



## **AGENDA**

### **PLANNING APPLICATIONS COMMITTEE**

**Tuesday, 18th March, 2008, 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***

#### **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 - 12 February 2008 (Pages 1 - 6)
4. Site Meetings and Other Meetings

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

1. New validation requirements for planning applications (Pages 7 - 16)

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

1. Application TM/07/4435 - Removal of Condition 14 of Permission TM/06/762 at Blaise Farm Quarry Composting Facility, Kings Hill, West Malling; New Earth Solutions Ltd (Pages 17 - 32)
2. Application SH/07/1655 - Temporary use of the site (weekend only) to provide an area for the stationing of a refuse freighter and an open-back collection vehicle for the purpose of accepting bulky household waste, and the placing of recycling containers outside the boundary fence for collection by Shepway DC at Land at former goods yard, Station Road, Lydd; KCC Waste Management (Pages 33 - 48)

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

1. Proposal SH/07/1496 - Single storey modular building with a flat roof for use as a Children's Centre, including installation of a canopy, storage units, fencing and external impact absorbent play area plus replacement of toilet facilities connected to existing nursery at Children's Centre at St Nicholas Primary School, Fairfield Road, New Romney, Romney Marsh; KCC Children, Families and Education (Pages 49 - 64)
2. Proposal CA/08/78 - Single storey modular building for Children's Centre at Swalecliffe Community Primary School, Bridgefield Road, Whitstable; KCC Children, Families and Education (Pages 65 - 74)

3. Proposal TW/07/4011 - Floodlit synthetic turf hockey pitch, including fencing at Tunbridge Wells Girls Grammar School, Southfield Road, Tunbridge Wells; Governors of Tunbridge Wells Girls Grammar School and KCC Children, Families and Education. (Pages 75 - 94)
4. Proposal SE/07/3859 - Single storey extension and improvements to access in accordance with the Disability Discrimination Act at Leigh Community Primary School, The Green, Leigh, Tonbridge; Governors of Leigh Community Primary School and KCC Children, Families and Education (Pages 95 - 102)
5. Proposal TM/08/211 - Two-storey extension to St Peter's Lodge to provide additional learning space on both floors at St Peter's CE Primary School, Mount Pleasant, Aylesford; Governors of St Peter's CE Primary School and KCC Children, Families and Education (Pages 103 - 110)
6. Proposal SE/08/132 - Front lobby extension at Seal Primary School, Zambra Way, Seal, Sevenoaks; Governors of Seal Primary School and KCC Children, Families and Education. (Pages 111 - 120)

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

1. County matter applications (Pages 121 - 130)
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. Detailed submissions under Channel Tunnel Rail Link Act 1996 (None)
5. Screening opinions under Environmental Impact Assessment Regulations 1999
6. 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.)*

Monday, 10 March 2008

## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 12 February 2008.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mr T J Birkett (substitute for Mr A R Poole), Mrs V J Dagger, Mr J B O Fullarton, Mr T Gates, Mr C Hibberd, Mrs S V Hohler, Mr G A Horne, MBE, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr R A Marsh, Mr J I Muckle, Mr W V Newman and Mr F Wood-Brignall.

ALSO PRESENT: Mr A D Crowther

OFFICERS: The Head of Planning Applications Group, Mrs S Thompson (with Mr J Crossley and Mr J Wooldridge); the Development Planning Manager, Mr A Ash; and the Democratic Services Officer, Mr A Tait.

#### UNRESTRICTED ITEMS

**7. Minutes**

*(Item A3)*

RESOLVED that the Minutes of the meeting held on 15 January 2008 are correctly recorded and that they be signed by the Chairman.

**8. Site Meetings and Other Meetings**

The Committee noted that the site visits scheduled for 27 February 2008 and 11 March 2008 had been cancelled.

