

**PLANNING APPLICATIONS COMMITTEE**

**Thursday, 20th January, 2011**

**10.00 am**

**Council Chamber, Sessions House, County Hall,  
Maidstone**





## **AGENDA**

### **PLANNING APPLICATIONS COMMITTEE**

**Thursday, 20th January, 2011, at 10.00 am**  
**Council Chamber, Sessions House, County**  
**Hall, Maidstone**

Ask for: **Andrew Tait**  
Telephone: **01622 694342**

*Tea/Coffee will be available from 9:30 **outside the meeting room***

#### **Membership (18)**

Conservative (16): Mr R E King (Chairman), Mr J F London (Vice-Chairman),  
Mr R Brookbank, Mr A R Chell, Mrs V J Dagger, Mr J A Davies,  
Mr T Gates, Mr C Hibberd, Mr P J Homewood, Mr J D Kirby,  
Mr R F Manning, Mr R J Parry, Mr R A Pascoe, Mr C P Smith,  
Mr K Smith and Mr A T Willicombe

Liberal Democrat (1): Mr M B Robertson

Independent (1) Mr R J Lees

### **UNRESTRICTED ITEMS**

*(During these items the meeting is likely to be open to the public)*

#### **A. COMMITTEE BUSINESS**

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 7 December 2010 (Pages 1 - 6)
4. Site Meetings and Other Meetings

#### **B. GENERAL MATTERS**

1. Revised and updated Validation Requirements for Planning Applications (Pages 7 - 82)
2. Recorded Voting at Planning Application Committee meetings (Pages 83 - 84)

#### **C. MINERALS AND WASTE DISPOSAL APPLICATIONS**

#### **D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL**

1. Proposal SH/09/534 - New 0.5 FE Primary School for Seabrook CEP School with associated playing field, parking and turning facilities, access road and new level games pitch at land off Eversley Road, Seabrook, Hythe; KCC Children, Families and Education (Pages 85 - 108)

2. Proposal AS/10/512 - 2 FE primary School and Day Nursery provided as part of the overall development of the former Rowcroft and Templar Barracks site, Repton Avenue, Ashford; KCC Children, Families and Education (Pages 109 - 136)
3. Proposal SW/10/1377 - Single storey extension to provide replacement classroom accommodation for existing mobile buildings, a small activity hall, ITC room, library and associated facilities at Richmond Primary School, Nursery Close, Sheerness; KCC Property Group (Pages 137 - 156)

#### **E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS**

1. County matter applications
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. Screening opinions under Environmental Impact Assessment Regulations 1999
5. Scoping opinions under Environmental Impact Assessment Regulations 1999 (None)

#### **F. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

##### **EXEMPT ITEMS**

*(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)*

Peter Sass  
Head of Democratic Services and Local Leadership  
(01622) 694002

*(Please note that the background documents referred to in the accompanying papers may be inspected by arrangement with the Departments responsible for preparing the report. Draft conditions concerning applications being recommended for permission, reported in sections C and D, are available to Members in the Members' Lounge.)*

Wednesday, 12 January 2011



## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 7 December 2010.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mrs P T Cole (Substitute for Mr P J Homewood), Mr J A Davies, Mr T Gates, Mr J D Kirby, Mr R J Parry, Mr R A Pascoe, Mr M B Robertson, Mr C P Smith, Mr K Smith, Mrs P A V Stockell (Substitute for Mr P J Homewood) and Mr A T Willicombe

ALSO PRESENT: Mr I S Chittenden

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr J Wooldridge (Team Leader - Mineral Developments), Mr R White (Transport and Development Business Manager), Mrs L McCutcheon (Senior Solicitor) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **58. Mr Godfrey Horne** (Item )

The Committee observed a moment of silence in respect of the memory of Mr Godfrey Horne.

#### **59. Membership** (Item A1)

The Committee noted the appointment of Mr P M Homewood to the Committee.

#### **60. Minutes - 2 November 2010** (Item A4)

(1) The Head of Planning Applications Group informed the Committee that the reason that the applications determined at its previous meeting were being reconsidered was because of a successful legal challenge to the Secretary of State's advice that the South East Plan had been abolished.

(2) As a consequence, the South East Plan had been re-established as a material planning consideration. This had become clear before the decision notices had been issued. Therefore, each of the applications would need to be reconsidered in the light of the policies contained within the South East Plan, together with all other material planning considerations. In each case, the Committee would need to have regard to both the main report contained within the papers and the previous month's report (which had been appended).

- (3) RESOLVED that the Minutes of the meeting held on 2 November 2010 are correctly recorded and that they be signed by the Chairman.

**61. Application MA/10/167 - Materials Recycling Facility and transfer station for waste recovery at SBS Recycling, Straw Mill Hill, Tovil; Pinden Ltd**  
(Item C1)

(1) Mr M B Robertson declared that he had previously been lobbied by objectors to the application. As a Member of Maidstone BC, he knew those of its Members who were opposed to the application. He was also acquainted with one of the Objectors, Mr A Smith and was a distant relative of another objector, Mr D Finnegan (who he had not seen for many years). He had not taken any part in the preparation and signature gathering organised by the Liberal Democrat Group on Maidstone BC. He had not in any way been involved in consideration of the application by the Borough Council itself, nor had he expressed any opinion on it apart from at the previous meeting. He was, therefore in a position to reconsider the application with a fresh mind.

(2) Mr A R Chell had made a declaration during the previous meeting that he had been lobbied by objectors to the application. He had not expressed any opinion on it prior to that meeting and was therefore in a position to approach it with a fresh mind.

(3) Mr R A Pascoe was not present for the whole item and therefore did not vote in its determination.

(4) The following items of correspondence were tabled:-

- (a) a letter from Mr P Aelen of dha Planning;
- (b) a document to accompany the oral representations from Mrs S Bister of the Tovil Action Group;
- (c) a submission from the Valley Conservation Society to accompany the oral submission from Mr G Stead;
- (d) a further submission from Mr P Aelen with an accompanying letter from the Maidstone BC Head of Development Management;
- (e) correspondence from Helen Grant, MP; and
- (f) correspondence from Mr R Sanders, a local resident.

(5) Mr I S Chittenden was present for this item subject to Committee Procedure Rule 2.24 and spoke.

(6) Mr C English from Tovil PC, Mr G Stead, Mr P Aelen and Mrs S Bister spoke in opposition to the application. Mrs V Sampson from Environmental Scientifics Group spoke in reply on behalf of the applicants.

(7) Mr M B Robertson moved, seconded by Mr A R Chell that the application be refused.

*Carried 7 votes to 5*

(8) RESOLVED that:-

- (a) the application be refused on the grounds that it is contrary to the principles of sustainable development in respect of the adverse impact on the character of the local area and lack of need; and
- (b) approval be given to the Head of Planning Applications Group to provide the precise wording of the grounds for refusal in consultation with the Chairman, Vice-Chairman and the Lead Member of the Liberal Democrat Group on the Committee.

**62. Application GR/09/286 - Bulk aggregates Import Terminal handling up to 3 million tpa and associated infrastructure, including reinstated rail access at Northfleet Works, The Shore, Northfleet; Lafarge Cement UK**

*(Item C2)*

- (1) The Head of Planning Applications Group informed the Committee that Footnote 8 on Page 107 of the agenda papers should read: "a possible definition would be for deliveries in the area to the east of the BAIT on land north of London Road (B2175) and Overcliffe (A226) and west of Bath Street (A226)."
- (2) RESOLVED that permission be granted to the application subject to the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms given in Appendix 3 of the 2 November 2010 Committee report and to conditions, including covering a 5 years time limit to implement the permission; maximum of 3 million tonnes per annum of imports; the prior approval of various details (including conveyors, gatehouse / security lodge, weighbridge, parking arrangements, external construction materials and fencing); the prior approval of a Code of Construction Practice (relating to air quality, noise, vibration, geotechnics and soil contamination and waste); crushed rock only being stored outside the enclosed aggregate storage building exceptionally in the event of plant / equipment failure or unless otherwise agreed; protection of Port of London Authority radar equipment; the prior approval of a Tunnels Report (dealing with current condition, repairs / remedial measures, monitoring, maintenance and management of road and rail access tunnels and cliffs above their portals); hours of use (ship, barge and rail arrival, departure, loading and unloading and HGV movements being permitted 24 hours a day 7 days a week with all other activities restricted to between 0700 and 1800 hours Monday to Friday, 0700 and 1300 hours on Saturdays with no working on Saturday afternoons, Sundays, Bank and Public Holidays unless the prior written approval of the County Council has been obtained to depart from these hours); no more than 1.2 million tonnes of materials being exported by road each year; the implementation of a travel plan; measures to prevent mud and debris on the highway (e.g. sheeting of loaded HGVs); safeguarding of Fastrack route; HGVs entering and leaving via Thames Way (A226) and only using The Shore, Granby Road and Crete Hall Road unless delivering locally, in emergencies or otherwise agreed beforehand); no more than 200 HGV movements between 0700 and 1000 hours and 1600 and 1900 hours in any one day; no more than 13,500 HGV movements in any one calendar month; rights of way being kept free of obstruction and available for use unless formal replacements are provided; the rating noise level not exceeding the background noise level by more than 3dB; measures being employed to minimise noise impacts of vehicles, railway locomotives and wagons, ships and barges, plant, machinery and other equipment; reversing vehicles and plant not emitting warning noise

that is audible at noise sensitive properties; no commercial operations taking place until a dust management plan has been submitted and approved; the implementation of flood risk and water protection measures; the submission and approval of a foul and surface water management scheme; the submission, approval and implementation of a contaminated land assessment scheme; archaeology; ecological mitigation, compensation and enhancement; a landscaping scheme; and no external lighting until an appropriate scheme has been submitted and approved.

**63. Application AS/10/1010 - Extension of the timescale for the implementation of Permission AS/06/4 (Waste transfer Station) until 8 May 2014 at Waterbrook Park; Waterbrook Avenue, Ashford; Robert Brett and Sons Ltd**  
*(Item C3)*

RESOLVED that permission be granted for the extension the timescale for the implementation of Permission AS/06/4 until 8 May 2014 subject to conditions, including conditions covering hours of working, including peak hour restrictions, the number of vehicle movements; landscaping and floodlighting, noise, dust and odour controls; archaeological investigations; drainage; footpath diversions; ecological mitigation; details of the low energy internal lighting to be employed in the waste transfer building; and details of the design of any heating to be employed within the waste transfer building prior to its installation which shall have regard to the BREEAM energy standards.

**64. Proposal AS/10/1211 - Proven 15kw wind turbine on a 15m mast in the school playing field at Aldington Primary School, Roman Road, Aldington; Governors of Aldington Primary School**  
*(Item D1)*

RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time condition for implementation; the development being completed in accordance with the approved plans; the noise condition recommended in paragraph (4) of the report; a consultant being employed to measure the impacts in the event of complaints relating to noise arising; and ecology advice being sought in the event of dead bats being found on site.

**65. Proposal SW/10/545 - Floodlit synthetic turf pitch at The Abbey School, London Road, Faversham; Governors of The Abbey School**  
*(Item D2)*

(1) Mr T Gates informed the Committee that he had taken no part in discussion of this item at Faversham TC and that he had also attended a meeting between the School and local residents which had discussed the proposal. He had not given a view during this meeting and was therefore in a position to approach the proposal with a fresh mind.

(2) The Head of Planning Applications Group advised the Committee that, although Swale BC was not due to discuss the application until after the Committee meeting, the Borough Council's Planning Officers were recommending that there

should be no objection. The Head of Planning Applications Group also reported the receipt of late letters of objection from 5 neighbouring residents.

(3) Mrs M McCreedy and Mr S Curling addressed the Committee in opposition to the proposal. Mrs C Woodend (Head Teacher) and Mr S Finlan (Director of Sports) of Abbey School spoke in reply.

(4) In agreeing the Head of Planning Applications Group's recommendations, the Committee asked for an Informative to advise the School of the need for careful irrigation measures for the proposed bund.

(5) RESOLVED that:-

- (a) subject to the views of Swale Borough Council, permission be granted to the proposal subject to conditions, including conditions covering a 3 year time limit for implementation; the development being carried out in accordance with the permitted details; colour and specification of fencing and surfacing; precise details of the bunding, including its landscaped appearance; a detailed scheme of landscaping, including a maintenance programme; protection of the trees which are to be retained; further details of the exact positioning of the acoustic barrier; an acoustic barrier to be constructed in accordance with the specification provided and installed on site prior to first use of the floodlit pitch; hours of use to be restricted to between 0700 and 2130 Monday to Friday, between 0900 and 1800 on Saturdays, and between 1000 to 1800 on Sundays and Bank Holidays; all lighting on site (except security lighting) being extinguished by 2130, or 15 minutes after last use of the facility if earlier; extinguishing of lighting when the pitch is not in use; the level of use of the facilities according with the submitted details; lighting being installed in accordance with approved details, and checked on site; lighting levels not exceeding those specified within the application; no further lighting being installed without planning permission; land contamination and drainage; car parking being completed and operational prior to first use of the floodlit pitch; submission of a revised School Travel Plan; parking being available out of school hours for community use; hours of working during construction being restricted to between 0800 and 1800 Monday to Friday and 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; measures to prevent mud and debris on the highway; and a construction code of practice; and
- (b) the applicants be informed by Informative of the Committee's view of the need for careful irrigation measures for the permitted bund.

**66. Proposal SE/10/2312 - Single storey extension to the existing sports hall for storage and spectators at The Valence School, Westerham Road, Westerham; Governors of The Valence School**  
(Item D3)

- (1) Mr R E Brookbank informed the Committee that he had taken no part in the discussion of the proposal by Sevenoaks DC. He was therefore in a position to approach the proposal with a fresh mind.
- (2) RESOLVED that permission be granted to the proposal subject to the standard time condition for implementation and the development being carried out in accordance with the approved plans.

**67. County matters dealt with under delegated powers**  
*(Item E1)*

RESOLVED to note matters dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;
- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

## **Revised and Updated Validation Requirements for Planning Applications**

A report by Head of Planning Applications Group to Planning Applications Committee on 20 January 2011.

To report back on the revised and updated version of the **Validation of Planning Applications** documents (incorporating the local validation requirements for planning applications submitted to the County Planning Authority), in compliance with 2010 Government requirements, following for public consultation exercise.

Recommendation: Members note the responses and proposed adjustments to the contents of the Validation of Planning Applications documents, and authorise the adoptions and publishing of the documents.

Local Member(s): All

Classification: Unrestricted

### **Background**

1. Members received a report at the Planning Applications Committee Meeting on 12 October 2010 relating to the revisions and updating of the County Planning Authority's current version of the *Validation of Planning Applications* document, which was approved in June 2008 and subsequently published on the Council's website.
2. Validation is the process by which the Planning Authority decides whether it has sufficient and correct information with which to commence the processing of a planning application. To minimise uncertainty for planning applicants and potential delays in the processing, all Planning Authorities were required to adopt new national validation criteria, comprising the following:
  - completed application form
  - correct application fee
  - ownership certificate
  - agricultural holdings certificate
  - Design and Access Statement
  - site location plan
  - other plans and drawings necessary to describe the application
  - Environmental Statement where applicable.
3. Failure to supply the above information results in the application being declared invalid, but Planning Authorities are unable to treat applications as invalid if they meet these statutory minimum requirements, UNTIL they have adopted a local list of further information requirements. As well as setting out the national list of statutory information requirements, Government guidance makes provision for each Planning Authority to agree its own local list of further information requirements to reflect the particular local circumstances and planning policy requirements operating in their area.
4. The previous Government produced revised guidance in March 2010 (*Guidance on Information Requirements and Validation*) requiring planning authorities with published local lists to review them by the end of 2010. Such reviews should include revisiting the local lists, reporting any proposed changes to the Planning Authority, consulting relevant stakeholders on the proposed changes and then publishing a revised list. In revising their lists of local requirements, authorities are advised to consider the following principles:

## **Revised Validation Requirements for Planning Applications**

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- **necessity** – *driven by statutory requirements, adopted policies or published guidance*
  - **precision** – *clarity over which types of development require such information*
  - **proportionality** – *commensurate with the nature and scale of the proposal and sensitivity of its location*
  - **fitness for purpose** – *clarity on the information required, being proportional and concise*
  - **assistance** – *guidance on where further information can be sought.*
5. Given the changing landscape of planning policy and guidance since the County Council's 2008 document was published, we embarked on a general revision of the entire documentation, to update the changing policy context and emerging guidance and sources of further information, as well as to review the local information requirements with regard to the above principles. Noteworthy since the document was first produced is the demise of the Kent and Medway Structure Plan and the South East Plan, which together provided much of the policy drivers for the requirements, although the latter has been resurrected since the 12 October 2010 Committee Report following a legal challenge. It also needs to be borne in mind that relevant background information and guidance is evolving all the time, so any published document quickly becomes outdated; one advantage of publishing documentation on websites is that the detailed contents and references could be more regularly updated.
6. The latest guidance advises that local lists of information requirements should be presented clearly and precisely, and ideally in the form of a matrix of requirements (ie. in tabular form). I advised on 12 October 2010 that the County Council's documentation could be made more accessible and concise, if the requirements for County Council development proposals are separated out from those for waste developments, since the requirements vary greatly. In particular, the County Council developments include many minor scale proposals as well as some major building proposals, whereas the major waste proposals tend to be more complex and are often also subject to Environmental Impact Assessment. In the interests of proportionality and accessibility, I therefore produced two separate but companion documents, with each adopting a similar format, style and language despite the differing contents and requirements. It should be noted that it is not currently necessary to produce validation documents for mineral development applications; however, the waste development validation list should be taken as an example of the level of detail and range of information that the County Planning Authority would also expect to see in mineral related planning applications.

### **Consultations**

7. Since the previous Report, I have carried out the necessary public consultation exercise, covering an 8 week period from 15 October to 13 December 2010, and involving our planning applicants, agents and consultants, statutory consultees on planning applications (including all Kent District Councils and Parish Councils), and any other interested parties, via the County Council's website based consultation system. Responses have been received from the following parties, with their views summarised and commented on in sequence:

**Lympne Parish Council** – Most simple applications are submitted through agents or by the applicant, but major applications invariably come from an agent. Whilst the tick box checklist is useful for individual applicants, it may be a little simplistic for agents. However, the checklist ensures that all the essential information is included in the



## **Revised Validation Requirements for Planning Applications**

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application and is therefore supported. The Parish Council would prefer to see proper technical drawings accompanying planning applications, rather than 'fuzzy', artistic representations, which detract from the process of considering the information needed to make a sensible and accurate judgement.

*Comment - I agree that the use of validation checklist can tend to over simplify the requirements, especially for agents handling major applications, although it is the agents handling the more complex applications that tend to use the checklist. Whilst it is of less value for more routine applications, I would not want to discourage its use by those that find it useful. I share the concern over non-technical drawings, but these are usually only accepted by the County Planning Authority as supplements to proper scaled plans and elevational drawings, and can be useful in bringing plans to life for those less familiar in interpreting technical drawings.*

**Faversham Town Council** – changes noted but no comments to offer.

**Highways Agency** – no comments to make.

**The Coal Authority** – supports the inclusion of Coal Mining Risk Assessments, given that the Coal Authority is introducing a new risk based approach to addressing issues of coal mining legacy and any resulting land instability as part of planning applications. Securing submission of a Coal Mining Risk Assessment as part of planning applications for operational development is a key aspect of this new approach, and it is therefore particularly important for consistency that this issue is included in Local Validation Lists where coal mining legacy presents potential risks to new development.

*Comments noted.*

**Health Protection Agency** – considers that they should still be able to comment on the public health aspects of future applications, bearing in mind that they rely on non-technical summaries and various risk assessments for that, and trust that those will still be part of planning applications.

*Comments - I would confirm that none of the proposed changes affect the information relied on by the HPA.*

**Council for British Archaeology** – the CBA are a statutory consultee on applications for Listed Building Consent involving demolition or partial demolition, and welcome the opportunity for more consistent quality of well documented applications. Listed Building Consent applications should be supported by a Heritage Statement which describes the significance of the building, its site and setting, and the impact of the proposals on that significance.

Heritage Statements should include:

- a statement of the significance of the historic building and its setting (its archaeological, architectural, historical or other interest)
- the Statutory List description of the building
- an assessment of the impact of the proposals on the significance of the building and its setting
- explanation of how the proposed changes will be managed to respect the significance of the building and its setting, together with any mitigation measures.

## **Revised Validation Requirements for Planning Applications**

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Applications for Hedgerow Removal may also require a Heritage Statement, such as where it forms part of a significant historic landscape or area of potential archaeological interest. Heritage Statements should also be required to support an application for development which affects land identified in the Historic Environment Record as of archaeological significance (or potential significance). PPS5 advises that applications should not be validated where the extent of the impact of the proposals on the significance of heritage assets cannot be adequately understood. Heritage Statements should be prepared by an appropriately qualified historic environment professional, with pre-application discussion with the relevant Local Authority conservation officer and/or historic environment service, with the Historic Environment Record being an essential source of information.

*Comments - Whilst these views are understood and incorporated within our documentation as far as space allows, we are not in a position to invalidate planning applications on the basis of poor quality Heritage Statements, nor to require applicants to use particular professional advisors. In this regard, the guidance in PPS5 is at variance with the statutory validation responsibilities imposed on Planning Authorities, insofar as validation is more about ensuring the completeness of applications rather than setting quality standards. Although we have supplemented the section on Heritage Statements in the light of this response, the County Planning Authority does not handle applications for Listed Building Consent, Conservation Area Consent or Hedgerow Removal, so we have not altered the section on Listed Building Design and Access Statements .*

**Sport England** – has forwarded its earlier consultation guidance checklist for Local Planning Authorities, together with Section B of its development control guidance note, which sets out their basic requirements for validation checklists. The former asks for the following documents to accompany applications where statutory consultation is required:

- application form;
- plans and photographs, including location plan, existing site plan (showing existing buildings, extent of playing fields, locations of sports facilities, alternative locations, significant features, site levels, etc.), proposed site plan (including proposed development, lost playing field, revised location of pitches, alternative provisions, levels and landscaping, etc.), detailed plans of any internal sports facilities, plus site and aerial photographs;
- land ownership certificate;
- Design and Access Statement;
- Planning Statement (including reasoning behind any playing field loss, assessment of any surplus sports and recreation facilities, assessment of the sports and recreation needs of new development, details of replacement facilities, relationship to sports strategies, details of management and maintenance of facilities, details of Community Use Agreement or Sports Development Plan, supporting evidence from potential users, Business Plan, plus technical details such as surfacing, floodlighting, fencing, etc.);
- Draft heads of terms of any Planning Obligations.

*Comment – These requirements are understood but difficult to incorporate within our documentation because sport is not an area specifically identified in the prescribed list of validation information. Since some of the information being sought tends to go beyond the reasonable requirements of Planning Statements, we would normally require relevant planning applications to be accompanied by a dedicated statement relating to the sporting implications, which would cover most of the more esoteric aspects cited above. We have therefore added in the need for such details within the*

## **Revised Validation Requirements for Planning Applications**

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*Open Space Assessment category. Note that details of lighting specifications are required separately under Lighting Impact Study.*

**Kent Sports Unit** – suggests that applicants should be required to liaise with Sport England before submitting applications that affect playing fields, because issues raised by Sport England during the planning consultation process invariably slow down the whole application process. If the applicant was required to consult Sport England at pre-application stage, it would aid applications progress through the system.

*Comment - I agree that such pre-application liaison can be invaluable in avoiding later delays with the planning application, but we can only advise rather than insist on such liaison. However, we can add some strong advice to the guidance to encourage it.*

**Natural England** – is generally supportive of the guidance and validation process, and offers the following comments:

- the inclusion of Natural England as a contact in the Validation Document should be extended to include their wider remit including landscape and some additional explanatory text is offered;
- the Biodiversity section of the Local Requirements should be extended to include geological diversity, including Kent's Regionally Important Geological Sites (RIGS);
- applicants should be guided under 'relevant Proposals' to the flow charts in their protected species standing advice, which indicates where different protected species are likely to be encountered;
- biodiversity enhancement measures should be requested under 'Item Content' for all developments, but proportionate to the scale and nature of the proposed development;
- reference should be made under 'Further Information' to the Kent RIGS website and their Ancient Woodland Standing Advice;
- the Landscape/Townscape Assessment section should include the need to consult the relevant AONB Unit where AONB impacts are likely to result from the proposed development;
- a full assessment of the development's impacts should not be limited solely to developments within the AONB, but include those within the setting of AONBs, and some additional text is offered.

*Comment - We are able to incorporate most of this additional information and advice, but in the interests of concise brevity we are obliged to distil it to the bare essentials or substantially abbreviate the phraseology. Moreover, it has to be borne in mind that the main aim of the exercise is to streamline the planning application process rather than add to information requirements, so we need to be wary of overloading applicants with too much information to digest, or requiring planning applicants to provide a disproportionate amount of information and costly assessment surveys. Similarly, there is a limit as to how many organisations we can require applicants to liaise with at the pre-application stage, given that the likes of the AONB Units are included as consultees on relevant planning applications by the Planning Authority, but we have nevertheless included a cross reference in the Landscape Assessment section.*

**Kent Wildlife Trust** – asks whether the references to Sites of Nature Conservation Interest be changed to Local Wildlife Sites (LWS), which they use to ensure consistency with PPS9? Also ask if Roadside Nature Reserves (LNR) could be added to the list of designated sites, which are designated by KWT with full support of Kent Highway Services? Digitised boundary information of LWSs and RNRs are available from the Trust.

**Revised Validation Requirements for Planning Applications**

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*Comment – LWSs are already included but we see no reason not to include RNRs as well. However, we need to be wary of over extending designations and the implications for costly survey requirements given the main objective of simplifying the planning process, rather than assisting consultees' data records.*

**KCC Natural Environment and Coast Team** – refer to their Biodiversity Trigger List which they would like to see as part of the validation process, and make the following comments:

- Reference in the Validation Checklist to Ecological Surveys and Protected Species Surveys is confusing for applicants, and would be better as Biodiversity (Ecological Scoping Survey, Protected Species Survey, Mitigation Strategy and Enhancement Strategy);
- Policy drivers for Biodiversity should include the Natural Environment and Rural Communities Act 2006 (Natural England Standing Advice);
- The Trigger List for Ecological/Biodiversity Input to Planning Applications should be referred to under 'Relevant Proposals';
- Potentially any site countywide should be included under 'Locational Criteria';
- Suggest adding to 'Item Content' as follows – Where potential for ecological/biodiversity impacts is highlighted, eg. through the Trigger List or in pre-application discussions, an Ecological Scoping Survey will assess the potential for impacts on habitats and protected or notable species on or adjacent to the site as a result of the proposed development. Where recommendations for additional species-specific surveys are given, these must be carried out to best practice guidelines and the report must include details of the survey methodology used, details of the likely impact from the proposed development and provide details of mitigation, compensation and enhancement measures. Where internationally/nationally designated sites are likely to be affected as a result of the proposed development, the Environmental Impact Assessment Regulations will apply and appropriate levels of biodiversity/ecological information will be required in order to enable assessment of the significance of any impacts;
- The details under 'Further Information' is not exhaustive and could be updated in due course by linking to Natural England Standing Advice.

*Comment – We are able to incorporate most of this additional information and advice, but in the interests of concise brevity we are obliged to substantially abbreviate the phraseology. The Trigger List is now to be referred to, but it was devised more as a tool for planning officers than for applicants. The 'Locational Criteria' already include potentially any site countywide, given the biodiversity enhancement aspirations of PPS9. The currency of the reference list is noted, but the list is constantly lengthening with the plethora of advice notes being produced on this subject. As mentioned above, the aim of the exercise is to streamline rather than add to information requirements, and the validation process should not be used as a means of getting planning applicants to supplement survey databases at their own cost.*

**Kent Downs AONB Unit** – points out that the references to 'Green Belt Statement' should be amended to 'Greenbelt and/or AONB statement' as applicable.

*Comment - The terminology used in validation documents is prescribed by the Government advice and cannot easily be varied, but more importantly Green Belt and AONB are dealt with separately (under Green Belt and Landscape respectively), which is entirely correct because one relates to urban containment policy and the other relates to protection of countryside (ie. two different policy objectives and two different*

## **Revised Validation Requirements for Planning Applications**

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*geographical areas). Nevertheless we have included a cross reference for clarification the Landscape Assessment section.*

**M Burgess (School Agent)** – some clear guidance as to what constitutes a ‘minor’ application and what constitutes ‘significant’ impact (eg. on trees) would be helpful. The provision of many statements can be a major burden and substantial cost, and it would help prospective applicants to know the extent of the requirements in judging whether the benefits of the development are justified by the costs of the application.

*Comment - ‘Minor’ development is defined as developments of less than 1000 m<sup>2</sup> of new floorspace or sites of less than 1 hectare, which excludes most school applications other than substantial extensions, rebuilds or brand new schools. The definition of ‘significant’ will vary according to the subject, location and methodology, but in the context of trees it would usually refer to the removal or substantial reduction of important trees, ie. those of rare/high species value, those of locally treasured visual amenity value, and/or mature trees in good health, shape and longevity. The onus of the requirements on planning applicants is appreciated and introducing some proportionality is an important reason for undertaking the whole review.*

### **Summary and Conclusion**

8. One of the most significant changes to be taken account of is the changing fortunes of the South East Plan and the relevance of its policies to the Validation Documents. In particular, since the documents were issued in 2008, the South East Plan has been introduced (9 May 2009), abolished (July 2010) and re-introduced (November 2010), and at present is subject to a further legal challenge over the Government’s intended abolition of Regional Spatial Strategies in the forthcoming Localism Act. Such continued uncertainty is hugely unhelpful, but since the South East Plan is currently in force again, its policies have been included in the revised version of the Validation Documents, with a footnote explaining that they might well cease to exist in due course.
9. Whilst the response rate to this consultation has been rather low, this is not unusual for an exercise with a low threshold of interest amongst for many stakeholders. However, the responses that have been received are very helpful in identifying gaps in requirements, information or guidance and we have been able to improve the contents of the Validation Documents as a result. It is noteworthy that most of the respondents are not planning applicants but rather consultees in the planning process (either statutory or non-statutory), and care has to be taken not to overload planning applicants with onerous or costly information requirements. Bearing in mind that the majority of planning applications are not of major scale or significant impact, I consider that it would be disproportionate to impose one-size-fits-all requirements on applicants, and arguably defeating the object of the whole streamlining exercise. There is an understandable temptation for consultees to err on the side of caution and to treat all applications as worst case scenarios, plus a real danger of planning applicants being used to fill gaps in the survey evidence available to consultee bodies, which is not the purpose of the planning system.
10. Under the circumstances, we have been able to adjust and supplement the Validation Documents following this consultation, but have had to temper some of the more elaborate requirements, pre-application liaison and pointers for further

**Revised Validation Requirements for Planning Applications**

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guidance in the interests of necessity, precision and proportionality (as referred to in paragraph 3 above). However, it will be possible to put links to consultees' websites (where available), to enable planning applicants to take advantage of any advice being offered.

11. Note that a satisfactory equality impact assessment has been carried out on the Validation Documents, which are available to view in their latest amended form via the Planning Applications Committee page of the [www.kent.gov.uk](http://www.kent.gov.uk) website.

**Recommendation**

12. I RECOMMEND that Members:

- NOTE the responses received and the proposed revisions and updates to the County Council Development and Waste Planning Applications Validation Documents;
- AUTHORISE the Head of Planning Applications to publish the revised and updated Validation Documents on the County Council's website; and
- DELEGATE to the Head of Planning Applications the more regular updating of the references to current policy documents and the technical and policy guidance cited in the Validation Documents, to ensure that they remain technically up to date in between further formal reviews of the contents.

Case Officers – Jerry Crossley/Andrea Hopkins	01622 221052/56
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<p>Background Documents –</p> <p><i>The Validation of Planning Applications: Guidance for Local Planning Authorities</i> (December 2007) Department for Communities and Local Government.</p> <p><i>Guidance on Information Requirements and Validation</i> (March 2010) Department of Communities and Local Government.</p> <p><i>Validation of Planning Applications</i> (October 2008) Kent County Council.</p> <p><i>Validation of County Council Development Planning Applications</i> (October 2010) Kent County Council</p> <p><i>Validation of Waste Planning Applications</i> (October 2010) Kent County Council.</p>
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# **Validation of County Council Development Planning Applications**

How to make  
sure that your  
Regulation 3  
application  
includes all the  
required  
information when  
submitted

***Revised 2010***

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NOTE: This document corresponds with that produced by the Kent Development Control Officers' Group, but adjusted to relate to County Council development only (Regulation 3 applications). Separate advice is available for minerals and waste development (County Matters applications).<sup>3</sup> If you are seeking other types of planning consent, you should check the **Validation Guidance** for Local Requirements on the website of the relevant District Council, since these will vary slightly between planning authorities.

All information contained in this document is correct at the date of publication, but it is likely that some requirements may change over time. Changes will be incorporated each time that the document is revised.

If you require this document in large print, or in some other format, please contact us on (01622) 221070 for assistance.



*This Note is in three sections:*

*Section 1 provides the Introduction*

*Section 2 identifies the supporting studies, statements and assessments that are commonly required to accompany planning applications. For each type it identifies the relevant national and local guidance and key development plan policies, together with other key documents, some of which contain their own bibliographies that you may find helpful.*

*Section 3 contains a generic Validation Checklist which may be used in preparing and/or submitting your application.*

## **Section 1 Introduction**

This Advice Note generally accords with the Countywide document prepared by the Kent Development Control Officers' Group, which represents all of the development control teams in Kent Planning Authorities, but relates specifically to applications for County Council development submitted under Regulation 3 of the Town and Country Planning General Regulations 1992. Separate advice is available for County Matter applications – minerals and waste developments.

The Note seeks to:

- assist you in ensuring that your applications are valid when submitted,
- ensure that all applications can be dealt with effectively and efficiently,
- respond positively to the Best Practice Advice issued by Government, and
- ensure that the County Council can comply with recent changes in Legislation.

This Note therefore explains what type of information will be required for certain types of applications. If the information required is not submitted with the application, then the application may not be valid and may not therefore be progressed to a decision.

Please remember that other consents may also be required (e.g. Building Regulations approval from District Councils).

### **Why such information is needed**

Some information, and a fee, is required by law when an application is submitted. In addition, current national regulations give planning authorities the power to require applicants to provide additional information in the interests of good and efficient decision making<sup>1</sup>.

Different types of applications will require different levels of information and supporting documentation to be submitted. The Department of Communities and Local Government has published guidance<sup>2</sup> recommending that local planning authorities specify the scope of information

necessary to enable them to determine different types of applications, as long as it is necessary to assess the application, precise as to what information is needed, proportional to the nature, scale and sensitivity of the proposed development, fit for purpose generally and of assistance in pointing to further information.

### **Common reasons why applications are invalid**

The most common reasons why applications are not valid when received are:

- supporting documents omit information specified in the guidance notes accompanying the planning application form and/or set out in national guidance, the statutory development plan or supplementary planning guidance;
- submitted drawings do not show sufficient details as specified in the guidance notes, or were inconsistent;
- one or more plans are missing;
- the description of the proposed development is wrong
- the necessary Design and Access Statement is missing
- different application addresses appear on the forms and drawings;
- building works encroach onto neighbouring property;
- there are incorrectly signed or unsigned certificates;
- there are insufficient copies of plans and forms submitted;
- there is inconsistency between elevations and floor plans;
- incorrect fees are enclosed or the fee cheque is not signed; and
- information is still inadequate after one or more requests to the applicant for further details.

### **Data Protection and the Internet**

The information you provide on the application form and in the supporting documents will be public information, which may become available on the Council's website. In view of this, if you supply personal information belonging to a third party, please ensure that you have their permission to do so.

### **The Validation Process**

The County Planning Authority will only consider applications that are valid, which means that all the information specified by the Council in order to determine the application is provided in full at the start of the process, and to an acceptable quality. **If relevant information or the correct fee**

**is missing, the Council will not be able to start determining the application and the planning process will be delayed.** Poor quality information may also cause delay.

There are different types of applications and some types require more detailed information than others. All information needs to be accurate. Some information can be complex and technical. It is required so that Council officers (not just in Planning), technical consultees and Council Members can assess what the impacts of the development would be on the locality and on neighbours, for example, regarding visual impact, noise or the amount of traffic generated by a proposal. The information also helps the general public to understand your proposals.

It is likely that you will need to appoint an architect, surveyor or specialist consultant to prepare the information for you. This might seem like an additional expense. However, it could save time and money in the long run and mean that permission is granted more quickly.

#### **If further information or a fee is required**

We will notify you if the application is incomplete due to missing information or fee as soon as possible, and usually within 5 working days for minor applications and small scale major applications and 10 working days for large scale major applications. We will specify what needs to be provided and give a typical period for the submission of the missing information or fee. If that is not submitted within the given timescale, the application will be returned to you and no further action will be taken on it.

Extra copies of plans may sometimes be requested if the Council needs to consult a wider than usual range of neighbours or expert advisers. **The Council also reserves the right to request any other information considered necessary to make a full planning assessment of your proposal.**

Where an application is not accompanied by information required by this Advice Note, then applicants should provide written justification with the application as to why it is not appropriate in the particular circumstances. In such cases, we will not declare the application invalid unless we can provide reasons to the applicant.

#### **Online and electronic submissions**

It is now possible to receive applications electronically via the County Council's website at [www.kent.gov.uk](http://www.kent.gov.uk), or via the Planning Portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). In view of the difficulties in handling large scale major applications electronically, you are requested to discuss the desirability of these being submitted in paper form with the County Council's Planning Applications Group. In particular, large scale developments are difficult to appreciate and assess on-screen, and many of our consultees require us to supply paper versions of documents, which delays the processing of the application if we have to print out hard copies of the plans and documents before consultations can be commenced. **In light of the above in addition to electronic copies we also request that 4 paper copies of the application be submitted.**

Please structure your electronic submission in the following way:

- No individual file is greater than 5MB;

- Large documents are broken down into manageable files, eg. in chapters and sections;
- It is important that the naming structure explains the document and chapter in plain English;
- All major (metric) dimensions must be specified on drawings. This is necessary for the assessment of drawings. Drawings should also include a scale and calibration scale;
- Drawings should be oriented so that they appear correctly when viewed on screen (ie. with North at the top of the screen).

### **Where to find more help**

Guidance Notes to assist in the completion of planning applications relating to County Council development (or jointly with the County Council) are also available on the County Council's website at: <http://www.kent.gov.uk/publications/environment/app-reg3-developments.htm>

If you require further information, please contact the County Council's Planning Applications Group on (01622) 221070 or [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk).

### Notes:

<sup>1</sup> National Legislation and Regulations in relation to the registration and validation of applications currently includes:

- *Town and Country Planning (Applications) Regulations 1988*
- *Town and Country Planning (Development Management Procedure) Order 2010*
- *The Town and Country Planning Act 1990*
- *The Planning and Compulsory Purchase Act 2004* and
- *Electronic Communications Order*.

Authorities have powers under Regulation 4 of the *Town and Country Planning (Applications) Regulations 1988* to direct applicants to:

- (a) supply any further information, and except in the case of outline applications, plans and drawings necessary to enable them to determine the application, or
- (b) provide one of their officers with any evidence in respect of the application as is reasonable for them to call for to verify any particulars of information given to them.

<sup>2</sup> *Guidance on Information Requirements and Validation* (March 2010).

<sup>3</sup> *The Town and Country Planning General Regulations 1992* provide for the submission of applications for development by local authorities to the planning authority of that same Council.

## Section 2 Information Requirements

This section of the advice note gives details of the information/documents that may be required, and where further guidance may be available. It is split into two parts. **General requirements** are the same across all planning authorities and will be required for most applications. **Local requirements** apply (in this note) to County Council development applications submitted to the County Council.

