of the New Local Plan, as subsequently modified during the Examination, the part of the Site to the south of the existing built form and MUGA is proposed to be removed from the Green Belt and

designated as a School Playing Field. The School building, together with the MUGA and existing hard-surfaced play area, is proposed to be designated as a '*Community Facility*'.

2.2.3 The Site is located in Flood Zone 1 and has a 'very low' risk of surface water flooding. There are no statutorily listed buildings or structures on the Site or in the immediate vicinity. The Site is also not within a designated Conservation Area.

2.2.4 Although the Site is designated as a '*School*' on the Proposals Map which accompanies the Borough Council's adopted planning policies, Sport England have advised during pre-application discussions that the Site falls within the definition of a 'playing field'. Specifically, Sport England consider all of the natural turf open space and hard surfaced games courts (to the south of the school buildings and car park) to form part of the site of the playing field in addition to the artificial grass pitch. Sport England therefore consider that they should be a statutory consultee as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 ('the Order').

3 Planning History

3.1 The Site

3.1.1 Based on a search of the Borough and County Council's online planning register, the following applications have been submitted in relation to the Site, and are considered relevant in the context of the proposed development.

Castle Point Borough Council

Reference	Description	Date of Decision	Outcome
15/0533/FUL	Construction of detached timber framed, flat roofed classroom building.	30 September 2015	Approved
14/0171/FUL	Construction of single storey extension to an existing single storey detached classroom.	1 August 2014	Approved
CPT/25/09/FUL	Construction of 60m x 40m synthetic turf sports pitch, fencing, floodlighting and access works	16 March 2009	Approved

Essex County Council

Reference	Description	Date of Decision	Outcome
CC/CPT/18/13	The proposed erection of a modular classroom building.	28 June 2013	Approved
CC/CPT/64/11	The continued use of a classroom for a temporary period until 31 August 2016 without compliance with Condition 2 (time limit) attached to planning permission CC/CPT/33/10.	25 November 2011	Approved
CC/CPT/33/10	New development to provide an extension to the science laboratory to provide increased teaching area and new preparation room; an extension of the food technology room to provide increased teaching area and new store and an extension to an outbuilding (to the	4 May 2010	Approved

	northeast of the current school building) to create a new multigym area for school use.		
CC/CPT/135/06	The continued use of a relocatable classroom until 10 October 2011 without complying with Condition 1 (time limit) attached to planning permission CC/CPT/119/01.	21 November 2006	Approved
CC/CPT/31/06	Single storey extension and internal remodelling to classroom.	12 April 2006	Approved
CC/CPT/119/01	Erection of a new relocatable classroom within the curtilage of the school site.	10 October 2001	Approved
CC/CPT/119/00	Extension to car park to provide additional parking spaces for school.	9 February 2001	Approved
CC/CPT/06/97	Extension forming new classbase/internal alterations forming corridor to extension.	Not Available Online.	
CC/CPT/03/95	Continued use of 1xRL£, 1xRL4T, 1xRL6T relocatable classroom units.	Not Available Online.	
CC/CPT/8/89	Continued use of relocatable classroom.	Not Available Online.	
CC/CPT/9/85	Provision of 1xRL4T relocatable classroom with toilets.	Not Available Online.	

3.2 Surrounding Area

3.2.1 There have been a number of planning applications made in respect of land and buildings in the vicinity of the Site. However, the vast majority are not considered relevant in the context of the proposed development. It is prudent to make reference to the major residential planning application submitted in relation to land east of the Site. The proposed site layout plan initially submitted as part of the application is provided at Appendix B. The application has been summarised in the table overleaf.

Reference	Description	Date of Decision	Outcome
21/1137/FUL	Demolish existing building and stables and construct 44no affordable dwellings including open space, playspace, landscaping and associated access, infrastructure and parking arrangements.	Awaiting decision at the point of preparing this Planning Statement.	

4 Planning Policy

4.1 Description of Development

- 4.1.1 This Planning Statement has been prepared in support of a full planning application for the construction of 1no permanent new two-storey standalone teaching block, and associated works, at the Site. Accordingly, the description of development is as follows:

'Full planning permission for the construction of two-storey standalone teaching block, removal of existing temporary demountable classrooms, extension to existing hard surface play area, and associated works.'

- 4.1.2 The above is reflected on the application form, and other documentation, submitted as part of this planning application. All drawings and documentation submitted as part of this planning application should be read alongside each other for completeness.

4.2 Details of Development

- 4.2.1 The gross internal floor area of the proposed building is to be 963 sq m, split equally between ground and first floors. The new building is to be broadly rectangular in shape and approximately 17m by 30m in extent. The external floor-to-ceiling height of both floors is to be 3.6m. A parapet above the first floor is proposed to screen plant and other equipment located on the roof. It is proposed to construct the building in a single phase.
- 4.2.2 The ground floor of the proposed building will provide, inter alia, 3no classrooms; dedicated art space; 2no ancillary offices; library; large group room; plant room; WCs; changing facilities; and storage space. All of the internal rooms are to be located either side of, and accessed from, a central linear circulation space. The building is to be principally accessed from either the north or south, with 2no staircases providing access and egress to the first floor.
- 4.2.3 The first floor of the proposed building will provide 4no classrooms; 2no group rooms; a staff room; WCs; and storage space. Reflecting the ground floor, all internal rooms are to be located either side of, and accessed from, a central linear circulation space.
- 4.2.4 The intention is to reintroduce grassed areas in place of RL 3, RL 4, and RL 5. However, in respect of RL 1 and RL 2, it is intended to replace them by an extension to the existing hard surface area to provide additional play and sport facilities that can be used all year round. It is to be enclosed by a low-laying perimeter fence to further enhance the on-site facilities at the School.

5 Pre-Application Consultations

5.1 Overview

5.1.1 Throughout the pre-application stage, the Applicants have sought to work with the County Council; its advisors, specifically Place Services, statutory and non-statutory consultees, local stakeholders, and the general public, by:

- Engaging with the County Council as Planning Authority through pre-application discussions to determine the acceptability of the proposed development; and
- Inform neighbours of the Site and those working and living nearby about the proposals, capturing feedback to inform the further progression of the proposed development.

5.1.2 The extent of the consultation undertaken by the Applicants demonstrates not only the considerable amount of time allocation for formulating the emerging scheme, to ensure that it responds as sensitively as possible to both the immediate local area and the wider setting, but also extensive engagement with the local community.

5.1.3 A detailed summary of the activities undertaken during this phase of the project is set out below.

5.2 Formal Pre-Application Advice

5.2.1 A request for pre-application advice in respect of the proposed development was submitted to the County Council in March 2022. The pre-application request comprised a suite of drawings prepared by Concertus including, *inter alia*, a proposed site plan, proposed ground floor plan, proposed first floor plan, 2no proposed elevations, and a covering letter prepared by Lanpro. A pre-application meeting took place with the County Council, and its advisors, Place Services, on 6 April 2022. The County Council's written response following the pre-application meeting was received on 20 April 2022.

5.2.2 A brief summary of the key matters raised at the pre-application meeting, and included in the written response, is set out below:

- **Principle of Development.** The replacement of temporary teaching facilities with a permanent teaching block would be welcomed.
- **Green Belt.** It was advised that NPPF Paragraph 94 should not be solely relied on as providing sufficient justification for the proposed development, and that full consideration as to the purpose of Green Belt, and potential impacts on openness, should be shown as part of a planning application.
- **Educational Need.** The County Council suggested that '*robust educational justification*' should be submitted as part of the planning application as evidence why the existing teaching facilities are deficient in size or quantum.
- **Emerging Local Plan.** Consideration was given to the New Local Plan, but it was established that any assessment needs to be made against planning policies adopted at the point of determination.

- **Existing Playing Field.** Information should be provided to demonstrate that the loss of playing fields would lead to an *'improvement in the recreational quality of the space'*.
- **Design.** Place Services considered that the massing of the proposed teaching block was acceptable. Moreover, it was established that the height, volume and massing of the proposed development would not result in *'undue harm or character change'*.
- **Materials.** Place Services accepted that the mix of two types of weatherboarding, together with buff brickwork, would be an acceptable approach to the external materiality.
- **Arboriculture.** The pre-application response did not raise any significant concerns relating to arboriculture. It was not considered that the proposed development would be constrained by any existing tree networks.
- **Landscape.** It was raised that any proposed landscaping should help to soften the built form and improve the quality of open space around the building.
- **Ecology.** The pre-application meeting did not raise any significant concerns relating to ecology. It was requested that the relevant assessment and surveys, including, *inter alia*, a Preliminary Ecological Appraisal, should support the planning application.
- **Sustainable Transport & Highways.** The pre-application response did not raise any significant concerns relating to sustainable transport or highways matters. The County Council did request that an up-to-date School Travel Plan was submitted as part of the planning application, together with a Construction Management Plan.

Castle Point Borough Council

5.2.3 The Borough Council were invited to comment on the proposed development during the pre-application process. Their comments in respect of considerations to the Green Belt were mostly consistent with the County Council. The Borough Council did state, however, that the Site, and adjoining land, was identified as being suitable for release from the Green Belt in the New Local Plan, and that the Inspector supported this release during its Examination. However, Members have not currently determined to adopt the New Local Plan and therefore the Site at present is not released from the Green Belt. Notwithstanding this, the Borough Council demonstrate a *'general support for the improvement of educational facilities within the Borough.'*

5.2.4 The Borough Council has expressed concern in relation to the proposed development's proximity to the new residential dwellings proposed to the east, specifically in respect of amenity and overlooking.