**9. Applications TM/07/4014, TM/07/3920 and TM/03/3946/R27 – (i) new compound area comprising leachate storage tanks, portable cabin, compressor, fencing, gates and associated planting; (ii) variation of Conditions 2, 3, 4, 7, 10, 28, 30 and 31 of Permission TM/03/3946; and variation of Condition 27 of Permission TM/03/3946 to allow movement and placement of soils between November 2007 and March 2008 at Offham Landfill Site, Teston Road, Offham, West Malling; Waste Recycling Group Ltd. *(Item C1 – Report by Head of Planning Applications Group)***

(1) The Head of Planning Applications Group reported in respect of Application TM/07/3920 that the proposal to vary Condition 7 of Permission TM/03/3946 had been withdrawn. This would necessitate consequential amendments to Condition 4.

(2) Ms C Innes (from Offham PC) and Mr M Balfour (local resident) addressed the Committee in opposition to the application. Mr P Green (WRG) spoke in reply.

(3) Mr A R Bassam moved, seconded by Mr J I Muckle that the recommendations of the Head of Planning Applications Group be agreed.

(4) Mrs S V Hohler moved, seconded by Mr G A Horne that there be no variation of Condition 10 of Permission TM/03/3946.

*Amendment carried 13 votes to 2*

(5) During discussion of this item the Committee agreed to an additional condition that should an emergency gas flare prove to be necessary it could only be installed with the permission of the Head of Planning Group in consultation with the Chairman. It also agreed an Informative that it would wish to see improved measures, to prevent mud from the site getting on to the public highway.

(6) RESOLVED that:-

- (a) permission be granted to Application TM/07/4014 (new environmental compound comprising leachate storage tanks, portable cabins, compressor, fencing, gates and associated planting, subject to conditions including conditions covering potential noise emissions (including at night); a landscaping scheme being submitted for the prior written approval of the County Planning Authority prior to commencement of operations on site (to include details of under-storey planting along the site boundary with Teston Road); except in the case of emergencies, leachate tankers only being permitted to enter and leave the site and being filled between the hours of 08:00 to 18:00 hours Monday to Friday, and 08:00 to 13:00 on Saturday, with no working on Sundays and Bank Holidays; removal of compound site when final restoration, gas and leachate activities cease on site; restoration of land to suitable afteruse consistent with the main planning permission; removal of structures and hardstandings within the site; materials and colour of site office (green), structures and closeboarded fencing; and measures to protect groundwater (eg., suitable containment for leachate tanks);
- (b) permission be granted to Application TM/07/3920 for the variation of conditions 2, 3, 4, 28, 30 and 31 of Permission TM/03/3946 subject to conditions including conditions covering the extent of the internal access haul road being agreed in writing with the County Planning Authority; and Landscaping works; together with an Informative advising that the location of any emergency gas flare that may be required to control landgas on the site shall only be located in a position that has been approved by the County Planning Authority;
- (c) permission be refused for that part of Application TM/07/3920 for the variation of Condition 10 (type of waste deposited at the site to allow "clean water sludge" as well as compost) on the grounds of the likely unacceptable odour impact on amenity, contrary to Policy W18 of the Kent Waste Local Plan and Policy NR5 of the Kent and Medway Structure Plan;
- (d) approval be given pursuant to condition 27 of Permission TM/03/3946 to allow the movement, placement and handling of soils between the months of November 2007 to April 2008 (inclusive) subject to conditions including conditions covering soil movement; placement and handling operations on site ceasing if weather and ground conditions become inappropriate; and imported materials, or those used from within the site, being uncompacted and of a type that would provide a suitable drainage medium above the cap; and
- (d) the applicants be informed by Informative that the Committee would wish to see improved measures to prevent mud from the site getting on to the public highway.

**10. Application TH/07/1441 – Concrete plinth and kiosk to house the motor control centre, including electrical equipment used to control a wastewater pumping station on Public Open Space to the north of Cliff Terrace, Margate; Southern Water Services Ltd.**

*(Item C2 – Report by Head of Planning Group)*

(1) The recommendations of the Head of Planning Applications Group had previously been circulated to all Members of the Committee.