### Part 1 -GENERAL REQUIREMENTS

**CORRECT FEE** REQUIRED FOR ALL APPLICATIONS UNLESS SPECIFICALLY EXEMPT

The correct fee for applications for County Council development applications may be calculated either by using the fee calculator incorporated in the on-line Application Form 1APP, or by referring to our Guidance Notes on the County Council's website at [www.kent.gov.uk](http://www.kent.gov.uk). Cheques should be made out to "Kent County Council" and, in the case of internal payments for Regulation 3 applications, journal transfers should be raised by the applicant Directorate. **Note that the fees for planning applications are revised from time to time and were last revised on 6 April 2008.**

*Applications to meet the Disability Discrimination Act, re-submissions of previously withdrawn applications (within 12 months of the original submission), and re-submissions of previously refused applications for the same described development (within 12 months of the refusal) are exempt from fees.*

**OWNERSHIP CERTIFICATE**...REQUIRED FOR ALL FRESH APPLICATIONS

You must complete an Ownership Certificate for all applications, except applications for Reserved Matters following an outline planning permission or submission of details or amendments. Note that these Certificates (A-D) are incorporated into the 1APP Application Form, but you only need to complete one of them.

You should use **Certificate A** if the applicant(s) is the only party which owns the application site (which is what the completed Certificate A confirms).

You should use **Certificate B** if the applicant(s) does not own the application site, or if the applicant owns part of the site and there are others who also own it or have an interest in it (for example shared freeholders, leaseholders). You will need to list the names and addresses of any other parties and confirm the date when you "served notice" (ie. formally told them in writing) that you were making the application. (That is what the completed Certificate B confirms).

You should use **Certificate C** if you know some of the owners but not all the owners. In this case you must also explain what reasonable steps you have taken to identify the other owners. You will

need to list the names and addresses of any known other parties and confirm the date when you served notice that you were making the application. You will also have to place a public notice in a newspaper circulating in area where the land lies, to enable unknown parties to be aware.

You should use **Certificate D** if you do not know any of the owners of the application site. In this case you must also explain what reasonable steps you have taken to identify the owners. You will also have to place a public notice in a newspaper circulating in area where the land lies.

*(For these purposes an 'owner' is anyone with a freehold interest, or leasehold interest, the unexpired term of which is not less than 7 years).*

#### **AGRICULTURAL HOLDINGS CERTIFICATE** REQUIRED FOR MOST FRESH APPLICATIONS

Other than applications for reserved matters, renewal of temporary permissions and the discharge or variation of conditions, an Agricultural Holdings Certificate is required for all planning applications, irrespective of whether there is an agricultural holding. Where there are any agricultural tenant(s), they must be notified prior to the submission of the application. However, if the application site does not include an agricultural holding, then you should complete the statement to that effect on the combined Ownership Certificate which you issue with the application.

#### **PART 1 NOTICE** REQUIRED FOR SOME FRESH APPLICATIONS

A notice to the owners of the application site must be served if Certificate B has been completed, and also if Certificate C has been completed where some owners other than the applicant are known. Notices are not required for reserved matters applications, submission of details and amendments or where no other known landowners are affected (Certificates A and D). A copy should be served on each of the individuals identified in the relevant Certificate. It is very helpful if a copy of each Notice served accompanies the submitted application.

### **Drawings**

#### **SITE LOCATION PLAN** REQUIRED FOR ALL APPLICATIONS *(but not details and variations)*

Such plans should use the latest available survey base and show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear. Large sites for road schemes, new schools, etc. should similarly have adequate off-site points of reference included.

The application site must be edged clearly with a **RED** line, including all land necessary to carry out the proposed development, eg. land required for access to the site from a public highway, visibility splays, landscaping, car-parking and open areas around buildings, etc.

A **BLUE** line must be drawn around any other land owned by the applicant, which is close to or adjoining the application site, but it is not usually necessary to show KCC owned highway land.

**SITE LAYOUT PLAN/BLOCK PLAN** *REQUIRED FOR ALL APPLICATIONS (but not details and variations)*

Such Plans should be at a scale of 1:500 or 1:200 for most Regulation 3 applications, should be on (or based on) an up-to-date Ordnance Survey map and should accurately show:

- the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions, including those to the boundaries;
- all the buildings, roads and Public Rights of Way on land adjoining the site, including site access arrangements;
- any Public Rights of Way, or tracks or paths evident on the ground in public use, crossing the development site;
- the species, position and spread of all trees within 12 metres of any proposed building works;
- the extent and type of any hard surfacing;
- boundary treatments, including walls or fencing where proposed;
- the location, number and form of any vehicle or cycle parking;
- the location and shape of any vehicle turning area.

**FLOOR PLANS, ROOF PLANS AND ELEVATIONS** *REQUIRED FOR BUILT DEVELOPMENT APPLICATIONS (including changes of use of buildings and relevant amendment submissions)*

All sides of existing buildings, as well as the proposed development, must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included, if only to show that this is in fact the case. New buildings should also be shown in context with adjacent buildings (including property numbers/names where applicable). Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the openings on each property. General arrangement drawings should be provided for engineering structures, such as bridges, tunnels, retaining walls, culverts, etc.

*Floor/roof plans and elevations are not required for applications not involving buildings (eg. accesses, car parking, hard surfacing, paths/cycle routes, gates/fencing, poles/aerials, canopies, earthworks, drainage lagoons and some renewable energy equipment, plus changes of use where no buildings are affected) Roof plans for flat roofed buildings such as standard mobile classroom units are also not generally required. Note that some proposals may require elevation drawings but not floor plans (eg. wind turbines, solar panels, play equipment, etc. but may be best depicted by use of the supplier's specification details if to scale).*

**SECTIONS** *REQUIRED FOR MOST BUILT DEVELOPMENT APPLICATIONS*

Cross section(s) through the proposed building(s), or site, should be submitted in the following circumstances:

- in all cases where a proposal involves a change in ground levels – illustrative drawings should be submitted to show both existing and finished levels;

- on sloping sites – full information is required concerning alterations to levels, the way in which a proposal would sit within the site and in particular the relative levels between existing and proposed buildings.

The drawings may take the form of contours, spot levels or cross or long sections as appropriate.

#### **DESIGN AND ACCESS STATEMENT** *REQUIRED FOR MOST PLANNING APPLICATIONS*

With the exception of applications involving change of use only, and other exemptions listed below, all, Regulation 3 planning applications must be accompanied by a Design and Access Statement. The Statement should explain how a design “process” has been followed. The Statement is required to explain:

- the design principles and concepts that have been applied to 5 specified aspects of the development, comprising the **amount**, **layout** and **scale** of the development, plus its **landscaping** and its **appearance**;
- the steps taken to appraise the context of the development and how the design takes that context into account in terms of the **amount** of development, its **layout**, **scale**, **landscaping** and **appearance**;
- how local development plan policies and documents have been taken into account in the design considerations;
- what consultation has been undertaken on access and design issues, and what account has been taken of the outcomes;
- how specific issues which might affect access to the development have been addressed;
- how prospective users and any construction contractors would be able to gain access to the development from the existing transport network;
- why the main access points to the site and the layout of access routes within the site have been chosen; and
- how features which ensure good and equal access to the development would be maintained.

The **Design and Access Statement** should also show how account has been taken of the principles of sustainable design and construction and opportunities for equal accessibility, together with measures to design out crime and disorder. In particular, the Statement should explain what BREEAM standard is being worked towards in the design of any new public buildings. Both PPS 1



and the CABE document cited below seek to create safe and accessible environments and require Design and Access Statements to demonstrate how crime prevention measures have been considered in the design, including early consultation with the Police. If you do not address crime prevention in your Design and Access Statement when applying for any major development, then you must address it as a separate document.

Proposals that affect Listed Buildings, Conservation Areas or other areas with specific designations will need particularly careful analysis and justification in the Statement, to show that full account has been taken of their status. Specific reference should be made to PPS 5 and its requirements when applications relate to Listed Buildings or buildings in Conservation Areas. *(For further advice please see **Listed Building Design and Access Statement and Conservation Area Assessment under LOCAL REQUIREMENTS**).*

Illustrative material in the form of photographs, sketches, coloured drawings, perspectives, street scene montages, or models is often helpful to the understanding of a proposal and enables a full appreciation of the design of proposed buildings in their wider surroundings, not just the immediately adjacent buildings. The level of illustrative material needed for the Design and Access Statement will depend on the scale and type of the development, eg. new buildings will require far fuller explanation than more minor works such as car parks, fencing and play equipment. IN particular, straightforward or small-scale proposals may just need a brief Statement covering the matters set out above, with possibly photographs of the site and its surroundings and plans or drawings in relation to neighbouring development. However, if you have provided a very detailed or lengthy Statement for major development, such as a whole new school, it might be helpful to include a summary.

A Statement is required for MOST planning applications, except applications for:

- changes of use, unless they involve operational development;
- engineering or mining works;
- developments affecting an existing dwelling (or within the curtilage of a dwelling), unless within a specially designated area (ie. Conservation Area, Area of Outstanding Natural Beauty or Site of Special Scientific Interest);
- extension of an existing building for non-domestic purposes (if less than 100 square metres floorspace) unless within a specially designated area;
- gates, fences or walls (where under 2 metres in height or no higher than those to be replaced) unless relating to a Listed Building;

- buildings on operational land (where less than 100 cubic metres volume and less than 15 metres in height), unless within a specially designated area;
- building alterations not increasing the existing size of the building, unless within a specially designated area;
- plant or machinery (where under 15 metres in height), unless within a specially designated area;
- replacement planning permissions, variation or removal of planning conditions, or submissions of details or non-material amendments.

**Government Policy or Guidance:**

- *Town and Country Planning (Development Management Procedure) Order 2010*
- *PPS 1: Delivering Sustainable Development*
- *PPS 3: Housing*
- *PPG 13: Transport*
- *PPS 5: Planning and the Historic Environment*
- *Guidance on Changes to the Development Control System - DCLG Circular 01/2006*
- *Manual for Streets: DCLG (2006)*

**Supplementary Planning Documents or Guidance:**

- *The Kent Design Guide - Kent County Council (2006)*

**Other Documents:**

- *Design and Access Statements: How to Write, Read and Use Them - CABI (2006)*

**ENVIRONMENTAL STATEMENT** REQUIRED FOR CERTAIN DEVELOPMENT TYPES AND IN CERTAIN DEFINED ENVIRONMENTALLY SENSITIVE LOCATIONS

An Environmental Statement will be required for all the categories of development defined in Schedule 1, and for certain categories of development defined in Schedule 2, of the *Town and*

*Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.* Most applications for new highway proposals will require scrutiny via the Environmental Impact Assessment process in addition to the planning application process. In such circumstances, the Regulations require the developer to prepare an **Environmental Statement** to enable the County Planning Authority to give proper consideration to the likely environmental effects of the proposed development.

*When Needed: All applications for the types of development defined in Schedule 1 of the 1999 Regulations (eg. new roads over 10km in length) or defined In Schedule 2 (eg. urban development projects over 0.5 hectare or road construction projects exceeding 1 hectare) where there are likely to be significant environmental effects, plus developments on sites within the defined Environmentally Sensitive Areas*

*When Not Needed: Applications for types of development falling outside the scope of the 1999 Regulations, or within Schedule 2 but unlikely to have any significant environmental effects, plus applications for variation or removal of conditions, and submissions of details and non-material amendments*

The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement, and require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures.

For most major developments, Screening Opinions and Scoping Opinions for Environmental Impact Assessment should ideally have taken place long before an application is submitted, but screening will in any event need to be carried out on receipt of relevant applications by the County Planning Authority before validation of the application can be completed.

*Applicants should be aware of two judgements of the European Court of Justice in May 2006. These require that where development consent comprises a multi-stage process, eg. outline planning applications, EIA can be required before approval of the reserved matters. The Regulations will also apply to conditions attached to full planning permissions which do not permit development until the submission of certain detailed matters and their approval by the planning authority.*

#### **Government Policy or Guidance:**

- *Town and Country Planning (Environmental Impact Assessment) (England) Regulations 1999*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) (Amendment) Regulations 2000*
- *Town and Country Planning (Environmental Impact Assessment) (England) (Amendment) Regulations 2007*
- *Environmental Impact Assessment – DCLG Circular 2/99*

## **Part 2 - LOCAL REQUIREMENTS**

*Please note that the local requirements that apply in Kent when submitting applications will vary slightly from one Planning Authority to another. Only those likely to apply to County Council (Regulation 3) development applications are included here, and separate requirements apply to County Matter (minerals and waste) applications.*

Please see the attached matrix of topic areas, for details of when such additional information is required and pointers to the relevant government policy, guidance and development plan considerations. Whilst it will clearly vary from one application to another depending on the type of application, the nature and scale of the proposed development, and the particular site location and characteristics, the following is a list of the additional topic areas that might be relevant to planning applications County Council development applications:

### Minor developments

Biodiversity  
Drainage (Surface)  
Drainage (Foul)  
Flood Risk  
Green Belt  
Heritage  
Landscaping  
Lighting  
Listed Buildings  
Noise  
Parking/servicing  
Planning Statement  
Community Involvement  
Structure/stability  
Transport/travel  
Trees  
Ventilation

### Major Transport projects

Air Quality  
Biodiversity  
Contaminated Land  
Drainage (Surface)  
Economic Statement  
Environmental Statement  
Flood Risk  
Green Belt  
Heritage  
Landscaping  
Landscape/townscape  
Lighting  
Noise  
Open Space/PROWs  
Planning Statement  
Planning Obligations  
Public Art  
Community Involvement  
Structure/stability  
Sustainable design  
Transport/travel  
Trees  
Waste management

### Major Building projects

Biodiversity  
Drainage(Surface)  
Drainage (Foul)  
Flood Risk  
Green Belt  
Heritage  
Landscaping  
Landscape/townscape  
Lighting  
Listed Buildings  
Noise  
Open Space/PROWs  
Parking/servicing  
Planning Statement  
Refuse collection  
Renewable energy  
Structure/stability  
Sunlight/daylight  
Sustainable design  
Transport/travel  
Trees  
Utilities  
Ventilation  
Waste management

**SEE MATRIX OF LOCAL INFORMATION REQUIREMENTS IN APPENDIX**

## ***FURTHER INFORMATION AND CONTACTS***

Most of the references to national and local planning policies and other background documents are available on line. Useful web addresses are set out below.

**Department for Communities and Local Government** – [www.communities.gov.uk](http://www.communities.gov.uk)

**Planning Portal** – [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

For national and regional planning policies and guidance (Planning Policy Guidance Notes or Statements, Government Circulars, etc).

**Kent County Council** – [www.kent.gov.uk](http://www.kent.gov.uk)

For Kent Design and other Kent County Council publications (Developer Contributions, Vehicle Parking Standards, etc.) plus planning applications for mineral workings, waste disposal and the County Council's own developments (schools, libraries, care homes, gypsy sites, transport projects, etc.)

**Natural England** – [www.naturalengland.org.uk](http://www.naturalengland.org.uk)

For information on nature conservation and biodiversity.

**Environment Agency** – [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

For information on flood risk, drainage, contamination and aquatic ecology.

## **CONTACT US**

Planning Applications Group, Invicta House, County Hall, Maidstone, ME14 1XX, Kent

Tel: (01622) 221070

Fax: (01622) 221072

Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)

## Section 3 - Validation Checklist

There are several types of planning application possible under the Regulation 3 process for County Council development, as listed below, but it might assist you to use the following **Validation Checklist** for a standard application for planning permission. You do not need to submit a completed checklist with your application but it might speed up the validation of your planning application if you do so, because we would be able to see at a glance what is being provided and what is not and why.

**Application for Full Planning Permission**

**Application for Outline Planning Permission with some OR all matters reserved<sup>1</sup>**

**Application for Approval of Reserved Matters following an outline permission<sup>1</sup>**

**Application for Removal or Variation of a Condition on an existing planning permission**

**Submission for Approval of Details reserved by a condition on a planning consent**

**Submission of a Non-Material Amendment to an existing planning consent.**

Guidance Notes to assist in the completion of planning applications relating to County Council development (or jointly with the County Council) are also available on the County Council's website at: <http://www.kent.gov.uk/publications/environment/app-reg3-developments.htm>

Note:

<sup>1</sup> Note that outline applications cannot be accepted for proposed changes of use.

# Validation Checklist

**DRAWINGS** – Drawings are preferred at A4 or A3, however where that is inappropriate larger drawings are acceptable.

All drawings should include the following information:

- the scale of the drawing (eg. 1:100, 1:200 – must be a metric scale)
- a scale bar indicating a minimum of 0-10 metres
- the direction of North on layout and location plans
- a title to identify the development and subject of the drawing (eg. 'Proposed Classroom Block, at Hope School, Ecoville – Site Layout')
- a unique drawing number which also indicates any revisions (eg. '123/4 Revision B')
- all revisions described to identify any changes (eg. 'Revision A – Layout changed')
- the date the drawing was drawn or any changes made
- annotation against the drawing to indicate all key external dimensions.

**An electronic copy of the application should be submitted but we also request that a minimum of 4 copies (ie. original plus 3 copies) of all documentation relating to the application be submitted. Please discuss numbers for EIA Development applications.**

**If not applying electronically, please provide an electronic copy of the application on a CD ROM in pdf format. Please limit individual file sizes to less than 5Mb.**

## Part 1: GENERAL REQUIREMENTS

Documents that must be included with your application: *[Please tick boxes to confirm inclusion]*

- ☐ • **Correct Application Fee** (as indicated in the Guidance Notes)
- ☐ • **Application Form** (completed, signed (unless submitted electronically), and dated)
- ☐ • **Ownership Certificate:** (included in the 1APP Application Form, BUT only sign the one appropriate certificate)
  - ☐ - **A** (where the applicant owns all of the land in the application site) **OR**
  - ☐ - **B** (where the applicant does not own the land in the application site, but has served a certificate of notice on the owners of the land) **OR**
  - ☐ - **C** (where the applicant does not own the land in the application site, and is unable to identify all of the owners but has notified some of the owners) **OR**
  - ☐ - **D** (where the applicant does not own the land in the application site, and is unable to identify any of the owners or to notify any of the owners)
- ☐ • **Agricultural Holdings Certificate** (needed for all applications irrespective of relevance to the site)

- ☐ • **Land Ownership Notice** (if you have completed Certificate B or C)
- ☐ • **Site Location Plan** (Scale 1:1250 or 1:2500 with the application site outlined in RED and any other land owned by the applicant outlined in BLUE)
- ☐ • **Site Layout Plan /Block Plan** (Scale 1:500 or 1:200)
- ☐ • **Existing and Proposed Elevations of Buildings** (Scale 1:50 or 1:100)
- ☐ • **Existing and Proposed Floor Plans** (Scale 1:50 or 1:100)
- ☐ • **Existing and Proposed Roof Plans** (Scale 1:50 or 1:100)
- ☐ • **Existing and Proposed Site Sections and Finished Floor and Site Levels** (Scale 1:50 or 1:100)
- ☐ • **Design and Access Statement** (unless specifically exempted)
- ☐ • **Environmental Statement** (where applicable)

## Part 2: LOCAL REQUIREMENTS

*Having read through Section 2's list of local requirements, please indicate whether your proposal requires submission of any of the following, by ticking the box for those that apply and submit the relevant documents with your application:*

- ☐ Air Quality Assessment
- ☐ Biodiversity (Ecological Site Assessment, Ecological Survey, Protected Species Survey)
- ☐ Coal Mining Risk Assessment
- ☐ Contaminated Land Investigation
- ☐ Drainage Assessment (Foul)
- ☐ Drainage Assessment (Surface Water)
- ☐ Economic Statement
- ☐ Flood Risk Assessment
- ☐ Green Belt Statement
- ☐ Heritage Statement



- ☐ Landscaping Plan/Strategy
- ☐ Landscape and Visual Impact Assessment
- ☐ Lighting Assessment/Details of Lighting Scheme
- ☐ Listed Building/Conservation Area Assessment
- ☐ Noise Impact Assessment
- ☐ Open Space Assessment
- ☐ Parking/Servicing Statement
- ☐ Planning Statement
- ☐ Public Art Contribution
- ☐ Refuse Disposal Arrangements
- ☐ Renewable Energy Assessment
- ☐ Statement Of Community Involvement
- ☐ Structural/Stability Survey
- ☐ Sunlight/Daylight Assessment
- ☐ Sustainable Design and Construction Assessment
- ☐ Transport Assessment And Travel Plan
- ☐ Transport Assessment Outline Statement
- ☐ Tree Survey/Arboricultural Assessment
- ☐ Utilities Statement
- ☐ Ventilation/Extraction Details
- ☐ Waste Management Plans

Notes:

Should we need further information to process your application, we will contact you and hold the application as invalid until that further information is submitted. Note that we may still request additional information following validation if it is necessary to enable proper determination of your application.

If you tell us that you do not think that the information listed above is required, and give us your reasons, we will not declare it invalid. However, if insufficient justification is provided, the application will be declared invalid. We will then explain to you why it is invalid.

***Note that failure to submit any of the requirements will result in the application not being registered.***

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If you require this document in large print, or in some other format, please contact us on (01622) 221070 for assistance.

## LOCAL INFORMATION REQUIREMENTS FOR KCC DEVELOPMENT APPLICATIONS

Information Item	Policy Drivers	Relevant Proposals	Locational Criteria	Item Content	Further Information
Air Quality Assessment	<p><a href="#">PPS 23 Planning and Pollution Control - Annex 1</a>  <a href="#">Environment Act 1995 - Part IV (Local Air Quality Management)</a>  <a href="#">DEFRA Policy Guidance LAQM.PG(03) - Chapter 7</a></p> <p>Possible Local Development Framework Policies on air quality  South East Plan Policy NRM9#</p> <p># NOTE THAT SOUTH EAST PLAN POLICIES ARE LIKELY TO BE SUPERSEDED IN 2011 BY THE FORTHCOMING LOCALISM ACT</p>	<p>Major category developments*, especially with residential elements, eg. care homes, traveller sites, and special schools</p> <p>Developments with possible high levels of air pollution, such as new transport infrastructure</p> <p>Unlikely to be needed for minor proposals</p>	Sites within Air Quality Management Areas or generating additional traffic in such areas	Adequate air quality information to enable the Council to assess the likely impact on local air quality, including any cumulative effects and any mitigating measures to offset any increase in local pollutant emissions resulting from the development	<p><i>Planning for Air Quality</i> (NSCA)</p> <p>* NOTE THAT MAJOR CATEGORY DEVELOPMENTS ARE THOSE ON SITES EXCEEDING 1 HECTARE IN COMPRING NEW BUILDING WORK OF 1000 SQUARE METRES OR MORE</p>
Biodiversity	<p>PPS 9 <i>Biodiversity and Geological Conservation Planning for Biodiversity and Geological Conservation: A Good Practice Guide</i> - ODPM (2006)</p> <p><i>Natural Environment and Rural Communities Act 2006</i> - Natural England Standing Advice</p> <p><i>Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System</i> - DCLG Circular 06/05</p> <p>Possible Local Development Framework Policies on biodiversity and geological diversity</p> <p>South East Plan Policies CC8, NRM5 and 7#</p>	<p>Proposals affecting internationally, nationally and/or locally designated nature conservation sites (SACs, SPAs, RAMSARs, SSSIs, LNRs, and/or LWSs, SLNCVs and RNRs)</p> <p>Proposals affecting natural or semi-natural vegetation/habitat (eg. woodland, hedgerows, ponds and grassland, etc.)</p> <p>Proposals where protected species are known or likely to occur, such as bats in buildings to be demolished or land with ponds or terrestrial habitats where great crested newts may be present</p> <p>Proposals identified via KCC's Biodiversity Trigger List for Ecological/Biodiversity Input to Planning Applications or Natural England's standing advice flow chart for protected species</p>	Potentially any site countywide, but especially within or adjacent to designated protection areas	<p>Ecological site assessment should provide up to date information on habitats on site and links to other habitats, species present or likely to be, records search, likely impacts, mitigation and enhancement opportunities, with reference to any Ancient Woodland, Important Hedgerows or Biodiversity Action Plan priority habitats on or adjacent to the site</p> <p>Ecological surveys are needed if proposals directly or indirectly affect protected species and/or any designated sites, with advice sought from Natural England or Kent Wildlife Trust as appropriate</p> <p>Protected species surveys are needed if the site or surroundings may contain species such as bats, badgers or great crested newts to establish their presence/absence, the population levels, likely impacts and scheme of mitigation and compensation</p> <p>Where survey information is required, there should be an initial assessment of the site, a full ecological report (including likely impacts and proposed mitigation), full assessment of likely effects and avoidance/mitigation where international/national sites are affected (with scoping advice from Natural England), and assessment/survey information where protected species, locally designated sites or priority habitats are affected, plus details of biodiversity enhancement measures</p> <p>Where potential for ecological/biodiversity impacts is highlighted by the Trigger List or pre-application advice, an Ecological Scoping Survey will assess the potential impacts on habitats and species on or adjoining the site</p> <p>Where additional species-specific surveys are recommended they must follow best practice guidelines, including survey methodology, likely development impacts, plus mitigation, compensation and enhancement measures</p> <p>With internationally/nationally designated sites, the EIA Regulations will apply, with appropriate levels of biodiversity/ecological information needed to assess the significance of any impacts</p>	<p><a href="#">Kent and Medway Biological Records Centre</a>  <i>Wildlife and Development</i> - Natural England (2006)  <a href="#">Natural England - Standing advice for protected species</a>  <i>Bat Surveys - Good Practice Guidelines</i> - Bat Conservation Trust (2007)  <i>Great Crested Newt Mitigation Guidelines</i> - NE (2001)  <i>Badgers and Development</i> - NE (2007)  <i>Guidance on Managing Woodlands with Dormice in England</i> - Forestry Authority (2007)  <i>Dormouse Conservation Handbook</i> - NE (2006)  <i>Water Vole Guidance for Planners and Developers</i> - NE  Reptile Survey - Froglife Advice Sheet 10  <a href="#">Guidance on Survey Methodology - Institute of Ecology and Environmental Management</a>  <a href="#">Planning to Halt the Loss of Biodiversity – Conservation Standards for Planning in the UK - British Institute Publication (PAS 2010:1206)</a>  <a href="#">Validation of Planning Applications - Association of Local Government Ecologists (2007)</a>  <a href="#">Kent Regionally Important Geological Sites</a>  <a href="#">Ancient Woodland Standing Advice</a></p>
Coal Mining Risk	PPG 14 <i>Development on Unstable Land</i> including its	Any built development projects within Coal	Any site within the Coal Mining	Assessment* should be prepared by appropriately	Coal Authority website:

Assessment	Appendices and Annexes	Mining Development Referral Areas Unlikely to be needed for small scale building projects and minor extensions, and not needed for other minor works such as fencing, gates, poles, play equipment, etc.	Development Referral Areas, in Dover and Canterbury District Council areas Not relevant in other parts of the County	qualified person to cover: site specific coal mining information (past underground mining, mine gas or surface mining); risk and cumulative effects from coal mining; mining influences on design and any mitigation; and any intrusive development or activity affecting coal mines/workings	<a href="http://www.coal.gov.uk/services/planning">www.coal.gov.uk/services/planning</a> Coal Authority Planning and Local Authority Liaison Department: <a href="mailto:planningconsultaion@coal.gov.uk">planningconsultaion@coal.gov.uk</a>  *NOTE THAT COULD BE INCORPORATED WITHIN ANY REQUIRED ENVIRONMENTAL STATEMENT
Contaminated Land Investigation	PPS 23 <i>Planning and Pollution Control - Annex 2</i> Possible Local Development Framework Policies on ground contamination	Major category developments, especially with residential elements, eg. care homes, traveller sites, and special schools If initial desktop and walkover study suggests contaminants may be present Where contamination is known or suspected Less likely to be needed for minor proposals	Where previous use of the site (or adjacent site) could have caused contamination (eg. industrial processes, petrol filling stations, institutional/residential with fuel storage, agricultural chemical storage, vehicle parking/servicing, etc.)	Investigation of potential pollutants and how any contamination would be addressed, including a desktop and site walkover study, and where contamination is known or suspected a preliminary risk assessment with a conceptual model identifying pollutant sources, pathways and receptors plus options for remediation	<a href="#">BS10175 Code of Practice for the Investigation of Potentially Contaminated Sites (2001)</a> <a href="#">BS5930 Code of Practice for Site Investigations (1999)</a> <a href="#">Contaminated Land Report 11 - Model Procedures for the Management of Land Contamination (2004)</a> <a href="#">Environment Agency Guidance on Requirements for Land Contamination Reports (2005)</a>
Drainage - Foul Sewerage Assessment	PPS 23 <i>Planning and Pollution Control Planning Requirements in Respect of Non-Mains Sewerage</i> - DETR Circular 03/99 Approved Document Part H of the Building Regulations 2000 Possible Local Development Framework Policies on drainage South East Plan Policies NRM1, 2 and 4#	Major category developments, plus any involving significant discharges to foul drainage, and especially care homes and traveller sites	Potentially any site countywide	Description of the type, quantities and means of disposal of any effluent, demonstrating compatibility with existing land uses and no future drainage capacity problems, including advice from utility company confirming existing spare capacity, or signed agreements to provide additional infrastructure Proposed connections to existing drainage systems should be detailed on the application drawings, whereas the use of soakaways will require percolation tests Scaled plans of any new or altered foul drainage drainage arrangements will also be needed, including location plan, sections/elevations and specifications	<a href="#">Water Services Infrastructure Guide - Thames Water (2007)</a>
Drainage - Surface Water Assessment	PPS 1 <i>Delivering Sustainable Development</i> PPS 25 Development and Flood Risk Possible Local Development Framework Policies on flood risk South East Plan Policies NRM1, 2 and 4#	Operational development of less than 1 hectare site size falling within Flood Zone 1 Where a known drainage problem exists and some assurance is needed that flood risk has been addressed <i>See Flood Risk Assessment for Zones 2 and 3 and developments over 1 hectare in Zone 1</i>	Potentially any site In Flood Risk Zone 1	Assessment needed for developments likely to generate significant increase in water flow across and from the site, including the scope for Sustainable Urban Drainage Systems to control surface water run-off as near to its source as possible	<a href="#">PPS25 Development and Flood Risk – Practice Guide DCLG 2009</a> <a href="#">CIRIA C522 Document Sustainable Urban Drainage Systems Design Manual for England and Wales and Interim Code of Practice for Sustainable Drainage Systems 2004</a> <a href="#">CIRIA C635 Document Designing for Exceedance in Urban Drainage - Good Practice 2006</a>
Economic Statement	PPS 4 <i>Planning for Sustainable Economic Growth</i> Possible Local Development Framework Policies on local economy, employment and skills, agriculture, tourism, etc. South East Plan Policies RE1, 2, 3, 4, 5, 6, EKA1, KTG1 and LF1#	Where any significant economic growth or regeneration benefits apply, or might be enabled, such as major transport infrastructure Unlikely to be needed for minor proposals	Where in nationally/regionally significant areas, such as Thames Gateway or Ashford, requiring consultation with the South East England Development Agency	Explanation of any economic growth/regeneration benefits from the proposed development, including new jobs created/supported, relative floorspace totals, any community benefits, and any supporting regeneration strategies	<i>Kent Prospects 2006-2012 KCC (2006) at:</i> <a href="#">KCC website – Economic Strategy</a> <i>Kent Regeneration Strategy</i> KCC at: <a href="#">Unlocking Kent's Potential 2009</a>
Flood Risk Assessment	PPS 25 <i>Development and Flood Risk Development and Flood Risk: A practice Guide Companion to PPS25</i> - EA (2007) South East Plan Policies NRM2, 4 and KTG6#	Major category developments and especially where new buildings, significant extensions and changes of use are within the floodplain or adjacent to a Main River Engineering operations, land raising or significantly increasing surface water run-off to watercourses and soakaways, etc. Less likely to be needed for minor proposals	Any development within Flood Zones 2 and 3 including changes of use with more vulnerable occupants (with a few exceptions) Any development of a site in Flood Zone 1 exceeding 1 hectare Where the Environment Agency, Internal Drainage Body or other relevant bodies have indicated there may be a drainage problem	Assessment to establish the impact of the proposed development on the floodplain and level of risk to the occupiers, including the sequential testing of alternative sites, an exceptions test for the type of development, plus any mitigating measures and emergency evacuation procedures necessary	<a href="#">National Standing Advice on Development and Flood Risk - England- User Guidance Note (2004)</a> Environment Agency's <i>Flood Risk Matrix</i> ( <a href="http://www.pipernetworking.com/floodrisk/matrix.html">www.pipernetworking.com/floodrisk/matrix.html</a> )
Green Belt Statement	PPG 2 <i>Green Belts</i> Possible Local Development Framework Policies in West Kent	Where any new built development, changes of use or extended uses are proposed in the Green Belt,	Any new built development or changes of use within the Metropolitan Green Belt areas	Explanation as to whether the proposed development is 'appropriate development'	None

	relating to the Metropolitan Green Belt South East Plan Policies SP5 and LF9#	but less likely to be needed for minor proposals where there are no impacts on the openness of the Green Belt Not needed for sites outside the Green Belt	In Tunbridge Wells, Sevenoaks, Tonbridge and Malling, Dartford and Gravesham Boroughs unless within existing built-up areas of settlements that have been excluded from the Green Belt in a Local Development Framework	in the Green Belt, and if not what 'very special circumstances' might exist to justify such development, including an exploration of alternative non-Green Belt sites and the potential impacts of the development on the openness of the Green Belt	
Heritage Statement	PPS 5 Planning for the Historic Environment DCLG's <i>Historic Environment Planning Practice Guide</i> (2010) Possible Local Development Framework Policies on heritage assets (Conservation Areas, Listed Buildings, Ancient Monuments, Historic Parks and Gardens, historic landscapes, arcadian areas, historic hedgerows, etc.) South East Plan Policy BE6#	Major category developments, and any minor developments affecting heritage assets or the setting of such assets, plus developments involving the demolition of older buildings	Any development directly or indirectly affecting heritage assets (Conservation Areas, Areas of Archaeological Potential, World Heritage Sites, Listed Buildings, Historic Park and Gardens, Scheduled Ancient Monuments, etc.) or sites on KCC's Historic Environment Record or known or likely to contain archaeological remains	Assessment of the nature, extent and importance of any archaeological remains, heritage assets or older buildings to be removed, including a desktop evaluation of existing information and any necessary field evaluations, details of the preservation of any archaeological remains in situ or of their excavation and recording as appropriate	Early liaison with the County Archaeologist is advised to establish the archaeological implications, together with assistance from an appropriately qualified historic environment specialist, with pre-application liaison with Local Authority conservation officers
Landscaping Plan/ Strategy	PPS 1 <i>Delivering Sustainable Development</i> PPS 7 <i>Sustainable Development in Rural Areas</i> Possible Local Development Framework Policies on landscaping and tree and hedge protection South East Plan Policy CC8#	Major category developments, and any minor developments, unless the <b>Design and Access Statement</b> demonstrates it is not necessary or relevant for the site or development Applications for full permission should be prepared with final landscaping proposals in mind, whereas applications for outline permission should indicate the intended landscaping structure	Any site which includes external space for visual enhancement or amenity protection though the use of either hard (fences, walls, bunds) or soft (trees, shrubs, hedges) landscaping treatment	Proposals to be an integral part of the site development plans, demonstrating how landscaping is to be incorporated into the design including proposals for long term maintenance and landscape management <b>Landscape Strategies</b> are less detailed and used for major category developments where full details cannot be provided at the planning application stage <b>Landscaping Plans</b> provide the hard and soft landscaping details and highlight both the implementation and maintenance	<a href="#">KCC's Kent Design Guide (2006)</a>
Landscape/ Townscape Assessment and Visual Impact Assessment	PPS 1 <i>Delivering Sustainable Development</i> PPS 7 <i>Sustainable Development in Rural Areas</i> Possible Local Development Framework Policies on landscape/ countryside character, Areas of Outstanding Natural Beauty, Special Landscape Areas, Conservation Areas, Listed Buildings, historic landscapes, rural lanes, etc. South East Plan Policies 3, 4, 5 and 6#	Major category developments, and any minor developments, unless the <b>Design and Access Statement</b> demonstrates it is not necessary or relevant for the site or development	Sites within or visible from the open countryside or likely to affect the natural beauty or character of the rural landscape, especially Areas of Outstanding Natural Beauty Sites visible from within or close to Conservation Areas, Listed Buildings, Historic Park or Garden or other important visual amenity	Assessment of the potential effects of major and medium scale development on the character and appearance of the landscape or townscape, including identifying the characteristics of the landscape/townscape that forms the context for the site, with special reference to any Landscape or Conservation Area Assessments or any landscape designations and Landscape Character Area Assessments Landscape/Townscape and Visual Impact Assessments should be carried out by an appropriate professional in accordance with the 2002 Guidelines In AONBs and within the setting of AONBs a full assessment of the potential impacts on local landscape character using Landscape Character Assessment good practice guidelines is needed and the AONB Management Plan should be used to inform ways of maintaining landscape character and distinctiveness Note that a separate Green Belt Statement may be	<a href="#">Guidelines for Landscape and Visual Impact Assessment (2nd Edition) - The Landscape Institute and Institute of Environmental Management and Assessment</a> <a href="#">The High Weald AONB Management Plan (2004)</a> <a href="#">The Kent Downs AONB Management Plan 2009</a> Pre-application advice should be sought from the Kent AONB Units and Natural England where development proposals would have significant impacts on AONBs
Lighting Impact Study/Details of Lighting Scheme	<a href="#">DCLG's Lighting in the Countryside (1997)</a> <a href="#">DCLG's Manual for Streets (2007)</a> Possible Local Development Framework Policies on lighting and pollution impacts	Major category developments, and any minor development proposals involving external lighting, including sports floodlighting, car parks, security, amenity and architectural lighting	Any urban, suburban or rural site	required if the land is also part of the Green Belt Full details of any external lighting should be submitted with the planning application, to include details of the number, type and height of luminaires, location and intensity of the installation and the proposed hours of use A <b>Lighting Impact Study</b> will be required	DCLG's <i>Planning Factsheet 2: External Lighting</i> <a href="#">Guidance Notes for the Reduction of Obtrusive Light - Institute of Lighting Engineers (2005)</a>

				for most floodlighting proposals and especially for sports grounds or developments close to housing or within the open countryside Applications for sports lighting should include Lux contour details indicating any spill of light outside of the site onto adjacent properties or highways	
Listed Building and Conservation Area Statement	PPS 5 <i>Planning for the Historic Environment</i> Possible Local Development Framework Policies on Listed Buildings and Conservation Areas South East Plan Policy BE6#	Any development proposals affecting Listed Buildings or Conservation Areas, including affecting the setting of as Listed Building or where adjacent to a Conservation Area <i>Note that any works proposed to Listed Buildings also require Listed Building Consent from the District Planning Authority, and any proposals for the demolition of buildings within a Conservation Area might also require an application for Conservation Area consent from the District Planning Authority</i>	Any site that includes Listed Buildings or is within a Conservation Area, or adjacent to either and likely to affect its setting	<b>Listed Building Design and Access Statements</b> should set out the design principles and concepts applied to the works and how access issues are addressed, and explain how they have been applied to scale, layout and appearance, taking account of: the special architectural/historic significance; the particular physical features justifying Listing; a schedule of proposed works; the impact on the special interest and character; the justification for the works, plus the mitigation <b>Conservation Area Assessments</b> should address how the proposal has been designed, having regard to the character and appearance of the Conservation Area (and could form part of the <b>Design and Access Statement</b> ) and should include: a schedule of proposed works; the impact on the character and appearance of the Conservation Area; and the impact on the setting of any Listed Buildings	Advice should be sought from the appropriate Council's Conservation Officer before submitting such applications
Noise Impact Assessment	PPG 24 <i>Planning and Noise</i> Possible Local Development Framework Policies on noise and pollution impacts South East Plan Policy NRM10#	Any development likely to generate high levels of noise, such as transport projects, highway depots, outdoor sports facilities and any facility with regular movement of commercial vehicles, such as major category developments with long periods of construction activity New residential care accommodation and gypsy/ traveller sites if adjacent to major sources of noise, eg. quarries, roads, railways, industry, etc.	Any location where noise generating activity could impact on residential areas, or any location already impacted by noise nuisance	Assessment of existing and predicted noise levels as a result of the development, including decibel contours and/or receptor point measurements, plus any proposed mitigation measures with the resulting noise levels following any attenuation	Advice should be sought from a qualified acoustic specialist or the relevant District Council Environmental Health Officer
Open Space Assessment	PPG 17 <i>Planning for Open Space, Sport and Recreation Assessing Needs and Opportunities: A Companion Guide to PPG17</i> Possible Local Development Framework Policies on open space protection and/or provision South East Plan Policies C6, T7 and S5#	Any development proposals that would result in the loss of open space, including playing field, or have significant implications for Public Rights of Way	Any site comprising open space or crossed by Public Rights of Way, including all open space of public value, including rivers, canals and lakes and school playing fields	Assessment of any open space lost or directly affected by the proposed development, with any measures to replace or compensate for such impacts Assessment of any sports land lost or affected by the proposed development, including reasoning for playing field loss, assessment of any surplus sports facilities, the sports needs of new development, replacement facilities, sports strategies, management and maintenance, Community Use Scheme or Sports Development Plan, evidence from sports users, Business Plan, technical details of new facilities, plus draft terms of any Planning Obligations Assessment of any impacts on Public Rights of Way, with any proposed mitigation and any opportunities to improve facilities for walkers, cyclists, horse riders, such as adding links to the existing rights of way network	Applicants are strongly advised to liaise with Sport England before submitting any planning applications affecting playing fields, and to provide full details of existing and proposed sports facilities where affected by the proposed development  <a href="#">KCC's Countryside Access Improvement Plan 2007-2017</a>