Sport England

5.2.5 The County Council consulted Sport England as part of the pre-application process. Sport England confirmed its opinion that it would be a statutory consultee to the planning application, and therefore the County Council, as Planning Authority, would be obligated to have regard to its response as part of the determination process. Sport England consider all of the natural turf open space and hard surfaced games courts (to the south of the school buildings and car park) to form part of the site of the playing field in addition to the artificial grass pitch.

- 5.2.6 Sport England advised that the proposed allocation of the land by the Borough Council in the New Local Plan as a 'School Playing Field' made no difference to the way that a proposal would be considered.

5.3 Community Engagement

- 5.3.1 The Applicant had publicised the proposed development through an 'Online Public Exhibition' on the School's website for a 2-week period from 13 – 27 April 2022. This was complimented by a press release and publications on social media channels. The County Council issued leaflets to residents of adjacent properties, and issued leaflets to staff and parents of children at the School. Presentation boards were prepared and these have been provided at Appendix C.
- 5.3.2 Two responses were received in relation to the period of engagement. A brief summary of the feedback provided is included below:
- Fully supportive of the proposed development.
 - Generally supportive of the proposed development, although queried whether the windows would be openable, each classroom had a sink area, and requested that eco-friendly building materials and design were incorporated.
- 5.3.3 In response to the matters raised during the period of engagement:
- All windows will be openable, and restricted to 100mm.
 - There will be sinks provided in all classrooms. This has not been shown on the proposed plans and the absolute location of the sinks is to be decided during the detailed design phase.
 - The proposed development seeks to respond to the Borough Council's sustainability requirements, and will comply with the latest version of Building Regulations. This will be achieved through a 'fabric first' approach, including the provision of appropriate insulation. Design measures to minimise water consumption, such as aerated taps and dual-flush toilets, are also to be provided.

6 Planning Policy Context

6.1 Decision Making

- 6.1.1 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.1.2 The Development Plan for the Borough Council currently comprises the 'Saved' Policies of the Local Plan (November 1998; amended September 2007).
- 6.1.3 Material considerations carry less 'weight' in planning terms than an up-to-date Development Plan. Documents which may constitute material considerations in the determination of the planning application include, *inter alia*:
- National Planning Policy Framework ('NPPF') (July 2021);
 - Planning Practice Guidance ('PPG');
 - Emerging Local Planning Policy, specifically the Pre-Submission iteration of the Local Plan 2018 – 2038 ('New Local Plan'), as subsequently modified during the Examination;
 - Supplementary Planning Documents (SPD); and
 - Evidence Documents, Technical Reports and Advice Notes.
- 6.1.4 The Site is not located in a Neighbourhood Plan area.

6.2 Development Plan

- 6.2.1 The Castle Point Borough Council Local Plan ('Local Plan') was adopted in November 1998, and due to this should be considered in accordance with the pertinent sections of the NPPF. The Local Plan remained in its totality until 28th September 2007. At this point, a number of Policies were 'Saved' and continue to form part of the Development. Those that were not 'Saved' have lapsed and no longer should be afforded 'weight' in the determination process. The pertinent 'Saved' Policies of the Local Plan are outlined below:
- Saved Policy EC2. Design.
 - Saved Policy EC3. Residential Amenity.
 - Saved Policy EC13. Protection of Wildlife and their habitats.
 - Saved Policy EC22. Retention of Trees, Woodland and Hedgerows.
 - Saved Policy EC7. Natural & Semi-Natural Features in Urban Areas.
 - Saved Policy EC6. Energy Efficiency.
 - Saved Policy EC26. Design and Development.
 - Saved Policy CF2. Education Facilities.
 - Saved Policy T8. Parking Standards.

6.3 Material Considerations

National Planning Policy Framework

- 6.3.1 The National Planning Policy Framework was first published in 2012, and has since been subject to a number of iterations, with the most recent version published in July 2021. The NPPF provides the overarching framework within which regional and local planning policy is set against.
- 6.3.2 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development; the mutually-supportive objectives of economic, social and environmental growth and enhancement are fundamental to the outcomes of the Framework. The pertinent Sections of the NPPF are outlined below.
- Section 2. Achieving sustainable development.
 - Section 4. Decision-making.
 - Section 8. Promoting healthy and safe communities.
 - Section 9. Promoting sustainable transport.
 - Section 11. Making effective use of land.
 - Section 12. Achieving well-designed places.
 - Section 13. Protecting Green Belt land.
 - Section 14. Meeting the challenge of climate change, flooding and coastal change.
 - Section 15. Conserving and enhancing the built environment.

Planning Practice Guidance

- 6.3.3 The Planning Practice Guidance is an online resource that provides further context to the policies and guidance provided in the NPPF. It is intended that the PPG and NPPF are read alongside each other for completeness. The PPG is regularly revised to reflect changes made to national planning guidance and policies.

New Local Plan

- 6.3.4 The Borough Council is in the process of preparing its New Local Plan which, once adopted, will replace its existing 'Saved Policies'. The New Local Plan was submitted to the Secretary of State for Independent Examination in 2020. The Examination Hearings took place between 11th May and 29th June 2021. The Inspector issued their Report on 3rd March 2022. The Inspector found that, subject to a number of Main Modifications, the New Local Plan was 'sound' and legally compliant with the 'tests' as set out in the National Planning Policy Framework. Pertinent elements of the Inspector's Report is provided at Appendix A.
- 6.3.5 The New Local Plan, including the associated Policies Map, was presented to the Borough Council's Ordinary Council Meeting on Wednesday 23rd March. At the meeting, Members decided not to progress the New Local Plan through to adoption. However, the New Local Plan was not formally withdrawn, and may be shortly considered further at the Borough Council's Meetings.
- 6.3.6 On the Proposals Map which accompanies the latest version of the New Local Plan, the part of the Site to the south of the existing built form and MUGA is proposed to

be removed from the Green Belt and designated as a School Playing Field. The School building, together with the MUGA and existing hard-surfaced play area, is proposed to be designated as a 'Community Facility'.

6.3.7 NPPF Paragraph is clear that Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- The degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

6.3.8 In light of the above, it is considered that 'substantial weight' should be afforded to the New Local Plan due to the late stage of its preparation and, more pertinently, that the Inspector has found that its policies, subject to the Main Modifications, are consistent with the NPPF and 'sound'.

6.3.9 The pertinent policies considered of relevance to the proposed development are outlined below:

- Proposed Policy HS4. Education, Skills & Learning.
- Proposed Policy HS6. Community Facilities.
- Proposed Policy HS7. Open Spaces, Allotment Gardens & Playing Fields associated with Educational Use.
- Proposed Policy GB1. Green Belt Strategy.
- Proposed Policy GB2. New Development in the Green Belt.
- Proposed Policy GB7. Positive Uses in the Green Belt.
- Proposed Policy TP7. Parking Provision.
- Proposed Policy DS1. General Design Principles.
- Proposed Policy DS2. Landscaping.
- Proposed Policy CC1. Responding to Climate Change.
- Proposed Policy CC4. Sustainable Buildings.
- Proposed Policy NE6. Protecting & Enhancing the Landscape & Landscape Features.

Supplementary Planning Documents

6.3.10 Supplementary Planning Documents ('SPD') are material considerations in the decision-making process, and serve to provide further detail on particular aspects of the Local Plan. It is considered that there are no relevant SPDs in respect of the proposed development.

Other Material Considerations

6.3.11 The following documents are also considered pertinent in the context of the determination of this planning application:

- Sport England Playing Fields Policy and Guidance (March 2018; updated December 2021);
- Development management Policies (Essex County Council) (February 2011);
- Parking Standards: Design and Good Practice (Essex County Council) (September 2009).

7 Planning Assessment

7.1 Overview

7.1.1 Section 7 of this Planning Statement considers key issues associated with the proposed development in the context of the Development Plan and other material considerations. The key issues are considered to constitute the following:

- Green Belt Development, and Principle of Development
- Impact on Existing Playing Field
- Design, Layout and Sustainability
- Arboriculture
- Landscape
- Ecology
- Flood Risk and Drainage
- Traffic and Highways (both construction and operational)
- Planning Conditions
- Planning Balance

7.1.2 The key issues identified above are considered in turn below.

7.2 Green Belt Development, and Principle of Development

7.2.1 As previously noted, the Site is located within the Green Belt. Section 13 of the NPPF relates to the Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

7.2.2 NPPF Paragraph 138 identifies that the Green Belt serves five purposes. These are:

- Purpose 1. To check the unrestricted sprawl of large built-up areas;
- Purpose 2. To prevent neighbouring towns merging into one another;
- Purpose 3. To assist in safeguarding the countryside from encroachment;
- Purpose 4. To preserve the setting and special character of historic towns; and
- Purpose 5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.2.3 As part of the preparation of its New Local Plan, the Borough Council undertook a review of its Green Belt against the purposes identified in NPPF Paragraph 138 – document titled *“Castle Point Borough Green Belt Review 2018 – Part 1”*. The Site was included within Green Belt Parcel 6. The Borough Council considered that Green Belt Parcel 6 performed a moderate function against purpose 1; performed no function against purpose 2; and performed a minor function against purpose 3. As there are no towns in the Borough which are considered to be historic in nature, an assessment against purpose 4 did not form part of the review. In addition, and as each parcel

assessed would be scored the same in the context of purpose 5, this was also omitted from the review.