(2) RESOLVED that permission be granted to the application subject to conditions, including conditions covering the standard time condition; no part of the building opening or encroaching onto or overhanging the public highway; the materials used in the new high level wall matching the materials in the low level wall; and the development being carried out in accordance with the permitted details.

**11. Proposal CA/07/836 – Outline application for new 1 form entry Primary School (capable of being converted to 2 form entry at a later date), children's centre, Vocational Training Centre, multi-use games area and student residential accommodation at The Canterbury Campus, Knights Avenue, Canterbury; Governors of the Canterbury Campus and KCC Children, Families and Education.**

*(Item D1 – Report by Head of Planning Applications Group)*

(1) The Head of Planning Applications Group informed the Committee that the word "layout" should be substituted for "design" in the second bullet point of the recommendations.

(2) RESOLVED that outline planning permission be granted to the proposal subject to conditions covering the standard time limit for outline permissions; the submission of details relating to the reserved matters of layout, external appearance of the proposed buildings and landscaping and boundary treatment of the site; hours of working during construction and demolition; detailed ecological surveys assessing the potential of the site to house protected species, namely Great Crested Newts and Invertebrates; the submission of mitigation and enhancement measures for Reptiles, including a survey of the receptor site; submission of ecological enhancement measures for the whole site; tree protection and clearance of the site outside of bird breeding seasons; submission of updated Travel Plans; implementation of a programme of archaeological work; submission and approval of details of foul sewerage and surface water disposal; no occupation of the development until Southern Water are satisfied that the necessary infrastructure is in place; submission of a desktop study regarding land contamination; and submission of a scheme for the disposal of foul and surface waters.

**12. Proposal SW/07/1360 – Single storey modular building for use as a community children's centre, including the installation of fencing, pathways, hard play area and staff car parking at Minster-in-Sheppey Primary School, Brecon Chase, Minster-on-Sea, Sheppey; KCC Children, Families and Education.**

*(Item D2 – Report by Head of Planning Applications Group)*

(1) Mr A D Crowther was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) RESOLVED that permission be granted to the proposal subject to conditions covering the standard time limit; the development being carried out in accordance with the permitted details; submission of a Travel Plan for the Children's Centre prior to commencement of the use of the Centre, and its implementation and ongoing review;

details of external materials being submitted; details of a scheme of landscaping being submitted; details of cycle parking being submitted; details of foul and surface water drainage; replacement car parking being provided prior to commencement of use of the Centre; hours of use for the Children's Centre being restricted to 0800 to 1800 Monday to Friday; and the use of the building being restricted specifically to use as a Children's Centre only.

**13. Proposal TW/07/2426 – Replacement 5 classroom primary school with nursery, external hard landscaping and car parking for Sissinghurst Primary School at Common Road, Sissinghurst; Canterbury Diocesan Board of Education and KCC Children, Families and Education.**

*(Item D3 – Report by Head of Planning Applications Group)*

(1) The Committee welcomed the applicants' intention to achieve the highest standard of design possible.

(2) RESOLVED that the application be referred to the Secretary of State for Local Government and Communities as a departure from the Development Plan and that subject to her giving no direction to the contrary, permission be granted to the proposal, subject to conditions including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; details of external materials being submitted, including solar panels; details of external lighting; community use; details of all fencing, means of enclosure and gates, including exact positioning; a scheme of hard and soft landscaping, its implementation and maintenance including details of the transplanting of trees and the surfacing of the Public Right of Way; tree protection; details of the footpath between the school and Cleavers with regard to levels and tree protection; protection of nesting birds; protection of bats during tree removal; mitigation for badgers; detailed mitigation for dormice; detailed mitigation for reptiles; recommendations of ecological Surveys/Reports; biodiversity enhancement measures, management plan and monitoring programme; programme of archaeological work; provision and retention of car parking; provision and retention of pathway; availability of the pick up/drop off facility; bound surfacing of the access/car park; provision of cycle parking; extension of 30 mph speed limit and traffic calming methods; the provision and retention or visibility splays; no gates being erected within 5.5m of the highway; the provision of 'school keep clear' markings; details of parking for site personnel; preparation, implementation and ongoing review of a revised School Travel Plan; hours of working during construction; measures to prevent dust; and measures to prevent mud and debris on the highway.