Parking/Servicing Statement	<p>PPS 1 <i>Delivering Sustainable Development</i></p> <p>PPG 13 <i>Transport</i></p> <p>Possible Local Development Framework Policies on parking and servicing provisions</p> <p>South East Plan Policy T4#</p>	<p>Major category developments, and any minor proposals involving new, extended or intensified residential, recreational, educational, community or employment activity, including schools, libraries, care homes, country parks and Council office premises</p> <p>Unlikely to be needed for any proposals not involving any increase in numbers of persons or vehicles</p>	Potentially any site countywide	<p>Statement of how much vehicle parking is to be provided and how to be accommodated, including provision for cycles, buses and lorry parking as appropriate, and cater for employees, residents, visitors, suppliers and servicers, plus how the design of the development ensures parking is well related to the activity/property served, and how the design ensures security such as through good surveillance</p> <p>Proposals for significant building works should include provision for contractor's vehicles and the delivery of construction materials</p>	<a href="#">KCC's Kent Vehicle Parking Standards (2006)</a>
Planning Statement	<p>PPS 1 <i>Delivering Sustainable Development</i></p> <p>South East Plan Policies CC1, EKA1, KTG1 and LF1#</p>	<p>For all development proposals other than those for minor works, plant and equipment, such as fences, gates, poles, oil tanks, play equipment, etc.</p>	Potentially any site countywide	<p>Statement identifying the context and need for the proposed development and how it accords with relevant Development Plan Policies and policy guidance, including details of any pre-application consultations and community engagement, plus any further supporting or background information not included on either the Application Form or in other accompanying documents (eg. need and justification for and benefits/implications of the proposed development)</p>	<p><i>NOTE THAT DETAILS OF NEED AND PERSONAL CIRCUMSTANCES SHOULD NOT BE ENTERED ON THE APPLICATION FORM, OR AS PART OF THE DESCRIPTION OF PROPOSED DEVELOPMENT</i></p> <p><i>NOTE THAT A SEPARATE STATEMENT OF COMMUNITY INVOLVEMENT WILL BE APPROPRIATE FOR MAJOR CATEGORY APPLICATIONS</i></p>
Public Art	<p>PPS 1 <i>Delivering Sustainable Development</i></p> <p>Possible Local Development Framework Policies on public art contributions in public spaces</p>	<p>For development affecting publicly conspicuous sites, or where specifically required by LDF Policy, such as part of transport or major development projects, especially with new public realm areas</p> <p>Unlikely to be needed for minor developments</p>	Potentially any conspicuous site countywide	<p>The provision of, or contribution towards, some public art as part of the proposals could be investigated as part of the <b>Design and Access Statement</b></p>	<a href="#">KCC's Kent Design Guide (2006)</a>
Refuse Collection Arrangements	<p>DCLG's <i>Manual for Streets</i> (2007)</p> <p>DCLG's <i>Safer Places - The Planning System and Crime Prevention</i> -2004</p> <p>Building Regulations 2005</p> <p>Possible Local Development Framework Policies on refuse collection</p>	<p>For new of substantially expanded schools, care homes, gypsy/traveller sites, country park visitor facilities, Council office developments, etc.</p> <p>Less likely to be needed for minor proposals</p>	Potentially any site countywide	<p>Details of the provision for storage, collection and disposal of refuse arising from the proposed development, including the arrangements for recycling and access for refuse collection vehicles</p>	None
Renewable Energy Assessment	<p>PPS 1 <i>Delivering Sustainable Development</i></p> <p>PPS 22 <i>Renewable Energy</i></p> <p>Possible Local Development Framework Policies on renewable energy</p> <p>South East Plan Policies CC1, 2, 3 and NRM11, 15 and 16#</p>	<p>For major category developments and substantial new building projects, such as schools, care homes, libraries and other public buildings, including conversions from others uses</p> <p>Less likely to be needed for minor proposals</p>	Potentially any site countywide	<p>Assessment of the calculated CO2 emissions per annum, the technical feasibility of renewable energy technologies for the site, calculations of the CO2 savings as a % of site predicted CO2 emissions and how a saving of at least 10% can be achieved</p>	<a href="#">KCC's Kent Design Guide (2006)</a>
Statement of Community Involvement	<p>PPS 12 <i>Local Development Frameworks</i></p> <p>DCLG's <i>Companion Guide to PPS12</i></p> <p>South East Plan Policy S6#</p>	<p>For major category developments, or any proposals with substantial community interest, eg. highway proposals with a length of 2 km or more in an urban environment, or 5 km or more in a rural environment</p> <p>Less likely to be needed for minor proposals</p>	Potentially any site countywide	<p>Explanation of how applicant has complied with the pre-application engagement requirements in the KCC Statement of Community Involvement, demonstrating how the views of the local community have been sought and taken into consideration in the formulation of the proposals</p>	<a href="#">KCC's Statement of Community Involvement (2010).</a>
Structural Survey/ Land Stability Survey	<p>PPS 5 <i>Planning for the Historic Environment</i></p> <p>PPG 14 <i>Development on Unstable Land</i></p> <p>Possible Local Development Framework Policies on conversion and reconstruction of buildings, especially Listed Buildings</p>	<p>Any proposals involving demolition or alteration of buildings, especially affecting the structural integrity of Listed Buildings</p> <p>Major category development proposals on previously used land</p> <p>Less likely to be needed for minor proposals</p>	Potentially any site countywide where buildings are to be demolished/altered or sited on made ground	<p><b>Structural Surveys</b> should be prepared by a professionally qualified surveyor, covering the condition of the building and whether it is capable of accommodating the proposed works</p> <p><b>Land Stability Surveys</b> should assess:</p>	None

				the physical capability of the land; possible adverse effects of any instability; possible adverse effects on adjacent land; possible effects on local amenities and conservation interests; and any proposed remedial or precautionary measures	
Sunlight/Daylight Assessment	PPS 1 <i>Delivering Sustainable Development</i> Possible Local Development Framework Policies on light protection and residential amenity aspects	Any new or extended building developments with the potential to interrupt sunlight or daylight to adjacent properties Not needed for proposals with no new buildings	Potentially any site countywide	An assessment of the existing pattern of direct and reflected light, with quantification of the changes for neighbouring properties as a result of the proposed development	<i>Guidelines on Daylighting Assessments</i> - Building Research Establishment
Sustainable Design and Construction Assessment	PPS 1 <i>Delivering Sustainable Development</i> Supplement to PPS1 <i>Planning and Climate Change</i> PPS 22 <i>Renewable Energy</i> Possible Local Development Framework Policies on sustainable design and renewable energy South East Plan Policies CC1, 2, 3, 4, 5, and 6#	Any new or extended building or engineering works, including schools, care accommodation, libraries and other public buildings and highway constructions projects Not needed for minor works, plant and equipment, such as fences, gates, poles, oil tanks, play equipment, etc.	Potentially any site countywide	Outline of the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications, with an indication of the BREEAM standard being worked towards, and covering methods of construction design and layout of buildings and spaces, their overall environmental performance and the type and source of building materials	<a href="#">KCC's Kent Design Guide (2006)</a>
Transport Assessment and Travel Plan	PPG 13 <i>Transport</i> Possible Local Development Framework Policies on transport management and vehicle parking South East Plan Policies T1, 2, 4, 5, 7, 8, C6 and S1#	Transport Assessments will be needed for major category developments and other developments likely to be major travel generating proposals, plus smaller non-residential developments where local transport impact is critical or where the proposal could prejudice the Local Transport Strategy Travel Plans will be needed for new or expanded schools, libraries, offices, depots and other built development accommodating employees, students or visitors	Potentially any site countywide	Transport Assessments should indicate site access by all modes and the likely modal split of journeys, measures to improve public transport access, walking and cycling to mitigate transport impacts, plus details of construction access and lorry movements for major building projects and highway schemes, the level and location of parking and relevant Local Transport Plan and Borough Transport Strategy proposals Travel Plans should include a package of measures to promote environmentally sustainable travel choices and reduce the level of potential traffic impact of the development, addressing commuter journeys, business travel, visitor movements and deliveries School Travel Plans should be prepared by or in close liaison with the School itself, with guidance sought from KCC's Travel Planning Team (via <a href="mailto:kent.highwayservices@kent.gov.uk">kent.highwayservices@kent.gov.uk</a> )	<i>Using the Planning Process to Secure Travel Plans: Best Practice Guide</i> - ODPM and DfT (2002) GIRO 84 <i>Travel Plans: A Guide for Developers</i> - Transport and Energy Saving Trust <a href="#">Delivering Travel Plans Through the Planning Process Research report DfT and DCLG (2008)</a> <a href="#">Guidance on Transport Assessments &amp; Travel Plans KCC (2008)</a>
Transport Assessment Outline Statement	PPG 13 <i>Transport</i> Possible Local Development Framework Policies on transport South East Plan Policies T1, 2, 4, 5, 7, 8, C6 and S1#	New accommodation at schools, libraries, offices, and depots of 500-1000m <sup>2</sup> floorspace, and other non-residential proposals with more than 50 person trips per day	Potentially any site countywide	Outline Statement needed for smaller scale non-residential developments where a full Transport Assessment/Travel Plan is not required, describing the scale and modes of transport provision and any proposed improvements to provision, eg. appropriate car parking provision and any relevant Local Transport Plan or Borough Transport Strategy initiatives	None
Tree Survey/ Arboricultural Assessment	PPS 9 <i>Biodiversity and Geological Conservation</i> Possible Local Development Framework Policies on tree and hedgerow protection South East Plan Policy NRM7#	Any building or engineering works that could impact on significant trees, groups of trees or hedgerows on or adjoining the site, whether of special protection status or not Not needed where no trees are affected either directly or indirectly	Potentially any site countywide with trees or hedgerows, but especially in Conservation Areas and covered by Tree Preservation Orders	Layout plans should identify trees and other vegetation to be retained or lost to the development, as well as on adjoining land <b>Tree Condition Surveys</b> are required where significant trees are affected and possibly a <b>Biodiversity Assessment</b> where significant	<a href="#">BS 5837 Trees in Relation to Construction (2005)</a> <a href="#">NJUG 10 Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees</a> <a href="#">APN 12 through the Trees to Development – Tree Advice Trust</a>



				trees or important hedgerows are to be removed <b>Tree Surveys</b> should provide information on each affected tree, including their contribution to the streetscene, visual amenity and ecological importance	
Utilities Statement	Possible Local Development Framework Policies on public utilities South East Plan Policies NRM1 and 2#	Major category developments Unlikely to be needed for minor developments	Potentially any site countywide	An indication of how the development would connect to exiting utilities (electricity, gas, telecommunications, water supply, foul and surface water drainage), including whether existing infrastructure has sufficient capacity and whether services provided on the site would have adverse environmental effects or harm to trees or archaeological remains	None
Ventilation/ Extraction Details	PPS 1 <i>Delivering Sustainable Development</i> Possible Local Development Framework Policies on ventilation	Any new or extended building developments with kitchen/restaurant uses, including schools, offices, depots, visitor centres, care homes, etc. where substantial ventilation or extraction equipment is to be installed	Potentially any site countywide	Full details of the position and design of any ventilation or extraction equipment, including odour abatement techniques and acoustic characteristics	None
Waste Management Plan	PPS 10 <i>Planning for Sustainable Waste Management</i> South East Plan Policy WE2#	Any proposals involving demolition of buildings or structures Unlikely to be needed for minor developments	Potentially any site countywide involving demolition	An identification of the volume and type of material to be demolished, opportunities for the re-use and recovery of materials, and how off-site waste disposal would be minimised and managed <b>Site Waste Management Plans</b> must describe the construction work, the type and quantity of all waste produced, and identify the waste management action proposed, including re-use, recycling, recovery and disposal	<i>Site Waste Management Plans: Guidance for Construction Contractors and Clients</i> DT1 (2004) <a href="#">Site Waste Management Plans Advice – NetRegs website</a>













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# **Validation of Waste Planning Applications**

How to make  
sure that your  
waste application  
includes all the  
required  
information when  
submitted

***Revised 2010***

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NOTE: This document corresponds with that produced by the Kent Development Control Officers' Group, but adjusted to relate to County Matter (waste development only). Separate advice is available for County Council development (Regulation 3 applications).

All information contained in this document is correct at the date of publication, but it is likely that some requirements may change over time. Changes will be incorporated each time that the document is revised.

If you require this document in large print, or in some other format, please contact us on (01622) 221070 for assistance.

*This Note is in three sections:*

*Section 1 provides the Introduction*

*Section 2 identifies the supporting studies, statements and assessments that are commonly required to accompany planning applications. For each type it identifies the relevant national and local guidance and key development plan policies, together with other key documents, some of which contain their own bibliographies that you may find helpful.*

*Section 3 contains an individual Validation Checklist which can be used in preparing and submitting your application. All applications should be accompanied by the checklist.*

## **Section 1 Introduction**

This Advice Note generally accords with the Countywide document prepared by the Kent Development Control Officers' Group, which represents all of the development control teams in Kent Planning Authorities, but relates specifically to applications for County Matter development (waste only at present) made under the Town and Country Planning Acts. The Note seeks to:

- assist you in ensuring that your applications are valid when submitted,
- ensure that all applications can be dealt with effectively and efficiently,
- respond positively to the Best Practice Advice issued by Government, and
- ensure that the County Council can comply with recent changes in Legislation.

This Note therefore explains what type of information will be required for certain types of applications. If the information required is not submitted with the application, then the application may not be valid and may not therefore be progressed to a decision.

Please remember that other consents may also be required (e.g. Building Regulations approval from District Councils). For licences and permits required under the Environmental Protection Act, details are available on the Environment Agency's website.

### **Why such information is needed**

Some information, and a fee, is required by law when an application is submitted. In addition, current national regulations give planning authorities the power to require applicants to provide additional information in the interests of good and efficient decision making<sup>1</sup>.

Different types of applications will require different levels of information and supporting documentation to be submitted. The Department of Communities and Local Government has published guidance<sup>2</sup> recommending that local planning authorities specify the scope of information

necessary to enable them to determine different types of applications, as long as it is necessary to assess the application, precise as to what information is needed, proportional to the nature, scale and sensitivity of the proposed development, fit for purpose generally and of assistance in pointing to further information.

### **Common reasons why applications are invalid**

The most common reasons why applications are not valid when received are:

- supporting documents omit information specified in the guidance notes accompanying the planning application form and/or set out in national guidance, the statutory development plan or supplementary planning guidance;
- submitted drawings do not show sufficient details as specified in the guidance notes, or were inconsistent;
- one or more plans are missing;
- the description of the proposed development is wrong
- the necessary Design and Access Statement is missing
- different application addresses appear on the forms and drawings;
- building works encroach onto neighbouring property;
- there are incorrectly signed or unsigned certificates;
- there are insufficient copies of plans and forms submitted;
- there is inconsistency between elevations and floor plans;
- incorrect fees are enclosed or the fee cheque is not signed; and
- information is still inadequate after one or more requests to the applicant for further details.

### **Data Protection and the Internet**

The information you provide on the application form and in the supporting documents will be public information, and may be made available on the Council's website. In view of this, if you supply personal information belonging to a third party, please ensure that you have their permission to do so.

### **The Validation Process**

The County Planning Authority will only consider applications that are valid, which means that all the information specified by the Council in order to determine the application is provided in full at the start of the process, and to an acceptable quality.

**If relevant information or the correct fee is missing, the Council will not be able to start determining the application and the planning process will be delayed.** Poor quality information may also cause delay.

There are different types of applications and some types require more detailed information across a broader range of issues than others. All information needs to be accurate. Some information can be complex and technical. It is required so that Council officers (not just in Planning), technical consultees and Council Members can assess what the impacts of the development would be on the locality and on neighbours, for example, impacts upon ecology or the amount of traffic generated by a proposal. The information also helps the general public to understand your proposals.

You may wish to appoint planning consultants, an architect, surveyor or specialist consultant to prepare the application documents and supporting information for you. This might seem like an additional expense. However, it could save time and money in the long run and mean that permission is granted more quickly.

Please use the checklist to ensure applications are complete when they are submitted.

#### **If further information or a fee is required**

We will notify you if the application is incomplete due to missing information or fee as soon as possible, and usually within 5 working days for minor applications and small scale major applications and 10 working days for large scale major applications. We will specify what needs to be provided and give a typical period for the submission of the missing information or fee. If that is not submitted within the given timescale, the application will be returned to you and no further action will be taken on it.

Extra copies of plans may sometimes be requested if the Council needs to consult a wider than usual range of neighbours or expert advisers. **The Council also reserves the right to request any other information considered necessary to make a full planning assessment of your proposal.**

Where an application is not accompanied by information required by this Advice Note, then applicants should provide written justification with the application as to why it is not appropriate in the particular circumstances. In such cases, we will not declare the application invalid unless we can provide reasons to the applicant.

#### **Online and electronic submissions**

It is now possible to receive applications electronically via the County Council's website at [www.kent.gov.uk](http://www.kent.gov.uk), or via the Planning Portal at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). In view of the difficulties in handling large scale waste applications electronically, you are requested to discuss the desirability of these being submitted in paper form with the County Council's Planning Applications Group. In particular, large scale developments can be difficult to appreciate and assess on-screen, and many of our consultees require us to supply paper versions of documents. In light of the above in addition to electronic copies we also request that 4 paper copies of the application be submitted.

Please structure your electronic submission in the following way:

- No individual file is greater than 5MB;
- Large documents are broken down into manageable files, eg. in chapters and sections;
- It is important that the naming structure explains the document and chapter in plain English;
- All major (metric) dimensions must be specified on drawings. This is necessary for the assessment of drawings. Drawings should also include a scale and calibration scale;
- Drawings should be oriented so that they appear correctly when viewed on screen (ie. with North at the top of the screen).

### **Where to find more help**

Guidance Notes to assist in the completion of planning applications to be submitted to the County Council are also available on the website at Applications for waste developments

If you require further information, please contact the County Council's Planning Applications Group on (01622) 221070 or [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk).

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#### Notes:

<sup>1</sup> National Legislation and Regulations in relation to the registration and validation of applications currently includes:

- *Town and Country Planning (Applications) Regulations 1988*
- *Town and Country Planning (Development Management Procedure) Order 2010-*
- *The Town and Country Planning Act 1990*
- *The Planning and Compulsory Purchase Act 2004* and
- *Electronic Communications Order.*

Authorities have powers under Regulation 4 of the *Town and Country Planning (Applications) Regulations 1988* to direct applicants to:

- (a) supply any further information, and except in the case of outline applications, plans and drawings necessary to enable them to determine the application, or
- (b) provide one of their officers with any evidence in respect of the application as is reasonable for them to call for to verify any particulars of information given to them.

<sup>2</sup> *Guidance on Information Requirements and Validation* (March 2010).

<sup>3</sup> *The Town and Country Planning General Regulations 1992* provide for the submission of applications for development by local authorities to the planning authority of that same Council.

## Section 2 Information Requirements

This section of the advice note gives details of the information/documents that are referred to in the checklist (Section 3). It aims to assist you in understanding what may be required, why and where further guidance may be available. It is split into two parts. **General requirements** are the same across all planning authorities and will be required for most applications. **Local requirements** apply (in this note) to waste applications submitted to the County Council.

### PART 1 - GENERAL REQUIREMENTS

#### **CORRECT FEE** REQUIRED FOR ALL APPLICATIONS UNLESS SPECIFICALLY EXEMPT

The correct fee for applications may be calculated either by using the fee calculator incorporated in the on-line Application Form 1APP, or by referring to our Guidance Notes on the County Council's website at [www.kent.gov.uk](http://www.kent.gov.uk). Cheques should be made out to "Kent County Council". **Note that the fees for planning applications are revised from time to time and were last revised on 6 April 2008.** *Applications to meet the Disability Discrimination Act, re-submissions of previously withdrawn applications (within 12 months of the original submission), and re-submissions of previously refused applications for the same described development (within 12 months of the refusal) are exempt from fees.*

#### **OWNERSHIP CERTIFICATE**...REQUIRED FOR ALL APPLICATIONS

You must complete an Ownership Certificate for all applications, except applications for Reserved Matters following an outline planning permission. Note that these Certificates (A-D) are incorporated into the 1APP Application Form, but you only need to complete one of them.

You should use **Certificate A** if the applicant(s) is the only party which owns the application site (which is what the completed Certificate A confirms).

You should use **Certificate B** if the applicant(s) does not own the application site, or if the applicant owns part of the site and there are others who also own it or have an interest in it (for example shared freeholders, leaseholders). You will need to list the names and addresses of any other parties and confirm the date when you "served notice" (ie. formally told them in writing – see below) that you were making the application. (That is what the completed Certificate B confirms).

You should use **Certificate C** if you know some of the owners but not all the owners. In this case you must also explain what reasonable steps you have taken to identify the other owners. You will need to list the names and addresses of any known other parties and confirm the date when you served notice that you were making the application. You will also have to place a public notice in a newspaper circulating in area where the land lies, to enable unknown parties to be aware.

You should use **Certificate D** if you do not know any of the owners of the application site. In this case you must also explain what reasonable steps you have taken to identify the owners. You will also have to place a public notice in a newspaper circulating in area where the land lies.

*(For these purposes an 'owner' is anyone with a freehold interest, or leasehold interest, the unexpired term of which is not less than 7 years).*

#### **AGRICULTURAL HOLDINGS CERTIFICATE** REQUIRED FOR MOST APPLICATIONS

Other than applications for reserved matters, renewal of temporary permissions and the discharge or variation of conditions, an Agricultural Holdings Certificate is required for all planning applications, irrespective of whether there is an agricultural holding. Where there are any agricultural tenant(s), they must be notified prior to the submission of the application. However, if the application site does not include an agricultural holding, then you should complete the statement to that effect on the combined Ownership Certificate which you issue with the application.

#### **PART 1 NOTICE** REQUIRED FOR SOME FRESH APPLICATIONS

A notice to the owners of the application site must be served if Certificate B has been completed, and also if Certificate C has been completed where some owners other than the applicant are known. A copy should be served on each of the individuals identified in the relevant Certificate. It is very helpful if a copy of each Notice served accompanies the submitted application.

### **Drawings**

#### **SITE LOCATION PLAN**

Such plans should use the latest available survey base and show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.

The application site must be edged clearly with a **RED** line, including all land necessary to carry out the proposed development, eg. land required for access to the site from a public highway, visibility splays, landscaping, car-parking and open areas around buildings, etc.

A **BLUE** line must be drawn around any other land owned by the applicant, which is close to or adjoining the application site, but it is not usually necessary to show KCC owned highway land.

These plans should also include the following information:

- position of watercourses, culverts, drainage ditches or ponds within or bounding the site, showing where appropriate, the direction of flow
- details of underground services, overhead lines



- Public Rights of Way

#### **SITE LAYOUT PLAN/BLOCK PLAN**

Such Plans should be at a scale of 1:500 or 1:200 for most applications, should be on (or based on) an up-to-date Ordnance Survey map and should accurately show:

- the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions, including those to the boundaries;
- roads, tracks or paths, the location of buildings, plant, weighbridges, wheelcleaners, internal haul roads;
- the species, position and spread of all existing trees within and on the boundary of the site;
- proposals for screening and landscaping operations, including details of screening bunds (plus date of removal if temporary)
- the extent and type of any hard surfacing;
- boundary treatments, including walls or fencing where proposed;
- the location, number and form of any vehicle or cycle parking;
- the location and shape of any vehicle turning area.
- Operational areas, flows of waste around the site
- The position of any diverted watercourses, lagoons, sources of water supply and means of drainage
- Full details of vehicular access routes from the site to the public highway (the detailed design of the access junction with the public highway should be submitted on a separate plan at a scale of 1:100, showing the width of the road, its means of construction, the turning radii and sight lines)
- the method, direction and phasing of landfilling/working and restoration (including estimated duration of each phase)
- the position of any landfill gas and leachate monitoring and control facilities (or other environmental control systems)
- restoration plans showing proposed final contours (showing both pre and post settlement in the case of landfilling)

## **FLOOR PLANS AND ELEVATIONS**

All sides of existing buildings, as well as the proposed development, must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included, if only to show that this is in fact the case. New buildings should also be shown in context with adjacent buildings (including property numbers/names where applicable).

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the openings on each property.

## **SECTIONS**

Cross section(s) through the proposed building(s), or site, should be submitted in the following circumstances:

- in all cases where a proposal involves a change in ground levels – illustrative drawings should be submitted to show both existing and finished levels;
- on sloping sites – full information is required concerning alterations to levels, the way in which a proposal would sit within the site and in particular the relative levels between existing and proposed buildings.

The drawings may take the form of contours, spot levels or cross or long sections as appropriate, and when appropriate should show existing, tipping and final levels (pre and post settlement)

## **DESIGN AND ACCESS STATEMENT**

All waste related planning applications must be accompanied by a Design and Access Statement (with a few exceptions – see below). The Statement should explain how a design “process” has been followed. The Statement is required to explain:

- the design principles and concepts that have been applied to 5 specified aspects of the development, comprising the **amount**, **layout** and **scale** of the development, plus its **landscaping** and its **appearance**;
- the steps taken to appraise the context of the development and how the design takes that context into account in terms of the **amount** of development, its **layout**, **scale**, **landscaping** and **appearance**;
- how local development plan policies and documents have been taken into account in the design considerations;

- what consultation has been undertaken on access and design issues, and what account has been taken of the outcomes;
- how specific issues which might affect access to the development have been addressed;
- how prospective users and any construction contractors would be able to gain access to the development from the existing transport network;
- why the main access points to the site and the layout of access routes within the site have been chosen; and
- how features which ensure good and equal access to the development would be maintained.

The **Design and Access Statement** should also show how account has been taken of the principles of sustainable design and construction and opportunities for equal accessibility, together with measures to design out crime and disorder. In particular, the Statement should explain what BREEAM standard is being worked towards in the design of any new non domestic buildings. Both PPS 1 and the CABE document cited below seek to create safe and accessible environments and require Design and Access Statements to demonstrate how crime prevention measures have been considered in the design, including early consultation with the Police. If you do not address crime prevention in your Design and Access Statement when applying for any major development, then you must address it as a separate document.

Proposals that affect Listed Buildings, Conservation Areas or other areas with specific designations will need particularly careful analysis and justification in the Statement, to show that full account has been taken of their status. Specific reference should be made to PPS 5 and its requirements when applications relate to Listed Buildings or buildings in Conservation Areas. *(For further advice please see Listed Building Design and Access Statement and Conservation Area Assessment under Part 2 - Local Requirements).*

Illustrative material in the form of photographs, sketches, coloured drawings, perspectives, street scene montages, or models is often helpful to the understanding of a proposal and enables a full appreciation of the design of proposed buildings in their wider surroundings, not just the immediately adjacent buildings. The level of illustrative material needed for the Design and Access Statement will depend on the scale and type of the development. In particular, straightforward or small-scale proposals may just need a brief Statement covering the matters set out above, with possibly photographs of the site and its surroundings and plans or drawings in relation to neighbouring development. However, if you have provided a very detailed or lengthy Statement for major development, it might be helpful to include a summary.

A Statement is required for ALL planning applications, except applications for:

- a material change in the use of land or buildings;
- developments affecting an existing dwelling (or within the curtilage of a dwelling), except those within a Conservation Area, Area of Outstanding Natural Beauty or Site of Special Scientific Interest;
- engineering or mining works
- permission to develop land without compliance with conditions previously attached, made pursuant to section 73 of the Act;
- extension of an existing building for non-domestic purposes (if less than 100 square metres floorspace) unless within a specially designated area;
- gates, fences or walls (where under 2 metres in height or no higher than those to be replaced) unless relating to a Listed Building;
- buildings on operational land (where less than 100 cubic metres volume and less than 15 metres in height), unless within a specially designated area;
- building alterations not increasing the existing size of the building, unless within a specially designated area;
- plant or machinery (where under 15 metres in height), unless within a specially designated area;
- replacement planning permissions, variation or removal of planning conditions, or submissions of details or non-material amendments.

**Government Policy or Guidance:** *(with links to relevant websites)*

- *Town and Country Planning (Development Management Procedure) Order 2010*
- *PPS 1: Delivering Sustainable Development*
- *PPS 3: Housing*
- *PPG 13: Transport*

- PPS 5: *Planning and the Historic Environment*
- *Guidance on Changes to the Development Control System* - DCLG Circular 01/2006
- *Manual for Streets*: DCLG (2006)

#### **Supplementary Planning Documents or Guidance:**

- *The Kent Design Guide* - Kent County Council (2006)

#### **Other Documents:**

- *Design and Access Statements: How to Write, Read and Use Them* - CABE (2006)

### **ENVIRONMENTAL STATEMENT**

An Environmental Statement will be required for all the categories of development defined in Schedule 1, and for certain categories of development defined in Schedule 2, of the *Town and Country Planning (Environmental Impact Assessment (EIA)) (England and Wales) Regulations 1999*. The Regulations require the developer to prepare an **Environmental Statement** to enable the County Planning Authority to give proper consideration to the likely environmental effects of the proposed development.

The Regulations provide a checklist of matters to be considered for inclusion in the Environmental Statement, and require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures.

**When are they required?** The description of proposed development requiring EIA, along with applicable threshold and criteria are set out in the Regulations, with Government Circular 02/99 'Environmental Impact Assessment' giving guidance on the scale of development within Schedule 2 more likely to require EIA. For example, if your application involves development (hazardous waste and incineration) as described in Schedule 1 of the Regulations, an ES is always required, for facilities (including landfill) for the deposit, recovery and/or disposal of household, industrial and/or commercial waste, a Statement is more likely to be required where the new capacity is created amounts to more than 50,000 tonnes per annum, or the site is 10 hectares or more. Sites taking smaller quantities or of a smaller area may still need to be subject to an EIA if they are located within a 'sensitive location' or have the potential to have significant environmental effect. To establish whether they do need EIA you are advised to seek a 'screening opinion' from the County Council as to whether it is required. It is also possible to apply for a 'scoping opinion' to determine the content of an Environmental Statement (see above regulations and circular for guidance). An applicant would normally have been expected to have considered the need for EIA

before submitting their proposal. The Planning Authority is however required to 'screen' all relevant proposals if they have not already been through that process.

**Government Policy or Guidance:**

*(Department for Communities and Local Government – general publications page)*

- *Town and Country Planning (Environmental Impact Assessment) (England) Regulations 1999*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) (Amendment) Regulations 2000*
- *Town and Country Planning (Environmental Impact Assessment) (England) (Amendment) Regulations 2007*
- *Environmental Impact Assessment – DCLG Circular 2/99*
- *Environmental Impact Assessment – A guide to procedure – DCLG 2000*

## **PART 2 - LOCAL REQUIREMENTS**

*Please note that the local requirements that apply in Kent when submitting applications will vary slightly from one Planning Authority to another. Only those likely to apply to waste related development applications are included here.*

Please see the attached matrix of topic areas, for details of when such additional information is required and pointers to the relevant government policy, guidance and development plan considerations. The level of information required will clearly vary from one application to another depending on the type of application, the nature and scale of the proposed development, and the particular site location and characteristics.

**SEE FOLLOWING MATRIX OF LOCAL INFORMATION REQUIREMENTS**

## ***FURTHER INFORMATION AND CONTACTS***

Most of the references to national and local planning policies and other background documents are available on line. Useful web addresses are set out below.

**Department for Communities and Local Government** – [www.communities.gov.uk](http://www.communities.gov.uk)

For national and regional planning policies and guidance (Planning Policy Guidance Notes or Statements, Government Circulars, etc).

**Planning Portal** – [www.planningportal.gov.uk](http://www.planningportal.gov.uk)

**Kent County Council** – [www.kent.gov.uk](http://www.kent.gov.uk)

For Kent Design and other Kent County Council publications (Developer Contributions, Vehicle Parking Standards, etc.) plus planning applications for mineral workings, waste disposal and the County Council's own developments (schools, libraries, care homes, gypsy sites, transport projects, etc.)

**Natural England** – [www.naturalengland.org.uk](http://www.naturalengland.org.uk)

For information on nature conservation and biodiversity. Natural England provide considerable guidance and advice on protected species, how and when to survey for their presence.

<http://www.naturalengland.org.uk/ourwork/planningtransportlocalgov/spatialplanning/standi ngadvice/protectedspp.aspx>

**Environment Agency** – [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

For information on flood risk, drainage, contamination and aquatic ecology.

## **CONTACT US**

Planning Applications Group, Invicta House, County Hall, Maidstone, ME14 1XX, Kent

Tel: (01622) 221070

Fax: (01622) 221072

Email: [planning.applications@kent.gov.uk](mailto:planning.applications@kent.gov.uk)



## Section 3 - Validation Checklist

There are several types of planning application possible for waste development, as listed below, but it might assist you to use the following **Validation Checklist** on page 17. You should submit a completed checklist with your application so we would be able to see at a glance what is being provided and what is not and why.

**Application for Full Planning Permission**

**Application for a Lawful Development Certificate for an existing use or operation or activity including those in breach of planning control**

**Application for a Lawful Development Certificate for a proposed use or development**

**Application for Removal or Variation of a Condition on an existing planning permission**

**Application to carry out the development without compliance with a condition attached to the permission (S73)**

**Submission for Approval of Details reserved by a condition on a planning consent**

**Submission of a Non-Material Amendment to an existing planning consent.**

Guidance Notes to assist in the completion of planning applications relating to County Council development (or jointly with the County Council) are also available on the County Council's website at: <https://shareweb.kent.gov.uk/Documents/environment-and-planning/planning-and-land-use/waste-guidance-notes-nov-09.pdf>

# Validation Checklist *to be submitted with application*

**DRAWINGS** – Drawings are preferred at A4 or A3, however where that is inappropriate larger drawings are acceptable.

All drawings should include the following information:

- the scale of the drawing (eg. 1:100, 1:200 – must be a metric scale)
- a scale bar indicating a minimum of 0-10 metres
- the direction of North on layout and location plans
- a title to identify the development and subject of the drawing (eg. 'Proposed Classroom Block, at Hope School, Ecoville – Site Layout')
- a unique drawing number which also indicates any revisions (eg. '123/4 Revision B')
- all revisions described to identify any changes (eg. 'Revision A – Layout changed')
- the date the drawing was drawn or any changes made
- annotation against the drawing to indicate all key external dimensions.

**An electronic copy of the application should be submitted but we also request that a minimum of 4 copies (ie. original plus 3 copies) of all documentation relating to the application be submitted. Please discuss numbers for EIA Development applications.**

***If not applying electronically, please provide an electronic copy of the application on a CD ROM in pdf format. Please limit individual file sizes to less than 5Mb***

## Part 1: GENERAL REQUIREMENTS

Documents that must be included with your application: *[Please tick boxes to confirm inclusion]*

*Please see notes above for advice on what to include in each drawing/document*

- ☐ • **Correct Application Fee** (see Guidance Notes, click [here](#) for link to fees)
- ☐ • **Application Form** (completed, signed (unless submitted electronically), and dated)
- ☐ • **Ownership Certificate:** (included in the 1APP Application Form, BUT only sign the one appropriate certificate)
  - ☐ - **A** (where the applicant owns all of the land in the application site) **OR**
  - ☐ - **B** (where the applicant does not own the land in the application site, but has served a certificate of notice on the owners of the land) **OR**
  - ☐ - **C** (where the applicant does not own the land in the application site, and is unable to identify all of the owners but has notified some of the owners) **OR**

- ☐ - **D** (where the applicant does not own the land in the application site, and is unable to identify any of the owners or to notify any of the owners)
- ☐ **Agricultural Holdings Certificate** (needed for all applications irrespective of relevance to the site)
- ☐ • **Land Ownership Notice** (if you have completed Certificate B or C)
- ☐ • **Site Location Plan** (Scale 1:1250 or 1:2500 with the application site outlined in RED and any other land owned by the applicant outlined in BLUE)
- ☐ • **Site Layout Plan /Block Plan** (Scale 1:500 or 1:200)
- ☐ • **Existing and Proposed Elevations of Buildings** (Scale 1:50 or 1:100)
- ☐ • **Existing and Proposed Floor Plans** (Scale 1:50 or 1:100)
- ☐ • **Existing and Proposed Roof Plans** (Scale 1:50 or 1:100)
- ☐ • **Existing and Proposed Site Sections and Finished Floor and Site Levels** (Scale 1:50 or 1:100)
- ☐ • **Design and Access Statement** (unless specifically exempted)
- ☐ • **Environmental Statement** (where applicable)

## Part 2: LOCAL REQUIREMENTS

*Having read through Section 2's matrix of local requirements please indicate whether your proposal requires submission of any of the following, by ticking the box for those that apply and submit the relevant documents with your application:*

- ☐ Air Quality Assessment
- ☐ Best Practicable Environmental Assessment
- ☐ Biodiversity (Ecological Site Assessment, Ecological Survey, Protected Species Survey)
- ☐ Coal Mining Risk Assessment
- ☐ Contaminated Land Investigation
- ☐ Drainage Assessment (Foul)
- ☐ Drainage Assessment (Surface Water)

- ☐ Economic Statement
- ☐ Environmental Information
- ☐ Flood Risk Assessment
- ☐ Green Belt Statement
- ☐ Heritage Statement
- ☐ Landscaping Plan/Strategy
- ☐ Landscape and Visual Impact Assessment
- ☐ Lighting Assessment/Details of Lighting Scheme
- ☐ Listed Building/Conservation Area Assessment
- ☐ Noise Impact Assessment
- ☐ Open Space Assessment
- ☐ Parking/Servicing Statement
- ☐ Planning Obligation (Heads of Terms)
- ☐ Planning Statement
- ☐ Renewable Energy Assessment
- ☐ Statement Of Community Involvement
- ☐ Structural/Stability Survey
- ☐ Sunlight/Daylight Assessment
- ☐ Sustainable Design and Construction Assessment
- ☐ Transport Assessment And Travel Plan
- ☐ Transport Assessment Outline Statement

- ☐ Tree Survey/Arboricultural Assessment
- ☐ Utilities Statement
- ☐ Ventilation/Extraction Details
- ☐ Vibration Report
- ☐ Waste Management Plans

**Notes:**

Should we need further information to process your application, we will contact you and hold the application as invalid until that further information is submitted. Note that we may still request additional information following validation if it is necessary to enable proper determination of your application.

**If you tell us that you do not think that the information listed above is required, and give us your reasons, we will not declare it invalid. However, if insufficient justification is provided, the application will be declared invalid. We will then explain to you why it is invalid.**

***Note that failure to submit any of the requirements will result in the application not being registered.***

If you require this document in large print, or in some other format, please contact us on (01622) 221070 for assistance.

