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.

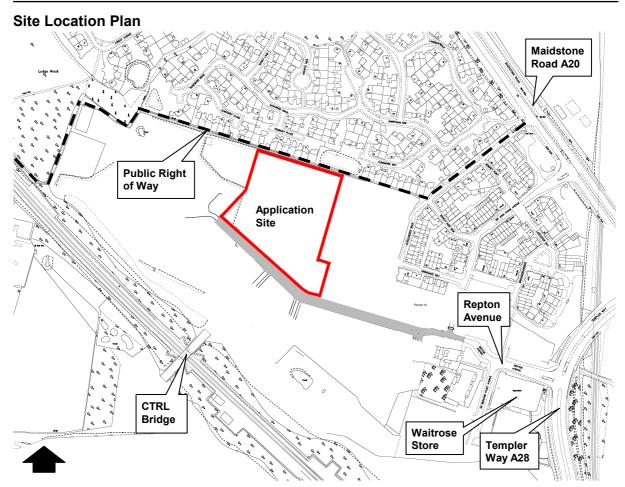
Recommendation: Subject to any further views of Ashford Borough Council if received by the Committee Meeting, permission be granted subject to conditions.

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 formers 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 180metres 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.



Sketch Master Plan for Repton Park Development with school site overlaid



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

Site Layout Plan

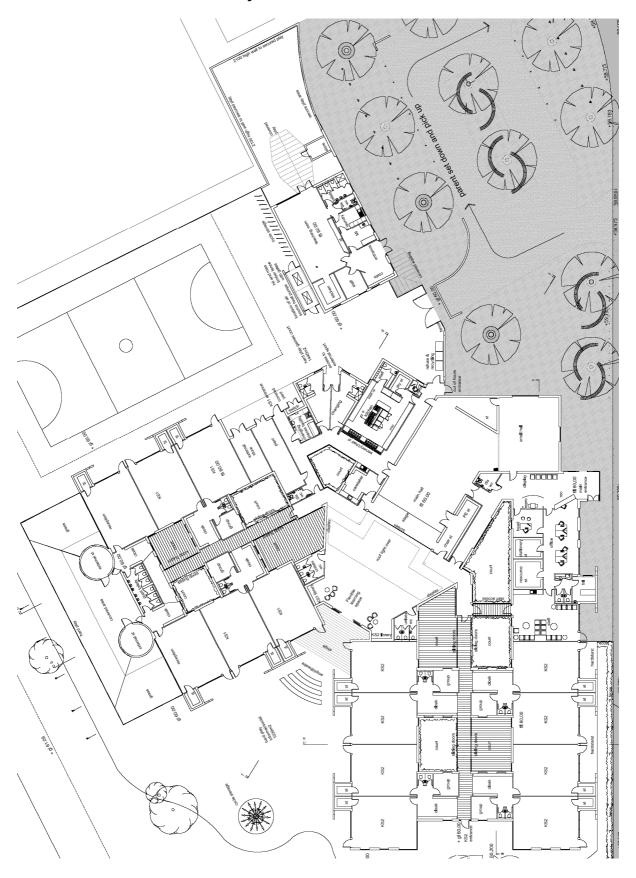
NB. The parts of the building to be constructed as phase 2 are shaded in light grey.



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.

Floor Plans of school and nursery



Item D2

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





Section B-B

Elevation to Street



ion looking from Hard Play Cou

Item D2

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











Side Elevation looking from Staff Car Park





Section A-A





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.

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:

Policy SP1	Identifies East Kent and Ashford as a sub-region which would be a
	focus for growth and regeneration.
Policy SP2	Policies and proposals that support and develop the role of regional

hubs will be included in local development documents.

The prime focus for development in the South East should be

Policy SP3 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.

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

Policy CC4 The design and construction of all new development will be expected to adopt and incorporate sustainable construction standards and techniques.

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

Policy CC7 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.

Policy T4 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.

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

Policy NRM4 Confirms that the sequential approach to development in flood risk areas set out in PPS25 will be followed.

Policy NRM5 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.

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 Supports measures for developing and shaping healthy sustainable communities, including: community access to amenities such as

	open spaces and physical recreation activity; and healthier forms of transport.			
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 S5	Promotes increased and sustainable participation in sport, recreation and cultural activity.			
Policy S6	Encourages the mixed use of community facilities, and requires community facilities to be located and designed appropriately.			
Policy W2	Requires development design, construction and demolition which minimises waste production and associated impacts.			
Policy EKA1	Within the East Kent and Ashford sub-region n ew development will be primarily accommodated through the expansion of Ashford and other main settlements.			
Policy EKA2	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 reestablished 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'.

(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.

- 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.
- 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.

(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 onto 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

- 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

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 runoff 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:

- 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

- 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.

<u>Please note:</u> 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

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

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.

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 taking 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

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.





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



- 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

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 and 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

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.

<u>Archaeology</u>

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,

- 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	01622 221051	
Background documents - See section heading		