**14. County Matters dealt with under Delegated Powers**

*(Items E1-E6 – Reports by Head of Planning Applications Group)*

RESOLVED to note reports on items dealt with under delegated powers since the last meeting relating to:-

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils or Government Departments;
- (c) County Council developments;
- (d) detailed submissions under Channel Tunnel Rail Link Act 1996 (None);

Tuesday, 12 February 2008

- (e) screening opinions under Environmental Impact Assessment Regulations 1999; and
- (f) scoping opinions under Environmental Impact Assessment Regulations 1999 (None).

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**Item B1****New Validation Requirements for Planning Applications**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 March 2008.

To advise Members on the introduction of new planning procedures taking effect from April 2008, relating to the validation of planning applications and the provision of new forms for the electronic submission of planning applications.

Recommendation: Members approve the draft local list of validation requirements and the carrying out of public consultation.

**Local Member(s):** All

**Classification:** Unrestricted

**Background**

1. Important changes are being introduced by Government with effect from 6 April 2008, designed to streamline the planning application process by providing for planning applications to be submitted electronically and for Planning Authorities to adopt a consistent approach in their information requirements for determining planning applications.
2. The electronic submission initiative involves the use of standardised planning application forms as prescribed by Government. Hitherto, Planning Authorities have devised their own application forms on the basis of their own interpretation of the legislative requirements and their own information requirements. As a result, the content and format of application forms has varied across the country, although in Kent there has long been broad consistency in the documentation across the county, following earlier coordination by the Kent Planning Officers' Group. Henceforth, all applications must use the national forms, but can be submitted in electronic format, either by the Council's own website or via the Planning Portal website as an intermediary. Applications can still be submitted in hard copy, as long as the new forms themselves are used.
3. The information requirements initiative seeks to achieve consistency in the *validation* procedures that Planning Authorities follow. Validation is the process by which the Planning Authority decides whether it has sufficient and correct information with which to proceed to process an application. Hitherto, Planning Authorities have declined to entertain incomplete or inadequately supported applications, again on the basis of their own interpretation of the legislative requirements and their own information requirements. As a result, there has been some criticism of inconsistency and uncertainty for planning applicants, with some planning applications arguably unduly delayed from being processed and therefore determined. To minimise such uncertainty and potential delays, all Planning Authorities are now required to adopt new nationally consistent validation criteria. It is this latter initiative that this report is chiefly concerned with, since the new application forms are a mandatory requirement with very little latitude for adjustment or refinement at the local level.

**Proposals**

4. Following ongoing research and pilot studies over the last few years, the Department of Communities and Local Government produced its latest guidance document on *The Validation of Planning Applications* in December 2007. The stated aim is to "provide a quicker, more predictable and efficient planning service," by "introducing a new standard

## New Validation Requirements for Planning Applications

electronic application form” and “new information requirements for the validation of planning applications.” The guidance is designed to implement Section 42 of the Planning and Compulsory Purchase Act 2004, and proposed amendments to the Town and Country Planning (General Development Procedure) Order 1995 will make these mandatory requirements for Planning Authorities and prospective planning applicants/agents.