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## LOCAL INFORMATION REQUIREMENTS FOR COUNTY MATTER DEVELOPMENT APPLICATIONS

Information Item	Policy Drivers (NB South East Plan Policies are likely to be superseded in 2011 by forthcoming Localism Act.)	Relevant Proposals	Locational Criteria	Item Content	Further Information
Air Quality Assessment	<ul style="list-style-type: none"> <li>PPS 23 <i>Planning and Pollution Control</i> - Annex 1</li> <li>Environment Act 1995 - Part IV (Local Air Quality Management)</li> <li>DEFRA Policy Guidance LAQM.PG(03) - Chapter 7</li> <li>Possible Local Development Framework Policies on air quality</li> <li>Kent Waste Local Plan 1998 Saved Policy W18</li> <li><i>South East Plan Policy NRM9</i></li> </ul>	Any application that will result in emissions to air from waste management processes, significant or cumulative impacts from traffic generation and proposals likely to generate dust emissions	Sites within Air Quality Management Areas or generating additional traffic in such areas, and within or adjacent to nature conservation designations, (SACs, SPAs, RAMSARs, SSSI's LNRs etc)	Air Quality Assessment	<ul style="list-style-type: none"> <li><a href="#">PPS 23 Planning and Pollution Control - Annex 1</a></li> <li><a href="#">Environment Act 1995 - Part IV (Local Air Quality Management)</a></li> <li><a href="#">DEFRA Policy Guidance LAQM.PG(03) - Chapter 7</a></li> <li>Possible Local Development Framework Policies on air quality</li> </ul>
Best Practicable Environmental Assessment	<ul style="list-style-type: none"> <li>PPS 10 <i>Planning for Sustainable Waste Management</i></li> <li>EU Waste Framework Directive</li> <li>Waste Strategy for England 2007</li> </ul>	Until the adopted Kent Waste Local Plan (March 1998) is replaced by a new Waste Development Framework, in which any sites and locational criteria that are included have been subject to a Sustainability Appraisal and Strategic Environmental Assessment, the Companion Guide to PPS10 makes it clear that whilst there is no policy expectation for a BPEO (Best Practical Environmental Option) assessment something akin to such an exercise may help gather the necessary information to enable proposals to be tested for consistency with PPS10.	All waste proposals	Waste planning applications to be accompanied by an assessment which addresses proposed waste types and sources, existing and emerging options for dealing with the waste stream(s) at both strategic and more local level, technological options for the waste stream(s), regional and sub-regional self sufficiency, the proximity principle (where waste disposal is involved) and alternative sites. In preparing an assessment you may find it helpful to refer to PPS10 (e.g. paragraphs 3, 21, 24 and 25), and its Companion Guide	<ul style="list-style-type: none"> <li><a href="#">Planning for Sustainable Waste Management: A Companion Guide to Planning Policy Statement 10 - DCLG (2006)</a></li> </ul>

Biodiversity	<ul style="list-style-type: none"> <li>• PPS 9 Biodiversity and Geological Conservation</li> <li>• Planning for Biodiversity and Geological Conservation: A Good Practice Guide - ODPM (2006)</li> <li>• Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System - DCLG Circular 06/05</li> <li>• Possible Local Development Framework Policies on biodiversity</li> <li>• Kent Waste Local Plan 1998 Saved Policy W21</li> <li>• <i>South East Plan Policies CC8, NRM5 and 7</i></li> </ul>	<p>Proposals affecting internationally, nationally and/or locally designated nature conservation sites (SACs, SPAs, RAMSARs, SSSIs, LNRs, and/or LWSs, SLNCVs and SNCIs)</p> <p>Proposals affecting natural or semi-natural vegetation/habitat (eg. woodland, hedgerows, ponds and grassland, etc.).</p> <p>Proposals where protected species are known or likely to occur, for example bats in trees to be removed, land with ponds or terrestrial habitats where great crested newts may be present or the presence of protected plants</p>	Potentially any site countywide, but especially within or adjacent to designated nature conservation areas	<p>Ecological Site Assessment should provide up to date information on habitats on site and links to other habitats, species present or likely to be, records search, likely impacts, mitigation and enhancement opportunities, with reference to any Ancient Woodland, Important Hedgerows or Biodiversity Action Plan priority habitats on or adjacent to the site.</p> <p>Ecological Surveys are needed if proposals directly or indirectly affect protected species and/or any designated sites, with advice sought from Natural England or Kent Wildlife Trust as appropriate (standing advice available).</p> <p>Protected Species Surveys are needed if the site or surroundings may contain species such as bats, badgers or great crested newts to establish their presence/absence, the population levels, likely impacts and scheme of mitigation and compensation.</p> <p>Where survey information is required, there should be an initial assessment of the site, a full ecological report (including likely impacts and proposed mitigation), full assessment of likely effects and avoidance/mitigation where international/national sites are affected (with scoping advice from Natural England), and assessment/survey information where protected species, locally designated sites or priority habitats are affected.</p>	<ul style="list-style-type: none"> <li>• <a href="#">Kent and Medway Biological Records Centre</a></li> <li>• <a href="#">Natural England - Standing advice for protected species</a> also gives links to guidance notes for each protected species – detailed below.</li> <li>• Bat Surveys - Good Practice Guidelines - Bat Conservation Trust (2007)</li> <li>• Great Crested Newt Mitigation Guidelines - NE (2001)</li> <li>• Badgers and Development - NE (2007)</li> <li>• Guidance on Managing Woodlands with Dormice in England - Forestry Authority (2007)</li> <li>• Dormouse Conservation Handbook - NE (2006)</li> <li>• Water Vole Guidance for Planners and Developers - NE</li> <li>• Reptile Survey - Froglife Advice Sheet 10</li> <li>• <a href="#">Guidance on Survey Methodology - Institute of Ecology and Environmental Management</a></li> <li>• <a href="#">Planning to Halt the Loss of Biodiversity – Conservation Standards for Planning in the UK - British Institute Publication (PAS 2010:1206)</a></li> <li>• <a href="#">Validation of Planning Applications - Association of Local Government Ecologists (2007)</a></li> </ul>
Coal Mining Risk Assessment	<ul style="list-style-type: none"> <li>• PPG14 Development on Unstable Land, including it's appendices &amp; annexes</li> </ul>	Any built development projects within Coal Mining Development Referral Areas	Any site within Coal Mining Development Referral Area in Dover and Canterbury District Council Areas	Assessment should be prepared by appropriately qualified person to cover: site specific coal mining information (past underground mining, mine gas or surface mining); mining influences on design and any mitigation; and any intrusive development of activity affecting coal mines/workings. Note: Assessment could be incorporated in any required Environmental Statement.	<ul style="list-style-type: none"> <li>• Coal Authority website <a href="http://www.coal.gov.uk/services/planning">www.coal.gov.uk/services/planning</a></li> <li>• Coal Authority Planning and Local Authority Liaison Department (<a href="mailto:planningconsultaion@coal.gov.uk">planningconsultaion@coal.gov.uk</a>)</li> </ul>



Contaminated Land Investigation	<ul style="list-style-type: none"> <li>• PPS 23 <i>Planning and Pollution Control</i> - Annex 2</li> <li>• Possible Local Development Framework Policies on ground contamination</li> <li>• Kent Waste Local Plan 1998 Saved Policy W18</li> <li>• <i>South East Plan Policies NRM1 and 2</i></li> </ul>	Any waste proposal involving, or adjacent to, potentially contaminated land.	Where previous use of the site (or adjacent site) could have caused contamination (eg. industrial processes, petrol filling stations, institutional/residential with fuel storage, agricultural chemical storage, vehicle parking/servicing, etc.)	Investigation of potential pollutants and how any contamination would be addressed, including a desktop and site walkover study, and where contamination is known or suspected a preliminary risk assessment with a conceptual model identifying pollutant sources, pathways and receptors plus options for remediation	<ul style="list-style-type: none"> <li>• <a href="#">BS10175 Code of Practice for the Investigation of Potentially Contaminated Sites (2001)</a></li> <li>• <a href="#">BS5930 Code of Practice for Site Investigations (1999)</a></li> <li>• <a href="#">Contaminated Land Report 11 - Model Procedures for the Management of Land Contamination (2004)</a></li> <li>• <a href="#">Environment Agency Guidance on Requirements for Land Contamination Reports (2005)</a></li> </ul>
Drainage – Foul Sewerage Assessment	<ul style="list-style-type: none"> <li>• PPS 23 <i>Planning and Pollution Control Planning Requirements in Respect of Non-Mains Sewerage</i> -</li> <li>• DETR Circular 03/99</li> <li>• Approved Document Part H of the Building Regulations 2000</li> <li>• Possible Local Development Framework Policies on drainage</li> <li>• Kent Waste Local Plan 1998 Saved Policies W19</li> <li>• <i>South East Plan Policies NRM1, 2 and 4</i></li> </ul>	All waste proposals involving significant discharges to foul drainage, especially those producing leachate requiring management prior to disposal to the drainage system.	Potentially any site countywide	Description of the type, quantities and means of disposal of any effluent, demonstrating compatibility with existing land uses and drainage capacity. Proposed connections to existing drainage systems should be detailed on the application drawings, whereas the use of soakaways will require percolation tests Scaled plans of any new or altered foul drainage arrangements will also be needed, including location plan, sections/elevations and specifications.	<ul style="list-style-type: none"> <li>• <a href="#">Water Services Infrastructure Guide - Thames Water (2007)</a></li> </ul>
Drainage – Surface Water Assessment	<ul style="list-style-type: none"> <li>• PPS 1 Delivering Sustainable Development</li> <li>• PPS 25 Development and Flood Risk</li> <li>• Possible Local Development Framework Policies on flood risk</li> <li>• Kent Waste Local Plan 1998 Saved Policies W19 and W20</li> <li>• <i>South East Plan Policies NRM1, 2 and 4</i></li> </ul>	All waste disposal operations in flood risk areas and where a known drainage problem exists and some assurance is needed that flood risk has been addressed.	Potentially any site countywide	Site specific flood risk assessments in known flood risk areas and assessments needed for developments likely to generate significant increase in water flow across and from the site, including the scope for Sustainable Urban Drainage Systems (SUDS) to control surface water run-off as near to its source as possible.	<ul style="list-style-type: none"> <li>• <a href="#">PPS25 Development and Flood Risk – Practice Guide DCLG 2009</a></li> <li>• <a href="#">CIRIA C522 Document Sustainable Urban Drainage Systems</a></li> <li>• <a href="#">Design Manual for England and Wales and Interim Code of Practice for Sustainable Drainage Systems 2004</a></li> <li>• <a href="#">CIRIA C635 Document Designing for Exceedance in Urban Drainage - Good Practice 2006</a></li> </ul>
Economic Statement	<ul style="list-style-type: none"> <li>• PPS 4 <i>Economic Development</i></li> <li>• Possible Local Development Framework Policies on local economy, employment and skills, agriculture, tourism, etc.</li> <li>• <i>South East Plan Policies RE1,2,3,4,5,6,EKA1,KTG1 and LF1</i></li> </ul>	Where any significant economic growth or regeneration benefits apply, or might be enabled, such as major waste proposals or major transport infrastructure. Unlikely to be needed for minor proposals but will almost certainly be required as part of any alternative sites assessment	Where in nationally/regionally significant areas, such as Thames Gateway or Ashford, requiring consultation with Local Enterprise Partnerships (where they are established)	Explanation of any economic growth/regeneration benefits from the proposed development, including new jobs created/ supported, relative floorspace totals, any community benefits, and any supporting regeneration strategies	<ul style="list-style-type: none"> <li>• <a href="#">KCC website – Economic Strategy</a></li> <li>• <a href="#">Unlocking Kent's Potential 2009</a></li> </ul>

Environmental Information	<ul style="list-style-type: none"> <li>PPS10 Planning for Sustainable Waste Management</li> <li>Kent Waste Local Plan 1998 saved Policies W3, W6, W9, W12, W17, W18, W19, W20, W21, W22, W25, W27, W31 and W32</li> <li><i>South East Plan Policies CC8, NRM 5 and 7</i></li> </ul>	In cases where full Environmental Impact Assessment is not required we will still require environmental information for waste management operations.	Proposed, existing and changes to existing waste management facilities including landfill, wastewater treatment and scrap yards.	Details of amenity and environmental impacts together with mitigation and management strategies; including types of waste, processes, capacity of site, access details, impact on water resources and nature conservation interests	None
Flood Risk Assessment	<ul style="list-style-type: none"> <li>PPS 25 Development and Flood Risk</li> <li>Development and Flood Risk: A practice Guide Companion to PPS25 - EA (2007)</li> <li>Kent Waste Local Plan Saved Policy W20</li> <li><i>South East Plan Policies NRM2, 4 and KTG 6</i></li> </ul>	Major developments and especially where new buildings, significant extensions and increases in areas of hard surfacing are within the floodplain or adjacent to a Main River Engineering operations, land raising or significantly increasing surface water run-off to watercourses and soakaways, etc. Less likely to be needed for minor proposals	Any development within Flood Zones 2 and 3. Any development of a site in Flood Zone 1 where the Environment Agency, Internal Drainage Body or other relevant bodies have indicated there may be a drainage problem	Assessment to establish the impact of the proposed development on the floodplain and level of risk to the occupiers, including the sequential testing of alternative sites, an exceptions test for the type of development, plus any mitigating measures and emergency evacuation procedures necessary	<ul style="list-style-type: none"> <li><a href="#">National Standing Advice on Development and Flood Risk - England- User Guidance Note (2004)</a></li> </ul>
Green Belt Statement	<ul style="list-style-type: none"> <li>PPG 2 Green Belts</li> <li>Possible Local Development Framework Policies in West Kent relating to the Metropolitan Green Belt</li> <li><i>South East Plan Policies SP5 and LF9</i></li> </ul>	Where any new built development, changes of use or extended uses are proposed in the Green Belt, but less likely to be needed for minor proposals where there are no impacts on the openness of the Green Belt	Any new built development or changes of use within the Metropolitan Green Belt areas in Tunbridge Wells, Sevenoaks, Tonbridge and Malling, Dartford and Gravesham Boroughs unless within existing built-up areas of settlements that have been excluded from the Green Belt in a Local Development Framework	Explanation as to whether the proposed development is 'appropriate development' in the Green Belt, and if not what 'very special circumstances' might exist to justify such development, including an exploration of alternative non-Green Belt sites and the potential impacts of the development on the openness of the Green Belt	None
Heritage Statement	<ul style="list-style-type: none"> <li>PPS 5 Planning and the Historic Environment</li> <li>DCLG's Historic Environment Planning Practice Guide (2010)</li> <li>Possible Local Development Framework Policies on heritage assets (Conservation Areas, Listed Buildings, Ancient Monuments Historic Parks and Gardens, historic landscapes, arcadian areas, etc.)</li> <li><i>South East Plan Policy BE6</i></li> </ul>	Major waste developments, and any minor developments affecting heritage assets or the setting of such assets, plus developments involving the demolition of older buildings	Any development directly or indirectly affecting heritage assets (Conservation Areas, Areas of Archaeological Potential, World Heritage Sites, Listed Buildings, Historic Park and Gardens, Scheduled Ancient Monuments, etc.) or sites on KCC's Historic Environment Record or known or likely to contain archaeological remains	Assessment of the nature, extent and importance of any archaeological remains, heritage assets or older buildings to be removed, including a desktop evaluation of existing information and any necessary field evaluations, details of the preservation of any archaeological remains in situ or of their excavation and recording as appropriate	<ul style="list-style-type: none"> <li>Early liaison with the County Archaeologist is advised to establish the archaeological implications, together with assistance from an appropriately qualified historic environment specialist, with pre-application liaison with Local Authority conservation officers</li> </ul>

Landfill Statement	<ul style="list-style-type: none"> <li>Landfill (England and Wales) Regulations 2002</li> <li>PPS10 Planning for Sustainable Waste Management</li> <li>Kent Waste Local Plan Saved Policy W12</li> <li><i>South East Plan Policies W5, W15 and W14</i></li> </ul>	Any proposal involving landfilling or land raising and including re-working or reclamation of former mineral sites.	Countywide	Statement to provide capacity of proposed site, amount of material involved, rates of fill, type and source of material, expected levels of settlement and proposed methods of compaction (pre and post settlement levels) NB Where Environmental Impact Assessment is required, this information may be provided as part of your Environmental Statement.	None
Landscaping Plan	<ul style="list-style-type: none"> <li>PPS 1 Delivering Sustainable Development</li> <li>PPS 7 Sustainable Development in Rural Areas</li> <li>Possible Local Development Framework Policies on landscaping and tree and hedge protection</li> <li>Kent Waste Local Plan Saved Policy W31</li> <li><i>South East Plan Policy CC6</i></li> </ul>	All waste proposals	Any site which includes external space for visual enhancement or amenity protection though the use of either hard (fences, walls, bunds) or soft (trees, shrubs, hedges) landscaping treatment	Proposals to be an integral part of the site development plans, demonstrating how hard and soft landscaping is to be incorporated into the design including proposals for long term maintenance and landscape management	<ul style="list-style-type: none"> <li><a href="#">KCC's Kent Design Guide (2006)</a></li> </ul>
Landscape/ Townscape Assessment and Visual Impact Assessment	<ul style="list-style-type: none"> <li>PPS 1 Delivering Sustainable Development</li> <li>PPS 7 Sustainable Development in Rural Areas</li> <li>Possible Local Development Framework Policies on landscape/countryside character, Areas of Outstanding Natural Beauty, Special Landscape Areas, Conservation Areas, Listed Buildings, historic landscapes, rural lanes, etc.</li> <li>Kent Waste Local Plan 1998 Saved Policy 32</li> <li><i>South East Plan Policies 3,4,5, and 6</i></li> </ul>	All waste proposals that will have an effect on the appearance and character of the landscape or townscape.	Sites within or visible from the open countryside or likely to affect the natural beauty or character of the rural landscape, especially Areas of Outstanding Natural Beauty. Sites visible from within or close to Conservation Areas, Listed Buildings, Historic Park or Garden or other important visual amenity	Assessment of the potential effects of major and medium scale development on the character and appearance of the landscape or townscape, including identifying the characteristics of the landscape/townscape that forms the context for the site, with special reference to any Landscape or Conservation Area Assessments or any landscape designations and Landscape Character Area Assessments. Landscape/Townscape and Visual Impact Assessments should be carried out by an appropriate professional in accordance with the 2002 Guidelines. For landfilling proposals these assessments should include Site Restoration Plans and an Aftercare Strategy. In AONB's a full assessment of the potential impacts on local landscape character using Landscape Character Assessment good practice guidelines is needed and the AONB Management Plan should be used to inform ways of maintaining landscape character and distinctiveness.	<ul style="list-style-type: none"> <li><a href="#">Guidelines for Landscape and Visual Impact Assessment (2nd Edition) - The Landscape Institute and Institute of Environmental Management and Assessment</a></li> <li><a href="#">The High Weald AONB Management Plan (2004)</a></li> <li><a href="#">The Kent Downs AONB Management Plan 2009</a></li> </ul>

Lighting Impact Study/Details of Lighting Scheme	<ul style="list-style-type: none"> <li>• <a href="#">DCLG's Lighting in the Countryside (1997)</a></li> <li>• <a href="#">DCLG's Manual for Streets (2007)</a></li> <li>• Possible Local Development Framework Policies on lighting and pollution impacts</li> <li>• Kent Waste Local Plan 1998 Saved Policy W25</li> </ul>	All waste developments involving external lighting, including temporary construction and security lighting	Any urban, suburban or rural site	Full details of any external lighting should be submitted with the planning application, to include details of the number, type and height of luminaires, location and intensity of the installation, spill patterns and the proposed hours of use	<ul style="list-style-type: none"> <li>• <a href="#">Guidance Notes for the Reduction of Obtrusive Light - Institute of Lighting Engineers (2005)</a></li> </ul>
Listed Building and Conservation Area Statement	<ul style="list-style-type: none"> <li>• PPS 5 Planning and the Historic Environment</li> <li>• Possible Local Development Framework Policies on Listed Buildings and Conservation Areas</li> <li>• <i>South East Plan Policy BE6</i></li> </ul>	<p>Any development proposals affecting Listed Buildings or Conservation Areas, including affecting the setting of as Listed Building or where adjacent to a Conservation Area.</p> <p><i>Note that any works proposed to Listed Buildings also require Listed Building Consent from the District Planning Authority, and any proposals for the demolition of buildings within a Conservation Area might also require an application for Conservation Area consent from the District Planning Authority</i></p>	Any site that includes Listed Buildings or is within a Conservation Area, or adjacent to either and likely to affect its setting	Listed Building Design and Access Statements should set out the design principles and concepts applied to the works and how access issues are addressed, and explain how they have been applied to scale, layout and appearance, taking account of: the special architectural/historic significance the particular physical features justifying Listing a schedule of proposed works the impact on the special interest and character the justification for the works, plus mitigation. Conservation Area Assessments should address how the proposal has been designed, having regard to the character and appearance of the Conservation Area (and could form part of the <b>Design and Access Statement</b> ) and should include: a schedule of proposed works the impact on the character and appearance of the Conservation Area, and the impact on the setting of any Listed Buildings	<ul style="list-style-type: none"> <li>• Advice should be sought from the appropriate Council's Conservation Officer before submitting such applications</li> </ul>

Noise Impact Assessment	<ul style="list-style-type: none"> <li>PPG 24 Planning and Noise</li> <li>Possible Local Development Framework Policies on noise and pollution impacts</li> <li><i>South East Plan Policy NRM10</i></li> </ul>	Any development likely to generate high levels of noise, such as transport projects, highway depots, outdoor sports facilities and any facility with regular movement of commercial vehicles, such as major category developments with long periods of construction activity New residential care accommodation and gypsy/ traveller sites if adjacent to major sources of noise, such as quarries, roads, railways and industrial sources	Any location where noise generating activity could impact on residential areas, or any location already impacted by noise nuisance	Assessment of existing and predicted noise levels as a result of the development, including decibel contours and/or receptor point measurements, plus any proposed mitigation measures with the resulting noise levels following any	<ul style="list-style-type: none"> <li>Advice should be sought from a qualified acoustic specialist or the relevant District Council Environmental Health Officer</li> </ul>
Open Space Assessment	<ul style="list-style-type: none"> <li>PPG 17 Planning for Open Space, Sport and Recreation</li> <li>Assessing Needs and Opportunities: A Companion Guide to PPG17</li> <li>Possible Local Development Framework Policies on open space protection and/or provision</li> <li><i>South East Plan Policies C6, T7 and S5</i></li> </ul>	Any development proposals that would result in the loss of open space, or having significant implications for Public Rights of Way	Any site comprising open space or crossed by Public Rights of Way, including all open space of public value, including rivers, canals and lakes	<p>Assessment of any open space lost or directly affected by the proposed development, with any measures to replace or compensate for such impacts.</p> <p>Assessment of any impacts on Public Rights of Way, with any proposed mitigation and any opportunities to improve facilities for walkers, cyclists, horse riders, such as adding links to the existing rights of way network</p>	<ul style="list-style-type: none"> <li><a href="#">KCC's Countryside Access Improvement Plan 2007-2017</a></li> </ul>
Parking/ Servicing Statement	<ul style="list-style-type: none"> <li>PPS 1 Delivering Sustainable Development</li> <li>PPG 13 Transport</li> <li>Possible Local Development Framework Policies on parking and servicing provisions</li> <li><i>South East Plan Policy T4</i></li> </ul>	<p>Major waste developments.</p> <p>Unlikely to be needed for any proposals not involving any increase in numbers of persons or vehicles</p>	Potentially any site countywide	<p>Statement of how much vehicle parking is to be provided and how to be accommodated, including provision for cycles, buses and lorry parking as appropriate, and cater for employees, residents, visitors, suppliers and servicers, plus how the design of the development ensures parking is well related to the activity/property served, and how the design ensures security such as through good surveillance.</p> <p>Proposals for significant building works should include provision for contractor's vehicles and the delivery of construction materials</p>	<ul style="list-style-type: none"> <li><a href="#">KCC's Kent Vehicle Parking Standards (2006)</a></li> </ul>



Planning Statement	<ul style="list-style-type: none"> <li>• PPS 1 Delivering Sustainable Development</li> <li>• <i>South East Plan CC1, EKA1, KTG1 and LF1</i></li> </ul>	For all development proposals other than those or minor works, plant and equipment	Potentially any site countywide	Statement identifying the context and need for the proposed development and how it accords with relevant Development Plan Policies and policy guidance, including details of any pre- application consultations and community engagement, plus any further supporting or background information not included on either the Application Form or in other accompanying documents (e.g. need and justification for and benefits of the proposed development)	<ul style="list-style-type: none"> <li>• Note that a separate <b>Statement of Community Involvement</b> will be appropriate for significant waste proposals likely to affect the local community</li> </ul>
Planning Obligation(s) Draft heads of Terms	<ul style="list-style-type: none"> <li>• DCLG Circular 05/05 Planning Obligations</li> </ul>	For all major development where an Obligation (S106 Agreement) is likely to be necessary.	Potentially any site countywide	Draft Heads of Terms of Agreement, contact details of legal representative, evidence of title of confirmation that the title owner(s) will be in a position to enter into such an Agreement	<ul style="list-style-type: none"> <li>• <a href="#">Planning Obligations :Practice Guidance DCLG (2006)</a></li> <li>• <a href="#">Planning Obligations :Practice Guidance DCLG (2006)</a></li> </ul>
Renewable Energy Assessment	<ul style="list-style-type: none"> <li>• PPS 1 Delivering Sustainable Development</li> <li>• PPS 22 Renewable Energy</li> <li>• Possible Local Development Framework Policies on renewable energy</li> <li>• <i>South East Plan CC1,2,3,and NRM11,15 and 16</i></li> </ul>	For waste proposal involving substantial new building projects.	Potentially any site countywide	Assessment of the calculated CO2 emissions per annum, the technical feasibility of renewable energy technologies for the site, calculations of the CO2 savings as a % of site predicted CO2 emissions and how a saving of at least 10% can be achieved	<ul style="list-style-type: none"> <li>• <a href="#">KCC's Kent Design Guide (2006)</a></li> </ul>
Statement of Community	<ul style="list-style-type: none"> <li>• PPS 12 Local Development Frameworks</li> <li>• DCLG's Companion Guide to PPS12</li> <li>• <i>South East Plan Policy S6</i></li> </ul>	For any proposals with substantial community interest, Less likely to be needed for minor proposals	Potentially any site countywide	Explanation of how applicant has complied with the pre-application engagement requirements in the KCC Statement of Community Involvement, demonstrating how the views of the local community have been sought and taken into consideration in the formulation of the proposals	<ul style="list-style-type: none"> <li>• <a href="#">KCC's Statement of Community Involvement (2010)</a></li> </ul>

Structural Survey/Land Stability Survey	<ul style="list-style-type: none"> <li>• PPS 5 Planing and the Historic Environment</li> <li>• PPG 14 Development on Unstable Land</li> <li>• Kent Waste Local Plan Saved Policies W20 and W32</li> <li>• Possible Local Development Framework Policies on conversion and reconstruction of buildings, especially Listed Buildings</li> </ul>	Any proposals involving major soil and spoil movements (including the creation of bunds), demolition or alteration of buildings, especially affecting the structural integrity of Listed Buildings Major waste development proposals on previously used land. Less likely to be needed for minor proposals	Potentially any site countywide, where buildings are to be demolished/altered, development sited on made ground.	<b>Structural Surveys</b> should be prepared by a professionally qualified surveyor, covering the condition of the building and whether it is capable of accommodating the proposed works <b>Land Stability Surveys</b> should assess: the physical capability of the land possible adverse effects of any instability possible adverse effects on adjacent land possible effects on local amenities and conservation interests, and any proposed remedial or precautionary measures.	None
Sustainable Design and Construction Assessment	<ul style="list-style-type: none"> <li>• PPS 1 Delivering Sustainable Development</li> <li>• Supplement to PPS1 Planning and Climate Change</li> <li>• PPS 22 Renewable Energy</li> <li>• Possible Local Development Framework Policies on sustainable design and renewable energy</li> <li>• <i>South East Plan Policies CC1,2,3,4,5 and 6</i></li> </ul>	Any new or extended building or engineering works	Potentially any site countywide	Outline of the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications, with an indication of the BREEAM standard being worked towards, and covering methods of construction design and layout of buildings and spaces, their overall environmental performance and the type and source of building materials	<ul style="list-style-type: none"> <li>• <a href="#">KCC's Kent Design Guide (2006)</a></li> </ul>
Transport Assessment and Travel Plan	<ul style="list-style-type: none"> <li>• PPG 13 Transport</li> <li>• Kent Waste Local Plan Saved Policy W22</li> <li>• Possible Local Development Framework Policies on transport management and vehicle parking</li> <li>• <i>South East Plan Policies T1,2,4,5,6,7,8, C6 and S1</i></li> </ul>	Transport Assessments will be needed for most waste developments. Travel Plans will be needed for development likely to create significant new employment and/or significant visitors to a development.	Potentially any site countywide	Transport Assessments should indicate site access by all modes and the likely modal split of journeys, measures to improve public transport access, walking and cycling to mitigate transport impacts, plus details of construction access and lorry movements for major building projects and highway schemes, the level and location of parking and relevant Local Transport Plan and Borough Transport Strategy proposals. Travel Plans should include a package of measures to promote environmentally sustainable travel choices and reduce the level of potential traffic impact of the development, addressing commuter journeys, business travel, visitor movements and deliveries.	<ul style="list-style-type: none"> <li>• <a href="#">Delivering Travel Plans Through the Planning Process Research report DfT and DCLG (2008)</a></li> <li>• <a href="#">Guidance on Transport Assessments &amp; Travel Plans KCC (2008)</a></li> </ul>

Tree Survey/ Arboricultural Assessment	<ul style="list-style-type: none"> <li>• PPS 9 Biodiversity and Geological Conservation</li> <li>• Kent Waste Local Plan Saved Policy W22</li> <li>• Possible Local Development Framework Policies on tree and hedgerow protection</li> <li>• <i>South East Plan Policy NRM7</i></li> </ul>	Any building or engineering works that could impact on significant trees, groups of trees or hedgerows on or adjoining the site, whether of special protection status or not	Potentially any site countywide with trees or hedgerows, but especially in Conservation Areas and covered by Tree Preservation Orders	Layout plans should identify trees and other vegetation to be retained or lost to the development, as well as on adjoining land <b>Tree Condition Surveys</b> are required where significant trees are affected and possibly a <b>Biodiversity Assessment</b> where significant trees or important hedgerows are to be removed <b>Tree Surveys</b> should provide information on each affected tree, including their contribution to the streetscene, visual amenity and ecological importance	<ul style="list-style-type: none"> <li>• <a href="#">BS 5837 Trees in Relation to Construction (2005)</a></li> <li>• <a href="#">NJUG 10 Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees</a></li> <li>• <a href="#">APN 12 through the Trees to Development – Tree Advice Trust</a></li> </ul>
Utilities Statement	<ul style="list-style-type: none"> <li>• Possible Local Development Framework Policies on public utilities</li> <li>• <i>South East Plan Policies NRM1 and 2</i></li> </ul>	Major category developments Unlikely to be needed for minor developments	Potentially any site countywide	An indication of how the development would connect to exiting utilities (electricity, gas, telecommunications, water supply, foul and surface water drainage), including whether existing infrastructure has sufficient capacity and whether services provided on the site would have adverse environmental effects or harm to trees or archaeological remains	None
Ventilation/ Extraction Details	<ul style="list-style-type: none"> <li>• PPS 1 Delivering Sustainable Development</li> <li>• Kent Waste Local Plan 1998 Saved Policy W18</li> <li>• Possible Local Development Framework Policies on ventilation</li> <li>• <i>South East Plan Policies CC1 and NRM9</i></li> </ul>	Any new or extended building developments where substantial ventilation or extraction equipment is to be installed	Potentially any site countywide	Full details of the position and design of any ventilation or extraction equipment, including odour abatement techniques and acoustic characteristics	None
Vibration Report	<ul style="list-style-type: none"> <li>• PPS 1 Delivering Sustainable Development</li> </ul>	Any waste proposals where either operational development or construction activities have the potential to cause nuisance from vibration impacts	Potentially any site countywide	Assessment of risk of nuisance from source of vibration to sensitive receptors/	None



Waste Management Plan	<ul style="list-style-type: none"><li>• PPS 10 Planning for Sustainable Waste Management</li><li>• Kent Waste Local Plan 1998 Saved Policy W9</li><li>• <i>South East Plan Policy WE2</i></li></ul>	Any proposals involving demolition of buildings or structures. Unlikely to be needed for minor developments	Potentially any site countywide involving demolition.	An identification of the volume and type of material to be demolished, opportunities for the re-use and recovery of materials, and how off-site waste disposal would be minimised and managed. <b>Site Waste Management Plans</b> must describe the construction work, the type and quantities of all waste produced, and identify the waste management action proposed, including re-use, recycling, recovery and disposal.	<ul style="list-style-type: none"><li>• <a href="#">Site Waste Management Plans Advice – NetRegs website</a></li></ul>
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By: Chairman of Planning Applications Committee  
Head of Democratic Services and Local Leadership

To: Planning Applications Committee – Thursday, 20 January 2011

Subject: RECORDED VOTING AT PLANNING APPLICATIONS COMMITTEE  
MEETINGS

Classification: Unrestricted

## FOR INFORMATION

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### **The County Council's Constitution**

1. Committee Procedure 2.20 of the County Council's Constitution sets out the rules for recording voting at Committee meetings as follows:-

(1) If any Member requests, the Chairman will call a vote on any recommendation or motion or amendment. The vote will be by a show of hands by members of the Committee present, including substitute Members.

(2) If the votes for and against are equal, the Chairman shall immediately declare if he is using his casting vote and, if so, whether for or against the proposal.

(3) Immediately after a vote has been taken, an individual member may ask that the way he cast his vote either for or against the proposal or to abstain be recorded in the minutes.

(4) One-third of the voting Members present may require that the way all Members cast their vote for or against or to abstain shall be recorded in the Minutes: such a request must be made before the vote is taken.

### **The need to vary the procedure for the Planning Applications Committee**

2. The determination of each planning application is a legal decision which is open to challenge either through an appeal to the Secretary of State or Judicial Review. On those occasions where the recommendations of the Head of Planning Applications Group have been agreed, the decision is readily defensible through reference to the professional advice given in the report and at the meeting.

3. The situation becomes more complex on those occasions when the Committee overturns the Head of Planning Applications Group's recommendations. Under such circumstances, the way in which each individual Member voted can become a matter of legal significance.

4. Consequently, the Director of Law and Governance has advised that the votes of each individual Committee Member (whether for, against or in

abstention) should be recorded whenever the Committee votes against the Head of Planning Applications Group's recommendation for permission or refusal.

5. This provision would supplement Committee Procedure Rule 2.20 and would not replace it.

6. This proposed provision will be reported to Selection and Member Services Committee, which will consider it on 27 January 2011. If this recommendation is agreed, it will be considered by the County Council on 6 April 2011.

RECOMMENDATION:

6. The Committee is recommended to note the Director of Law and Governance's advice that the votes of each individual Committee Member should be recorded on those occasions when the Head of Planning Applications Group's recommendation to grant permission or refuse an application is overturned. This advice will be reported to Selection and Member Services Committee and (subject to that Committee's agreement) to the County Council for proposed adoption into the Constitution.

Peter Sass: Head of Democratic Services and Local Leadership

Officer Contact: Andrew Tait  
Democratic Services Officer  
(01622) 694342

SECTION D  
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents - the deposited documents, views and representations received as referred to in the reports and included in the development proposal dossier for each case and also as might be additionally indicated.

## **Item D1**

### **New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534**

A report by Head of Planning Applications Group to Planning Applications Committee on 20 January 2011.

Application by Kent County Council Property Group for a new 0.5 FE primary school for Seabrook C of E Primary School, with associated playing field, parking and turning facilities, access road and new level games pitch at Land of Eversley Road, Seabrook, Hythe. (Ref: SH/09/534)

Recommendation: Recommend that the application be referred to the First Secretary of State as a departure from the Development Plan, and that subject to his decision, planning permission be granted.

Local Member(s): Mr C. Capon

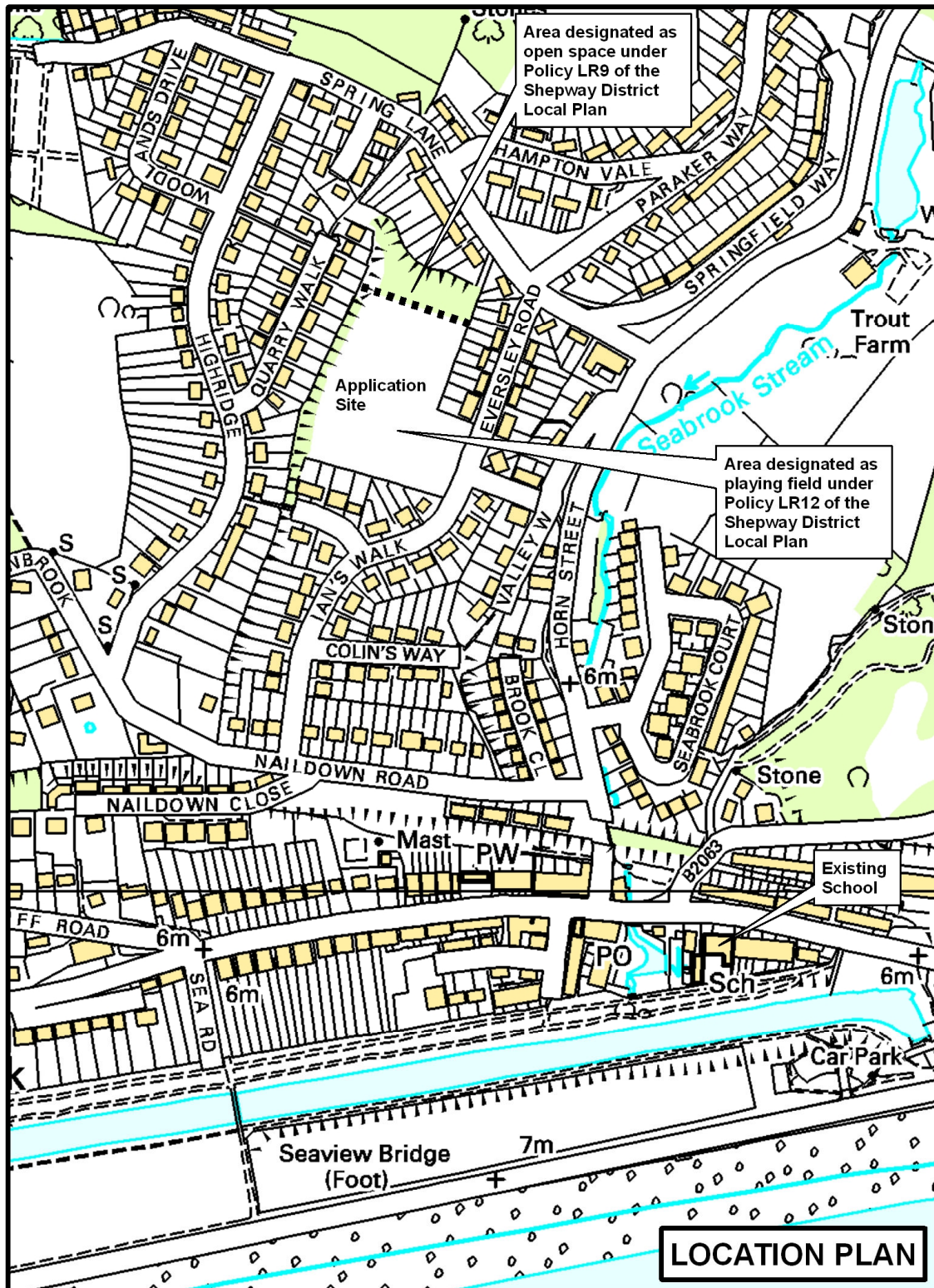
**Classification:** Unrestricted

#### **Site**

1. The existing Seabrook School is a Church of England 0.5 form entry Primary School located on Seabrook Road in Hythe. Construction of the school was completed in 1897 and the building has since been extended. The existing building sits within a predominately residential area and has a public footpath to its southern boundary, with the Royal Military Canal beyond. The proposed site for the new Seabrook Primary School is located on an open piece of land within Seabrook, accessed from Eversley Road. The site is currently used by the school as a playing field, and is open to the local community. The site shares boundaries with the rear gardens of the residential properties fronting Spring Lane to the north, Bridle Way and Ian's Walk to the South, Quarry Walk to the west and Eversley Road to the east. The site extends to the footway to the south east corner, where Eversley Road joins Ian's Walk.
2. The site has a protected wooded area to the north (Policy LR9 of the Shepway District Local Plan Review 2006), which is distinguished from the remainder of the site which is classified as playing fields under Policy LR12 of the Shepway District Local Plan Review. In light of these designations, the application has been advertised as a departure from the Development Plan and will be referred to the Secretary of State for his consideration should Members be minded to grant permission. The wooded area shares its boundary with the rear gardens of properties along Spring Lane. A steep bank lies to the west of the site, adjoining the boundaries of the properties in Quarry Walk, and is densely foliated. The surrounding properties are a mixture of traditional pitched roofed two storey brick and render detached and semi-detached properties. The properties along Quarry Walk are predominately single storey, although the ground level at the top of the bank is approximately 6 metres higher than the ground level at the base of the bank. The site has oblique sea views in a southerly direction. A site plan is attached.