- 7.2.4 Green Belt Review Part 2 builds on the findings of Green Belt Review Part 1 (i.e., the above). It assessed the degree of harm to the Green Belt on a site-by-site basis that would be realised if any of the individual Green Belt sites considered by the Borough Council at that point were allocated for the intended use. Whilst the boundary of the proposed allocation excluded the Site at that point, the findings of the Green Belt Review Part 2 are considered pertinent on the basis that it would have been illogical to remove the proposed allocation from the Green Belt and retain the Site in the Green Belt. The Green Belt Review Part 2 found moderate harm in respect of purpose 1, and moderate harm in respect of purpose 3. However, it concluded that the release of the land from the Green Belt would not impact on the integrity of the wider Green Belt system, principally as the area of land is already relatively isolated from the wider Green Belt. It is con
- 7.2.5 On the basis of the findings of Parts 1 and 2 of the Green Belt Review, the Site was proposed to be removed from the Green Belt as part of the New Local Plan. The Inspector's Report related to the New Local Plan did not raise any concern with the proposed removal of the Green Belt, and concluded that there are strategic-level exceptional circumstances to alter the existing Green Belt boundaries to meet housing needs in the interests of the proper long-term planning of the Borough. Accordingly, the proposed major residential allocation, reference HO20, immediately adjacent to the Site, was considered to meet the tests of 'soundness' set out in the NPPF.
- 7.2.6 The Inspector's Report also comments on the principle of the removal of a number of education facilities and associated playing fields from the Green Belt. Whilst the Inspector's Report does not explicitly state that the Site's removal from the Green Belt is consistent with the 'tests' of soundness, given that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and the Inspector explicitly stated that Strategic Allocation HO20 will be removed from the Green Belt, it follows that the removal of the Site from the Green Belt was also considered acceptable. If it was not, it would have been stated in the Inspector's Report. Also, maintaining an isolated pocket of Green Belt once the wider land has been removed is illogical. It is considered that the acceptance of the Site's removal from the Green Belt this should weigh heavily in favour of the proposals.
- 7.2.7 Notwithstanding the above, it is recognised that the New Local Plan is (at the point of preparation of this Planning Statement) yet to be adopted. Until the New Local Plan is adopted, the Site will remain in the Green Belt. Members considered the proposed adoption of the New Local Plan at an Ordinary Council Meeting on Wednesday 23rd March 2022. At the meeting, Members decided not to progress the New Local Plan through to adoption. Although, the New Local Plan was not formally withdrawn. Its adoption may therefore be shortly considered further at the Borough Council's Meetings, and there is the possibility that the Site will be removed from the Green Belt prior to the determination of the planning application. Until such time however, the Site is however within the Green Belt.
- 7.2.8 NPPF Paragraph 149 explicitly states that Local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. NPPF Paragraph 149 continues to identify a number of exceptions to this policy of restraint. However, It is recognised that the proposed development does not fall within the exceptions provided in the NPPF. NPPF Paragraph 150 identifies certain other forms of

development which are also not inappropriate in the Green Belt. The proposed development also does not fall within these exceptions.

- 7.2.9 NPPF Paragraph 147 is clear that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. NPPF Paragraph 148 states that 'very special circumstances' will not exist unless the potential harm to the Green Belt, by reason of its inappropriateness, and any other harm resulting from the proposed development, is clearly outweighed by other considerations. In that regard, the acceptability of the proposed development is predicated on there being 'very special circumstances'.
- 7.2.10 A SEND Capacity Assessment 2020/2021 undertaken by the County Council demonstrates that there is a deficit in all areas for pupil populations in 'ambulant' schools. Moreover, accounting for Castle Point & Rochford combined, the growth need for South Essex shows that there is a rising need between 2020 – 2025:
- 2020: 344
 - 2021: 360 (+16)
 - 2022: 384 (+40)
 - 2023: 403 (+59)
 - 2024: 409 (+65)
 - 2025: 395 (+51)
- 7.2.11 Alongside this demonstrable need for SEND places across South Essex, there is a rising number of pupils being educated SEND schools in the wider area. Between 2018 and 2021, the number of pupils being taught at Cedar Hall increased from 150 pupils in 2018 to 164 pupils in 2021. This growth is consistent with that across 6 other schools in South Essex that, within the same time period, cumulatively increased pupil numbers from 944 to 1,080. The range of need has also increased during this period, specifically in relation to Autism Spectrum Disorder ('ASD'), Physical Disability, and Speech, Language & Communication Needs ('SLCN').
- 7.2.12 This backdrop of increasing demand and need for places, together with a widening range of SEND to be accommodated, has placed ever increasing pressure on the existing accommodation. Specialist spaces are needed to meet both increased pupil numbers and a wider range of needs. There are a range of needs met by the School with a relatively large cohort of pupils with either SLCN or Social, Emotional and Mental Health ('SEMH') needs. However, it is anticipated that there will be a greater need for more discrete areas of more individual support, speech and language therapy, and counselling rooms for pupils whose behaviour is a barrier to learning. To accommodate this, more accommodation is needed.
- 7.2.13 The existing RLs are coming to the end of their useful life. For example, and in respect of RL1, a condition survey undertaken in May 2019 identifies that the temporary teaching facility is approximately 35-years old. This is significantly in excess of the projected lifespan for a temporary teaching facility. Moreover, RL1 has been subject to a number of repairs in recent years immediately preceding the condition survey; this slightly distorted its true condition. The timber steps need replacing as they show signs of movement and decay; the floor shows signs of unevenness and sinking; and the roof has had a number of leaks that are subject to a constant course of maintenance to ensure the temporary building can perform its principal function as a teaching facility for SEND pupils. Moreover, in a severity rating up to 12, RL1 scored

10 in respect of the risk of it not being able to be used, and it was observed that the building may become *'unserviceable and need to be closed for major repairs'*. Similarly, in respect of RL2, the condition survey showed a severity rating of 11 for much of the same reasons as stated for RL1. Elsewhere, RL4 was surveyed to be approximately 25-years old, and, as with the remaining RLs, the amount of work required to provide longevity – beyond its already significantly projected lifecycle – would not be economically viable. For some time for School has been dependant on the temporary demountable classrooms to accommodate the existing population of pupils at Cedar Hall. It is clear that without the provision of a new permanent teaching facility to replace the RLs, the School will no longer be able to meet the increasing demand for SEND pupils in South Essex, together with the increasing range of needs.

- 7.2.14 In light of the above, it is clear that significant short-term investment is needed to ensure that the temporary RLS remain in a safe and suitable condition for use. However, this will only serve to marginally increase their longevity, and it is an inevitability that they will need to be replaced. Whilst it is theoretically possible for such accommodation to be provided on an alternative site that is outside of the Green Belt, in practical terms it is nonsensical. In this context, it is pertinent to consider what happens if planning permission is not forthcoming for the proposed development. In light of the age and condition of the RLs, it is clear that the consequence of not granting planning permission means that the number of pupils which the School is able to accommodate will be significantly reduced. This is a strong consideration in favour of the proposals.
- 7.2.15 The County Council has a statutory duty to ensure that there is a sufficient supply of school places for every child in Essex which requires one. Whilst there is no requirement to provide specialist schools, or specialist provision, for children with SEND, there is a clear need to place pupils and parents or carers at the heart of planning and provisions for SEND, as set out in the SEN Code of Practice, which is a statutory duty when considering pupil placement. By enhancing the teaching facilities at Cedar Hall through the construction of a permanent standalone teaching block, the County Council will be able to assure parents and carers of a greater confidence that their children's specialist needs can be met locally.
- 7.2.16 In accordance with NPPF Paragraph 148, *'very special circumstances'* will not exist unless the potential harm to the Green Belt *'by reason of its inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'* In this case, there is a clear, evidenced and demonstrable need for the provision of a permanent teaching facility in place of the temporary demountable classrooms. This is due to them being towards the end of, and potentially beyond in certain instances, their useful life, and needing significant financial investment. Although, this will simply delay the inevitable need for them to be replaced. This is also in the backdrop of the increasing demand for SEND places, and widening need for specialist accommodation. It is also our view that consideration should be given to the findings of the Borough Council's Green Belt Review, which clearly shows that the Site provides a very modest contribution to only two of the five purposes of the Green Belt, and that the Inspector did not raise any objection to the Sites removal from the Green Belt as part of the New Local Plan. On the basis of the above, it is considered that the demonstrable and pressing need for permanent accommodation in place of the temporary RLs satisfies the requirements of Paragraph 148 of the NPPF, and as such clearly outweighs any harm proposed to the Green Belt.

7.3 Impact on Existing Playing Field

- 7.3.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 ('the Order') defines a playing field as *'the whole of a site which encompasses at least one playing pitch'*. This definition is also provided within the glossary to the NPPF. The definition refers to the whole of a site and therefore does not just cover land which is currently laid out as pitches. In the context of Cedar Hall, and in addition to the artificial grass pitch, Sport England considers all of the natural turf open space and hard surfaced games courts to the south of the school buildings and car park to form part of the site of the playing field.
- 7.3.2 The Order 2015 continues to state that a Local Planning Authority shall consult Sport England on *"development which:*
- i. *is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or*
 - ii. *is on land which has been—*
 - a. *used as a playing field at any time in the five years before the making of the relevant application and which remains undeveloped; or*
 - b. *allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or*
 - iii. *involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, manmade or composite surface."*
- 7.3.3 In the context of the above, and specifically criterion i, Sport England considers that it should be a statutory consultee for this application. In addition, and if the New Local Plan is adopted prior to determination of this planning application, and therefore released from the Green Belt and designated as School Playing Fields, then Sport England will also be a consultee on the basis of ii b.
- 7.3.4 Section 8 of the NPPF relates to the promotion of healthy and safe communities. Paragraph 99 states that any existing open spaces, including playing fields, should not be built on unless:
- a) *'an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or'*
 - b) *'the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or'*
 - c) *'the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.'*
- 7.3.5 As previously identified, the Policies Map which supports the New Local Plan identifies the part of the Site to the south of the existing school building and MUGA to be removed from the Green Belt and designated as a 'School Playing Field'. Proposed Policy HS7, as required to be modified by the Inspector's Report, permits limited minor scale ancillary development on playing fields associated with educational uses subject to a number of criteria. The criteria includes, *inter alia*, that the development will improve the recreational quality of the space; the overall use of the space is retained for recreational purposes; the reduction in open space will not have an unacceptable impact on the character of the area; and the development will not impact on the ability of the open space to provide other environmental and service benefits.