5. The changes affect all types of planning related applications, including outline and full applications, approval of reserved matters (following outline consents), Listed Building consent, Conservation Area consent, advertisement consent, works to protected trees, certificates of lawful development, prior notification for telecommunications, etc. and variation of conditions. For County Planning Authorities (which deal with applications for minerals, waste and the county councils’ own developments) the range of relevant applications is restricted to outline, full, reserved matter, lawful development and variation of conditions. Determination of all the other types of application is the responsibility of the District Planning Authorities in Kent. Nevertheless, the information necessary for the County Planning Authority to validate and to assess the applications it receives can be equally far reaching in terms of its scope and content. Note that a separate application form for minerals operations has yet to be published, but is expected to come into effect in October 2008.
6. The Guidance sets out a national list of statutory information requirements for each type of application, but makes special 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 that locality. However, the Guidance implies that any local list should only include items selected from the Guidance’s prescribed list.
7. The national list includes the following documents:
  - 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.

Failure to supply the above information will result in the application being declared invalid. However, Planning Authorities are unable henceforth to treat applications as invalid if they meet these statutory minimum requirements, unless and until they have adopted a local list of further information requirements.

8. Planning Authorities are therefore encouraged to devise and adopt a list of local requirements either before 6 April 2008 or as soon after as they are able to. As already mentioned, the local requirements themselves should be selected from a list already prepared and included in the Guidance, with the possible exception of where the Planning Authority has some special local justification. To ensure further countywide consistency in the local requirements, the Development Control Forum of the Kent Planning Officers’ Group has jointly produced draft documentation for the *Validation of Planning Applications*, together with Validation Checklists of each of the 25 types of application that are dealt with.

## New Validation Requirements for Planning Applications

9. The **Validation of Planning Applications** document is too large to append to this Report in full, but a copy of the full document is available in the Members' rooms and available on request. A skeleton version of it is appended herewith as follows:

**Section 1** - an explanation of the new procedures and requirement;

**Section 2** – lists of the national information requirements and of the local information requirements for validation, including the Planning Policy Statement and Development Plan Policy justifications for the selected documentation [*substantially abbreviated here*];

**Section 3** – *Validation Checklists* for each of the different types of application, including the mandatory national requirements and the discretionary local requirements [*only the standard planning application checklist included here*].

The documents included within Section 2 very largely are drawn from the list of local requirements prescribed in the Government guidance, although some additional relevant documentation has been added in by the Kent Planning Authorities following discussions between the Kent District Councils and with other County Planning Authorities. However, it remains unclear as to how far additional documentation can be added to the local list, rather than requested of the applicant under the existing Town and Country Planning (Applications) Regulations 1988 as post-validation information, since it seems a largely worthless exercise to simply reproduce the prescribed list.

10. The Guidance recommends that Planning Authorities consult with 'relevant stakeholders' on their proposed local list, and provide a minimum period of 6 weeks for responses before formally adopting such lists. Responses should be reviewed and reported back to the relevant Committee before formally adopting a local list. Only thereafter would a Planning Authority's local list have any currency and be capable of being used in validating applications. Unless or until such a list is adopted, the Planning Authority cannot refuse to entertain any application that actually complies with the bare minimum (ie. national) information requirements. Whilst a Planning Authority will still be able to require further information in order to assess the proposals, typically as a result of consultations on the application, it should be noted that once an application has been validated then the time clock for its determination commences. Under the circumstances, I consider that it is crucial that the County Council adopts a local list as soon as possible and this report is the first step in that process.
11. The relevant stakeholders suggested in the Guidance include all statutory consultees (such as the Environment Agency, Natural England, other Planning Authorities, etc.), Parish/Town Councils, relevant voluntary and community groups, and agents/applicants' forums. Given the magnitude of parties potentially involved or interested across a County the size of Kent, I would intend to use the Councils' website to invite comments from those other than the statutory consultees. The Guidance also requires that Councils publish their adopted local lists on their websites, and review the lists every 3 years.