## Item D1

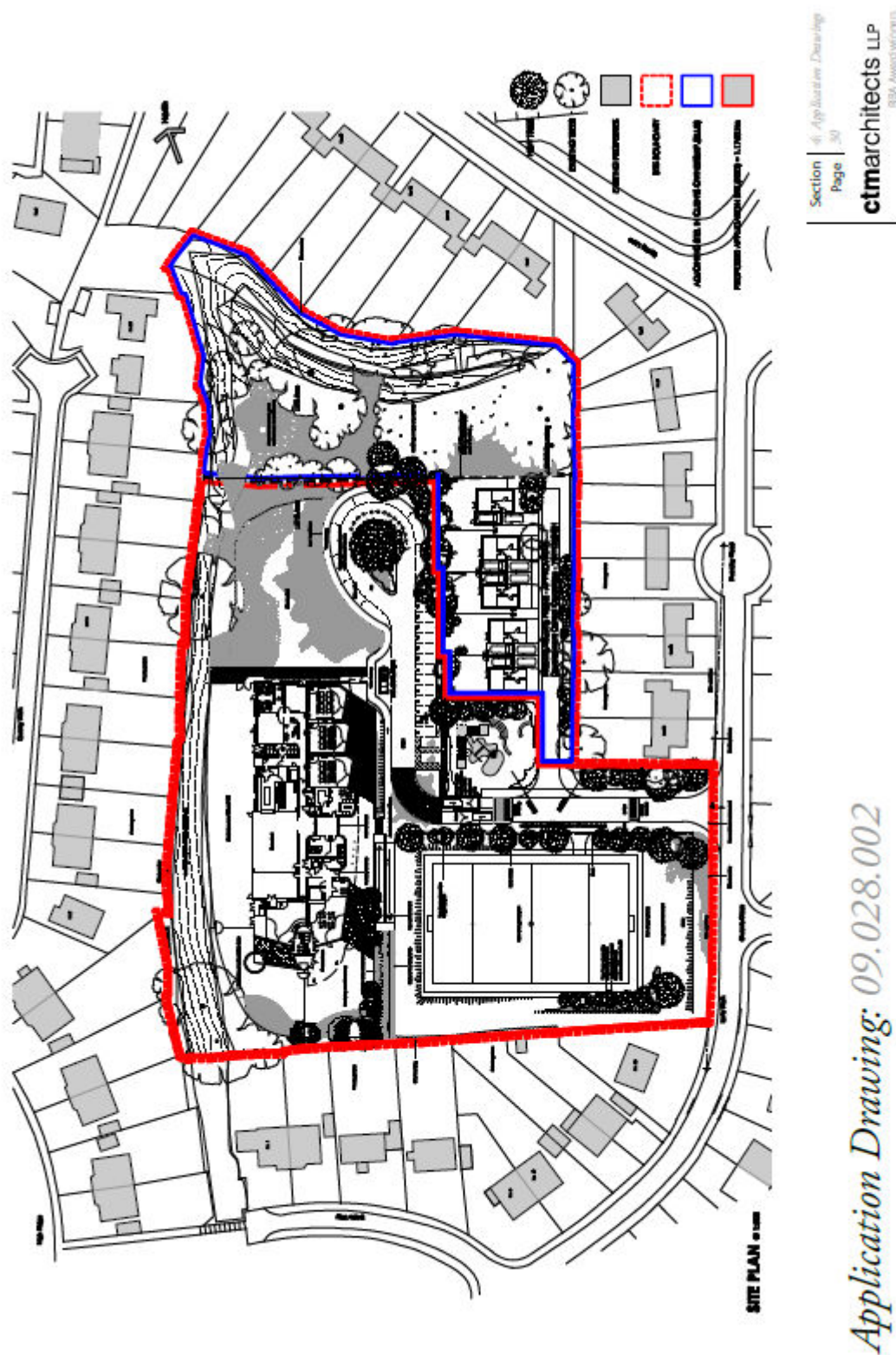
New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534





## Item D1

New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534



## Item D1

New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534

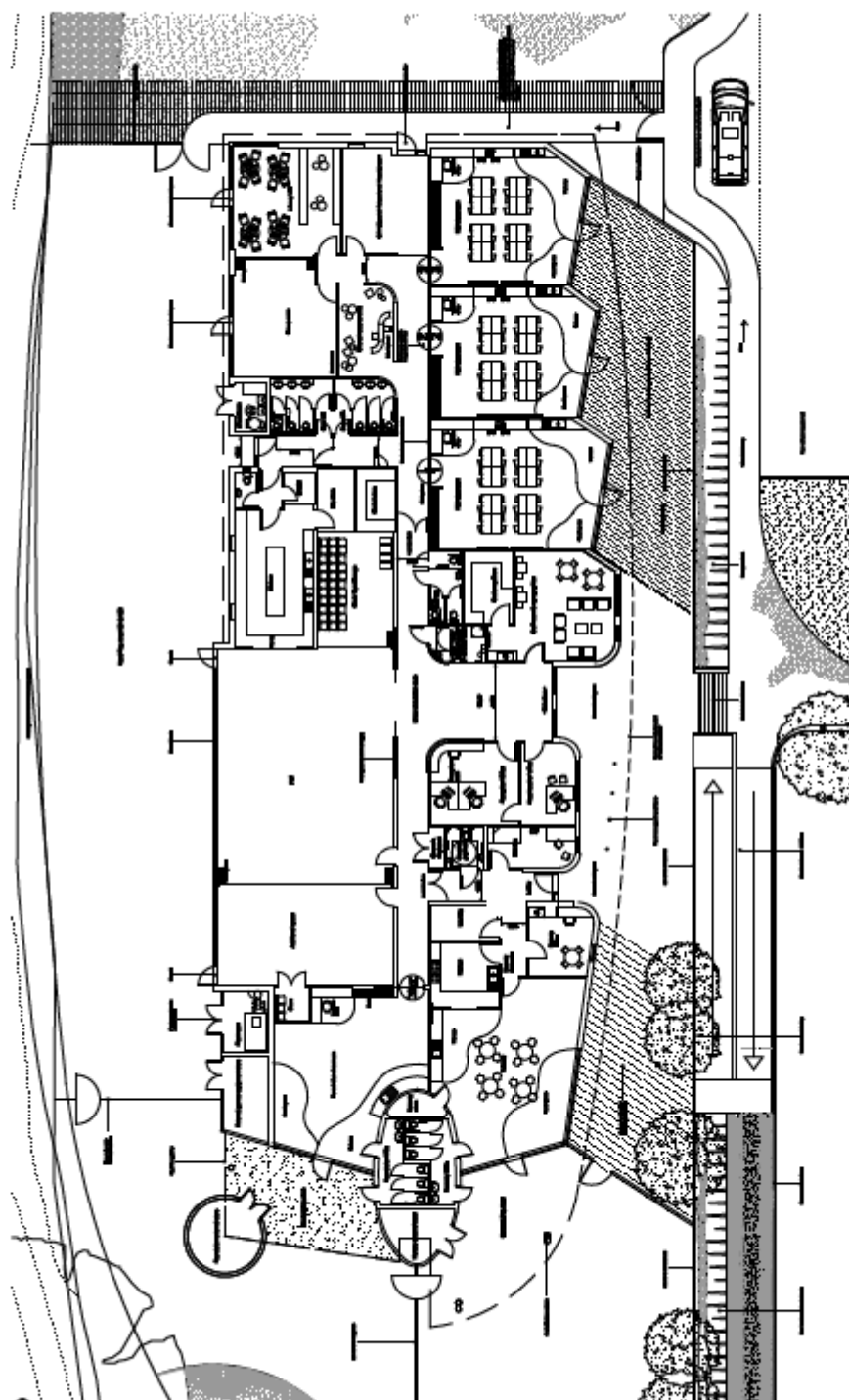


Figure 1: Floor Plan

Section 4: Application Drawing  
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ctmarchitects LLP  
RIBA Award winners

*Application Drawing: 09.028.005*



## Item D1

New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534



Section 4: Application Drawings  
Page 32  
**ctmarchitects LLP**  
RIBA Award winners

*Application Drawing: 09.028.004*

## New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534

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### **Background**

3. This application is a resubmission of a previously approved application, with some minor alterations which are listed below. The previous planning application (SH/06/408) was considered by Members of the Planning Applications Committee on the 20 June 2006, where Members agreed with the recommendation to grant planning permission, subject to conditions, following referral to the Secretary of State. This application has been submitted as the previous 3 year consent expired on the 20 June 2009, and funds for the development had not been secured so works could not commence. The minor alterations between the two applications are as follows:
  - The proposed games pitch has been relocated further back into the site and lowered by 1 metre. This change has been made as a result of a previous condition of consent, and reduces the potential for overlooking issues with neighbouring properties;
  - A reinforced grass access strip has been introduced to allow fire tenders to access the rear of the school to ensure compliance with updated fire safety legislation;
  - A number of minor internal alterations have been made to ensure compliance with updated KCC/Disability Discrimination Act guidance for inclusive access;
  - A parents waiting/play area has been added in accordance with the proposals for the neighbouring enabling project (see paragraph 5);
  - The entrance gates have been amended to include electronically controlled access via CCTV.
4. The applicant advises that the existing school building has a number of problems, including:
  - The use of mobile classrooms as permanent classrooms;
  - Due to a lack of playing field on the site, staff and pupils must be escorted some distance to the designated playing field situated off Eversley Road;
  - The school is located on the busy A259 Seabrook Road, which is a heavily used road of major importance to the road network between Folkestone and Hythe;
  - The School has restricted external play areas which are in need of repair;
  - The School has no provision for shared or external teaching areas;
  - Steps into and around the school prevent easy access for disabled users and visitors;
  - A lack of storage space;
  - Limited space for IT and library resources;
  - Staff toilets are inadequate;
  - Teaching staff are currently required to undertake their allocated PPA (planning, preparation & assessment) time at home due to a lack of designated space.
5. In order to generate the required revenue for the new Seabrook School on the Eversley Road site, three enabling residential developments have been granted planning permission by Shepway District Council which are as follows:
  - 1) on the existing Seabrook School Site (application reference: Y06/0289/SH);
  - 2) on the Church Hall site on Seabrook Road (application reference: Y06/0288/SH);
  - 3) to the rear of Eversley Road, adjacent to the proposed new school site (application references: Y06/0287/SH & Y07/1256/SH).

## New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534

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### **Proposal**

6. This application has been submitted by Kent County Council Property Group and proposes the erection of a new 0.5 form entry Primary School, with associated playing field, parking and turning facilities, access road and new level games pitch. A number of factors have contributed to the design of the school, including Kent County Council's design brief, and the DfES Building Bulletin 82 'Area Guidelines for Schools'. The application is accompanied by a Design & Access Statement, which identifies the following as the key principles which have informed the development of the design:
  - Respect for the natural setting of the site and its surroundings, and retention of a quality area of open space for use by the community and the school.
  - The creation of a school which inspires its pupils and creates an excellent environment for learning.
  - The building should be functional, durable and environmentally friendly.
  - The building should be low impact and respect the privacy and views of surrounding residents.
  - All highway issues to be addressed, including adequate on site parking for staff and visitors and the development of a school travel plan, which includes management strategies for a drop off/pick up zone and a walking bus.
7. This application is supported by various reports/documents, including a protected species risk assessment, a public open space appraisal, a school travel plan, a study of potential school trip generation, a traffic noise impact assessment and vehicle tracking data, a transport assessment and a flood risk assessment. In addition, the applicant has included a statement of community involvement, which details public meetings and consultations that were held with local residents prior to submitting the original planning application. The applicant advises that various concerns arose from those meetings, and that the submitted proposal aims to address those issues.
8. The location of the new school has been influenced by the natural terrain of the site, and the requirement to provide a secure environment and adjoining play areas. The proposed school building is located in the southwest corner of the site to the rear of the houses in Quarry Walk, Ian's Walk and Bridle Way. The school would provide improved facilities for existing staff and pupils, including an adjoining playing field, games pitch, and secure hard play areas. A new hall would be available for community events, and a self contained nursery would be incorporated into the school building.
9. The proposed school is single storey and low profile, and positioned within a naturally occurring 'dip' in the site. The applicant advises that the siting of the building would minimise the impact of the school, and that the hall, which is the tallest element of the school, remains at a height that would not impede existing sea views from properties in Quarry Walk. In addition, external materials have been chosen on the basis of being durable and low maintenance, and include cedar cladding, self-coloured render, and large areas of glass.
10. When considering the general internal arrangement of the school, it was considered that the classrooms should have views of either the sea or the surrounding natural setting. In order to achieve this, all the classrooms, with the exception of the Foundation class, are proposed to be located at the front of the building. The spaces that are less reliant on views, such as stores, toilets, kitchen and hall are proposed to the rear of the building. The main entrance to the school would be centrally located on the front elevation, and the nursery would have its own separate and secure entrance. The school entrance would have a generous reception and foyer area, and linear circulation

## **New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534**

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corridors would project from this space providing access to all areas of the school. The nursery would be located next to the Foundation classroom and would have its own office, staff area and facilities. The nursery and adjoining Foundation class would benefit from covered play areas which utilise the overhang of the roof.

11. The school includes a designated group room, IT and library area, and SEN room. The group room and library/IT room could be joined together to form one space if required. The hall would be located at the centre of the school, the proportions of which have been carefully considered to create a space which could be used for a variety of functions at different times of the day or evening. The hall could be divided into two separate areas which would enable organised community facilities to occur during the day whilst the school is in operation. The school would have lockable internal doors, which would close off the classrooms and other areas of the school, yet permit community access to the foyer, toilet facilities and the hall.
12. The school's hard play areas would be wrapped around the building, and naturally contained by the existing bank to the west of the site. This location would allow the pupils to have a secure area to play, separated from the games pitch and the vehicular access to the front of the building. A playing field would be located in the north west corner of the site, contained within a secure perimeter fence. This secure fence would extend around the perimeter of the school and its associated hard play areas. The applicant advises that, in response to the design brief, provision has been made for the school to be extended to the north to form a 1FE school if required in the future.
13. The protected wooded area to the north of the proposed school, and the embankment to the rear/west of the site would be subject to a 'Woodland Management Scheme' that would be established and managed by the School. The applicant states that as the wooded area is protected under Local Plan Policy LR9, all trees would be maintained and no trees would be felled unless deemed absolutely necessary by a health and stability survey. However, it is proposed that a small proportion of the low level dense foliage be cut back so that access can be gained by members of the public in order to provide a pleasant area for community use. A nature trail/sensory perception area would be created for pupils of the proposed school.
14. The school building, hard play areas and playing field have been located to the rear of the site, to allow car parking, drop off/pick up, access and a level games pitch to be located to the front of the proposed school. This would maintain the existing 'green gap' in the street scene, and allow the games pitch to be easily accessed from Ian's Walk/Eversley Road without compromising the security of the school. This games pitch would not be enclosed, and would be fully accessible to the public at all times. Levelling would be undertaken by cut and fill such that the upper end of the slope, nearest the school, would be cut providing a steep embankment between the school and the pitch, whilst the material cut would be deposited at the lower level raising land levels. Ball stop fencing is proposed behind the goal on the Eversley Road end of the pitch in order to prevent balls reaching the highway.
15. The proposed school would be accessed from Eversley Road, which connects to Spring Lane and Horn Street. Vehicular access to the site would run parallel to the north side of the games pitch, alongside a designated footway and cycle path. A bank and planted buffer zone would separate the edge of the pitch from the footway and the vehicular access, which extends into the site to a designated drop-off and parking area. The access road would be constructed to serve both the school and to provide access to the proposed new housing development (see paragraph 5). The drop-off and parking area would be located to the rear of those houses in order to reduce its visual impact.

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16. The applicant proposes to provide 15 car-parking spaces for staff and visitors, including 2 disabled parking bays. 3 secure covered cycle parking spaces are proposed. A designated mini-bus drop-off bay would be located close to the main entrance to the school, which would connect to a 1.8 metre wide raised footway leading to the school entrance. A turning head with drop off bays is also proposed. Secure gates are proposed to the entrance of the school, passed the turning used to access the new houses, and raised pedestrian crossings would be provided either side of the access road to the houses. A buffer zone is proposed to the north of the access drive, which would separate the access road from the closest residential property. This zone would incorporate a new planting scheme.

*This application was accompanied by a Design and Access Statement, Transport Assessment, Trip Generation Information and Calculations, Traffic Noise Impact Assessment, Travel Plan, Topographical Survey, Public Open Space Appraisal, Noise Impact Assessment, Flood Risk Assessment and Ecological Survey Reports.*

*Copies of the submitted drawings showing the site layout, elevations and access are attached.*

### **Planning Policy**

17. The Development Plan Policies summarised below are relevant to the consideration of the application:

(i) **Planning Policy Guidance and Statements:**

<b>PPS1</b>	Delivering Sustainable Development
<b>PPS9</b>	Biodiversity and Geological Conservation
<b>PPG13</b>	Transport
<b>PPG17</b>	Planning for Open Space, Sport and Recreation
<b>PPG24</b>	Planning and Noise
<b>PPS25</b>	Development and Flood Risk

(ii) The adopted **South East Plan (2009)**:

**Policy CC1** - The principle objective of the Plan is to achieve and maintain sustainable development in the region.

**Policy CC4** - The design and construction of all new development, and the redevelopment and refurbishment of existing building stock, will be expected to adopt and incorporate sustainable construction standards and techniques.

**Policy CC6** - Actions and decisions associated with the development and use of land will actively promote the creation of sustainable and distinctive communities.

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**Policy BE1** - Local Authorities and their partners will use opportunities associated with new development to help provide significant improvements to the built environment.

**Policy S1** - Local development documents should embrace preventative measures to address the causes of ill health by reflecting the role the planning system can play in developing and shaping healthy sustainable communities, including community access to amenities such as parks, open spaces, physical recreation activity and cultural facilities.

**Policy S3** - States that, local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities.

**Policy NRM2** – Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment.

**Policy NRM4** – requires sustainable flood risk management.

**Policy NRM5** – Local Planning Authorities and other bodies shall avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain in the region.

**Policy NRM10** – Measures to address and reduce noise will be developed at regional and local levels.

**Policy W2** - Sustainable design, construction and demolition should be encouraged to minimise waste production.

*Note that as a result of the judgement in the case brought by Cala Homes in the High Court, which held that the powers set out in section 79 [6] of the Local Democracy, Economic Development and Construction Act 2009 could not be used to revoke all Regional Strategies in their entirety, Regional Strategies (the South East Plan in the case of Kent) were re-established as part of the Development Plan on 10 November 2010. Notwithstanding this, DCLG's Chief Planner Steve Quartermain advised Local Planning Authorities on 10 November 2010 that they should still have regard to the Secretary of State's letter to Local Planning Authorities and to the Planning Inspectorate dated 27 May 2010. In that letter he had informed them of the Government's intention to abolish Regional Strategies in the Localism Bill and that he expected them to have regard to this as a material consideration in any planning decisions. The 10th November 2010 Quartermain Letter is now being challenged in the High Court and must in my view carry very little weight until such time as the as the Court decision is known. This is currently expected in late January.*

*Department of Communities and Local Government advice on this matter reads 'Local planning authorities and planning inspectors should be aware that the Secretary of State has received a judicial review challenge to his statement of 10 November 2010, the letter of the Chief Planner of the same date and to the Secretary of State's letter of 27 May 2010 on the ground that the Government's intended revocation of Regional Strategies by the promotion of legislation for that purpose in the forthcoming Localism Bill is legally immaterial to the determination of planning applications and appeals prior to the revocation of Regional Strategies.*

*The Secretary of State is defending the challenge and believes and is advised that it is ill founded. Nevertheless, pending determination of the challenge, decision makers in local planning authorities and at the Planning Inspectorate will in their determination of planning applications and appeals need to consider whether the existence of the challenge and the basis of it, affects the significance and weight*

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*which they judge may be given to the Secretary of State's statements and to the letter of the Chief Planner'.*

### **Shepway District Local Plan Review** adopted March 2006:

**Policy SD1-** All development proposals should take account of the broad aim of sustainable development.

**Policy BE1** – A high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Building form, mass, height and elevational details should be considered.

**Policy BE16** -The District Planning Authority will require development proposals to retain important existing landscape features and make appropriate provision for new planting.

**Policy SC2** - The District Planning Authority will grant planning permission for new or improved social and community facilities where the proposal meets set criteria relating to compatibility with surrounding land uses, access, access for disabled people and acceptability on highway, infrastructure and environmental terms.

**Policy LR9** - Areas of open space of recreation, leisure or amenity value or potential as identified on the proposals map will be safeguarded. Development proposals which would result in a net loss of such space will be refused unless sufficient alternative open space exists, the development does not result in an unacceptable loss in local environmental quality, or the proposal is the best means of securing an improved or alternative recreational facility of equivalent community benefit having regard to any deficiencies in the locality.

**Policy LR12** – Proposals resulting in the loss of playing fields will only be permitted where development would not cause an unacceptable loss in local environmental quality and where it also accords with the following criteria:

- a) Sufficient alternative open space provision exists, or new sport and recreational facilities will be provided.....
- b) The land required is for an alternative educational purpose which cannot reasonably be met in another way.

**Policy TR12** -Proposals for new development will only be permitted if provision is made for off street parking in accordance with the current maximum vehicle parking standards.

**Policy TR13** -Applications for new or expanded school facilities should be accompanied by a School Travel Plan.

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### **Consultations**

18. **Shepway District Council:** raises no objection to the application but comments as follows:

“The plan drawings include the children’s play area within the application site red line boundary. This area of land has been the subject of considerable debate in the progression of application Y07/1256/SH and the subsequent drafting of the S106 agreement and has been included within the red line boundary for that application. Clarification should be sought that, if this play area is being provided as part of the school development, that is available to members of the public (children) not attending the school and that it is freely accessible. Details relating to the type of equipment installed, maintenance, insurance etc. should also be secured and its provision should be secured prior to the commencement of the ‘enabling’ housing on the adjoining land.

Shepway Council raises no objection to the new school proposals, to which a similar proposal was granted planning permission in June 2006. Whilst that permission has since lapsed, there have been no significant material changes in planning policy since the granting of that permission to reach a contrary conclusion. It is noted that the Kent and Medway Structure Plan has now effectively been replaced by the South East Plan, of which Policy supports the provision of new community facilities.

The Council supports the innovative design approach put forward by the proposals and requests that similar conditions to those imposed on the previous permission be carried through to the current application.”

In addition, the District Council has requested that conditions of consent would require the submission of details of a Sustainable Urban Drainage System, and that the building would achieve at least a ‘very good’ BREEAM rating.

**Hythe Parish Council:** no comments received too date.

**The Divisional Transport Manager:** has no objection to the application subject to the imposition of conditions requiring any works to the public highway to be undertaken in accordance with Kent Highway Services specification, wheel washing facilities to be provided on site during construction works, and parking for site operatives and associated plant and machinery to be provided off of the highway. The Divisional Transport Manager is satisfied that highway requirements regarding the internal layout have been addressed. It is suggested that an informative should be added to the consent to advise that as part of the Travel Plan, the applicants should contact Stagecoach with a view to a regular bus service being provided in the vicinity of the site to tie in with school times.

**The Environment Agency:** raises no objection to the application subject to the imposition of a condition of consent requiring details of a sustainable surface water drainage scheme to be submitted prior to the commencement of development. Advice is also provided with regard to groundwater and flood risk.

**The County Council’s Landscape Advisor:** comments as follows:



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“The Landscape Strategy Masterplan appears to be reasonable in terms of the general principles and indicative species. I recommend that root protection areas are calculated and tree protection plans in accordance with BS5837: 2005 ‘Trees in Relation to Construction’ are submitted. I also recommend that a detailed landscape scheme is developed from the Landscape Strategy Masterplan. This should include detailed specification of proposed plant species, sizes, numbers and densities, as well as specification of hard external materials and fencing. I consider that a detailed landscape scheme would be acceptable as a condition to any planning permission granted.

I consider the calculation of the loss of open space to be slightly misleading because it does not consider loss of *public* open space, which would conclude a larger total loss. I do, however, accept that some elements of the proposals would be accessible for public recreational opportunities and I am pleased that the Appraisal also confirms that the surrounding area offers adequate publicly accessible open space in accordance with guidelines issued by the Institute of Highways and Transportation. I accept that the proposals would not conflict with the planning policies and principles identified.”

**The County Council’s Noise Advisor:** had initial concerns over the position and proximity of the proposed new sports pitch by the entrance off Eversley Road given the scope for noise disturbance for adjacent residents, but has since stated:

“The issue of potential noise impact from the proposed sports field in this application varies from the norm. Usually the application is for a new sports field within the school site, more often that not in an area where sports are currently not played. However, I understand this not to be the case with this application, with public use currently permitted and will continue to be so should the application be successful. On this basis my earlier concerns over weekend and evening use of the sports pitch are somewhat resolved. The same could be applied to the use of the sports field during school hours, i.e. the field is currently used by the School for lessons and would be in the future; although the introduction of the sports pitch would formalise the sports into the south east corner.”

**Biodiversity Officer:** has no objection to the application subject to conditions ensuring that the development would be carried out in accordance with the recommendations made in the Ecological Surveys (including the installation of reptile fencing), and the protection of nesting birds and roosting bats. A ‘tool box talk’ must also be given to site workers prior to the commencement of development to alert workers to the possibility of protected species on site.

**Sport England:** raises no objection to the application subject to the imposition of conditions requiring the submission of a Community Use Agreement and details of the re-grading and restoration of the playing field area, to accord with the standards and methodologies set out in the guidance note ‘Natural Turf for Sport’ (Sport England 2000).

### **Local Member**

19. The local County Member, Mr C. Capon, was notified of the application on the 28 May 2009.

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### **Publicity**

20. The application was publicised by the posting of 3 site notice, advertisement in a local newspaper, and the individual notification of 65 nearby properties.

### **Representations**

21. To date, 14 letters of representation have been received from 7 neighbouring properties. The main comments/points of concern and objection can be summarised as follows:

#### Loss of open space/protected playing field

- The open space at Eversley Road is a recreational area widely used by local residents, both adults and children, and is the only open space available locally;
- Local residents, including children, would now have to walk for approximately 2 miles to reach an alternative open recreational area;
- A petition was submitted to Shepway District Council, signed by many local residents, objecting to the loss of open space;
- Development of this site is contrary to Local Plan Policies, including Policy LR12;
- Sport England should be consulted on this application;

#### Access and car parking

- Ian's Walk and Eversley Road are narrow residential streets, with cars parked on both sides, making them hard to negotiate in a car;
- Local Roads will not be able to accommodate the increased traffic generated by the school, and associated construction works. This will be hazardous to pedestrians and increase the risk of traffic accidents;
- Local road junctions, such as the junction between Nail Down Road and Horn Street will not be able to cope with construction vehicles, and increased use by traffic associated with the school;
- A one-way system should be provided through the enabling housing development and the school to aid the manoeuvring of vehicles, ease congestion, and ensure access to the rear of the houses and the school by emergency vehicles;
- Access for emergency vehicles would be impaired because of increased traffic and narrow roads;
- The pick up/drop off area would help ease traffic in the mornings but not at pick up time as this is not staggered like drop off times are;

#### General Concerns/amenity issues

- The access road is too close to the boundary with neighbouring properties and would have a detrimental impact on the amenity of local residents;
- The level of the games pitch would mean that anyone using the pitch would be overlooking local properties, affecting privacy and security. The pitch should be lowered;
- Ball stop fencing should extend along the southern boundary of the pitch to ensure that balls would not end up in neighbouring gardens, perhaps damaging property;
- The area between the new games pitch and boundary fencing to the south could become an 'alley way' attracting anti-social behaviour, rubbish and becoming overgrown;
- Objection is raised to the enabling housing developments and it is considered that funding should be raised by other means;
- Consideration should be given to developing a brownfield site;

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- Alternative sites should be considered;
- Opening up the woodland could lead to security concerns for local residents;
- KCC purchased this land many years ago with the view to building a school on it, but due to cultural changes over the years, it is felt that this site is no longer suitable for this purpose.

### **Discussion**

22. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (17) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Members also need to consider whether there are any material change in circumstances since the granting of the 2006 planning permission which indicates a contrary decision should be reached. Issues of particular relevance include impact upon residential and local amenity, highway and traffic implications, visual impacts and possible effects on the local environment, particularly the loss of open space.
23. As previously mentioned, the application site is split into an area of open space of recreation, leisure or amenity value, as designated under Policy LR9, and playing fields, as designated and protected under Policy LR12 of the Shepway District Local Plan. The proposed school and its associated playing fields, games pitch and access road lie within the boundary of Policy LR12, whereas the wooded area to the north of the site is protected under Policy LR9 of the Local Plan. All of these policies have a presumption against development and, therefore, this application has been advertised as a departure from the Development Plan and the matter would need to be referred to the Secretary of State for his consideration, should Members be minded to permit. In assessing the proposal the policies detailed above concerning the loss of open space and/or playing field, need to be considered more closely to establish whether or not there are special circumstances that would warrant setting aside the general presumption against development.

### Loss of open space/playing field

24. Policy LR12 of the Shepway District Local Plan Review states that proposals resulting in the loss of playing fields would only be permitted where development would not cause an unacceptable loss in local environmental quality, and where set criteria would be met. These criteria include the provision of alternative open space, or new sport and recreational facilities, or that the land required is for an alternative educational purpose which cannot reasonably be met in another way. This presumption against development is amplified by Policy LR9 of the Shepway District Local Plan Review which applies to the wooded area to the north of the site. The proposed location of the new school needs to be considered, in light of the above policies, to ascertain whether the proposal would result in an unacceptable loss of open space and/or playing field.
25. Should Members be minded to permit, the construction of a school on this site would result in the loss of an area of open grassland, which is currently used by local residents and the existing Seabrook School. The loss of this land has met with local objection. However, the applicant states that the site currently provides approximately 1.24ha of usable space, which slopes steeply from west to east and has no marked pitches or

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play facilities of any description. The proposed level games pitch, located to the front of the site, would not be secured in any way and would be available for community use at any time. Should Members be minded to permit, the games pitch would be subject to a Community Use Agreement, which would be conditioned on any subsequent decision. The applicant states that the games pitch would provide approximately 3260sqm of quality space, compared with the current 3000sqm of reasonably level space upon which ball sports can satisfactorily be played. In addition to the games pitch, the applicant is proposing to open up the wooded area to the north of the site to enable public access. As the wooded area is protected under Policy LR9 of the Shepway District Local Plan Review, all trees would remain but a small proportion of the low level dense foliage would be removed. The applicant claims that this would allow members of the public to access the wooded area, which would be a pleasant area for walkers. It is expected that approximately 3140sqm of space would be provided by opening up this wooded section of the site.

26. Therefore, the applicant states that only 0.6ha of open space may be lost should this application be permitted, and that the remaining areas of open space that would be available for public use would be of a higher quality and significantly improved from its current state. Policy LR12 of the Shepway District Local Plan states that development proposals would only be permitted if sufficient open space exists, or would be provided of at least equivalent community benefit. In the light of this, I would suggest that the applicant has taken all reasonable efforts to provide alternative recreational facilities/open space, which can be argued is of better quality than the existing. In addition to this, the proposed school would have a secured playing field and hard play areas, which would aid in maintaining an open feel to the site, and provide further sports and recreational facilities for the school. Therefore, I consider that this proposal accords with this criterion of Policy LR12 of the Shepway District Local Plan Review. It should also be noted that the Secretary of State has previously been satisfied on this matter when considering the previous planning application.
27. The second applicable criterion states that development proposals will only be permitted where the land is required for an alternative educational purpose which cannot reasonably be met in another way. As listed in paragraph 4 of this report, there are a number of problems associated with the existing school building, and the applicant states that through refurbishment it would not be possible to bring the school up to current standards, whilst providing sufficient external space. Prior to design competition stage, Kent County Council assessed the availability of local land, and the most appropriate site to allocate for development. The site has been identified by Kent County Council for educational purposes for some time, and the applicant suggests that there are no other suitable alternative sites. In addition, the site is centrally located for the current pupils and is close to the existing school on Seabrook Road. Therefore, the land is required for an alternative educational purpose, which cannot reasonably be met in another way, and subsequently the development accords with the general principles of this criterion of Policy LR12 of the Shepway District Local Plan Review.
28. In addition to this, the wooded area to the north of the site is protected under Policy LR9 of the Shepway District Local Plan, as discussed above. As the wooded area is not impacted upon by construction activities, moreover it would be enhanced and managed within a Habitat Management Plan, which could be addressed via condition, and the woodland would be opened up to make it a usable open space, there would be no net loss of open space, rather an increase. Therefore, I consider that this proposal is in accordance with the general principles of Policy LR9 of the Shepway District Local Plan Review.

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29. I consider that this proposal accords with both the relevant criteria of Policy LR12. However, the Policy also states that proposals will only be permitted where they would not cause an unacceptable loss in local environmental quality. The following sections of this report will discuss the design and siting of the development, impacts upon residential amenity and the possible highway implications of the proposal. All these issues need to be taken into account when assessing whether or not the proposal would result in an unacceptable loss of environmental quality.

### Siting and Design

30. The design of the proposed Seabrook School was won by a private architectural practice in a Kent County Council arranged design competition. A number of factors contributed to the design of the school, including Kent County Council's design brief and the DfES Building Bulletin 82 'Area Guidelines for Schools'. Every effort has been made to design a sensitive low-impact building appropriate to its natural setting. External materials such as self coloured render and timber cedar boarding have been proposed on the basis of being durable and low in maintenance. The building would also use large areas of glass to provide internal spaces with good levels of daylight, and in most cases, sea views. The design of the school building has not been objected to or commented upon by local residents. The high quality design conforms with the principles of relevant Development Plan Policies, such as South East Plan Policy BE1 and Shepway District Local Plan Review Policy BE1, and therefore I consider that this should be well received.
31. The siting of the development within an existing area of open space/playing field has been objected to, but this issue has been discussed above and it has been established that the development is acceptable in principle in terms of conforming with the Development Plan Policies which protect the site. The siting of the proposed school within this site now needs to be considered. The applicant states that the siting of the development has been carefully considered to allow the school building, hard play areas and playing field to be located to the rear of the site, and allow car parking, drop off/pick up, access and a level games pitch to be located to the front of the proposed school. This would maintain the existing 'green gap' in the street scene, and allow the games pitch to be easily accessed from Ian's Walk/Eversley Road without compromising the security of the school. The applicant states that the proposed building is low lying and would be located within a naturally occurring dip in the site. The building has been located in such a way that the hall, which is the tallest element of the school, remains at a height that permits sea views from the existing properties along Quarry Walk. The applicant has demonstrated, through drawing no. 09.028.004, that no existing sea views from properties in Quarry Walk would be lost due to the construction of the school. Therefore the siting of the school building, and its associated facilities are considered to be appropriate for the site. In addition, I consider that the design and siting of the development respects its setting, and would not have a detrimental impact on the character of the local environment.

### Residential Amenity

32. The proposed school would have an impact on residential and local amenity, and the significance of this impact needs to be discussed. Much concern has been expressed over the highways implications of this proposal, both during construction and when operational. These issues will be discussed later in this report.
33. Concern is raised that local residential amenity would be detrimentally affected, by noise, loss of privacy and loss of open space. The applicant has demonstrated that

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sufficient alternative open space would be provided, and although regrettable that an area of open grassland be lost to development, a case of need has been given which confirms that the land is required for an alternative educational purpose which cannot reasonably be met in another way. However, the issues of noise generation and loss of privacy need to be addressed. The school building itself would be located within a naturally occurring dip in the site and, therefore, would be screened from residential properties by a steep embankment and both existing and proposed planting. In addition, the proposed school building would be over 30m away from the closest residential dwelling, and at least 15m from the closest rear boundary. Therefore, I do not consider that the school building itself would have a detrimental impact upon the amenity of local residents. Hard play areas that surround the school would generate noise at break times, but this would be for limited periods during term time only. The embankment and planting would provide screening which would act as a natural barrier between local properties and the hard play areas, reducing the noise impact.

34. The County Council's Noise Consultant has some residual concerns about potential noise impacts over the use of the proposed sports pitch, although that would not be a new use on the site, nor one that is contrary to Local Plan Policy or incompatible with the local pressure for retaining some community use of the site. Unfortunately, it is not possible to comply with these aspects, plus other general policies to promote the community use of school sites and to foster participation in sport and physical exercise without some potential for noise and/or visual intrusion for that community. The proposed levelling of the sports pitch and the introduction of tree planting around it, would assist in reducing any significant visual intrusion, but any effective noise mitigation would call for acoustic fencing, which itself could be unduly visually oppressive and unpopular with those residents who would prefer to maintain the longstanding open aspect. In particular, the sports pitch would not be in constant use and any noise disturbance would be of limited duration, whereas fencing would be in place constantly. The Consultant has commented as follows:

"Should this application be similar to those normally dealt with, I would be adamant on the use of a noise barrier to reduce noise levels from use of the sports pitch; however, the fact that the sports pitch is currently used by the School complicates the matter somewhat. Ideally I would still wish to see a noise barrier installed, as the formalisation of the pitch is likely to result in increased noise levels for nearby residents, as predicted by the Noise Assessment; however, I can understand the concerns over visual impact. On this basis, I would agree that details of an acoustic fence could be submitted pursuant to condition prior to commencement of development, and consult local residents at that time. That in theory gives the residents a choice of noise or visual impact."

My own view is that local residents should be afforded the opportunity to comment on the provision of such fencing, since it might be unwanted on visual amenity grounds and regarded as less desirable than on other sites because this particular site has been used for less formalised sports activity for many years. Accordingly, I would recommend that a condition be imposed to this effect, should consent be granted for the development.

35. Overall, I consider that the greatest noise impact upon local residential amenity would be during the construction of the school buildings and its associated facilities. Unfortunately this is a negative feature of any development, but can be mitigated as far as practicably possible by the imposition of a condition to control construction hours.
36. Although I do not consider that the school building itself would have a detrimental impact upon local residential amenity, other elements of this application could and, therefore, need to be discussed. First, local residents have expressed concern over the

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level games pitch, and consider that it would have a harmful visual effect on the occupants of properties in Ian's Walk. Due to the gradient of the site, the land would need to be cut and filled to enable the creation of a level games pitch. That would raise the level of the land approaching Eversley Road, although land at the opposite end of the pitch would be cut significantly in an effort to lower the pitch level as far as possible. One local resident in Ian's Walk is concerned that users of the pitch, which would include members of the public, would be able to clearly see into their garden, having a detrimental impact upon residential amenity and privacy.