- 7.3.6 Sport England's document titled "*Playing fields policy and guidance*" (March 2018; updated December 2021) states that it will oppose applications for development that prejudice the use of all or any part of a playing field, or land which has been used as a playing field and remains undeveloped, or land allocated for use as a playing field. There are five exceptions set out within the document which potentially can overcome this policy of restraint. Exception 5 states that provision is made which is of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the area of playing field.
- 7.3.7 As previously noted, engagement with Sport England has been undertaken prior to the submission of this planning application. Sport England have advised that they would likely take a pragmatic view regarding the loss of a playing field in the context of the Site. This is because the land has not previously been formally used for sport purposes, and is not of sufficient size to accommodate a formal Sport England has implied that its support is predicated on mitigation being provided as part of the proposals. It considered that the reinstatement of land currently occupied by the existing RLs for a sport purpose could be sufficient. Sport England has also informally advised that it would unlikely object if the reinstated land was used for a purpose with a SEND focus (i.e., reflective of the nature of the educational facility).
- 7.3.8 As set out in the drawings submitted as part of this planning application, and outlined in the Design and Access Statement, the intention is to reintroduce grassed areas in place of RL 3, RL 4, and RL 5. Sport England have informally advised that this would be sufficient in this instance as the position and extent of these RLs are not considered appropriate for sports purposes in the context of the existing playing field provision at the School. However, the intention is to replace the RL 1 and RL 2 by an extension to the existing hard surfaced MUGA, enclosed by a low-laying perimeter fence. It is considered that this approach will further enhance the on-site play facilities at the School, resulting in long-term improvement.
- 7.3.9 The proposed development clearly constitutes minor-scale ancillary development on the basis that it includes less than 1,000 sq. m. of built form. It is therefore considered to comply with the criteria of Proposed Policy HS7. The Applicant has demonstrated effective prior engagement with Sport England to determine the mitigation expectations in respect of the areas currently occupied by the RLs, and it is our view that Sport England are satisfied with the proposed measures introduced by the Applicant in respect of grassed areas and an extension to the existing hard surface MUGA. It is therefore considered that the proposals accord with Section 8 of the NPPF, Exception 5 of Sport England's policy and guidance, and Proposed Policy HS7 of the New Local Plan and the NPPF more generally, and therefore should be acceptable.

7.4 Design, Layout and Sustainability

- 7.4.1 Section 12 of the NPPF states that good design is key to the creation of sustainable development, and that the creation of, *inter alia*, high-quality and sustainable buildings are fundamental to what the planning and development process should achieve. Paragraph 130 of the NPPF outlines, among other objectives, that planning decisions should ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

7.4.2 Saved Policy EC2 of the Local Plan relates to design, and elaborates on how the design of new development should be *'compatible with the form of existing buildings and the character of the area in which it is to be sited, both in terms of external design and materials.'* The Policy makes clear that proposals will be considered against the following criteria:

- i. *'The scale, density, siting, design, layout and external materials of any development, which shall be appropriate to its setting and which should not harm the character of its surroundings;'*
- ii. *'The appearance and treatment of spaces around buildings which shall be enhanced by appropriate hard and soft landscaping;'*
- iii. *'The need to ensure that all modes of movement are made safe and convenient.'*

7.4.3 Proposed Strategic Policy DS1 outlines that the Borough Council will seek to improve the quality and attractiveness of the urban environment in Castle Point, and its integration with the natural environment, by seeking high quality design. It states that proposals must have regard to issues including, *inter alia*, scale; massing; height; materials; and access.

The proposed development is located an adequate distance from the proposed residential development to the east, and does not present any potential adverse impact in respect of overlooking or privacy. However, it is important to state that the proposed residential development is awaiting decision, and on that basis is not a committed scheme therefore the affects upon amenity should be considered in this context. It is our view that the proposed development does not conflict with the Development Plan in terms of design, and demonstrates compliance with Saved Policy EC2 of the Local Plan, Proposed Strategic Policy DS1 of the New Local Plan, and Section 12 of the NPPF, as well as the Local Plan more generally.

7.5 Arboriculture

7.5.1 There are a number of semi-mature trees to the northwest and southeast of the Site.

7.5.2 Section 15 of the NPPF relates to the conservation and enhancement of the natural environment. It states that planning decisions should contribute positively to this by initially recognising, *inter alia*, the wider benefits resulting from ecosystem services including those relating to arboriculture.

7.5.3 Saved Policy EC22 of the Local Plan is clear that existing trees, hedgerows and woods should be retained in proposals for development wherever possible, and that all trees and shrubs to be retained after the completion of the proposed development should be protected throughout the construction phase. Saved Policy EC23 seeks to encourage the planting of native trees and shrubs, where appropriate.

7.5.4 A Tree Survey, Implication Assessment & Outline Method Statement is submitted as part of this planning application. Tree Survey, and Tree Removal and Protection, Plans are also provided. These should be read alongside each other for completeness.

7.5.5 The Tree Survey found there to be no high-quality trees on the Site. Most of the trees to the rear of the existing School are growing near to, or outside of, the redline boundary. The Tree Survey states that there are no trees required for removal to accommodate the proposed development; the position of the site compound during the construction phase has been adjusted to keep it outside of the root protection

areas of existing trees, and additional protective fencing will be provided to prevent damage from construction traffic. Accounting for this, the Tree Survey makes clear that the proposed development is not expected to give rise to any adverse impacts on existing trees.

- 7.5.6 In light of the information provided as part of this planning application, it is our view that the proposed development does not conflict with the Development Plan in terms of arboriculture, and demonstrates compliance with Saved Policies EC22 and EC23 of the Local Plan, Section 15 NPPF, as well as the emerging planning policies of the Local Plan, and therefore should be considered acceptable.

7.6 Landscape

- 7.6.1 Section 12 of the NPPF addresses need for consideration of landscape, and landscape setting, in the wider assessment of a development's design credentials. Paragraph 130 states that planning decisions should ensure that developments proposed are sympathetic to the surrounding built environment and landscape setting.
- 7.6.2 Saved Policy EC16 relates to the protection of landscape, and makes it clear that development which would have a significant adverse visual impact on the surrounding landscape will not be permitted. Proposed Policy NE6 relates to protecting and enhancing the landscape and landscape features. It aims for all development proposals to *'contribute positively towards creating a visually attractive environment'*. Moreover, development proposals should seek to protect and integrate key natural and semi-natural features including, *inter alia*, established field boundaries, hedgerows and tree lines, and established trees with a high visual amenity value.
- 7.6.3 The County Council in its pre-application response stated that comprehensive landscape proposals should be submitted as part of a planning application. An Outline Planting Plan is submitted as part of this planning application. This provides an outline planting schedule in respect to trees; coppice mixed planting; mixed native hedging; and wildflower / grass seed mixtures. Moreover, a detailed landscaping schedule provides information in respect of shrubs, herbaceous, and grasses and ferns. The programme for planting is scheduled for the first planting season after construction, November – December preferred, October – March inclusive. The planting and landscaping are shown on the Outline Planting Plan.
- 7.6.4 In light of the information provided as part of this planning application, it is our view that the proposed development does not conflict with the Development Plan in terms of landscape, and demonstrates compliance with Saved Policy EC16 of the Local Plan and Section 12 of the NPPF, as well as the Local Plan more generally.

7.7 Ecology

- 7.7.1 Section 15 of the NPPF relates to conserving and enhancing the natural environment. Paragraph 174 outlines that planning decisions should contribute to, and enhance, the natural and local environment by *'minimising impacts on, and providing net gains for, biodiversity'*.
- 7.7.2 Saved Policy EC7 relates to natural and semi-natural features in urban areas. It is clear that these shall be retained and enhanced wherever possible in order to safeguard their physical, visual, recreational and wildlife value. Saved Policy EC13 addresses the

protection of wildlife and their habitats, and states that development which is prejudicial to the interests of all wildlife, and the retention and management of important habitats, will be refused.

- 7.7.3 A Preliminary Ecological Appraisal ('PEA'), as well as an Essex Biodiversity Validation Checklist, is submitted as part of this planning application. The PEA identifies that there are no Local Nature Reserves within 2km of the Site, and there are no Ancient Woodlands within 500m. The School pond is considered to be of '*low suitability*' for Great Crested Newts; there are no other habitats or features on-site which were considered suitable to support any European Protected Species. The PEA outlines a number of recommendations to ensure that the '*appropriate precautions to be observed for any vegetation and site clearance and minimising pollution including artificial lighting.*' It concludes, accounting for the recommendations set out above, that there should be '*no material considerations with respect to ecology which should prevent the planning authority approving the proposals.*'
- 7.7.4 The Biodiversity Validation Checklist confirms that there is no "reasonable likelihood" that the proposed development will affect any European Protected Species; Natural Protected Species; or Priority Species, prior to any applied mitigation.
- 7.7.5 In light of the findings of the documentation provided as part of this planning application, it is clear that the proposed development does not conflict with the Development Plan in terms of ecology, and specifically demonstrates compliance with Saved Policies EC7 and EC13 of the Local Plan, Section 15 of the NPPF, as well as the New Local Plan, and therefore should be considered acceptable.