37. In considering the previous planning application (SH/06/408), the level of the pitch was raised as a concern by Shepway District Council and local residents, and was discussed within the report to Committee at that time. Subsequently, a condition of consent was imposed to require details of the pitch level to be submitted for approval, and the condition specified that the level should be lower than that shown on the application drawings at that time. As a result of this condition, when submitting this planning application, the applicant has lowered the level of the pitch by 1 metre, and pushed it further back into the site. The site sections submitted by the applicant demonstrate that the level of the pitch is considerably lower than the existing boundary fencing, and that clear views into the neighbouring garden should not be afforded. Shepway District Council is also satisfied with the details shown. The applicant has also proposed planting to the south of the games pitch in an effort to provide a screen between the pitch and the property. Subject to conditions ensuring that the pitch be constructed in accordance with the level details provided, and that a scheme of landscaping for the site include extensive planting, including evergreen species, to the southern boundary, I do not consider that use of the pitch would lead to significant overlooking of neighbouring properties, or have a significantly detrimental effect on residential amenity due to loss of privacy.
38. In addition, concern is raised that balls from the pitch could end up in neighbouring gardens, potentially damaging property. Residents have suggested that the proposed ball stop fencing (to be provided behind the eastern goal area, nearest to Eversley Road, only) should be extended. However, the applicant explains that the playing field is intended to be open for use by all, and that not encapsulating the pitch in its entirety with ball stop fencing would encourage its use, and maintain the openness of the site. The ball stop fencing that is proposed is primarily to protect passing vehicles from stray balls, which is considered to be a Health & Safety concern for road users. It would also prevent pupils and other users of the pitch from running into the road chasing after balls. As an integral part of the design brief for this site was to maintain a pitch that was open for use by all at any time, I do not consider that an extension to the ball stop fencing would be appropriate or necessary at this time. It should also be noted that the site is currently used as school playing field, and for community recreation, and that future use of the pitch would most commonly be by school children of a primary school age, during school hours and under supervision.
39. Secondly, concern is expressed over the proposed opening up of the woodland and the subsequent impact upon wildlife, and security/privacy of neighbouring properties. Both the woodland area, and the bank at the rear of the site, would be subject to a Habitat Management Plan, which would require the planned active management of these areas. Should Members be minded to permit, the Habitat Management Plan would be a condition on any subsequent decision, and would enhance the woodland and embankment areas in terms of biodiversity, nature study areas and public space. The Biodiversity Officer states that impacts upon biodiversity are unlikely, and suggests that conditions are placed on any subsequent decision in order to protect breeding birds, etc. Therefore, subject to the imposition of planning conditions and the submission of a

**New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534**

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Habitat Management Plan, prior to any development at the site, I consider that this proposal would not have a detrimental effect on local wildlife, or indeed the woodland area or embankment.

40. However, clearing the undergrowth and opening up the woodland could impact upon the privacy and security of neighbouring properties. The woodland is currently available for public use and, therefore, it can be argued that this proposal would not have any impact upon neighbouring properties. However, the woodland is overgrown and hard to access at present, with dense undergrowth acting as a natural deterrent. By removing some of the undergrowth and clearing paths through the site, encouraging use by members of the public and pupils of the school, the rear gardens of properties backing onto this area of the site may become vulnerable. However, I consider that providing the applicant leaves a sufficient boundary around the woodland perimeter that faces residential properties, which is left in its current state and not cleared, then the privacy and security of neighbouring properties would not be unduly compromised. Details of how the woodland would be cleared, managed, and maintained need to be included within the Habitat Management Plan, and I would expect the perimeter of the woodland to remain as existing in order to maintain and enhance local environmental quality, and ensure residential amenity is not detrimentally affected.
41. The applicant proposes that the school facilities would also be used by the local community. One of the enabling housing developments proposes the demolition of the existing Seabrook Mission Hall, which would result in the loss of a community facility. Shepway District Council discourages the loss of community facilities, and therefore the community activities currently held in the Mission Hall could be held in the proposed school. These activities include Women's Institute, Women's Fellowship, Craft Group, Bridge Club and Karate Group, which could be held in additional spaces during school hours, and quiz nights and occasional children's parties in the evenings. These uses would not involve excessive noise generation, and would be relatively low key in terms of hours of use and numbers of attendees. In light of the above, I consider that the proposed school building is a sufficient distance from neighbouring properties to ensure that any community use would not have a significantly adverse impact upon residential amenity.

### Highways

42. Traffic generation and impact upon the local highway network are further concerns expressed by local residents. Local residents are concerned that Eversley Road and Ian's Walk cannot accommodate construction vehicles, as the roads are narrow residential streets, which are often double-parked. In addition, it is suggested that local road junctions such as the junction between Nail Down Road and Horn Street could not cope with construction vehicles.
43. Kent Highway Services is satisfied that Eversley Road and Ian's Walk are wide enough for two cars to pass each other, and therefore construction vehicles would be able to access the site. However, I consider that a Construction Management Strategy should be submitted pursuant to condition, should permission be granted, to include details of lorry routing, parking for site operatives and personnel, wheel cleaning details and details of lorry waiting facilities. Unfortunately, the construction of any development does have short-term impacts upon the local highway and this cannot be avoided. However, the impact can be minimised through the imposition of a condition requiring the submission of a Construction Management Strategy. In addition, further conditions would be imposed to ensure that construction traffic does not enter/egress the site at peak 'rush hour' times and that mud and debris is not deposited on the local highway.



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44. In addition to concerns over construction traffic, local residents have expressed concern over the highways implications of the school in the longer term. First, it must be noted that Kent Highway Services has raised no objection to this application, subject to the imposition of conditions. In addition to the submission of a Construction Management Strategy, it is suggested that conditions be imposed requiring any works to the public highway to be undertaken in accordance with Kent Highway Services specification, and that an informative be added to the consent to advise that as part of the Travel Plan, the applicants should contact Stagecoach with a view to a regular bus service being provided in the vicinity of the site to tie in with school times. Should permission be granted conditions of consent and an informative would cover these matters.
45. However, concern is expressed that there is insufficient car parking proposed on site, and parents would park in local roads to drop off/pick up their children. In addition, it is suggested that local roads and associated junctions could not accommodate the increased level of traffic that would be associated with the school. Kent Highway Services has confirmed that the maximum car parking requirement is 1 space per member of staff, plus 10%, and that the level of on site car parking proposed is at this maximum level. The Divisional Transport Manager is satisfied that highway requirements regarding the internal layout have been addressed and, therefore, I am satisfied that the development has sufficient on site car parking and appropriate access arrangements.
46. Although I understand the concern over on-street parking, Kent Highway Services do not consider that it will be a cause for concern in this case sufficient to warrant the refusal of planning permission. Most parents of Primary School children want to park as close to a school building entrance as possible, and Kent Highway Services suggest that most parents would therefore drive into the school grounds and use the pick up/drop off point as the entrance is a considerable distance from Ian's Walk/Eversley Road. In addition, the School Travel Plan would increase the number of parents and pupils walking to school, encouraging the use of walking buses, and would be required to be updated and reviewed under condition should Members be minded to permit. Local roads and junctions are already used by parents travelling to the existing school, and Kent Highway Services do not expect this situation to change significantly with the relocation of the school. The provision of 'school keep clear' markings at the Owens Close, Ian's Walk and Eversley Road junction would also discourage parents from parking in local roads. Therefore, subject to the imposition of conditions, I do not consider that this proposal would have a significantly detrimental impact upon the local highway network.

**Need**

47. The applicant has demonstrated a case of need for the facility, as outlined in paragraphs 4 & 27 of this report. The new school facilities would not only meet the urgent needs of Seabrook School, it would provide a facility that could be used by other community groups, and members of the public. Therefore, I consider that the provision of the new school facilities would meet the needs of many local people and the pupils of Seabrook School.

**Conclusion**

48. As discussed in paragraphs 24 to 29 of this report, this proposal would not result in a net loss of open space, as sufficient alternative open space would be provided, which is

## New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534

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argued to be of better quality. Therefore, I do not consider that the proposal is contrary to the principles of Policies LR9 and LR12 of the Shepway District Local Plan Review. Policy LR12 states that proposals resulting in the loss of playing fields will only be permitted where development would not cause an unacceptable loss in local environmental quality, and where set criteria are met. As discussed in paragraphs 27, 28 & 29 of this report, I consider that these criteria are met by this application. However, the development must not cause an unacceptable loss in local environmental quality. I consider that the proposed design of the school could enhance the local environment, which in conjunction with a Habitat Management Plan for the woodland and embankment, would enhance the biodiversity and environmental value of the site. Therefore, I consider that subject to the imposition of conditions, that the proposed development would not have a detrimental effect on local environmental quality. It should also be noted that the Secretary of State has previously considered the policy implications of locating a new school on this site, and was satisfied that the development was not contrary to planning policy. Therefore, I consider this proposal to be in accordance with the general principles of Policy LR12 of the Shepway District Local Plan Review.

49. In summary, I consider that there are special circumstances to justify the proposed development within a designated area of open space/playing field. Subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general principles of the relevant Development Plan Policies. Therefore, I recommend that the application be referred to the First Secretary of State as a departure from the Development Plan, and that subject to his decision, permission be granted subject to appropriate conditions.
50. In light of the current economic climate, and the complexity of the development, I consider it appropriate in this instance to allow the applicant 5 years within which to implement the development, in lieu of the usual 3 year time frame.

### **Recommendation**

51. I RECOMMEND that SUBJECT to no direction to the contrary by the First Secretary of State, PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions covering:
  - a 5 year time limit;
  - the development to be carried out in accordance with the permitted details;
  - details of external materials to be submitted;
  - details of external lighting to be submitted;
  - the sports pitch to be constructed in accordance with the levels provided;
  - detailed proposals for installing acoustic fencing for the sports pitch and implementation if wanted by the immediately adjacent property occupiers;
  - submission of a Community Use Scheme for the level games pitch;
  - details of a Sustainable Urban Drainage System to be submitted;
  - a scheme of landscaping, its implementation and maintenance, including evergreen planting to the southern boundary, to be submitted;
  - a Habitat Management Plan to be submitted;
  - the development to be undertaken in accordance with the recommendations made in the submitted ecological surveys;
  - provisions to be submitted for the protection of nesting birds;
  - the provision of 'School Keep Clear' road markings;

## Item D1

### New Primary School for Seabrook C of E Primary School, at land off Eversley Road, Seabrook, Hythe – SH/09/534

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- the provision and retention of car parking, cycle parking and turning area as indicated;
- the preparation, implementation and ongoing review of a Revised School Travel Plan;
- restrictions over the hours of working during construction;
- details of a Construction Management Strategy to be submitted; and
- details of parking for site construction personnel to be submitted.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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**Item D2****Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

A report by Head of Planning Applications Group to Planning Applications Committee on 20 January 2011

Application by Kent Council Children, Families and Education for a 2 Forms of Entry Primary School and Day Nursery provided as part of the overall development of the former Rowcroft and Templer Barracks site, Repton Avenue, Ashford – AS/10/512.

Recommendation: Subject to any further views of Ashford Borough Council if received by the Committee Meeting, permission be granted subject to conditions.

**Local Member:** Mrs E Tweed

**Classification:** Unrestricted

**Background and site**

1. The proposed 2 form entry (2FE) Primary School and Nursery are to be provided as part of the overall development of the Ashford Barracks Site (Rowcroft and Templer Barracks). Outline Planning Permission was granted by Ashford Borough Council on the 17 October 2007 for the overall development of the site, including the provision of a Primary School. A condition of consent requires that with the completion of a target number of 150 residential units the development of the Primary School and Nursery must commence. That target is soon to be met and the County Council's Children, Families and Education Directorate (the applicant) has programmed the opening of the School and Nursery for September 2012. It is anticipated that the School would be provided in two phases, phase one providing a one form entry Primary School, a nursery and associated external works, and phase two providing additional classrooms to increase the school intake to two forms of entry. The entire development (known as Repton Park), of which the provision of the school and nursery forms a part, has been subject to a Development Brief and Design Codes which have been adopted as Supplementary Planning Guidance by the Borough Council.
2. The application site is located approximately 400 metres to the west of Drovers Roundabout, within the former barracks site which is to the north west of Ashford Town Centre. The application site has an area of 1.937 hectares with a frontage to the High Street which is yet to be constructed. There is existing residential development to the northern boundary of the site, which is separated by a Public Right of Way. To the south and west of the site the land is at present undeveloped, as is a parcel of land immediately to the east of the site which is intended to be developed for a Community Centre. However, beyond this, some new housing in Repton Park has been completed as part of the overall site development. Existing buildings at Repton Manor, together with the new Waitrose store are located approximately 300 metres to the south east of the site. The CTRL lies approximately 180 metres to the south/south west. A site location plan is attached. The site is also shown overlaid on the Sketch Master Plan for the Repton Park Development.
3. The application site is level and is mainly overgrown grass with some individual trees and groups of trees within the site. Areas of hard standing remain from the previous use of the site as barracks, although all buildings have been demolished. There is chain link fencing along the northern boundary, which is heavily screened by existing vegetation, behind which lies the Public Right of Way. There are no trees on the site protected by TPOs.

**Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

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**Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

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**Proposal**

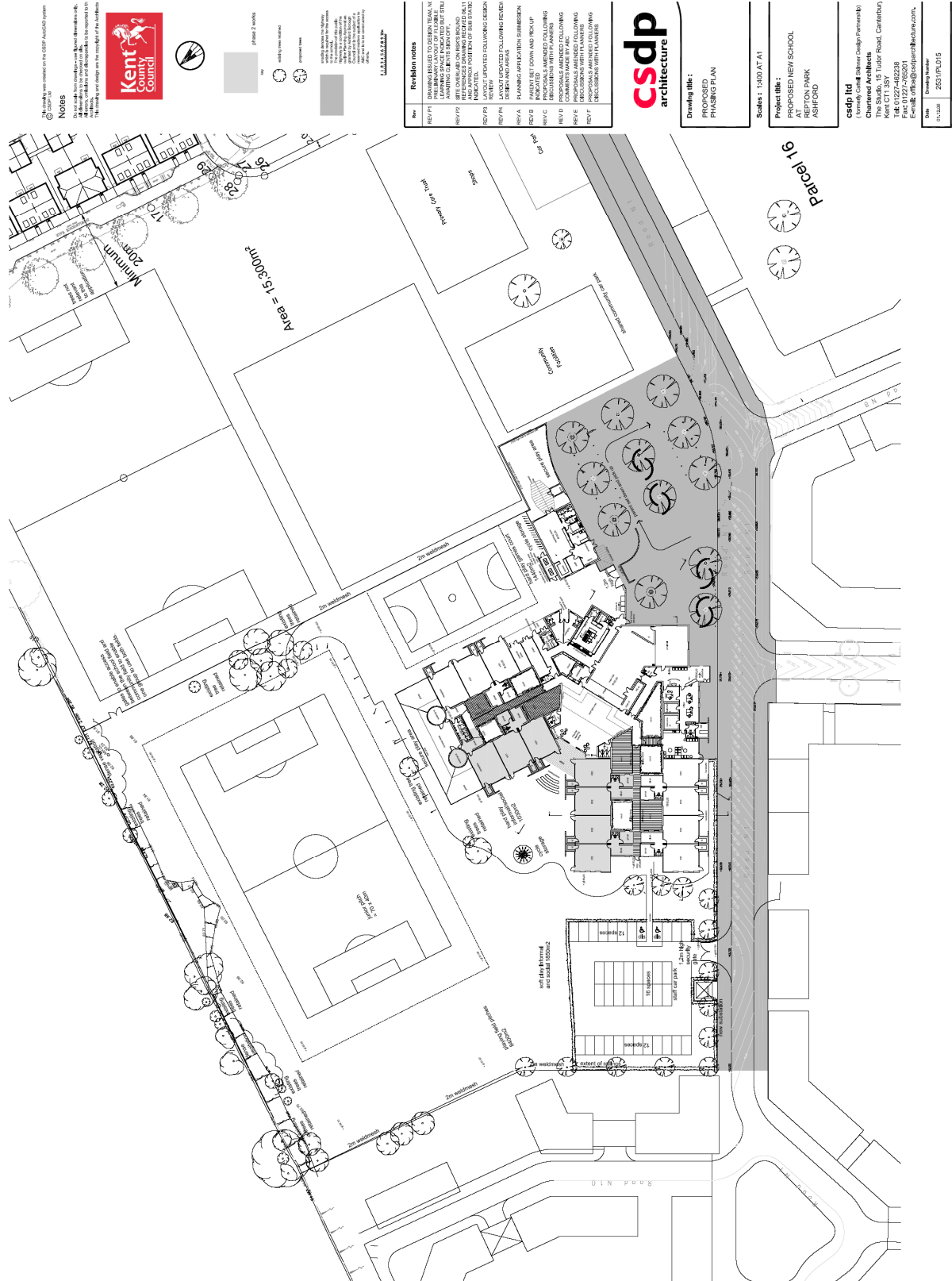
4. The application seeks detailed planning permission for the new primary school. It is proposed that the school would eventually provide for 420 pupils and that the day nursery would operate on separate half day sessions, for 26 places in each session for children up to the age of four. The school and nursery would benefit from secure external play areas, covered play areas, sports playing fields and hard games courts. In addition a staff car park with 40 spaces together with a cycle store is proposed within the fenced area of the site. To the front of the buildings a paved area with seats and tree planting would create a 'square' generally open for access by the community and allowing pedestrian access and circulation to the buildings which would front onto it, as well as providing for drop off and pickup together with 12 marked car parking spaces. A reduced copy of the site layout plan, as amended, is attached.
5. The main school building is proposed as single storey throughout, although the entrance and school halls would be the equivalent of up to three storeys in height. The accommodation within the school building would comprise of the following:
  - 2 reception classrooms;
  - 4 Key Stage 1 classrooms;
  - 8 Key Stage 2 classrooms;
  - Enclosed court yard areas;
  - Cloakrooms, changing rooms & toilets;
  - Plant room;
  - Resource areas and storage;
  - Group/music space;
  - Special Education Needs (SEN) space;
  - Library/ICT space;
  - Flexible learning space
  - Hall/dining area;
  - Studio/small hall;
  - Kitchen;
  - Reception/main entrance; and
  - Interview room, medical room, staff room, and office accommodation.
6. The proposed nursery would be located within a self contained single storey building, sited to the east of the school, and would contain:
  - Teaching room/play room;
  - Kitchen/servery;
  - Office/staff room;
  - Medical room; and
  - Cloakrooms, toilets, resource and storage areas.Externally, it is proposed to provide a covered waiting area and soft and hard play areas, some of which would also be covered.
7. The school building fronts onto the proposed High Street with the main entrance and Hall elements, which are the equivalent of 3 storeys in height form part of a 'hub' feature, centred on the axis of a proposed road junction opposite and open to longer view at this point. The applicant states that the building would provide a landmark building terminating the view north from the CTRL bridge, as is required by the adopted Development Brief for the site. The 'hub' feature would include all the schools group and communal spaces, including the entrance and reception, library, IT and SEN space, group/music space, and the main and small school halls. This could be secured



# Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512

## Site Layout Plan

NB. The parts of the building to be constructed as phase 2 are shaded in light grey.





**Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

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internally from the remainder of the school building and would be accessible for out of hours use by the local community.

8. To each side of the 'hub' the teaching wings would radiate, reception and Key Stage 1 to be located within the northern wing, and Key Stage 2 within the western wing. Each wing would benefit from a central walkway from which access to the classrooms and their associated facilities would be gained. Each classroom would also have a sheltered internal courtyard space to facilitate outdoor learning.
9. The building has a series of shallow pitched roofs, mono pitched to the entrance, plant room and reception classrooms, and areas of flat roofing over the classroom walkways. Classroom storage spaces are expressed externally as projecting 'pods' with projecting cantilevered roofs above. The halls and flexible learning space include roof lights and the covered play area to the reception classrooms a 'glazed' roof. The roofs are otherwise proposed to be covered with Sarnafil roof membrane in a zinc colour with standing seams with integral guttering and fascias in matching colour. Soffits would be clad in boarding similarly in matching colour. The walls would generally be white render, with timber cladding to the storage 'pods', and Sarnafil clad panels at high level on the halls in a lead colour. A contrasting yellow colour is proposed for window/door frames and detailing. The free-standing nursery is of a similar design to the main school building, and would have a double height glazed entrance feature and large porthole windows in the south and west elevations.
10. The applicant has provided indicative details of landscaping, which apart from the grass playing fields, would be mainly hard landscaping with planting breaking up pathways and car parking. Lines of trees are proposed part way along the western boundary, part of the southern boundary adjacent to the car park and within the 'square'. The site frontage would be delineated by grey bow top fencing [and gates] which returns to the field as far as the edge of the car parking, with a hedge planted behind the fencing. The building would be set back from the pavement edge by 2 metres, which is considered sufficient to provide appropriate security and safety between the working environment of the staff and pupils, and the High Street thoroughfare. The main entrance, school halls and nursery building have frontage onto open paved areas. Access would be directly from the High Street and adjoining paved areas. The remainder of the school site would be secured with 2 metre high weld mesh fencing, and existing boundary planting would be retained where possible, and supplemented where needed.
11. The site layout drawing also shows an electricity substation located on the site frontage adjoining the staff car parking. This is required to serve the school and adjoining areas of development. It would be enclosed by fencing and hedging and gated to the street frontage allowing access to the service provider at all times.
12. The application is accompanied by a Design and Planning Statement, Protected Species Report, Tree Survey, Arboricultural Method Statement, Design Statement for Below Ground Surface and Foul Water Drainage Details, a Flood Risk Assessment and BREEAM Pre-assessment.
13. The school design has been assessed in terms of BREEAM performance criteria as being able to achieve an overall rating of Very Good. The drawings show the location of air source heat pumps and solar panels. The Design and Planning Statement states that, the use of courtyards, baffle features, roof overhangs, high level and low level fixed and opening glazing, and natural cross ventilation would assist with passive and natural control of the buildings performance.

**Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

[illegible]

# **Item D2** **Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

Elevation to Street

Elevation looking from Hard Play Court

Elevation showing Nursery and School

Section B-B

Rev	Revision notes
REV P1	DRAWING ISSUED TO DESIGN TEAM
REV P2	LAYOUT UPDATED FOLLOWING DES
REV P3	NOTES NOT USED
REV P4	ELEVATIONS UPDATED FOLLOWING REVIEW OF DESIGN AND AREAS
REV A	PLANNING APPLICATION SUBMIS
REV B	PROPOSAL AMENDED FOLLOWING
REV C	AMENDMENTS TO ROOF AND ENTR
REV D	ADJACENT BUILDINGS OMITTED FR
REV E	AMENDMENT TO DOORS AND WIND

Drawing title :  
PROPOSED  
ELEVATIONS  
SHEET 1

Scales : 1:200 AT A1

Project title :  
PROPOSED NEW SCHOOL  
REPTON PARK  
ASHFORD

csdp ltd  
(formerly Cusack Skinner Design Partnerships)

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Rev	Revision notes
REV A	PLANNING APPLICATION SUBMIS
REV B	PROPOSAL AMENDED FOLLOWING
REV C	AMENDMENTS TO ROOF AND BR
REV D	ADJACENT BUILDINGS OMITTED I
REV E	AMENDMENT TO DOORS AND WH



Drawing title :
PROPOSED
ELEVATIONS
SHEET 2

Scales : 1:200 AT A1
Project title :
PROPOSED NEW SCHOOL
REPTON PARK
ASHFORD

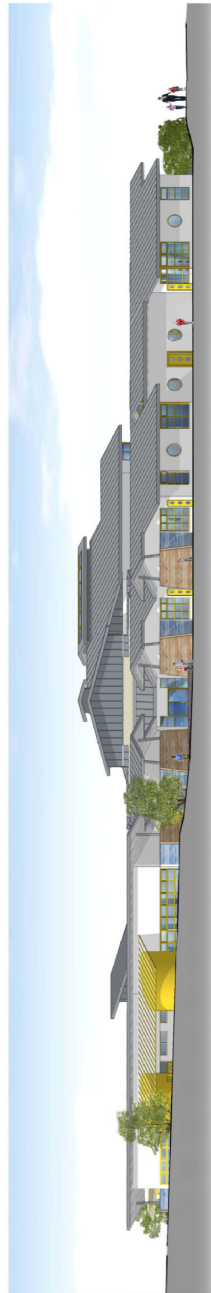
**csdp ltd**  
 (formerly Capital Skimmer Design Partners)  
**Chartered Architects**  
 The Studio, 15 Tudor Road, Canite  
 Kent CT11 3SY  
 Tel: 01227-462238



Rear Elevation of Nursery & Reception Classrooms looking from Playing Field



Side Elevation looking from Staff Car Park



Rear Elevation looking from Playing Field



Section A-A



## Item D2

### Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512



**Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

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Amendments to the proposal

14. It should be noted that the proposals have been amended several times (which is reflected in the descriptions above) in response to concerns and objections to the application raised by Ashford Borough Council and the landowners/developers of Repton Park (Persimmon Homes and Taylor Wimpey), primarily on design grounds. The proposals have therefore been subject to a number of detailed discussions with the relevant parties. Also at the request of the Borough Council officers and agreement of the applicant, the proposal was subject to a design panel review by the South East Regional Design Panel, which together with comments from the Borough Council resulted in amendments to the submitted proposals. These included changes to the position and design of the small hall, consequential changes to the entrance, changes to the design and layout of the 'square' with less parking to enhance the public realm, and consequential enlargement of the staff car park.
15. As a result of the Borough Council's subsequent formal objection to the application set out in paragraph (17) below, the proposal has now been further amended to address the concerns raised. Reduced copies of the floor plans, elevations and views of the buildings, as amended, are included on pages D2.6 – D2.9. The following summarises the amendments that have been made:
- The roof over the flexible learning space has been lowered and the relationship of the entrance roof with the hall simplified.
  - The roof covering has been changed from the 'copper' coloured green to a 'zinc' coloured grey.
  - The high level contrasting cladding has been removed from the building, with the exception of the hall elements, so that the white render continues to the eaves level.
  - The vertical supports above the storage 'pods' have been changed to grey, to match roof detailing.
  - The outward facing cladding to the storage 'pods' has been changed to natural timber. As a result the coloured elements of the building (in addition to white and grey) have been reduced to a single colour, i.e. yellow instead of yellow and green.
  - The entrance has been redesigned by extending the roof from the slope of the hall roof, squaring up the floor plan and incorporating full height glazing on all three of the external walls.
  - The school name is included on the blank wall of the hall.
  - Changing the colour of the bow top fencing from yellow to grey.
  - The bow top fencing and hedging to the front of the site now returns along the western edge of the staff car park.

**Planning Policy**

16. The following Guidance/Statements Development Plan Policies summarised below are relevant to the consideration of the application:

**(i) Planning Policy Guidance and Statements:**

**Planning Policy Statement 1 (PPS1)** - Delivering Sustainable Development. This sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.

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**Planning Policy Statement 9 (PPS9)** - Biodiversity and Geological Conservation. This sets out planning policies on protection of biodiversity and geological conservation through the planning system.

**Planning Policy Guidance 13 (PPG13)** – Transport. This sets out how the Government seeks to integrate planning and transport through the planning system.

**Planning Policy Statement 25 (PPS25)** – Development and Flood Risk. This sets out the Governments aims and approach to ensure that flood risk is taken into account at all stages of the planning process to avoid inappropriate development in areas at risk from flooding, and to direct development away from areas at highest risk.

(ii) The adopted **South East Plan 2009**:

<b>Policy SP1</b>	Identifies East Kent and Ashford as a sub-region which would be a focus for growth and regeneration.
<b>Policy SP2</b>	Policies and proposals that support and develop the role of regional hubs will be included in local development documents.
<b>Policy SP3</b>	The prime focus for development in the South East should be urban areas, in order to foster accessibility to employment, housing, retail and other services, and avoid unnecessary travel.
<b>Policy CC1</b>	Seeks to achieve and maintain sustainable development in the region.
<b>Policy CC4</b>	The design and construction of all new development will be expected to adopt and incorporate sustainable construction standards and techniques.
<b>Policy CC6</b>	Promotes the creation of sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
<b>Policy CC7</b>	States that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of new development. Where this cannot be demonstrated the scale and the pace of the development will be dependent on additional capacity being released or the provision of new infrastructure.
<b>Policy T4</b>	Sets out the approach to parking standards to be taken in Local Development Documents including restraint-based maximum levels of parking provision for non-residential development in line with PPG 13 and provision of adequate secure cycle parking.
<b>Policy NRM2</b>	Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment.
<b>Policy NRM4</b>	Confirms that the sequential approach to development in flood risk areas set out in PPS25 will be followed.
<b>Policy NRM5</b>	Requires Local Planning Authorities and other bodies to avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.
<b>Policy BE1</b>	Local Authorities and their partners will use opportunities associated with new development to help provide significant improvements to the built environment.
<b>Policy S1</b>	Supports measures for developing and shaping healthy sustainable communities, including: community access to amenities such as

**Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

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	open spaces and physical recreation activity; and healthier forms of transport.
<b>Policy S3</b>	States that, local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities.
<b>Policy S5</b>	Promotes increased and sustainable participation in sport, recreation and cultural activity.
<b>Policy S6</b>	Encourages the mixed use of community facilities, and requires community facilities to be located and designed appropriately.
<b>Policy W2</b>	Requires development design, construction and demolition which minimises waste production and associated impacts.
<b>Policy EKA1</b>	Within the East Kent and Ashford sub-region new development will be primarily accommodated through the expansion of Ashford and other main settlements.
<b>Policy EKA2</b>	The growth envisaged at Ashford should deliver an enhanced quality of life following the principles of sustainable development.

**Important note regarding the South East Plan:**

*As a result of the judgement in the case brought by Cala Homes in the High Court, which held that the powers set out in section 79 [6] of the Local Democracy, Economic Development and Construction Act 2009 could not be used to revoke all Regional Strategies in their entirety, Regional Strategies (the South East Plan in the case of Kent) were re-established as part of the Development Plan on 10 November 2010. Notwithstanding this, DCLG's Chief Planner Steve Quartermain advised Local Planning Authorities on 10 November 2010 that they should still have regard to the Secretary of State's letter to Local Planning Authorities and to the Planning Inspectorate dated 27 May 2010. In that letter he had informed them of the Government's intention to abolish Regional Strategies in the Localism Bill and that he expected them to have regard to this as a material consideration in any planning decisions. The 10th November 2010 Quartermain Letter is now being challenged in the High Court and must in my view carry very little weight until such time as the Court decision is known. This is currently expected in late January.*

*Department of Communities and Local Government advice on this matter reads:*

*'Local planning authorities and planning inspectors should be aware that the Secretary of State has received a judicial review challenge to his statement of 10 November 2010, the letter of the Chief Planner of the same date and to the Secretary of State's letter of 27 May 2010 on the ground that the Government's intended revocation of Regional Strategies by the promotion of legislation for that purpose in the forthcoming Localism Bill is legally immaterial to the determination of planning applications and appeals prior to the revocation of Regional Strategies.*

*The Secretary of State is defending the challenge and believes and is advised that it is ill founded. Nevertheless, pending determination of the challenge, decision makers in local planning authorities and at the Planning Inspectorate will in their determination of planning applications and appeals need to consider whether the existence of the challenge and the basis of it, affects the significance and weight which they judge may be given to the Secretary of State's statements and to the letter of the Chief Planner'.*



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(iii) The Ashford Borough Local Development Framework Core Strategy 2008:

- Policy CS1** States that sustainable developments and high quality design are at the centre of the approach to deciding planning applications, and sets out the key objectives that apply, including the following:
- A. Development that respects the environmental limits that protect the high quality built and natural environment of the Borough, minimises flood risk, provides for adequate water supply, and protects water and air quality standards;
  - D. New places - buildings and the spaces around them - that are of high quality design, contain a mixture of uses and adaptable building types, respect the site context and create a positive and distinctive character and a strong sense of place and security;
  - E. New buildings and places designed to meet challenging sustainable design and construction standards that work towards achieving zero carbon developments, including minimising the use of resources and waste, and to enhance biodiversity;
  - F. The best use of previously developed land to help regenerate urban areas;
  - G. The timely provision of community services and other local and strategic infrastructure to provide for the needs arising from development;
  - H. A general balance between a growing population and the creation of jobs locally and, on large sites, a mix of residential, employment, community and other local services that together help create a well served community, capable of providing locally for many of its needs;
  - K. The creation of an integrated and connected network of green spaces to provide a framework for growth - helping serve the recreational needs of the community, enhancing biodiversity and providing green routes for pedestrians and cyclists.
  - L. Healthy sustainable communities that put human health and well being at their heart – fostering access to amenities, healthier forms of transport, and mixed and cohesive communities designed for social interaction.
  - M. Developments that are designed to mitigate and adapt to the effects of climate change.
- Policy CS2** States that large scale development proposals will be located in the Ashford Growth Area in line with a compact growth model consisting of significant development within an expanded Ashford town centre; the use of appropriate brownfield sites within the Ashford urban area; allocated greenfield sites on the edge of Ashford and initially, two major new peripheral urban extensions as shown on the Core Strategy diagram – one of which is Repton Park. Key infrastructure projects including those for education provision will need to be brought forward at the same time as the development they will serve.
- Policy CS4** ‘Ashford Urban Area’ – Seeks maximization of the potential for improvement and regeneration within the urban area whilst ensuring that redevelopment is of an appropriate use, scale and density, and provides a high quality living environment. Development should be phased and will need to show how it has been carefully integrated into the surrounding area.

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- Policy CS9** Development proposals must be of high quality design and address issues such as character, distinctiveness, sense of place, permeability, ease of movement, legibility, mixed use and diversity, continuity and enclosure, quality of public spaces, flexibility, adaptability and liveability, richness in detail and efficient use of natural resources.
- Policy CS10** All major development must incorporate sustainable design features to reduce the consumption of natural resources and to help deliver the aim of zero carbon growth in Ashford.
- Policy CS11** Seeks protection of biodiversity and provides for maintenance, enhancement, restoration and expansion through creation or restoration of semi-natural habitats and ecological networks to sustain wildlife.
- Policy CS15** Promotes public transport and other non-car based modes of travel including measures to encourage cycling. Maximum parking standards to accord with national standards and the South East Plan, unless superseded by new standards set in DPDs and except where existing SPG6 'Providing for transport needs arising from the South of Ashford Transport Study' applies.
- Policy CS18** Public open space, recreation, sports, children's play, leisure, cultural, school and adult education, youth, health, public service and community facilities to be provided to meet the needs generated by new development.
- Policy CS20** All developments should include appropriate sustainable drainage systems for the disposal of surface water.
- Policy CS21** Major proposals for new development must demonstrate that there would be adequate water supply and waste water treatment facilities in place.

(iv) The adopted **Ashford Borough Local Plan 2000:**

- Policy S22** Land at former Rowcroft and Templer Barracks, Ashford, is a site specific policy which states the following:  
The former Barracks Site is proposed for a mix of residential and commercial development to be built over a number of years. An institutional use, able to reuse existing buildings, would also be appropriate. In this Plan's timescale (to 2006) it is estimated that 500 dwellings could be provided, together with employment development of 10 hectares. (In the period after 2006 the site has capacity for a mix of housing and employment uses which may involve the redevelopment of the existing buildings). A development brief will be needed, to be approved by the Borough Council. It further sets out the proposals which the Borough Council would wish to secure for the site, including amongst other infrastructure, the provision of a Primary School.
- Policy CF21** The Council will seek the costs of primary and secondary school facilities that are generated as a direct result of housing proposals and where the need arises for the implementation of that scheme. Such planning obligations will be related in proportion to the scale and nature of the proposed development, taking account of the existing pattern of school provision and the existing pupil capacity at local schools.

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(v) **Supplementary Planning Guidance** includes the following documents:

**Ashford Barracks Development Brief (March 2003)**

The Development Brief includes a number of strategic design objectives, including:

- (a) A development that is urban and not suburban in character;
- (b) A high quality development that accords with current best practice thinking in urban design;
- (c) architecture and energy efficiency; and,
- (d) a high quality public realm where the spaces between the buildings are as important as the buildings themselves.

The Brief states that the primary school will be located on the High Street, directly accessible by public transport and within close proximity to community, health, recreation and commercial facilities. The school would occupy a dedicated site of approximately 1.9 ha and comprise a number of facilities including:

- A two-storey building with a small hall to accommodate sport and assembly;
- informal outdoor social areas comprising a multi-purpose playground marked out with games, soft landscaping and informal seating and sheltered areas;
- A 70 x 70 junior sports pitch;
- Informal nature habitat and ecological areas; and
- The school will also have access to the all weather multi-sports pitch and the adult sized football pitch adjacent to the school. It is expected that access arrangements will be controlled by a restricted covenant.

It is also considered desirable that the facilities in the school be made available for public uses. If the school is to be open outside of school hours then this will need to be taken into consideration in the design and layout of the school for safety and security reasons.

The primary school building is identified in the brief as “a landmark building terminating the view north from the bridge.”

On the design of the High Street, the Brief states as follows:-

“Building heights should be a minimum of 3-storeys with taller buildings located at focal points and corners. All buildings will front onto and have their primary entrances and principle rooms overlooking the High Street with commercial, mixed use and public buildings (public buildings include the community building, primary health care building, health and fitness centre and nursery) being hard against the back of the pavement.” It goes on to say that: “High quality surface material and street furniture will be used along this route to emphasise its importance.”

**Ashford Barracks Design Codes (March 2007)**

The design codes for the primary school are, as follows:

The new primary school will be a key building terminating a vista and will have a significant presence appropriate to its location in the built and social fabric of the community. Security is important and this should be achieved through well-considered design creating distinct public and private areas, with the buildings clearly addressing the street.

- a. The new primary school will form a landmark with a prominent civic elevation

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- b. The landmark element may be a minimum equivalent of 3 storeys, using the principal school rooms (assembly hall and gym) to create this volume, and with a distinctive roof line. The class room block may be 2 storeys
- c. The primary school building itself will provide the security line to the front (High Street) of the plot where it meets the street, or public space, on the southern boundary of the primary school plot, i.e. there will be no additional fencing along this boundary.
- d. At the rear of the school site the security defences will be formed of a low wall with railings.
- e. An area for parents to wait to collect children will be provided at the front entrance (onto the public square).
- f. An innovative and experienced architect should be commissioned to ensure the school design is complementary with the Community Centre (preferably designed in parallel).

The design codes for the High Street Public Realm of relevance include:

- a. the public realm will be formed by widening parts of the high street.
- b. The high street will be of good quality design to reflect the high standards expected at Ashford Barracks; it will be urban in character and employ a range of hard and soft materials;
- c. Spaces along the route will be designed as spaces to sit and relax;
- d. Spaces will also be the setting for shops, community facilities, new homes, businesses and principally the new school;
- e. There is the possibility to create a garden pocket square outside the primary school and civic building, which might include parking along the carriageway, a tree lined pedestrian route along a broad pavement, as well as grassed and planted areas.

**Consultations**

17. **Ashford Borough Council** objects to the application. The application was reported to Ashford Borough Council's Planning Committee on the 13 October 2010, where Members of the Committee expressed strong feelings on what they considered to be the design deficiencies of the current scheme and agreed, unanimously, that an objection should be made to KCC. The reasons for the objections are set out below and the Borough Council state that they would wish to be re-consulted on any further amendments to the scheme that are submitted:

- 1. Given the urban 'High Street' context within which the new school will be located, the Borough Council has fundamental design concerns about the approach adopted by the applicant in terms of building form (including a visually awkward roofscape), building scale, building massing and detailing and notes that these concerns are also shared by the South East Regional Design Panel. The Council remains unconvinced that the provisions of the adopted Design Codes have fully informed the design process from the scheme's earliest inception. Notwithstanding the amendments to the scheme that have been made, the Council considers that the proposed building would fail to satisfy the requirements of the adopted LDF Core Strategy 2008 Policy CS1 and the Design Codes which, taken together, require high quality sustainable design as an overriding principle and the delivery of a key civic building with strong landmark qualities at the important location within a strategically important development site.
- 2. The Council is concerned that there is no indication in the application that the small hall and other development associated with the 'hub' frontage would be provided as

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part of the first phase of school development in order to ensure that the building is provided with a 'civic elevation' to the High Street from the outset. Accordingly, it is considered that there is a risk that a second phase may not proceed and the 'civic elevation' elements may not be delivered which would have an adverse impact on the relationship of the building with the High Street and prevent the achievement of a building with landmark qualities.

3. The Council remains concerned that the aspirations of the adopted Design Codes have already been eroded through the proposed approach to boundary treatments and considers that planning conditions must be imposed in this respect in order to ensure due regard is given to the design treatment of the High Street and its setting.
4. The Council considers that a far greater commitment to reducing surface water run-off must be demonstrated as part of the overriding design process for this site through the inclusion of SUDs features either designed into buildings or within the grounds of the school in order to meet the agreed drainage strategy for this part of Repton Park. The absence of this approach as a clear design layer is regrettable for a building that is to be put to educational use.

The Borough Council further states that, subject to the receipt of an improved design that addresses the matters identified in points (1) to (4) above, it suggests a number of conditions that they consider would be appropriate to attach to any grant of planning permission, covering the following matters:

- I. details of the layout and design, including details of trees to be planted, of the proposed public open space [i.e. the 'square'] to create either a civic space or pocket park;
- II. details of boundary treatment to the public street;
- III. the western boundary 2m wire-mesh fencing to be set back from the High Street to start at a point beyond the staff car park;
- IV. all glazing to the public realm (including the high street and public open space) to be clear glazing and remain so in perpetuity;
- V. details of the design and materials of the staff car park, including soft landscaping; and
- VI. it also includes the following very detailed condition relating to the building being carbon neutral and achieving an overall BREEAM rating of at least 'very good':

*"The development shall be carbon neutral. Each building hereby approved shall be constructed to achieve a minimum Building Research Establishment BREEAM (or subsequent equivalent quality assured scheme) overall 'Very Good' standard comprising the following minimum elements:*

- (a) 'Excellent' standard in respect of energy credits.*
- (b) 'Maximum' in respect of water credits.*
- (c) 'Excellent' standard in respect of materials credits.*

*Unless otherwise agreed in writing by the Local Planning Authority (following prior consultation with Ashford Borough Council), no work on each building shall commence until the following for that building have been submitted to and approved in writing by the Local Planning Authority (following prior consultation with Ashford Borough Council):*

- (a) Details of a BREEAM 'Design Stage' assessment and related certification produced by a registered assessor.*
- (b) Details of the measures and technologies to be used to achieve the BREEAM credit requirements.*
- (c) An energy assessment produced by a registered assessor containing the information set out in section 12 and appendix 3 of the Ashford*

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*Borough Council Sustainable Design and Construction SPD (July 2009) and in particular the predicted total annual energy demand and carbon dioxide emissions (from both regulated and unregulated sources).*

- (d) *Details of the on-site sustainable energy technologies (such as renewables and/or low carbon technologies) to be used in order to reduce the carbon dioxide emissions to a level at least 20 % below the amount of carbon dioxide emissions predicted in the approved energy assessment.*

*The development shall be carried out in accordance with the approved details. The following shall thereafter be retained in working order unless otherwise agreed in writing by the Local Planning Authority (following prior consultation with Ashford Borough Council):*

- (a) *The approved measures and technologies for achieving the BREEAM credit requirements specified above.*  
(b) *The approved on-site sustainable energy technologies for reducing carbon dioxide emissions.*

*No building shall be occupied until a BREEAM 'Post Construction Stage' assessment and related certification produced by a registered assessor confirming the BREEAM standard that has been achieved and stating the amount of residual carbon dioxide emissions have been submitted to and approved in writing by the Local Planning Authority (following prior consultation with Ashford Borough Council) for that building.*

*Reason: In order to (i) achieve zero carbon growth and ensure the construction of sustainable buildings and a reduction in the consumption of natural resources, (ii) seek to achieve a carbon neutral development through sustainable design features and on-site sustainable energy technologies and (iii) confirm the sustainability of the development and a reduction in the consumption of natural resources and to calculate any amount payable into the Ashford Carbon Fund, thereby making the development carbon neutral, all pursuant to Core Strategy policy CS 10, the Sustainable Design and Construction SPD and advice in PPS 1 and the Supplement to PPS1.*

*Together with a Section 106 Agreement in favour of Ashford Borough Council (as holders of the Ashford Carbon Fund) to ensure carbon neutrality."*

- VII. All other 'standard' planning conditions that are reasonable and necessary to control the fine detail of development and the way in which the premises are used as part of ensuring a high quality development. The terms of the extant outline planning permission 02/01565/AS should be considered by Kent County Council in this regard, especially condition 29 that relates to the opening of the bridge across the CTRL.

Please note: the Borough Council has been re-consulted on the most recent amendments outlined in paragraph (15) above, I will report any further written comments received from the Borough Council at the Committee Meeting.

**Environment Agency** has no objection to the application subject to the imposition of conditions regarding surface water drainage and contaminated land. Additional advice for the applicant is also provided with regard to drainage and sustainability.

**The Divisional Transportation Manager** raises no objection to the application subject to the imposition of conditions regarding the provision of on site parking for site operatives/personnel during construction, prevention of mud and similar substances on

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the highway, disposal of surface water within the site to prevent discharge to the highway, the provision and retention of car parking prior to occupation of the development, the provision and retention of cycle parking prior to occupation of the development, entrance gates to be erected 5.5 metres from the carriageway, and gates to open into the site, the submission and approval of a School Travel Plan prior to occupation, and the submission and approval of details of a school crossing facility on the High Street prior to occupation of the development with appropriate signage, and the provision of 'School Keep Clear' and zig zag markings.

The Divisional Transportation Manager also wishes the applicant to note that planning permission does not convey any approval for the required vehicular crossovers or any other works within the highway, for which a licence must be obtained from Kent Highway Services.

**The County Council's Biodiversity Officer** has no objection to the application subject to the implementation of the recommendations set out within the submitted Protected Species Report.

**Public Rights of Way Officer** - no comments received.

**The County Council's Landscape Advisor** states that 'in principle, the proposals would be beneficial in terms of improving the visual qualities of the site, improving connectivity with the adjoining housing estate and providing a new identity for the site'. The Landscape Advisor also queried whether further additional vegetation could be retained across the site, and tree protection plans revised accordingly. In addition recommends that full landscaping proposals should be submitted.

**The County Archaeologist** has no objection to the application subject to the imposition of a condition requiring the securing and implementation of a watching brief, to be undertaken by an archaeologist approved by the County Planning Authority, so that excavation is observed and items of interests and finds are recorded. The watching brief shall be in accordance with a written specification which must be approved by the County Planning Authority prior to the commencement of development.

**The Commission for Architecture and the Built Environment (CABE)** - no comments received.

**Local Member**

18. The local County Member, Mrs E Tweed, was notified of the application on the 9 April 2010.

**Publicity**

19. The application was publicised by an advertisement in a local newspaper, the posting of site notices and the individual notification of 18 neighbouring residential properties.

**Representations**

20. No representations to the application have been received as a result of publicity. However, representations have been received in response to the applicant's notification of landowners. Barton Willmore acting on behalf of the landowners (Persimmon Homes

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and Taylor Wimpey) has queried some procedural matters, raised a number of objections, including comments on matters they consider should be covered by condition. Whilst the procedural matters have now been resolved, the most recent correspondence following re-consultation on the initial amendments to the proposal prior to those outlined in paragraph (15) above, in summary, includes the following points:

- Ashford Borough Council's continuing objection to the design is noted, and Barton Wilmore has, therefore, not commented on the design to avoid repetition;
- The design and location of the substation needs to be resolved. A high quality design is sought, and it should be borne in mind that access by the electricity company would be required;
- In accordance with planning objections previously made wish to reiterate that conditions of consent should be imposed (should permission be granted) requiring information in respect of the following, as these matters would have a significant bearing on the appearance of the development and its relationship with the surrounding environment:
  - Landscaping;
  - Earthworks;
  - Floor Levels;
  - Details for surface and foul water facilities;
  - Travel Plan; and
  - Materials.
- In addition to the above it is also expected that a planning condition would require the submission of a Scheme of Minimal Environmental Requirements (EMR) or similar, which shall include the following information:
  - Code of Construction Practice;
  - Hours of working during construction;
  - Location of work compounds;
  - Location of parking associated with construction;
  - Measure to prevent the transfer of mud or other extraneous material onto the surrounding roads;
  - Location of vehicle access point during construction; and
  - Details for the routing of construction vehicles;

**Discussion**Introduction

21. The application seeks full planning permission for a new 2 form entry primary school and nursery to be built in two phases. The application is being reported to the Planning Applications Committee as a result of objections largely relating to issues of detailed design received from Ashford Borough Council and various issues raised by the landowners/developers of Repton Park.
22. In considering this proposal regard must be had to the Development Plan Policies referred to in paragraph (16) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.



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The principle of developing a new primary school

23. In principle the development of the new school has already been established through the Adopted Local Plan site specific proposals [summarised in paragraph (16)(iv) above] for this former barracks site, and more particularly, by the granting of the outline planning permission by the Borough Council in 2007 for a mixed use development comprising the following: circa 1,250 dwellings, employment uses (circa 2.5ha), retail uses including a supermarket of 2,323 square metres, community facilities including a community hall and primary school, restoration of Repton manor, open spaces, roads (including means of access), cycleways, footpaths and ancillary uses, demolition and remediation. Indeed as the development of the barracks site is now progressing, under the terms of the permission and 106 Agreement and in accordance with the approved phased programme of works, there is a requirement for the primary school to be provided and that it is constructed on the application site now under consideration.
24. It should also be noted that the development of the former barracks site is part of the Borough Wide Strategy for development in the Ashford Growth Area identified by the Local Development Framework Core Strategy. The Core Strategy Policies summarised in paragraph (16)(iii) above also support the use of previously developed land to help regenerate urban areas and the provision of education facilities to meet the requirements of new developments. In addition there is similarly policy support afforded by the South East Plan Policies, summarised in paragraph (16)(ii) above, in so far as they relate to Ashford as a focus for growth and regeneration, and as a regional hub, the creation of sustainable communities, and the need for adequate provision of community facilities including those for education. These Development Plan Policies are also underpinned by the Governments Planning Policy Guidance and Statements as they relate to sustainable development (PPS1) and an integrated approach to planning and transport (PPG 13), through the planning system.

Detailed design considerations

25. Notwithstanding the appropriateness of the site for a new primary school and nursery, as discussed above, consideration must be given to the detailed design of this particular proposal, including siting, layout, scale, height, massing, form and appearance of the buildings, related open spaces, access, car parking, and landscaping. These matters should be considered against the Development Plan Policies which require high quality design, particularly policies CS1, 9 and 10 of the Local Development Framework (LDF) Core Strategy. In this respect the Ashford Barracks Development Brief and Design Codes are relevant as they set out in some detail the design aspirations for development of the former barracks site including for the school and High Street as set out in paragraph (16)(iv) above.
26. The application was submitted following selection of the proposal by the applicant from 3 alternatives considered through a design competition. A number of discussions have taken place since then and through the application process over various design related issues, as referred to above in paragraphs (14) and (15). Despite the initial formal amendments submitted to address the concerns that had been raised, the Borough Council has raised objections to the proposal as set out in paragraph (17) above most significantly (reason 1) on design grounds and failing to satisfy the requirements of LDF Core Strategy Policy CS1 and the Design Codes. My understanding is that the concerns over the design broadly relate to the perceived complexity and form of the roofscape particularly over the single storey parts of the building, that the form and design of the entrance feature and hall would fail to achieve the aspiration for a prominent civic elevation or landmark at the important intersection in the street in which it is located. In

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addition there was some concern about the level of detail provided and the design detailing and external materials. A preference for the classroom accommodation to be two storeys as suggested by the design code has also been expressed.

27. As a result of the Borough Council's objections I have had further discussions with the applicant's Architect which has culminated in the amended proposal described and illustrated in this report. The Borough Council has been re-consulted and although because of time constraints it will not be possible to report it back to its planning committee, I understand that officers are seeking views of key members with a view to providing some informal comments on the amended proposal. I hope to be able to report these verbally at the Committee meeting. In my view, the individual changes to the scheme, as detailed in paragraph (15) above, taken as a whole are significant, address the concerns raised and result in a considerable improvement to the design quality and appearance of the building.
28. Bearing in mind the concerns about the roofscape, an alternative roof form was discussed but discounted as it compromised the appearance of the elevations. However some changes have been made to the roof as outlined in paragraph (15) above together with a change in the proposed colour of the roof covering. Given the extent of the building's footprint, arguably the roofscape of the classrooms adds interest to the form and massing of the building and would break down the scale of what could otherwise be a building and roof of significant bulk and monotony.
29. With regard to the question of the building being single storey, this arises mainly from the planned floor layout with its flexible learning or 'heart' space' and open courtyards accessed from individual classrooms, both of which I understand were strong elements in the final choice of the scheme. This arrangement together with the planned phasing would not easily lend itself to a two storey solution. It is also generally the case that most new primary schools are from an education preference single storey except where site constraints or characteristics have necessitated otherwise. Moreover, in my view, the scale of single storey classrooms is more appropriate for primary school children and would also provide a transition from the taller parts of the building, and taller buildings that are proposed nearby, to the open character of the school grounds. I do not consider the reduction to single storey height at this point would detract from the urban character sought for the Repton Park development but rather provide a welcome change in the street scene.
30. The communal spaces in the building which form a central hub are however the equivalent of 3 storeys. This is a key part of the building, given its location adjoining the 'square' and at the intersection of the street in order to address the aspirations of the Development Brief and Design Codes for the primary school to form a landmark with a prominent civic elevation. I consider that the redesigned main entrance feature, its relationship with the other adjoining parts of the building including the small hall together with general changes to the buildings elevational treatment would now provide a pleasing elevation and focal point within the street scene as required. An illustration of the proposal as now amended showing the view along the street opposite compared with the earlier proposal to which the Borough Council has objected is attached over the page. The other buildings shown are indicative only.

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Repton Park Views of Front Entrance  
comparing Latest to superseded proposal June 2010  
09.12.10

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31. Given that the development is to be phased, the Borough Council has also objected (reason 2) because of concerns that the small hall and other development associated with the 'hub' frontage would not be provided as part of the first phase of school development. It is concerned that if the second phase did not proceed, the 'civic elevation' elements would not be delivered which would have an adverse impact on the relationship of the building with the High Street and prevent the achievement of a building with landmark qualities. This objection arises in that in the original proposal submitted the small hall was to be added as part of the second phase of the development. That is not now the case and the amended phasing plan shows all the elements in question to be provided as phase 1 and this could be covered by an appropriate condition to ensure that they are provided at the outset.
32. During discussions with the Borough Council, officers' concerns were also raised about the fence line adjacent to the classrooms that front onto the street and that is reflected in its objections (reason 3). Its preference was for the building to provide the secure line to the street with an active frontage as stated in the adopted Design Codes. Bearing in mind the potential safety and security issues, the applicant does not consider that this is appropriate for the classrooms and has therefore marginally set them back from the pavement, introducing railings with hedging behind. This boundary treatment would suitably continue that fronting the car park and, in my view, this part of the building would still have a significant presence on the street frontage and the proposed bow top railings would not be out of place in an urban environment. However, I agree with the Borough Council that the final details of the boundary treatment should be reserved by condition.
33. The design of the nursery is similar and compatible with the main school building. It is single storey, although with a double height entrance feature, and has similar elevational treatment also reflecting the amendments made to the school building. Whilst it is set back within the application site it fronts directly onto the 'square' and will therefore be an important built form within the public realm. No specific issues have been raised regarding its design and appearance or its siting. The final selection of external materials for both the school and nursery buildings should be reserved for approval by condition
34. The 'square' located to the front of the nursery and to the side of the school building to the west and the site of the proposed community building to the east, is a key component in achieving the aspirations for a high quality public realm for the high street. As referred to in paragraph (14) above changes were made to this space to improve its layout and to reduce the intensity of use for car parking. In principle, I consider that the design and use of this space is acceptable, subject to the final selection of paving, seats and other street furniture, and details of landscaping being reserved by condition.
35. The staff car parking is at the western end of the school and would be enclosed by fencing and hedging which once matured would provide screening from the street. Other paved areas providing for playground and sports use are shown to the rear or sides of the classrooms and nursery building, and would generally be screened from view by the buildings and boundary treatment.
36. As referred to in paragraph (11) above an electricity substation would need to be provided and located on the site frontage adjoining the staff car parking. I understand that else where within the Repton Park development substations are installed in brick built buildings with pitched roofs. However, in my view, that would not be compatible with the design of the school building and would give undue prominence. It is therefore

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proposed that the substation would be of standard design and enclosed by fencing and hedging and gated to the street frontage to screen it and minimise any visual impact. The details should be reserved by condition.

37. Landscaping including retention of existing trees and vegetation that it is possible to retain, together with new planting, would be an important part of the development to help in integrating it into its surroundings and providing an enhancement to the locality. Although a Public Right of Way runs along the northern boundary and views of the site would change it is otherwise unaffected. Fencing and hedging to the front of the site has already been referred to above. It is also proposed to secure the boundary of the playing field to the rear of the site with 2 metre high weld mesh fencing. Providing that it is colour coated in an appropriate colour to reduce its visual impact, I consider that the fencing would be acceptable. Details of a landscaping scheme should be reserved by condition to also include details of the fencing and boundary treatment.
38. In the light of the matters discussed above, I consider that the siting, layout, scale, height, massing, form and appearance of the buildings, related open spaces, access and car parking, and landscaping as now amended are acceptable. Therefore, subject to the conditions covering the matters referred to above, overall I consider that a high quality design for the development, in accordance with Development Plan Policies, would be achieved even though it does not meet the aspirations of the Development Brief and Design Codes in every respect.

#### External lighting

39. It is likely that some external lighting would be needed around the building for the safety and convenience of its users. No details have been provided at this stage and therefore if permission is granted, it would be appropriate to reserve details by condition so that the type and position of any external lighting can be controlled to ensure any potential nuisance from light pollution can be minimised.

#### Access, highway and travel considerations

40. In addition to car parking for staff, provision has been made for parents to drop off/pick up their children away from the highway. It is, however, intended that the Repton Park development will be well served by public transport and will make good provision for cyclists and pedestrians. Therefore there should be good opportunities for alternative modes of transport to the new school and reduce travel by private car, which should be encouraged by the implementation of a travel plan. The Divisional Transportation Manager has raised no objection to the application subject to a range of conditions including the provision of a school crossing facility with appropriate signage, signage and 'School Keep Clear' and zig zag markings, the preparation and implementation of a school travel plan, provision and retention of parking for cars and cycles, position of gates and matters relating to construction.

#### Flood risk, drainage and land contamination

41. A Flood Risk Assessment was carried out in accordance with the requirements of PPS25 and submitted with the application as the site is more than one hectare in area. It is in a Flood Zone I where there is low probability of flooding and as such satisfies the Sequential Test. The proposed use falls into the more vulnerable classification and as such an Exception Test is not required. A statement on drainage has also been submitted with the application. The foul water would be to the local sewer network. The applicant states that Sustainable Urban Drainage Systems (SUDS) would be used to

**Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

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achieve discharge rates of surface water not exceeding 10 litres per second to the public storm water sewer, in accordance with the approved drainage strategy for the entire site. It will be noted that this is another matter about which the Borough Council are raising objection (reason 4) in so far as no firm details for SUDS as been provided. The applicant advises that a number of different SUDS options are being considered but the final options and technicalities would have to be worked out as part of the detailed design considerations for construction of the development. In the circumstances a condition should be imposed restricting the discharge rate of surface water from the site and reserving approval of details prior to commencement of the development as to how this would actually be achieved. These details should also take account of the Environment Agency's advice, which otherwise raises no objection to this application subject to the imposition of conditions regarding surface water drainage and land contamination.

Sustainable construction

42. The BREEAM Pre-assessment submitted with the application concludes that the project could achieve a minimum 'Very Good' rating and demonstrates how it could be achieved. I therefore consider it would be reasonable for an appropriately worded condition to be imposed to ensure that the development achieves at least an overall 'Very Good' BREEAM rating. It will be noted that the Borough Council's suggested condition in this respect, states that the development shall be carbon neutral (possibly requiring a payment into the Ashford Carbon Fund in order to achieve it) and sets down higher ratings for particular credits, and requirements for the building not to be occupied until the BREEAM post construction assessment of the development has been completed. These requirements are drawn from Policy CS10 of the LDF Core Strategy, although the wording of the Policy does also recognise that in some cases such requirements could make a scheme unviable or impose excessive costs on occupiers. In this respect, the applicant considers that the suggested condition would place unrealistic requirements on the project and would be unreasonably prescriptive and considers that some flexibility in how the BREEAM requirements are met is needed. The applicant has also pointed out that given the likely timescales involved in completing the BREEAM post construction assessment there would be an unacceptable delay in being able to occupy and use the building. I accept the applicant's view since there will need to be a careful balance of priorities in order to achieve the required overall BREEAM rating, as well as maintaining other essential elements of the design. In my view, it is important to ensure that this important community building is delivered without unacceptable compromises having to be made on overall design quality and therefore do not consider the more exacting requirements that would have to be met, including a possible a payment into the Ashford Carbon Fund, would be justified in this particular case.

Ecology

43. A Protected Species Report was submitted with the application. The ecological survey and mitigation works have been/are being dealt with as part of the overall development of Repton Park and much of the work has already taken place. The County Council's Biodiversity Officer had a number of queries but otherwise has no objection to the application subject to the implementation of the recommendations set out within the Report. There will be opportunity to provide some enhancement for biodiversity in accordance with PPS9 through appropriate planting and by the proposed installation of nesting boxes for birds.

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Archaeology

44. The County Archaeologist has requested the imposition of a condition requiring the securing and implementation of a watching brief, to be undertaken as there is the potential for Iron Age and Roman features to extend into the site.

Construction

45. Given the potential disruption that construction activities can cause, and as requested by Barton Willmore referred to in paragraph (20) above, it would be appropriate for details of a Construction Management Strategy to be submitted for approval prior to the commencement of the development and thereafter the development undertaken in accordance with the approved strategy. That should include details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures, details of any construction accesses and measures to minimise noise nuisance and dust and to prevent mud being deposited on the local highway network. This would also cover the matters to be conditioned requested by the Divisional Transportation Manager relating to construction.

**Conclusion**

46. This proposal arises within the wider context of planned growth at Ashford and more particularly the redevelopment of the former Barracks site. It would provide essential facilities for education, has strong planning policy support and already benefits from outline planning permission. It has nevertheless given rise to various objections and concerns in respect of the detailed design of the submitted proposal and has as a result been subject to protracted discussions, as set out and discussed above. However, in my opinion, with the amendments now made to the design of the building, the high quality development sought would be achieved in accordance with Development Plan Policies, even if it does not as acknowledged above meet all of the aspirations of the Development Brief and Design Codes in every respect. Furthermore, I do not consider that the development would give rise to any material harm and consider that it would otherwise be in accordance with the general aims and objectives of the relevant Development Plan Policies and Government Policy Statements and Guidance. Therefore subject to appropriate conditions and to any further written views of Ashford Borough Council received by the Committee Meeting recommend that planning permission be granted.

**Recommendation**

47. SUBJECT TO the further views of Ashford Borough Council if received by the Committee Meeting, I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:
- the standard time limit,
  - the development to be carried out in accordance with the permitted details,
  - submission for approval of details of all external materials,
  - clear glazing to be provided and maintained to the street elevations unless otherwise approved by the County Planning Authority,
  - provision of all the communal spaces which form the central hub including the small hall as part of phase 1 of the building as shown on the phasing drawing,
  - the development to meet BREEAM rating 'Very Good',
  - submission for approval of details of the electricity substation and enclosure,

**Proposed 2FE Primary School & Day Nursery, Former Rowcroft & Templer Barracks Site, Repton Avenue, Ashford – AS/10/512**

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- submission for approval of details of finished floor and site levels,
- submission for approval of details, implementation and subsequent maintenance, of landscaping proposals, to include gates, fencing and boundary treatment,
- submission for approval of details of the 'square' including paving, street furniture and planting proposals,
- submission for approval of details of external lighting,
- submission for approval of details of surface water drainage, to include details of SUDS to demonstrate how the required minimum discharge rate of 10 litres per second to the public storm water sewer would be achieved,
- ground contamination,
- implementation of the recommendations for biodiversity mitigation and enhancement set out in the Protected Species Report,
- implementation of archaeological watching brief,
- submission for approval of details of a school crossing facility, signage, 'school keep clear' and 'zig zag' markings,
- submission for approval of details of a school travel plan its implementation and ongoing review
- provision and retention of parking for cars and cycles, and
- submission for approval of details of a Construction Management Strategy.

48. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informative:

- Account should be taken of Environment Agency's advice relating to surface water drainage and sustainability.
- Account should be taken of the Divisional Transportation Manager's advice that a licence must be obtained from Kent Highway Services for the required vehicular crossovers and any other works within the highway.

Case officer – Mary Green & Paul Hopkins
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01622 221051
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Background documents - See section heading
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**Item D3**

**Single storey extension to provide replacement classroom accommodation, an activity hall, ITC room, library and associated facilities at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

A report by Head of Planning Applications Group to Planning Applications Committee on 20 January 2011.

Application by KCC Property Group for a single storey extension to Richmond Primary School to provide replacement classroom accommodation for existing mobile buildings, a small activity hall, ITC room, library and associated facilities at Richmond Primary School, Nursery Close, Sheerness, Kent, ME12 2QT - SW/10/1377

Recommendation: Permission be granted

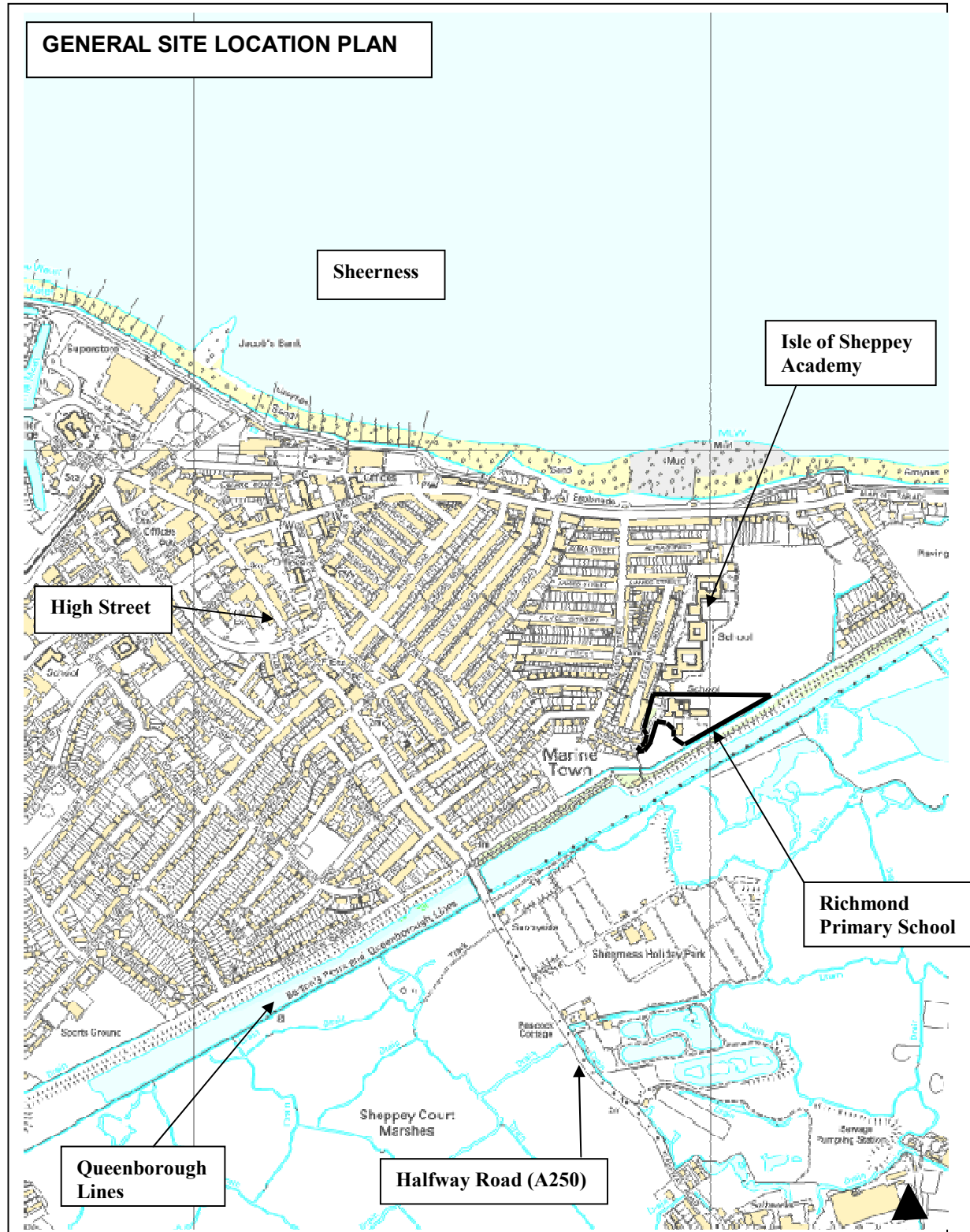
Local Member: Mr K. Pugh

Classification: Unrestricted

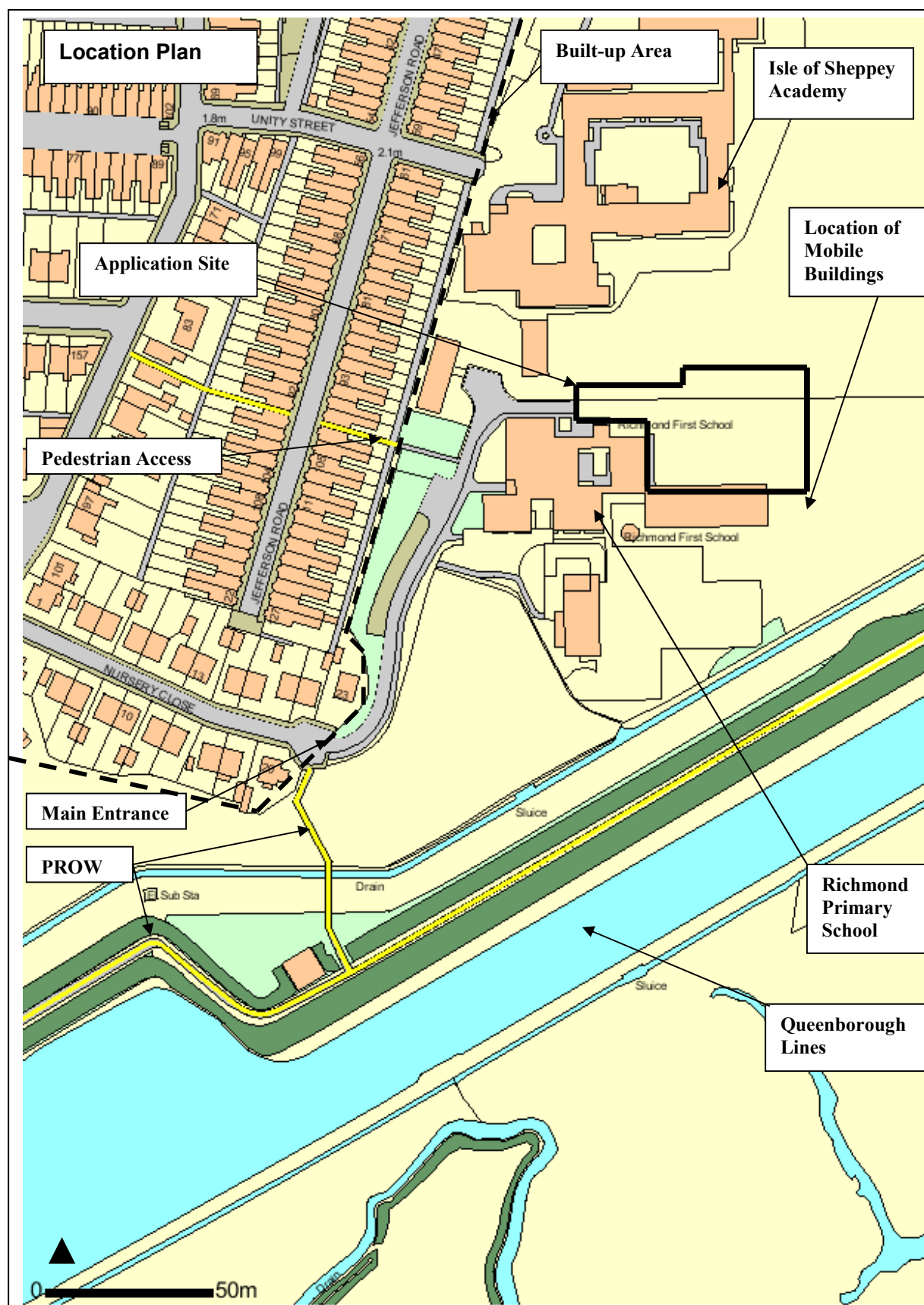
**Site**

1. The application site forms part of an existing school playing field within Richmond Primary School. The school grounds are located to the south east of Sheerness, outside the boundary of the built-up area, as defined in the Swale Borough Local 2008. The primary access is via Nursery Close, a small residential cul-de-sac; a second pedestrian access enters the site via a Public Right of Way off Jefferson Road. Residential streets flank the school grounds to the west. To the north of the application site is the Isle of Sheppey Academy, which is currently subject to a separate planning application seeking to redevelop the Academy under the Building Schools for the Future programme. To the south and east are the Queenborough Lines, a wide water-filled canal and earth works constructed in the 1860s to defend the dockyards at Sheerness. This landscape feature is currently being considered for statutory protection as a Scheduled Monument. Another Public Right of Way runs along the banks of the canal connecting with Nursery Close adjacent to the main school entrance. Beyond the canal is the Minster Marshes Local Wildlife site. Please see the attached site location plan.
2. The wider Sheerness area (north west of the Isle of Sheppey), including the school grounds, falls within an area of increased risk of flooding from the sea (Flood Zone 3 – 1 in 200 or greater annual probability) as defined by the Environment Agency.
3. The school grounds cover an area of 1.88 ha with the application site situated north of the footprint of the existing school buildings. The main school is largely a flat roofed building dating from the 1960's, with a single story pitched roof extension dating from 2003 and a separate nursery building built in 2006. East of the main school two large mobile buildings are sited on part of the school playing field.

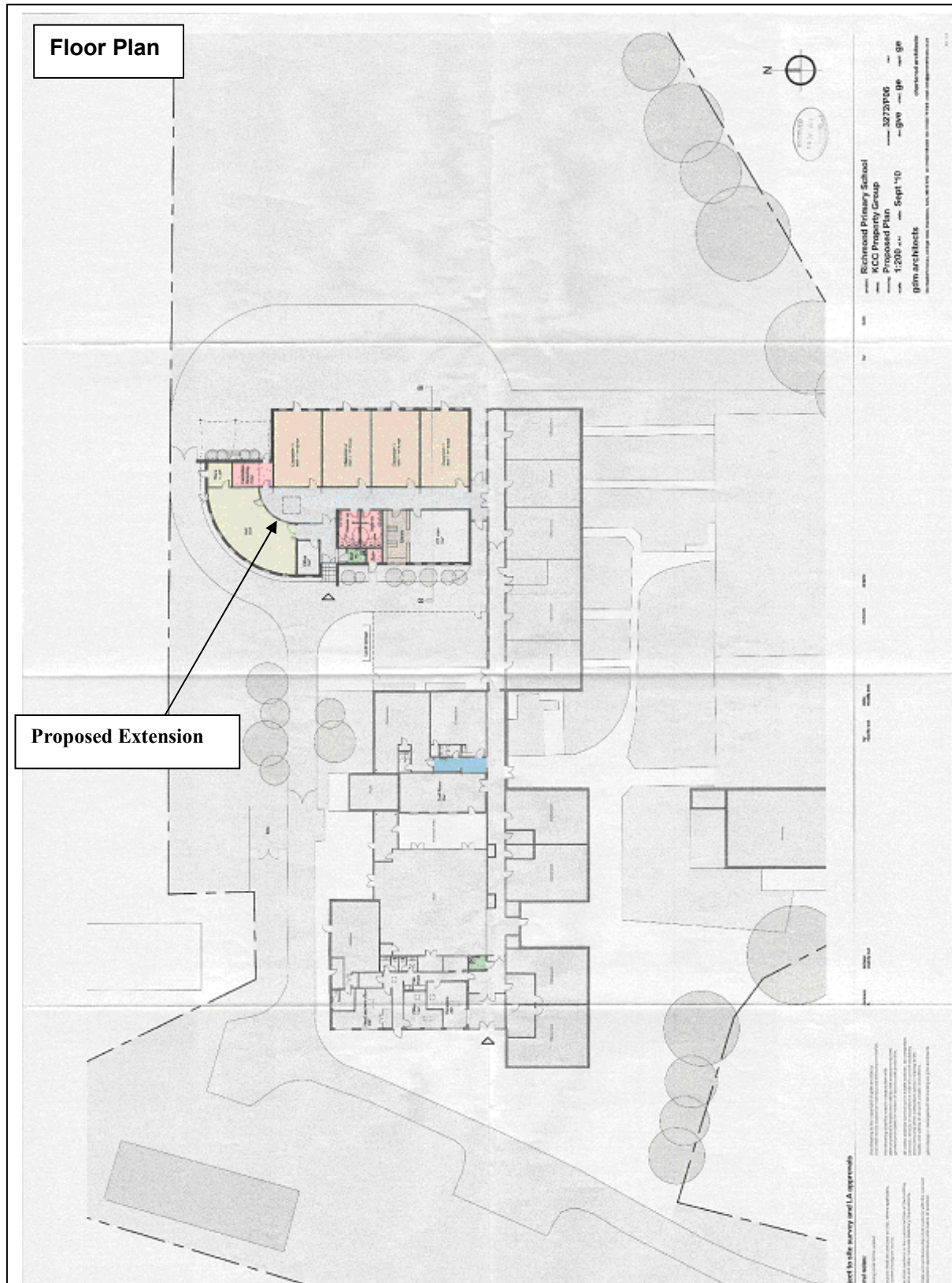
# **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**



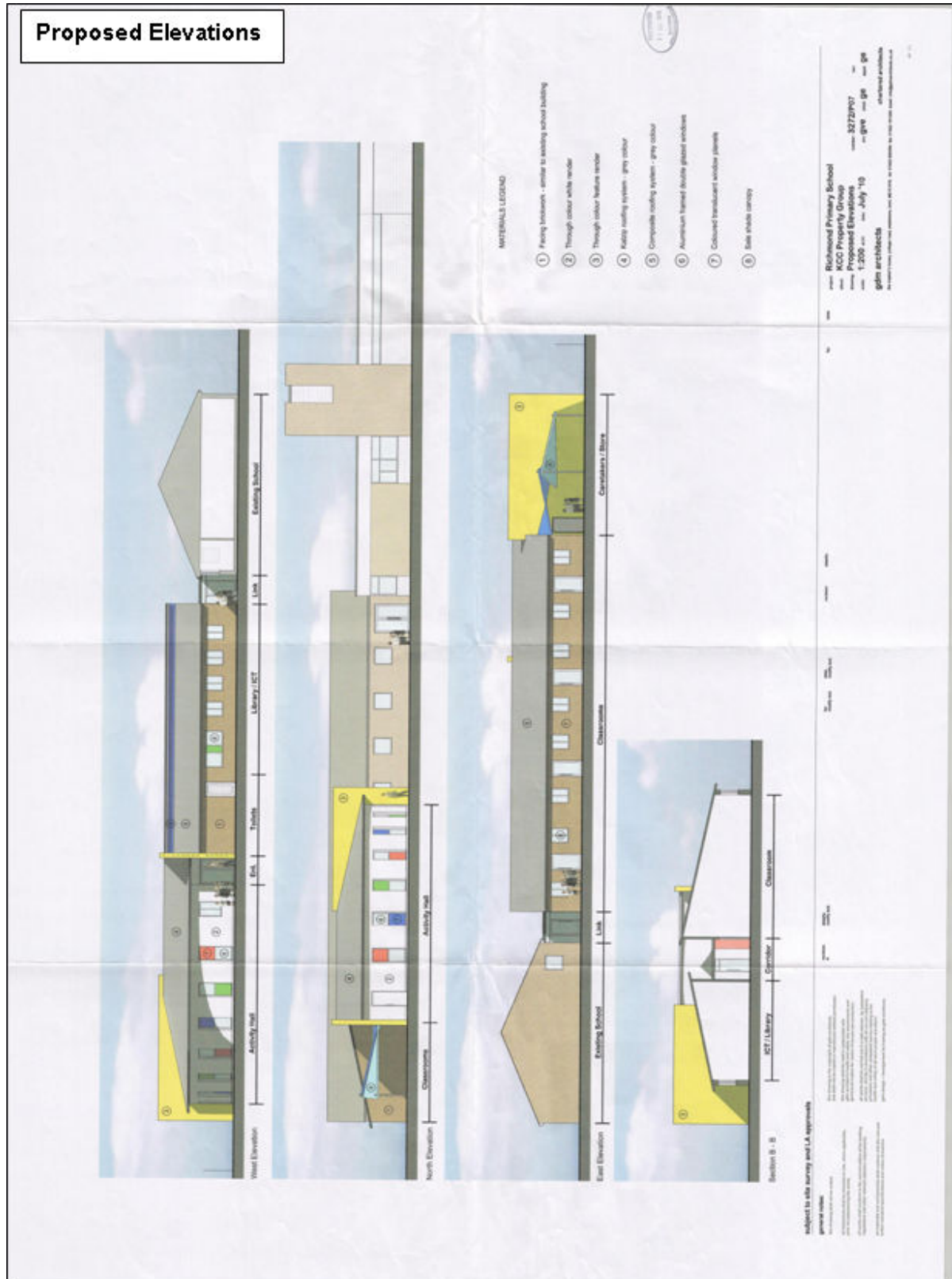
# **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**



# **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**



# **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**





## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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### **Background**

4. Commencing in September 2008 the education system on the Isle of Sheppey changed from a three tier (First, Middle and Secondary Schools) to a two tier system (Primary and Secondary Schools). At this time the site (formerly Richmond First School) became Richmond Primary School; a two form entry Primary School accommodating 420 pupils aged 4 – 11 years. The changes to the education system resulted in 4 new classes being housed within the school; the school roll rose from approximately 280 pupils. In 2008 the two mobile buildings referred to above were permitted (under planning reference SW/08/351) for a temporary period ending 2013. This application enabled the school to accommodate the additional pupils. At the time the application made clear the School's aspirations to replace the mobile classrooms with permanent accommodation; the current application forms this proposal.
5. In addition to the mobile buildings referred to above, the recent planning history for the school site includes a small extension to the front elevation in 2007 (reference SW/07/1134), and construction of a nursery facility in 2004 (reference SW/04/1545).