7.8 Flood Risk and Drainage

- 7.8.1 Section 14 of the NPPF outlines that the planning system should take full account of flood risk in its transition towards a low carbon future. In doing so, it should shape places that minimise vulnerability and improve resilience. NPPF Paragraph 159 specifically states that development should be directed away from areas at highest risk of flooding. NPPF Paragraph 167 is clear that applications should be supported by a site-specific flood risk assessment ('FRA'). Footnote 55 adds that for proposed development in Flood Zone 1, an FRA should accompany all development proposals involving, *inter alia*, sites that are greater than, or equal to, 1 hectare in area.
- 7.8.2 Proposed Strategic Policy CC3 of the New Local Plan outlines, among other objectives, that all development proposals will be required to manage surface water run-off so that the rate is no greater than the run-off prior to commencement of development. Additionally, and wherever possible, it states that SuDS should be incorporated within development proposals to achieve additional benefits for the built, natural and historic environment.
- 7.8.3 A Flood Risk Assessment is submitted as part of this planning application as the Site exceeds 1 hectare in area, notwithstanding that the Site is located in Flood Zone 1. The FRA makes clear that the Site is not at any significant risk of flooding. In respect of surface water, the FRA confirms that the Site is outside of the nominal flood area. Whilst there is localised surface water flood risk in the southern portion of the Site, the FRA clarifies that this area is not being altered as part of the proposed development. The FRA adds that the proposed development will not increase the flood risk of existing buildings, and that the proposed development will feature a SuDS scheme to manage surface water flood risk on-site. The drainage for the proposed

development will be designed to a 1 in 100 year return period with an additional 40% uplift for climate change.

- 7.8.4 In light of the outcomes discussed above, it is our view that the proposed development does not conflict with the Development Plan in terms of flood risk and drainage, and demonstrates compliance with Section 14 of the NPPF, as well as the New Local Plan more generally.

7.9 Traffic and Access (both construction and operational)

- 7.9.1 Section 9 of the NPPF relates to the promotion of sustainable transport. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The NPPF also outlines a number of criteria at Paragraph 112 against which development proposals should be assessed in relation to their transport and accessibility credentials.
- 7.9.2 Saved Policy T2 of the Local Plan relates to the intensification of uses. It states that proposals which would result in the '*intensification of the use of existing accesses*' in appropriate cases require the submission of a traffic impact study, and this should demonstrate the ability of the highway network to accommodate the proposed development.
- 7.9.3 Proposed Strategic Policy TP5 of the New Local Plan, in respect of highway impact, makes clear where development proposals demonstrate compliance with other relevant policies, '*favourable consideration*' will be given to those proposals which fully mitigate their impacts on highway and junction capacity. Similarly, in respect of safe and sustainable access, Proposed Strategic Policy TP6 outlines the following criteria which must be met:
- a) '*Safe access to the highway network for all users, having regard to the highway access policies of the Highway Authority;*'
 - b) '*Safe access to the site for cyclists and pedestrians, including the approach to the site from the nearest public transport node; and*'
 - c) '*Access to public transport services within 800m of the site.*'
- 7.9.4 On the basis that no additional pupils are to be accommodated as part of the proposed development, and that the proposals are essentially the replacement of temporary demountable classrooms with permanent provision, there will clearly be no unacceptable impacts on highways grounds. Notwithstanding this, a Framework School Travel Plan is submitted as part of this planning application. The Travel Plan recognises, in respect of Cedar Hall School being an SEN teaching facility, the opportunities to encourage pupils to walk, cycle or take public transport either independently or with assistance, are limited. Accordingly, as part of the Travel Plan Initiatives to promote scooting and cycling, the School will facilitate a Travel Plan Coordinator (TPC) to promote a Bicycle Users Group 3-months after the completion of the proposed development. The TPC will be encouraged to promote "Bike to work scheme" for staff, and the TPC will be encouraged to promote bicycle training for both staff and pupils provided for free by Essex County Council as part of the Department for Transport's Bikeability scheme.
- 7.9.5 Additionally, a Construction Management Plan is submitted as part of this planning application. The Construction Management Plan is clear that there will be no impact

on the existing car park provision, and that during the construction phase there will remain 24/7 access to the existing playing pitch facilities at the School.

- 7.9.6 In respect of the findings discussed above, it is our view that the proposed development does not conflict with the Development Plan in terms of traffic and access, and demonstrates compliance with Saved Policy T2 of the Local Plan, Proposed Strategic Policies TP5 and TP6, and Section 9 of the NPPF more generally.

7.10 Planning Conditions

- 7.10.1 Paragraph 56 of the NPPF states that planning conditions should be kept to a minimum, and only imposed where necessary, relevant to planning and for the proposed development to be '*permitted, enforceable, precise and reasonable in all other aspects.*' More importantly, as outlined in Paragraph 56, agreeing to conditions early can be beneficial to all parties involved in the process and can speed up the decision-making process.
- 7.10.2 The County Council, during pre-application process, inferred that a Landscape Maintenance Plan is to be required as part of the planning application. On the basis that this is unlikely to be critical to the determination of the planning application, it is requested that this is secured by an appropriately worded condition that will permit the relevant drawings and documentation to be prepared and submitted for approval in writing during the determination process. It is considered reasonable for the 'trigger' for any condition to be reasonably late in the construction process (i.e., prior to first use of the building).
- 7.10.3 In respect of playing field mitigation measures, Sport England had informally advised during the pre-application process that technical details of the proposed mitigation measures (i.e., surface, boundary, fencing, management and maintenance) can be secured by way of an appropriately worded condition.

7.11 Planning Balance

- 7.11.1 Section 38(6) of the Planning and Compulsory Purchase Order 2004, and Section 70(2) of the Town and County Planning Act 1990, requires that all applications for planning permission are determined in accordance with the Development Plan, unless material considerations indicate otherwise. As set out in this Section, it is considered that the proposed development accords with the relevant policies identified in the Development Plan.
- 7.11.2 The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development is to meet the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are independent and need to be pursued in mutually supportive ways: an economic objective; a social objectives; and an environmental objective.
- 7.11.3 At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date Development Plan without delay. It is considered that the proposed development is wholly compliant with the Development Plan.

- 7.11.4 The replacement of the RLs which are beyond their useful life, and for which it is not economically viable to repair, in the context of the ever increasing demand for SEND places, and wider need for specialist accommodation, are considered to be a sufficient very special circumstance to overcome the general policy of restraint. Furthermore, the proposed development will result in a considerable number of benefits that shall flow from its delivery, and together these have a significant cumulative benefit. The benefits include, but are not limited to:
- Provision of an education facility to meet a pressing, local need;
 - A permanent facility which is of high-quality design and appearance using good-quality materials;
 - Extension of the existing hard surfaced MUGA to replace 2no temporary demountable RLs which add to the existing playing pitch facilities;
 - Reinstatement of grassed areas in place of 3no temporary demountable RLs for sport and recreational uses;
 - Economic benefits through maintaining pupil numbers and therefore retaining employment;
 - Economic benefits resulting in job creation during the construction phase;
 - No increase in risk of flooding to the existing School building;
 - No ecological harm that would prevent the grant of planning permission;
 - No trees are proposed for removal so maintain environmental condition of the Site and surrounding area.
- 7.11.5 In order to facilitate the proposed development, it is recognised that there will be some impacts. However, it is our view that these are considered minimal in nature and extent.
- 7.11.6 It is pertinent to consider what happens if planning permission is not forthcoming for the proposed development. In light of the age and condition of the RLs, it is clear that the consequence of not granting planning permission means that the number of pupils which the School is able to accommodate will be significantly reduced. The 'do nothing' approach is therefore not an option, and this is a strong consideration in favour of the proposals.
- 7.11.7 In the above context, the proposed development clearly constitutes sustainable development, and is in compliance with the Development Plan. Therefore, it is our view that planning permission should be granted without delay.

8 Conclusion

8.1 Overview

- 8.1.1 This Planning Statement has been prepared by Lanpro Services Limited on behalf of our clients, Essex County Council and Morgan Sindall, and supports an application for full planning permission relating to land at Cedar Hall School, Hart Road, Thundersley, Benfleet, SS7 3UQ.
- 8.1.2 This planning application is made pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, and therefore Essex County Council are the designated Planning Authority. Notwithstanding this, the Site is located in the administrative boundary of Castle Point Borough Council.
- 8.1.3 The Site extends to approximately 1.7 hectares (4.2 acres). The Site is located to the south of the existing School and currently comprises an area of open space within its grounds. An existing Multi-Use Games Area ('MUGA'), together with other hard-surfaced areas used for play and sport, is to the west. A synthetic sports pitch is located to the south.
- 8.1.4 The proposed development comprises the construction of a permanent new two-storey standalone teaching block, and associated works. The new building is to be broadly rectangular in shape, and approximately 17m by 30m in extents. The intention is to reintroduce grassed areas in place of RL 3, RL 4, and RL 5, introducing a synthetic all-weather playing pitch in replacement of RLs 1 and 2 which will be enclosed by a low-laying perimeter fence to protect the surface from wildlife and other animals.
- 8.1.5 Pre-application discussions have taken place with the County Council, Borough Council and Sport England. Furthermore, a period of public consultation has been undertaken with specific parties.
- 8.1.6 Whilst the Site is currently located in the Green Belt, it performs poorly against the five purposes of the Green Belt as set out in the NPPF. Furthermore, it is proposed in the Borough Council's New Local Plan to be released from the Green Belt and designated as a School Playing Field. In accordance with NPPF Paragraph 48, it is considered that 'substantial weight' should be afforded to the New Local Plan due to the late stage of its preparation and that the Inspector has found that its policies, subject to the Main Modifications, were consistent with the NPPF and 'sound'. Notwithstanding this, it is considered that 'very special circumstances' exist to overcome the presumption against inappropriate development.
- 8.1.7 It is considered that the proposed development is compliant with the adopted Development Plan. It will result in very clear and tangible benefits. Whilst there will be some loss to an existing playing field, the land has not previously been formally used for sport purposes, and is not of sufficient size to accommodate a formal pitch. In this context, it is our view that the mitigation measures proposed as part of the development will satisfy Sport England's 'Exception 5' Policy, and enhance the existing playing pitch provision at the School. The areas where the remaining RLs are located will be reinstated with grass areas to add to the soft landscaped grounds at the School.
- 8.1.8 In context of the above, and the key issues discussed in this Planning Statement, the proposed development clearly constitutes a form of sustainable development, and is compliant with the Development Plan when taken as a whole. Therefore, it is our view that planning permission should be granted without delay.

9 Appendices

9.1 Appendix A

Report to Castle Point Borough Council

by Philip Lewis BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Date: 3 March 2022

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the New Castle Point Local Plan

The Plan was submitted for examination on 2 October 2020

The examination hearings were held between 11 May and 29 June 2021

File Ref: PINS/ M1520/429/6

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Abbreviations used in this report

ASELA	Association of South Essex Local Authorities
COMAH	Control of Major Accident Hazards
DtC	Duty to Cooperate
ECC	Essex County Council
HRA	Habitat Regulations Assessment
LHN	Local housing need
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
RAMS	Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy
SA	Sustainability Appraisal
SBC	Southend-on-Sea Borough Council
SCI	Statement of Community Involvement
SEA Regulations	Environmental Assessment of Plans and Programmes Regulations 2004
SEEDNA	South Essex Economic Development Needs Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SOCG	Statement of Common Ground

Non-Technical Summary

This report concludes that the New Castle Point Local Plan provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. Castle Point Borough Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared a schedule of the proposed modifications and, where necessary, carried out sustainability appraisal and Habitats Regulations Assessment of them. The MMs were subject to public consultation over an eight-week period. In some cases I have amended their detailed wording where necessary. I have recommended their inclusion in the Plan after considering the sustainability appraisal and Habitats Regulations Assessment and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- To revise the local housing need figure to reflect changed input figures;
- To set a stepped housing requirement to reflect the likely delivery of homes in the plan period, and the significant uplift in housing land supply proposed which will take some time to deliver;
- To amend the Green Belt Policies so that unnecessary duplication is avoided and to make them effective;
- To delete Local Policy GB4 Limited Infill – Special Policy Areas as it would not be effective and is inconsistent with national policy for the Green Belt;
- To alter Policy HO7 Gypsy, Traveller and Travelling Showpeople to include a site allocation, so that the Plan makes provision to meet the specific need for Gypsies and Travellers arising in Castle Point during the plan period;
- To make detailed adjustments to particular site allocations;
- To delete the proposed allocation of employment land at the Manor Trading Estate, as exceptional circumstances have not been demonstrated for releasing the site from the Green Belt; and
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains my assessment of the New Castle Point Local Plan (the Plan) in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first **whether the Plan's preparation has complied with the duty to co-operate**. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2021 (paragraph 35) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The New Castle Point Local Plan submitted in October 2020 is the basis for my examination. It is the same document as was published for consultation by the Council in December 2019.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and /or not legally compliant and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form MM1, MM2 etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and, where necessary, carried out sustainability appraisal (SA) and Habitats Regulations Assessment (HRA) of them. The MM schedule was subject to public consultation for eight weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light, I have made some amendments to the detailed wording of the MMs where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA/HRA that has been undertaken. Where necessary I have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the Castle Point Local Plan Policies Map 2019 as set out in EXM-002.
6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend MMs to it. **However, a number of the published MMs to the Plan's policies** require further corresponding changes to be made to the Policies Map. In addition, there are some instances where the geographic illustration of policies on the submission Policies Map is not justified and changes to the Policies Map are needed to ensure that the relevant policies are effective.
7. These further changes to the Policies Map were published for consultation alongside the MMs, the Schedule of Modifications to the Policies Map November 2021 (PHD-002). In this report I identify any amendments that are needed to those further changes in the light of the consultation responses.
8. When the Plan is adopted, in order to comply with the legislation **and give effect to the Plan's policies, the Council will need to update** the adopted Policies Map to include all the changes proposed in the Schedule of Modifications to the Policies Map November 2021 and the further changes published alongside the MMs incorporating any necessary amendments identified in this report.

Context of the Plan

9. The New Castle Point Local Plan is proposed to replace the saved Policies of the Castle Point Borough Local Plan adopted in 1998. The Plan covers the whole Borough which has two distinct areas; Canvey Island and the 'Mainland', and will form part of the development plan for the area, with the Essex Minerals Local Plan and the Essex and Southend-on-Sea Waste Local Plan. Castle Point falls within the Metropolitan Green Belt which is tightly drawn around the urban areas. A significant proportion of the Borough at Canvey Island falls within Flood Zone 3, protected by sea defences and other flood

defence infrastructure. The port facilities at Canvey Island are nationally significant and have a role in ensuring the security of energy supplies in the UK. The Borough contains a number of Sites of Special Scientific Interest and a Habitats site, and is close to a number of other designated areas on the Essex Coast.

Public Sector Equality Duty

10. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination including the provision of gypsy and traveller sites to meet identified need, housing for older people, and the provision of accessible and adaptable housing.

Assessment of Duty to Co-operate

11. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of **the Plan's** preparation.
12. The Council has published a Duty to Cooperate (DtC) Report which sets out how the Council sought to fulfil the duty in the preparation of the Plan. The DtC Statement is supported by Statements of Common Ground (SOCG) with Essex County Council (ECC) and a number of neighbouring Councils in Essex. In addition, a number of SOCGs have been made with prescribed DtC bodies and others.
13. It is clear from the evidence that substantial and effective co-operation has taken place between the Council and its neighbours, along with other prescribed bodies during the preparation of the Plan. Evidence of co-operation includes meetings of the Association of South Essex Local Authorities (ASELA), meetings with specific neighbouring Councils, and extensive joint evidence preparation for the emerging development plans in the area.
14. There is also clear evidence of the outcomes of cooperation. Of particular note is the preparation of a joint Strategic Housing Market Assessment (SHMA), an assessment of the needs of Gypsies, Travellers and Travelling Showpeople, an Economic Development Needs Assessment, a Retail Study, the South Essex Strategic Flood Risk Assessment and a Water Cycle Study, the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) in respect of Habitats sites, the Essex Joint Health and Wellbeing

Strategy 2018-2022, and the Castle Point and Rochford CCG Localities Estates Strategy.

15. It has been argued by some representors that the Council did not cooperate with its neighbours in regard to the provision of a new access to Canvey Island. I am satisfied that although there is reference to such a scheme in the text of the submitted Plan, that was made on an aspirational basis, rather than as a proposal of the Plan. I have examined the Plan on the basis that it is not proposing a new access to Canvey Island, nor contains any strategic policy to that effect. I am satisfied therefore, that there is no failure of the duty in this regard.
16. Concerning other infrastructure provision, there is also substantial evidence of effective and on-going cooperation between the Council and the DtC bodies as reflected in the SOCGs, including with ECC, National Highways (formerly Highways England), Natural England, the Environment Agency, and Historic England.
17. It is clear that discussions have been held between local authorities in South Essex about how any unmet housing needs arising in one Council area may be accommodated in another. Whilst the Council had expressed concern to neighbours as to whether it could meet its local housing need at the start of the plan making process, the submitted Plan sets out to meet the housing needs arising in Castle Point in full. Consequently, the Council is not seeking neighbours to accommodate unmet housing need.
18. There is evidence that the Council and Southend-on-Sea Borough Council (SBC) have had constructive and ongoing discussions about potential unmet housing need, including a request from SBC to the Council to determine if it could reasonably meet any of the anticipated shortfall in the SBC area. There is common ground between the Council and SBC that it could not reasonably accommodate unmet need from SBC. Given the common issues, including establishing exceptional circumstances to change the boundaries of the Green Belt faced by the local authorities in South Essex, I heard that there is no agreement in place that any authority should take on unmet need from another within the South Essex area.
19. I am satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Other Aspects of Legal Compliance

20. The Plan has been prepared in accordance **with the Council's Local Development Scheme**.
21. Consultation on the Plan and the MMs was carried out in compliance **with the Council's Statement of Community Involvement (SCI)**. A number of representations were received to the effect that the Council had not followed its SCI in the plan making process, that there were inadequate opportunities for people to make **representations, and that the Council's consultation was ineffective**. The submitted Plan however was published for formal consultation prior to submission in accordance with the Regulations and the opportunity to comment was provided. The same applies in respect of the consultation on the MMs.
22. The Council carried out SA of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under Regulation 19. The SA was updated to assess the MMs.
23. Whilst it has been queried as to whether the Council had invited representations on the SA of the submitted Plan at the Regulation 19 stage, as required by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), the Council, nevertheless, has undertaken further consultation and notification to the consultation bodies on the SA at the MM stage.
24. The SA of the Plan was carried out by the Council at the scoping stage, where the methodology was consulted upon, at the Regulation 19 stage, again prior to submission and at the MM stage. SA Objectives were developed from those used by the Council for previous development plans and were subject to consultation in the **Council's Sustainability Appraisal Scoping Report**.
25. In terms of the reasonable alternatives chosen in the SA process, I consider that they are realistic, and that the Council has provided an adequate outline of the reasons for selecting them. However, whilst options may be rejected as the Plan moves through various stages, and they do not necessarily need to be examined at each stage (see *Calverton PC v Nottingham CC* [2015] EWHC 1078 (Admin)), the SA should signpost clearly where the reasons for rejecting sites earlier in the Plan making process are set out. The SA has been amended to this effect at the MM stage.