### **Proposal**

6. The application seeks planning permission for the creation of a single storey extension to the north of the existing school buildings. The proposed extension would provide 4 replacement classrooms for those currently accommodated in mobile buildings, along with a small activity hall, an information communication and technology (ICT) room, library, small office and caretaker accommodation, storage and bathrooms. The footprint of the proposed development would cover approximately 600m<sup>2</sup>, which currently forms an unused part of the school playing field. The application also includes formation of a new tarmac play area and associated footways, along with the removal of existing mobile buildings on completion of the proposed extension. The area occupied by the mobile buildings would be restored to a grassed area as part of the main school playing field. The application also includes details of a plan for the internal refurbishment of part of the school. This element of the proposal does not require planning permission as there are no material changes to the exterior of the building.
7. The proposed extension is being made to improve the teaching accommodation currently provided within mobile classrooms and provide associated ancillary facilities for the existing school roll. The application would not result in an increase in the number of pupils attending the school.
8. The design of the proposed building is a single storey pitched roof construction reflecting an existing extension completed in 2003. The building would be constructed using a steel frame with brickwork to match existing materials. Feature walls (shown in yellow) divide the teaching block from the curved entrance and activity hall. This curved section of the building is shown with a white rendered finish. The roof would be constructed using a composite metal roofing system in grey; windows would be aluminium framed double glazed units. The extension is designed to ensure a high standard of sustainability; seeking to achieve a standard similar to a 'Very Good' BREEAM assessment rating. The proposal

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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would also be designed to comply with Disabled Discrimination Act and building regulations ensuring inclusive access.

### **Additional Information Received From Applicant**

9. In response to representations received concerning the highways implications of the proposal the applicant's agent comments as follows:

*'Both the replacement classrooms and the new hall are to provide accommodation for existing student numbers. **It is not proposed, as a result of this development, to increase student or staffing numbers.***

*Accordingly, it is not necessary for this application to address parking issues outside of the school devise, as the proposals do not in any way affect current circumstances. They are considered neutral in this respect.*

*The School is a responsible neighbour in Nursery Close and it should be noted that the school is only a part contributor to the use of the road, and generally only at times of 'drop off' and 'pick up'. Parents are discouraged from driving up to the school gates, which are locked daily 30 minutes before pick up and drop off times. Staff who are unable to park within the school grounds park away from Nursery Close to avoid causing congestion.*

*The School, separate to this application, have actively considered ways in which to assist in easing their parking shortfall and the access problem on Nursery Close. Accordingly, a scheme to reorganise and extend the existing 'on grounds' parking has been designed to increase provision within the gated area, providing on site parking for staff and visitors.*

*This increased parking proposal does not require planning consent for it to be implemented and although not actually part of the extension application, the School is looking to go ahead with these works and for the parking to be available for use before the new extension is completed.'*

10. Further to the above statement the applicant's agent has confirmed there are 20 existing car parking spaces within the site delivered through the formal parking and informal arrangements. The proposed scheme is to provide a protective mesh to a grass area on site, extending the available car parking to approximately 47 spaces including dedicated disabled bays. This work is to be carried out under the School's Permitted Development Rights.
11. The County Planning Authority has recently received a second application on behalf of the School for improvements to the car parking provision. This application will be considered separately from the current proposal. The new application includes the resurfacing and formal layout of the existing car park, improvements to the access road and the formalization of part of the parking area identified to be covered with the protective mesh.

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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12. In addition to the above, the Head Teacher has advised that the School's Travel Plan will be taken to School Governors for review early in 2011.

### **Planning Policy**

13. The most relevant Government Guidance and Development Plan Policies summarised below are pertinent to the consideration of this application:

- (i) **National Planning Policy and Guidance** – the most relevant National Planning Policies are set out in:

**PPS1** (Delivering Sustainable Development), **PPS5** (Planning for the Historic Environment), **PPS7** (Sustainable Development in Rural Areas), **PPG13** (Transport), **PPG17** (Planning for Open Space, Sport and Recreation), **PPS23** (Planning and Pollution Control) and **PPS25** (Development and Flood Risk).

- (ii) The adopted 2009 **South East Plan**:

**Policy CC1** Seeks to achieve and maintain sustainable development in the region.

**Policy CC6** Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.

**Policy C4** Seeks to protect open countryside by ensuring all development respects and enhances local landscape character, securing appropriate mitigation where damage cannot be avoided.

**Policy BE5** Seeks new development in rural communities to be subject to design and sustainability criteria so that the distinctive character of the area is not damaged; seeks to protect or extend key local services and protect landscape setting.

**Policy S3** Seeks to ensure the adequate provision of pre-school, school, and community learning facilities.

Note that as a result of the judgement in the case brought by Cala Homes in the High Court, which held that the powers set out in section 79 [6] of the Local Democracy, Economic Development and Construction Act 2009 could not be used to revoke all Regional Strategies in their entirety, Regional Strategies (the South East Plan in the case of Kent) were re-established as part of the Development Plan on 10 November 2010. Notwithstanding this, DCLG's Chief Planner Steve Quartermain advised Local Planning Authorities on 10 November 2010 that they should still have regard to the Secretary of State's letter to Local Planning Authorities and to the Planning Inspectorate dated 27 May 2010. In that letter he had informed them of the Government's intention to abolish Regional Strategies in the Localism Bill and that he expected them to have regard to this as a material consideration in any planning decisions. The 10th November 2010 Quartermain Letter is now being challenged in the High Court and must in my view carry very little weight until such time as the as the Court decision is known. This is currently expected in late January.

Department of Communities and Local Government advice on this matter reads



## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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'Local planning authorities and planning inspectors should be aware that the Secretary of State has received a judicial review challenge to his statement of 10 November 2010, the letter of the Chief Planner of the same date and to the Secretary of State's letter of 27 May 2010 on the ground that the Government's intended revocation of Regional Strategies by the promotion of legislation for that purpose in the forthcoming Localism Bill is legally immaterial to the determination of planning applications and appeals prior to the revocation of Regional Strategies.

The Secretary of State is defending the challenge and believes and is advised that it is ill founded. Nevertheless, pending determination of the challenge, decision makers in local planning authorities and at the Planning Inspectorate will in their determination of planning applications and appeals need to consider whether the existence of the challenge and the basis of it, affects the significance and weight which they judge may be given to the Secretary of State's statements and to the letter of the Chief Planner'.

### **(iii) Swale Borough Local Plan (2008) Policies:**

- Policy SP1** In meeting the development needs of the Borough, proposals should accord with principles of Sustainable Development, including minimising impact on the environment, ensuring provision of community infrastructure, supporting existing local services, and a high quality of design that respects local distinctiveness.
- Policy SP2** Requires development proposals to protect and enhance the special features of the visual, aural, ecological, historical, atmospheric and hydrological environments of the Borough and promote good design in its widest sense.
- Policy SP5** Development proposals within the countryside will seek to increase self sufficiency and satisfying local needs, whilst protecting the character of the wider countryside. Seeks high design standards that respond positively to the character and form of the countryside, protecting the countryside from unnecessary development, and permit innovative proposals that increase the viability of existing rural services.
- Policy SP7** Seeks the provision of new community facilities and services.
- Policy TG1** Within the Thames Gateway Planning Area, amongst other matters, development should seek to provide adequate community facilities as well as raising environmental standards through high quality design and the better management of environmental resources.
- Policy E1** Development proposals should, amongst other matters, seek to reflect the positive characteristics of the locality; protect and enhance the natural and built environments; be well sited and of a scale, design and appearance that is appropriate to its location; cause no demonstrable harm to residential amenity and other sensitive uses.
- Policy E4** Seeks to minimise the degree of risk of flooding, either to, or arising from, the development, presumes against development that would give rise to adverse impacts upon, or increased risk to, human life, ecosystems,

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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- habitats and development.
- Policy E6** The quality, character and amenity value of the wider countryside of the Borough, will be protected and where possible enhanced. Development proposals will be developed where they provide a service/ necessary community infrastructure to meet the essential needs of the local community.
- Policy E7** At the edge of urban settlements with countryside land beyond, development will not be permitted which would result in encroachment or piecemeal erosion of land or its rural open and undeveloped character.
- Policy E9** Seeks to protect the quality, character and amenity of the wider landscape, through development that is sympathetic to, and minimises impact on local landscape character.
- Policy E13** Development proposals will protect, conserve and, where appropriate, enhance the landscape, environmental quality, biodiversity and recreational opportunities of the coast, whilst respecting those natural processes such as flooding, erosion and sea level rise that influence this Zone.
- Policy E16** Development will not be permitted which would adversely affect a Scheduled Ancient Monument or its setting.
- Policy E19** Seeks development to be of high quality design that responds positively to creating safe, accessible, and attractive places; enriching the qualities of the existing environment by promoting local distinctiveness and strengthening the sense of place; appropriate to its context in respect of scale, height and massing; making best use of texture, colour, pattern and durability of materials; and achieving flexibility to respond to future changes in use, lifestyle and demography.
- Policy E20** The Borough Council expects proposals to integrate security and safety measures within their design and layout.
- Policy T3** Seeks new proposals to provide appropriate vehicle parking.
- Policy T4** Seeks new development to give special attention to the needs of pedestrians and cyclists, including appropriate cycle parking facilities.
- Policy C1** Supports proposals for new or improved community facilities.

### **Consultations**

14. **Swale Borough Council:** raises no objection, subject to conditions covering the submission of a scheme of flood resilience measures, a scheme for the disposal of surface water, details of external materials, a landscaping scheme and measures to ensure the

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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approved landscape scheme is successfully implemented.

**Divisional Transportation Manager:** raises no objection to the application in respect of highway matters, subject to conditions covering the submission of details of contractors parking and delivery space during construction, precautions to prevent the deposit of mud on the highway, and ensuring the provision of the cycle parking shown in the application.

The Divisional Transportation Manager notes *'that residents of Nursery Close have raised highway concerns over the proposals being considered, particularly in respect of an increase in traffic and on parking demand. However, this application does not increase the number of pupils or staff that will attend the school, as it merely replaces some of the undesirable temporary buildings with more appropriate permanent structures, and improves the range of facilities being provided to pupils within the school. With the same number of staff and pupils attending the school, vehicle movements and parking will remain as existing, so there will be no adverse impact upon the highway.'*

*Therefore, whilst residents may have issues with the amount of traffic and parking that currently takes place within the Close, it would be unreasonable to refuse this application on highway grounds.'*

**Kent Highway Services, School Travel Plan Team:** confirm that Richmond School has a Travel Plan in place, which was last reviewed in April 2009. The Plan seeks to improve highway safety, reduce car dependency and congestion around the school, and encourage more sustainable modes of transport. The School Travel Plan Team will continue to work with the School to help review and update the plan in the future.

**Sport England:** raises no objection to the application on the grounds that the proposed development would not result in the loss or affect the use of any playing pitches within the school's playing field.

**The Environment Agency:** raises no objection subject to conditions relating to the submission of a scheme of flood damage prevention measures and details of surface water drainage being imposed on any decision.

The Agency notes that the development lies within Flood Zone 3a; considered to be at high risk from tidal flooding and on this basis Planning Policy Statement 25 requires that any application for development in such area is accompanied by a Flood Risk Assessment (FRA). However, given the site is already in use as a school and the proposals would not significantly increase the number of pupils in attendance, the Agency considers there would be no increase in the vulnerability of the users of the site from flooding (particularly as the building is intended to replace temporary structures) and are not insisting on the production of a FRA in this instance.

The Agency recommends all appropriate flood resilience measures are incorporated into the new extension to reduce the impact of any flood damage. Including raising floor levels as high as practicable, the electrical supply being brought in at a high level and water resistant surfaces used where possible. They recommend that a flood evacuation plan be prepared and is implemented.

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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**County Archaeologist:** raises no objection; advising that in view of the scale of the proposal and the nature of the known archaeological potential in the area, no archaeological fieldwork measures would be necessary.

The County Archaeologist notes that the proposals involve works potentially within the setting of a nationally important monument, the Queenborough Lines, which is being considered for designation as a Scheduled Monument, and recommended consulting English Heritage.

**English Heritage:** raises no objection, subject to a recommendation that a more discreet colour (than the yellow shown in the drawings) is selected for the rendered feature walls, which are raised slightly above the existing roof line.

English Heritage note that the development site lies adjacent to the historic fortification of the Queenborough Lines. *'The Lines are a rare surviving example of a defence structure dating from the 1860s, built in order to defend the dockyard at Sheerness from landward attack. They are of national importance and area currently being considered for designation as a Scheduled Monument.'*

English Heritage considers that the proposed development would have minimal impact on the setting of the Queenborough Lines, subject to the above recommendation. Noting that the proposed extension lies north of the school site and should largely be shielded from views to and from the Queenborough Lines by the existing buildings to the south.

### **Local Member**

15. The local County Member for Sheerness, Mr K Pugh, was notified of the application on 21 October 2010.

### **Publicity**

16. The application was publicised by the posting of a site notice, and the notification of 35 individual residential properties.

### **Representations**

17. In response to the publicity 3 letters of representation and a petition with 25 signatories has been received; chiefly from addresses in Nursery Close. A copy of the letter covering the petition is included within Appendix A below.

In addition a letter has been received from the Member of Parliament for Sittingbourne and Sheppey, Mr Gordon Henderson MP, who registers support for the above mentioned petition and requests assurances that ways are sought *'to address the understandable concerns of local residents about parking in the immediate area surrounding Richmond Primary School.'*

The key points raised within all representations received can be summarised as follows:

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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- Raises concern that over the last few years Richmond Primary School has undergone a major re-organisation, becoming a two form entry primary school with an additional nursery facility, resulting in a significant growth in pupil numbers, and in turn the level of traffic associated with the site.
- Points out that a recent OFSTED report highlights that the school is larger than the averaged sized primary school.
- Notes the volume of traffic associated with the school using a small residential road has increased significantly. Considers that Nursery Close is unable to cope with the existing traffic levels. Points out that residents are unable to move their cars on or off their drives during peak school travel times due to the volume of traffic and inconsiderate parking. With vehicles parked down one side of the road and bollards on the pavement on the other side it has become difficult to manoeuvre vehicles in the road.
- Notes other traffic pressures on the Close and surrounding roads include people attending the adjacent allotments off Nursery Close, 'dog walkers' accessing the canal bank via the Public Right of Way, students attending the Academy parking their cars, alongside all other deliveries to the school grounds, potentially including construction traffic.
- Notes the parking facilities within the school are not adequate to meet the school's needs resulting in staff parking on the public highway, particularly in Nursery Close.
- Asks that before any work to extend Richmond Primary School is carried out adequate car parking should be provided.
- Considers that there is insufficient space within the grounds to provide adequate additional parking facilities.
- Asks whether any traffic surveys have been carried following the increase in the size of the school?
- Raises concern that emergency vehicles will not be able to access Nursery Close or the School during peak travel times.
- Raises no objection to the development; however has great concern about parking outside the school. Notes that parents ignore no parking signs and road markings; double parking outside the school gates. Considers that parking fines would make some difference to a difficult situation.

### Other considerations

- Raises concern about dog walkers, using Public Right of Way that links the Nursery Close to the canal, leaving dog mess in the footways.

## **Discussion**

18. The application seeks planning permission for the creation of a single storey extension to provide 4 replacement classrooms, a small activity hall, an ICT room, library, small office and caretaker accommodation, storage and bathrooms. The proposal is being reported to the Planning Applications Committee as a result of objections received from nearby residents, raising concern about the volume of traffic generated in association with the school and its impact on surrounding residential roads (please see paragraph 17).

**Single storey extension at Richmond Primary School,  
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19. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (13) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
20. In my opinion, the key material planning considerations in this case can be summarised by the following:
- location and design considerations;
  - highway considerations (including impacts on Public Rights of Way); and
  - flood protection.

**Location and design considerations**

21. The Richmond Primary School grounds are located outside of the built confines of Sheerness, as defined in the Swale Borough Local Plan Proposals Map. The grounds also fall within an area identified at the edge of the urban settlement that is subject Local Plan Policy E7, which seeks to prevent encroachment on the openness of the countryside. As such any development proposed is subject to a number of Development Plan Policies that seek to protect the character and open nature of the countryside. The broad thrust of these policies presumes against development and seeks to preserve and/or enhance the countryside for its own sake, subject to a limited number of exceptional circumstances.
22. Swale Borough Local Plan Policies SP5, E7 and E9 seek to protect the countryside from unnecessary development and preserve the open character of the landscape. Policies SP1, SP5, E6 and C1 seek to support the provision of new and enhanced community services that increase self sufficiency and support local needs, subject to a high standard of design that responds positively to local characteristics. Policy E6 seeks to protect the character of the countryside, setting out that development will only be permitted that enables communities to meet there essential needs or provides necessary community infrastructure.
23. The application proposes to develop an extension to an existing school building that seeks to improve the accommodation and facilities provided by the school. The proposal aims to meet an established need for permanent accommodation for classes that are currently held in temporary buildings. On this basis, I am satisfied that the application would support the provision of an important local community service and as such would meet the circumstances set out within Development Plan Policies that would enable the consideration of a development outside the designated urban area.
24. The single storey extension would replace 2 large temporary buildings, permitted by the County Planning Authority in 2008 (under reference SW/08/351). These buildings are sited in an open location on the school playing field, east of the footprint of the school buildings. The extension is proposed north of the existing school buildings and as such would be largely screened from wider views on 3 sides by existing development on site and within the grounds of the adjacent Isle of Sheppey Academy. The proposed footprint is closer to the

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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existing main school building than the mobile buildings it would replace, therefore reducing the spread of the built footprint on site. The proposed extension would be visible to the east, however due to existing landscaping, views from the Public Right of Way and Queenborough Lines would be limited and at a distance. From this direction the extension would be viewed in the context of the existing built development on site. Taking the above considerations into account, I am satisfied that the proposed extension would not have a significant impact on the open character of the landscape. Through the removal of the mobile buildings the proposal would reduce encroachment on the playing field, and in turn land designated as open countryside.

25. Notwithstanding the above, I consider that the design of the proposed extension, that includes use of a variety of materials, feature walls and a curved built form, would enhance the overall appearance of the school, adding visual interest whilst complementing the existing built development. The mobile buildings that would be replaced, by the nature of their design, are not considered to be appropriate for long term retention in this location. I note Swale Borough Council comments including the recommendation that submission of a landscape scheme be a condition of any planning permission. I am happy to support this recommendation and consider that the provision of appropriate landscape works will help to integrate the building into the surrounding environment.
26. I note English Heritage's comment that the proposed use of a bright yellow render to the feature walls would potentially increase the buildings visibility in the context of the adjacent Queenborough Lines, and support the recommendation that a more subtle colour should be selected. The applicant's agent has stated that *'the colour of the feature wall has not yet been confirmed but is intended to be a primary colour, providing focus and identity to the new entrance.'* Should the application be formally approved a condition requiring details of all external materials for approval would allow control over the colour scheme, ensuring that an appropriate choice is reflected in the final design.
27. In my opinion the design of the building would be of a standard that would enhance the character of the existing school buildings. Consequently, I am satisfied that the proposal, in terms of its location and design, would accord with the provisions of the Development Plan Policies in place.

### **Highway considerations**

28. The key objections to the application, raised by local residents, relate to traffic problems on the local highway network, and in particular Nursery Close; a narrow residential cul-de-sac that forms the main vehicle access route to the school grounds. The highway issues raised include access and manoeuvring problems within the Close created by the volume of traffic attempting to travel on and park in a small residential street. It should be noted that whilst the school undoubtedly adds a number of vehicle movements onto the local highway, particularly at peak school travel times, the school is not the only contributor to the issues highlighted. Letters received from residents note that people accessing the adjacent allotments and public footpath network add to the day to day traffic associated with the houses within the Close.

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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29. The objections received highlight the changes to the school that took place in 2008, when the site was adapted from a middle school to a two form entry primary school as part of the reorganisation of the education system on the Isle of Sheppey. This change increased the staff and pupil numbers by 4 classes. Whilst these changes will have impacted on the number of people attending the site and potentially the vehicle movements associated with the school, these changes have long since been accepted and do not form part of this proposal. Should the current application be refused there would no reduction in numbers of people attending the site, the additional classes would continue to be accommodated within the mobile buildings at least until 2013.
30. The proposed development seeks to replace these mobile classrooms with suitable permanent accommodation and ancillary facilities to support the educational use. The proposal would not result in an increase in the current school roll; with the mobile classrooms being removed from site on completion of the extension should planning permission be granted.
31. The Divisional Transportation Manager was consulted on the application, and provided with copies of all the representations received from nearby residents. I note that he raises no objection to the application, subject to conditions covering the submission of details of contractor's parking and associated facilities during construction, precautions to prevent the deposit of mud on the highway, and the provision of the cycle parking shown in the application. He concludes that, *'With the same number of staff and pupils attending the school, vehicle movements and parking will remain as existing, so there will be no adverse impact upon the highway. Therefore, whilst residents may have issues with the amount of traffic and parking that currently takes place within the Close, it would be unreasonable to refuse this application on highway grounds.'*
32. On the basis that the number of staff and pupils would remain the same it would be difficult to sustain a material planning objection to the application on highway grounds, or justify a requirement for any substantial contribution to improvements to the existing highway arrangements on the back of this proposal.
33. Notwithstanding this, the School were made aware of the concerns being raised and has replied on the highway issues (please see paragraphs 9-12). It is clear from the response that the School are aware of the problems experienced by local residents and are committed to help improve the traffic congestion connected to the site where practicable. The response sets out a planned expansion to the car parking within the school grounds that is due to take place independent from this application. The proposal is to provide additional overflow car parking for 27 vehicles in the near future; well in advance of the proposed extension should this be afforded planning permission. The additional capacity would be created by laying grass reinforcement mesh to provide additional parking spaces adjacent to the existing car park. This work would be carried out under the School's permitted development rights and as such does not require express planning permission. In addition to this the County Planning Authority has also recently received a separate planning application to resurface the existing car park and an adjacent area with tarmacadam to provide formal parking facilities. This application formalises 7 of the additional 27 spaces referred to above.



**Single storey extension at Richmond Primary School,  
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34. Swale Borough Local Plan Policy T3 seeks new development to provide appropriate off-street vehicle parking in accordance with Kent Vehicle Parking Standards. Whilst this guidance note fell away with the County Council's Structure Plan in 2009 the provisions are still widely accepted as good practice. The parking standards provide a clear steer on the maximum number of spaces that should be provided in connection with a Primary School, in line with Government guidance that parking should be kept to a minimum so as not to encourage unsustainable patterns of travel. In this particular instance the maximum provision for a site of this size would be approximately 55 spaces. The school currently provides approximately 20 parking spaces on site. The extended car parking facilities, to be provided under permitted development rights, would bring the total to 47 spaces within the school grounds.
35. In addition to the improvements to the vehicle parking on site, the Head Teacher has confirmed that the School's Travel Plan will be reviewed by the School's Governors in the New Year. The Plan aims to improve highway safety, reduce car dependency, reduce congestion around the school and encourage more sustainable modes of transport. The Travel Plan process represents the best option to influence peoples travel choices by helping to facilitate more sustainable travel options. The School is unable to control people's travel choices, however by raising awareness of the issues and problems created, and working towards set aims for the site, it can help to ease the conflicts.
36. In my opinion the proposed improvements to on site car parking coupled with a continued commitment to the School Travel Plan process will help to ease the traffic congestion highlighted by local residents. I wholly support the Divisional Transportation Manager's recommendation that, should permission be granted, conditions covering details of the contractor's parking and operational space are provided for approval, precautions to prevent mud on the highway are provided on site during construction and that the cycle parking indicated in the application is provided. On the basis of the above considerations, I would not raise a planning objection to the proposals on highway grounds.

**Flood protection**

37. The school grounds fall within an area of increased risk of flooding from the sea (Flood Zone 3 – 1 in 200 or greater annual probability). As the statutory consultee the Environment Agency raises no objection to the application, subject to conditions relating to the submission of a scheme of flood resilience measures and details of surface water drainage.
38. The Agency notes that the development lies within Flood Zone 3a, however, given the site is already in use as a school and the proposals would not significantly increase the number of pupils in attendance, the Agency considers there would be no increase in the vulnerability of the users of the site from flooding (particularly as the building is intended to replace temporary structures).
39. On the basis of the Agency's recommendations and subject to conditions recommended, I am satisfied that the proposed development would represent an opportunity to improve the flood resilience of the school through the removal of temporary structures.

## **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

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### **Conclusion**

40. In conclusion, I consider that the proposed extension would be an acceptable addition to the school buildings; the design is of a high standard that would enhance the visual appearance of the existing development on site. The footprint of the extension is close to the existing buildings and the proposal would replace existing mobile buildings that are sited further into the school's playing field. On this basis I am satisfied that the application would maintain the open character of the location and would be an acceptable development on land designated as countryside. The application would not result in an increase in the number of people attending the site and would therefore not materially change/ add to any highway congestion associated with the site.
41. I am satisfied that the application accords with the relevant Development Plan Policies in place, and therefore recommend that planning permission be granted subject to conditions set out below.

### **Recommendation**

42. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- submission of a scheme of flood resilience measures;
- submission of a scheme for the disposal of surface waters;
- submission of details of external materials;
- submission of a landscaping scheme and measures to ensure the scheme is successfully implemented;
- submission of details of contractors compound, parking and associated facilities during construction;
- precautions to prevent the deposit of mud on the highway;
- hours of operation during construction work;
- provision of the cycle parking shown in the application; and
- removal of the mobile buildings within 1 month of first occupation of the extension.

### Informatives

- that the school ensure that the flood evacuation plan for the site is adapted to include the extension;
- recommending that the School Travel Plan is subject to ongoing monitoring and review.

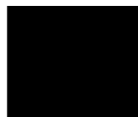
Case Officer: James Bickle	Tel. no: 01622 221068
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Background Documents: see section heading
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# **Single storey extension at Richmond Primary School, Nursery Close, Sheerness - SW/10/1377**

## **Appendix A – Letter covering petition received from residents of Nursery Close, including 25 signatures.**

2<sup>nd</sup>. November 2010



ACK	
LEAFLET SENT	

Dear Sir/Madam,

Reference your letter PAG/SW/10/TEMP/0038 dated 26<sup>th</sup>. October 2010 - a letter that only some in the neighbourhood were aware of.

Having lived in Nursery Close, Sheerness since before the school in question was built we have seen the ever increasing problems that are arriving.

Before any work to extend Richmond Primary School is carried out the first consideration must be to provide an adequate car park. At the moment Nursery Close is the recognised car park and there are already problems for us who live here. There has been the problem of parents parking across private drive ways whilst they go to the school to collect their children, add this to 'dog walkers' leaving cars in Nursery Close before taking the short cut to the Canal bank.

Nursery Close is a very small street embracing just 23 houses and is used by the gardeners who need to get on the adjoining allotments. The allotments are thriving which means a few more cars using up valuable space. Deliveries to the existing school have regularly churned up the pavement on one side and to combat this the council have set metal bollards into the pavement making it very difficult to reverse a car into one's own driveway.

Nursery Close is the main thoroughfare for not only its residents but for parents picking up their children, dog walkers, allotment holders, school teachers and delivery vehicles (often HGV) so if any extension or addition is to be made to the existing Primary School car parking must be made a priority.

Any increase in the size of the school must go hand in glove with an increase in traffic including the notable increase in students from the academy driving their own car adding further to the problem.

Nursery Close cannot cope now with the traffic. At times with cars already parked on one side of the road and the bollards on the other it becomes difficult to manoeuvre your own car on to your own drive way. Any further increase will surely have an affect on ambulances and fire engines should the need arise.

We are rate payers helping to finance the proposed work and because of this work we will probably be taking away the right to be able to park our cars in the vicinity of our home. If the planners deem it necessary to increase the size of Richmond Primary School then that is fine, but don't stop there, include an adequate car park to compliment the increase.

Yours faithfully  
Mr. and Mrs. B. Payne



For and on behalf of other residents. See attached.

Copy to Mr. Gordon Henderson MP.



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**E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT  
PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS -  
MEMBERS' INFORMATION**

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Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

**Background Documents** - The deposited documents.

AS/10/1352	Variation of condition 2 of AS/96/933 to extend the date for cessation of mineral extraction until 31 Dec 2015 and for the completion of restoration until 31 Dec 2017. Charing Quarry, Hook Lane, Charing, Ashford
GR/10/533	Temporary use of land at Red Lion Wharf for wood storage and comminution for recycling and recovery. Red Lion Wharf, Crete Hall Road, Northfleet, Gravesend
TM/08/3762/R1	Details of reinstatement scheme following removal of part of access track pursuant to condition (1) of TM/08/3762. Arnolds Lodge Farm, East Peckham Quarry, Hale Street, East Peckham

**E2    CONSULTATIONS ON APPLICATIONS SUBMITTED BY DISTRICT COUNCILS OR GOVERNMENT DEPARTMENTS DEALT WITH UNDER DELEGATED POWERS - MEMBERS' INFORMATION**

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Since the last meeting of the Committee, I have considered the following applications and - decided not to submit any strategic planning objections:-

**Background Documents** - The deposited documents.

None

**E3     COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS**  
**PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS**  
**MEMBERS' INFORMATION**

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Since the last meeting of the Committee, the following matters have been determined by me under delegated powers:-

**Background Documents** – The deposited documents.

AS/09/867/R4	Details pursuant to condition 4 (external materials) of planning permission AS/09/867 for extension, adaptation and alteration of the school building. Beaver Green Primary School, Cuckoo Lane, Ashford
AS/10/1092	Provision of 2 no. double mobile classroom units with toilet facilities and hard play area. The John Wesley Church of England Methodist Primary School, Wesley School Road, Singleton, Ashford
CA/10/193/R3&R4	Details of external materials pursuant to condition (3) and automated vehicle access gates pursuant to condition (4) of planning permission CA/10/193. Littlebourne Primary School, Church Road, Littlebourne, Canterbury
DA/09/681/R4	Details pursuant to condition (4) of planning permission DA/09/681 in respect of a Construction Environmental Management Plan. Long Reach Sewerage Works, Marsh Street, Dartford
DA/09/681/R5	Details pursuant to condition (5) of planning permission DA/09/681 in respect of a Construction Method Statement. Long Reach Sewerage Works, Marsh Street, Dartford
DA/09/681/R6	Details pursuant to condition (6) of planning permission DA/09/681 in respect of a scheme to investigate and manage the risks associated with potential contamination at the site. Long Reach Sewerage Works, Marsh Street, Dartford
DA/10/776/R4	Details pursuant to condition (4) of planning permission DA/10/776 in respect of a Construction Environmental Management Plan. Long Reach Sewerage Works, Marsh Street, Dartford
DA/10/776/R5	Details pursuant to condition (5) of planning permission DA/10/776 in respect of a Construction Method Statement. Long Reach Sewerage Works, Marsh Street, Dartford
DA/10/776/R6	Details pursuant to condition (6) of planning permission DA/10/776 in respect of a scheme to investigate and manage the risks associated with potential contamination at the site. Long Reach Sewerage Works, Marsh Street, Dartford
DA/10/1394	Construction of a Tarmacadam football pitch to grass area. Maypole Primary School, Franklin Road, Dartford

GR/09/680/R3A	Partial discharge of external materials pursuant to condition (3) of planning permission GR/09/680. Gravesend Library, Windmill Street, Gravesend
GR/09/680/R4	Details of library shop-front signage and lettering pursuant to condition (4) of planning permission GR/09/680. Gravesend Library, Windmill Street, Gravesend
GR/09/680/R6	Details of construction drawings of new library front elevation pursuant to condition (6) of planning permission GR/09/680. Gravesend Library, Windmill Street, Gravesend
MA/10/1422	Single storey extension and internal alterations incorporating a new library, office, accessible toilet, kitchen, reception, stores and associated external works. Ulcombe C of E Primary School, The Street, Ulcombe, Maidstone
MA/10/1860	Change of use from agricultural land to D1 school playing field land. Land at Collier Street, Collier Street, Marden, Tonbridge
MA/10/1915	Replacement of a 90 metre section of fencing adjacent to Ham Lane with 1.2 metre high hoop topped metal railings, finished in green. Lenham Primary School, Ham Lane, Lenham, Maidstone
SE/09/2089/R	Non-material amendment to planning permission SE/09/2089 including relocation of plant room to south-east corner, amendments to external ramps and relocation of oil storage tank. Hever C of E Primary School, Hever Road, Hever, Edenbridge
SE/09/2089/R4	Details pursuant to condition 4 (landscaping) of planning permission SE/09/2089 for construction of new classroom buildings. Hever C of E Primary School, Hever Road, Hever, Edenbridge
SH/09/822/R32	Temporary relaxation of working hours from 23/11/2010 to 18/12/2010 to allow construction operations to take place between the hours of 0700 and 1800, Monday to Friday, and hours of 0800 and 1630 on Saturdays, pursuant to condition (32) of planning permission SH/09/822. The Marsh Academy, Station Road, New Romney
SW/10/473/R3,4,6,7	Details pursuant to Condition 3 (materials), Condition 4 (landscaping), Condition 6 (flood damage prevention measures) and Condition 7 (disposal of surface water) of planning permission SW/10/473 - Demolition of temporary buildings and erection of a new early years and nursery building and main school extension. Rose Street Primary School, Rose Street, Sheerness
SW/10/705	Proposed main hall extension consisting of classroom block and small hall and extension to hard play area. West Minster Primary School, St. Georges Avenue, Sheerness
TH/10/297/R7,15,17	Request for approval of details pursuant to conditions 7 (submission of archaeology watching brief specification), 15 (statement of community use) and 17 (school travel plan) of planning permission TH/10/297. Newlands Primary School, Dumpton Lane, Ramsgate



TH/10/463	Section 73 application for relocation of proposed Cottington Lagoon from original position under planning application TH/05/964 in order to comply with wording in condition (8). East Kent Access Phase 2, Port Richborough Business Park, Sandwich
TH/10/962	Erection of a 2.2 metre high, green Barbican fencing along the eastern boundary and part-way along the northern boundary and the installation of vehicle and pedestrian gates. The Westwood Centre, Enterprise Road, Westwood Industrial Estate, Margate
TH/10/963	Meeting room and classroom extension. Cliftonville Primary School, Northumberland Avenue, Cliftonville, Margate
TM/10/2597	Demolition of existing 1 bay mobile classroom building and replacement with 2 bay temporary timber-framed classroom building. Wrotham Secondary School, Borough Green Road, Wrotham
TM/10/2930	Extension to the existing car park. Mereworth Community Primary School, The Street, Mereworth, Maidstone
TM/10/3072	Extension to the front elevation to increase the existing staff accommodation. Lunsford Primary School, Swallow Road, Larkfield, Aylesford
TW/10/276/R6&R7	TW/10/276/R6&R7 - Details of protected species surveys for reptiles, badgers and bats pursuant to condition (6) and details of archaeological scoping report pursuant to condition (7) of planning permission reference TW/10/276 – Proposed demolition of existing dining hall, re-configuration of car parking area, new kitchen and hall extension at ground floor adjacent to existing hall, extension at upper level to form one new classroom and demolition of temporary building adjacent to proposed works. St Matthews High Brooms CEP Primary School, Powdermill Lane, Tunbridge Wells

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS**

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**Background Documents –**

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*
- *DETR Circular 02/99 – Environmental Impact Assessment.*

- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-

KCC/AS/0459/2010 – New planning application for alternative proposal for new Primary School wing (originally granted planning permission under consent AS/10/380) and consequential changes to floor plans, elevations and external works to facilitate a phased development at The Wyvern School, Great Chart Bypass, Great Chart.

KCC/SE/0433/2010 – Construction of a single storey extension to the reception area. Hever CEP School, Hever Road, Hever, Edenbridge

Variation of condition 11 of planning permission SE/08/2141 Greatness Integrated Waste Management Facility to amend pre-settlement contour plans to allow for an increased settlement rate of up to 25% (in part retrospective) and minor amendments to the post settlement contours to ensure long term integrity of the landfill cap at Greatness Quarry, Bat & Ball Road, Sevenoaks.

KCC/TW/0434/2010 - Redevelop existing school site to provide a new 3/4 storey Academy. Alterations and additions to existing sports centre. Retention of existing CDT block. External provision of new floodlit all weather pitch on Site 2, 165 car parking spaces and 164 cycle spaces (to replace existing provision), an external amphitheatre, dining terrace and energy centre on Site 1. Relocation of floodlit multi-use games areas. Reconfiguration of bus set down area and the provision of hard and soft landscaping.

The Skinners Kent Academy, Land East of Blackhurst Lane, and between Sandown Park & Pembury Road, Tunbridge Wells

- (b) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does constitute EIA development and the development proposal does need to be accompanied by an Environmental Statement:-

None

**E5    TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS**

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- (b)     Since the last meeting of the Committee the following scoping opinions have been adopted under delegated powers.

**Background Documents -**

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.*
- *DETR Circular 02/99 - Environmental Impact Assessment.*

None

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