26. It is clear from the submitted documents that the selection of reasonable alternatives in respect of housing allocations has been informed by the Strategic Housing Land Availability Assessment (SHLAA) process. A number of potential housing sites were rejected as reasonable alternatives by the Council and the reasons why they should be removed from further consideration are set out in the Draft Housing Sites Options Topic Paper 2018 (H-016). The SA (pre-submission plan version, SUS-002) in para 5.2.2 is clear that these sites had been omitted from the SA process. The Council later prepared a further version of the SA (SUS-007) taking account of their suggested main modifications to the Plan at the point of submission. This document includes an assessment of site S0137 as a reasonable alternative in response to representations received, despite it being rejected earlier. The SA has been further amended to clarify the position in respect of this site at the MM stage and **I am satisfied that given the Council's original findings on that site earlier in the process, no 'retrofitting' of the SA has taken place.**
27. In terms of strategic options for the supply of housing, I find the alternatives considered by the Council to be reasonable. Whilst it has been suggested that the Council should have considered an option where local housing need would be exceeded significantly, I do not consider such an option to be realistic. This is due to the identified constraints to development in Castle Point, including the Green Belt, flood risk and habitats sites. In addition, the Plan is proposing a significant boost to the supply of housing in Castle Point, and there is no robust evidence that provision of housing significantly exceeding the local housing need figure could actually be delivered in the plan period.
28. I conclude, therefore that SA has been carried out and is adequate.
29. The Habitat Regulations Assessment including Appropriate Assessment 2019 (EQ-009) and the Habitat Regulations Assessment Report including Appropriate Assessment Update 2020 (EQ-010) set out that Appropriate Assessment has been undertaken and that the Plan may have some negative impact which requires mitigation. The identified potential impacts on the integrity of European sites include recreational disturbance, habitat loss and loss of functionally linked land, and the effects on water quality and quantity. The HRA recommendations to address these impacts have been incorporated into the Plan. Further Habitat Regulations Assessment was undertaken in respect of the MMs (Habitat Regulations Assessment and Appropriate Assessment November 2021 (PHD-011) which concluded that no adverse effects on the integrity of European sites

would occur, subject to the recommended actions set out within the report being undertaken. Mitigation has been secured through the Plan (as modified by the MMs) in respect of a number of allocations.

30. Furthermore, a number of the development management policies set out HRA mitigation requirements. These include Strategic Policy SD1 Making Effective Use of Land and Creating Sustainable Places and Strategic Policy NE5 Ecologically Sensitive and Designated Sites which seeks contributions to the established RAMS.
31. Natural England made no objections to the HRA undertaken for the MMs. The HRA has been carefully examined, I find it to be robust and I am content that the Policies and allocations of the Plan will not affect the integrity of European sites.
32. The Plan includes policies to address the strategic priorities for the **development and use of land in the local planning authority's area.**
33. The Plan includes policies designed to secure that the development **and use of land in the local planning authority's area contribute to** the mitigation of, and adaptation to, climate change. In addition, the Plan identifies climate change as a strategic priority for the Plan as a whole. Specific relevant policies include Strategic Policy CC1 Responding to Climate Change; Local Policy CC2 Tidal Flood Risk Management Area; Strategic Policy CC3 Non-Tidal Flood Risk Management; Strategic Policy CC4 Sustainable Buildings and Strategic Policy NE1 Green Infrastructure and the Undeveloped Coast.
34. Appendix 7 lists policy changes from the Castle Point Local Plan 1998. To meet the legal requirement of Regulation 8(5) the Plan should be altered to make clear that the Policies of the 1998 Local Plan will be superseded (MM1 and MM87).
35. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

36. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have

identified 7 main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy or policy criterion in the Plan.

Covid-19

37. The examination hearings took place during the Covid-19 pandemic. A number of comments have been made as to the potential economic and social effects of the pandemic. Whilst the immediate effects of Covid-19 are here for all to see, there is no evidence that the fundamental assumptions and requirements of the Plan in respect of housing need, or any other strategic matter, will be affected to the extent that its soundness will be undermined. Any longer-term effects which may arise can be addressed through subsequent local plan reviews, informed by evidence of the actual effects of the Covid-19 pandemic.

The Revised National Planning Policy Framework

38. The Government published a revised NPPF in July 2021 during the examination. The Plan should be amended to make the strategic priorities, vision and objectives consistent with the NPPF in respect of design, green infrastructure, biodiversity net gain and sustainable transport, and as a consequence of other MMs (MM2).

Issue 1 – Whether at the strategic level there are exceptional circumstances which justify altering Green Belt boundaries to meet development needs, and **whether the Plan's Green Belt policies are effective?**

39. Castle Point Borough falls within the Metropolitan Green Belt which is drawn tightly around the existing urban area in the Borough. The submitted Plan proposes that the Green Belt boundaries are altered at Benfleet, Daws Heath, Hadleigh, Thundersley and Canvey Island to accommodate housing development. It also proposes that some areas of land in educational use are removed from the Green Belt along with some areas of land which have been developed. New Green Belt is proposed on land to the west of Roscommon Way, Canvey Island. The NPPF sets out that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified.

40. Through the preparation of the Plan, the Council undertook a review of Green Belt boundaries. This adopted a methodology consisting of a number of stages. The methodology included splitting different parts of the Borough into separate parcels. Whilst there are no doubt different ways of doing this, the approach taken by the Council to the subdivision of the Borough was adequate. The resulting parcels are of a sufficiently fine grain to allow for meaningful comparisons to be made between them. The methodology for the Green Belt Review is clear and adequate.

The need for housing

41. The need for housing is discussed under Issue 2. Castle Point has a pressing housing need, issues with housing affordability and a serious shortfall in the provision of affordable homes. There is no scope for Castle Point to export housing need to another district; its neighbours are also significantly constrained and have their own significant development needs. The overall level of housing will address housing affordability and will provide more affordable homes. There is also an identified need for provision of accommodation for Gypsies and Travellers in Castle Point.

The supply and availability of land suitable for sustainable development

42. The Council has undertaken a thorough assessment of the availability of land within the urban area through its SHLAA 2018 (H-007 to 010) and the assessment of windfall sites. A total of 477 sites were considered and a design led approach was taken to determine their potential capacity, with higher densities assumed as appropriate, along with assessments of deliverability / developability as per national policy, and the assessment of viability. Additionally, through the large site capacity assessments (H-012 and H-013), the Council sought to optimise the capacity of proposed sites, including those in the urban areas. This work indicates that around 53% of the housing need could be met within the urban area (that is to say outside of the Green Belt). Therefore, it is not possible to rely on increasing the supply of housing within the urban area to avoid the need to alter the boundaries of the Green Belt to meet housing need.

Other changes to the Green Belt (not arising directly from proposed allocations)

43. The Plan seeks to remove a number of educational facilities and associated playing fields from the Green Belt. I am satisfied that there are exceptional circumstances for the removal of the Glenwood School site and the land at the Cornelius Vermuyden School from the Green Belt. This is because given the extent to which they are built up, it is unnecessary to keep these sites permanently open. Similarly, the built-up areas of the USP Canvey College Campus and the former Castle View School; Deanes School and Virgin Active, Hadleigh; and the King John School, Benfleet should be removed from the Green Belt. However, there are not exceptional circumstances for the removal of the playing fields associated with these schools from the Green Belt. The text should be amended to update the overall amount of the Green Belt which would be retained, and to confirm the schools affected (MM67). The Policies Map should be amended accordingly.
44. An area of land of about 10.9 hectares would be added to the Green Belt to the west of Roscommon Way adjoining the urban area at Canvey Island. The alteration of the inner edge of the Green Belt boundary would reinforce the strategic gap between Canvey Island and Stanford-le-Hope, whilst providing a more robust boundary to the Green Belt at Canvey Island. Although the land is part of a SSSI, given its former use, I am not convinced that normal planning policies and development management would be adequate to keep it open. There are therefore exceptional circumstances for including this land within the Green Belt.

Conclusion

45. In conclusion, there are strategic-level exceptional circumstances to alter the Green Belt boundary to meet housing needs in the interests of the proper long-term planning of the Borough.

Issue 2 – Whether the Plan makes adequate provision for new housing?

Local housing need

46. The Plan has been prepared using the standard method for assessing local housing need as set out in the NPPF. The standard method provides a minimum starting point in determining the number of homes needed in an area. The submitted Plan sets out that the local housing need for the plan period calculated using the standard method is 5,130 homes. During the examination, the

9.2 **Appendix B**

Hart Road, Thundersley

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Planning



Proposed Site Layout Plan



13 Arm & Sward Lane
Old Hatfield - Herts - AL9 5EH
www.AshbyDesign.co.uk
01707 270 077

A Amendments to suit Planning Officer comments and removal of 2no. dwellings.		07/02/22	LS
Project Hart Road, Thundersley			
Title Proposed Site Layout Plan			
Scale 1:500 @ A2	Date December '21	Drawn LS/CP	Checked LS
Drawing No. 519/19/FUL/PL1004		Revision A	

9.3 **Appendix C**

CEDAR HALL SCHOOL



Site Location Plan - NTS

Brief

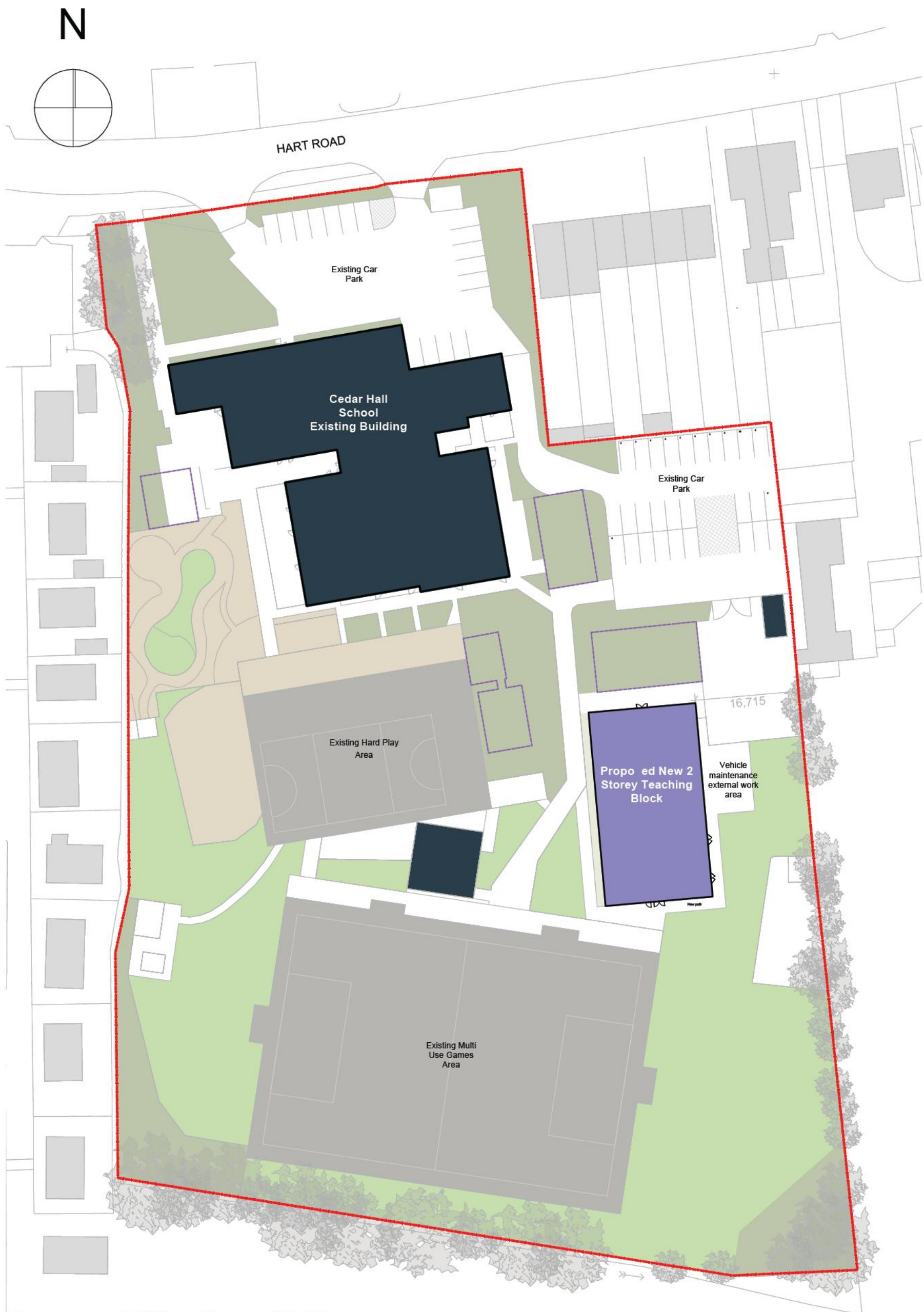
Cedar Hall School is located to the north of Benfleet. The existing school operates as a specialist Special Educational Needs & Disabilities (SEND) facility for Moderate Learning Disability (MLD) and Severe Learning Disability (SLD) students aged between 4 and 16 years.

The project scope is to construct a new two-storey building to replace the 4no. existing temporary demountable buildings, also known as 'RLs'. The RL's are proposed to be demolished and removed from the school site after construction of the new, permanent accommodation has been completed.

Project is proposed to be completed by August 2023



Existing Site Plan - NTS



Proposed Site Plan - NTS

Key

- | | | | |
|--|-----------------------------|---|----------------------------------|
|  | Existing Buildings |  | Relocatable |
|  | Soft Informal & Social Play |  | Proposed Buildings |
|  | Hard Outdoor PE |  | Site Boundary |
|  | Hard Informal & Social Play |  | Removal of Existing Relocatables |
|  | Landscape | | |

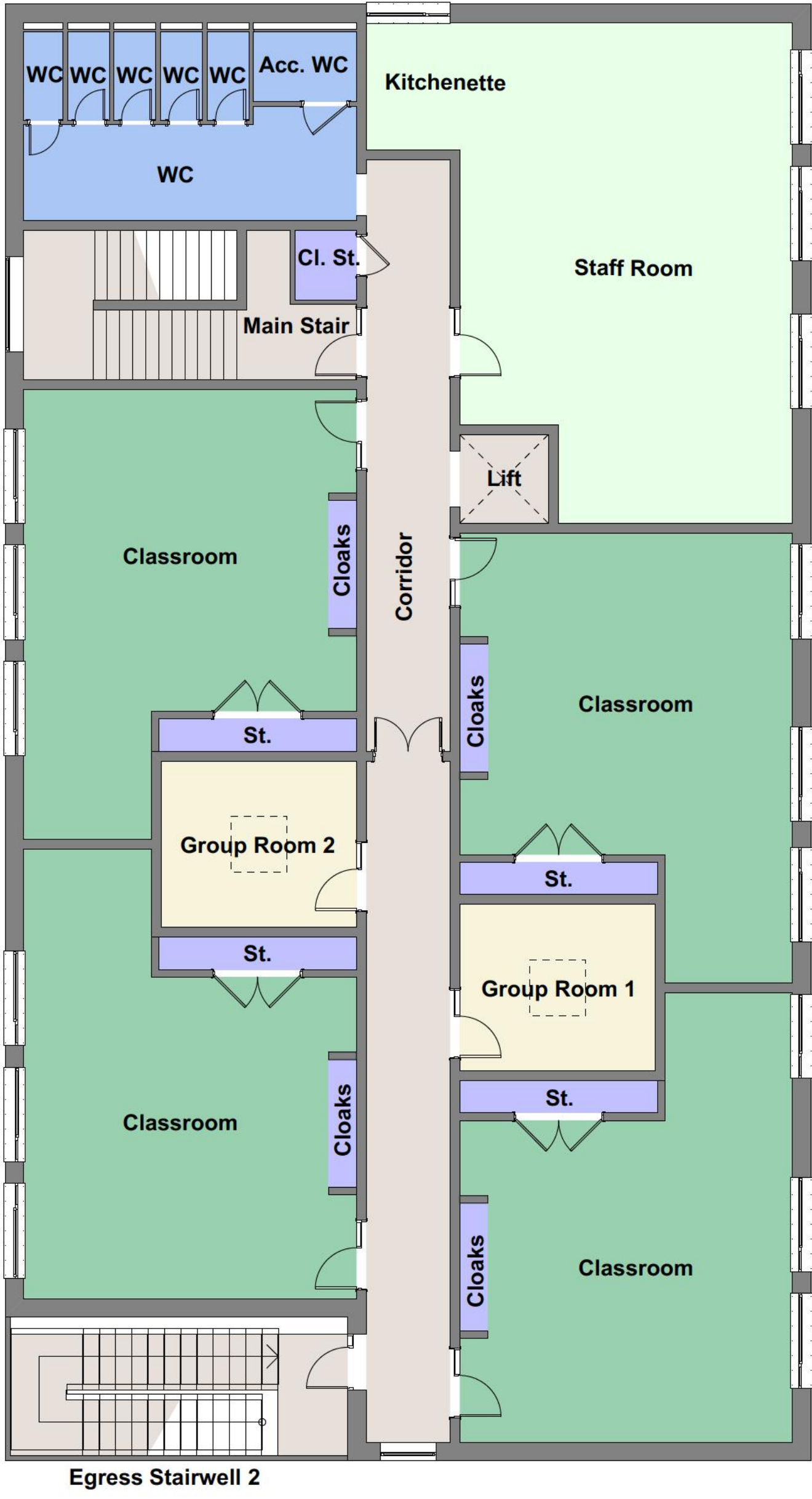
CEDAR HALL SCHOOL

Key

<div></div>	Plant	<div></div>	Library/ ICT
<div></div>	WCs	<div></div>	Group Room
<div></div>	Classbase	<div></div>	Circulation
<div></div>	Store	<div></div>	Office



Proposed Ground Floor Plan - NTS



Proposed First Floor Plan - NTS



Example Interiors