### Issues

12. The new procedures are generally to be welcomed for introducing some consistency and transparency to the planning decision process, but these important changes do have significant cost and resource implications in terms of implementation and administration. The extensive consultation exercise suggested by the Guidance is itself

## New Validation Requirements for Planning Applications

an onerous undertaking for a County as large as Kent, with several hundred other organisations and authorities that might reasonably be regarded as stakeholders.

13. Whilst the move to electronic submissions is also to be welcomed, the scale and complexity of many applications handled by County Planning Authorities, means that IT systems could quickly become overloaded with the submission of heavyweight documentation, especially if consultations are to be conducted electronically as well. Considerable costs could also be incurred in reproducing large size plans, Environmental Statements, etc. in hard copy, given that it is not practicable to assess and compare many large format drawings on screen, and certainly not on site, especially where accurate measuring and scaling is called for. Consultee bodies such as the parish councils will face similar problems in having to reproduce electronically transmitted drawings in order to assess them, since planning consultation involves considerably more than simply exchanging emails.
14. The prescribed electronic application form usefully provides greater consistency, but is disappointingly much longer than the existing documentation used across Kent without much more useful information being included. That is largely because the aim is to have one multi-use application form to cover all types of application and all types of development. When completed on-screen the new 1APP Form will automatically shrink to fit the type of application, but those applicants requesting paper versions will need the full 12 page version, which many applicants might find rather daunting.
15. Since the minerals version of the application form is yet to be published, our existing forms and guidance on minerals application will continue to be used in the interim. However, the currently published 1APP Form has to suffice for all waste applications, despite having scant coverage of some vital waste planning information. In particular details of volumes and throughputs of material, depths, rates of extraction/infilling and processing, access design, screening and planting, amenity issues (including noise, dust, odour, traffic, etc) and Environmental Impact Assessment and Appropriate Assessment are normally required in support of such applications.
16. Whilst the main objective of the changes is to streamline the planning application process, the mandatory list of national information requirements for validation remains woefully inadequate, despite representations from Planning Authorities. In particular, all Planning Authorities will have no option but to add to the *national* list with a plethora of documentation in their *local* list, simply to comply with all the relevant planning determination factors that other Government legislation and guidance already requires of them. Any simplification of the planning process is therefore purely illusory, other than for the most minor of applications.
17. Moreover, there is a danger that many of the stakeholders in the planning decision process may want to use this opportunity to 'up' their own information requirements, which might well actually run counter to simplifying or speeding up the process for applicants. Early responses from stakeholders so far has indicated that some agents will argue that the new requirements are too demanding and costly to comply with, whereas some consultee bodies would prefer more thorough supporting evidence to inform the planning decision process. Clearly, in reacting to the proposed consultation exercise, it will be important therefore for Planning Authorities to seek a balance between applicants wishing to submit as little information as they consider necessary/affordable and any consultee bodies intending to rely on the planning process to further develop their own baseline data records by imposing overly onerous requirements.

## **New Validation Requirements for Planning Applications**

18. Notwithstanding the daunting length of the combined national and local list of validation requirements, there remain some significant gaps in the technical information necessary to properly assess waste development applications. Under the circumstances, it will be necessary to require such further information under the existing provisions of the Town and Country Planning (Applications) Regulations 1988, where applicants have not supplied it, and if it cannot be incorporated in our local list at this stage. The main difference will be that such applications will in future be technically valid, albeit still inadequately supported for proper assessment, and any time taken up in awaiting such information will count as formal processing time and might well affect our overall performance statistics.

### **Conclusion**

19. I strongly advise that a local list of validation requirements for County Matter planning applications and County Council development applications be adopted as soon as practicable, including carrying out the recommended public consultation. A further report will be presented to the Planning Applications Committee in due course, outlining the results of the consultation exercise, with a view to adopting a final version of the local list.

### **Recommendation**

20. I RECOMMEND that Members:

- APPROVE the draft local list of validation requirements for the planning applications that the County Planning Authority is responsible for determining;
- APPROVE the carrying out of consultations on the draft local list of validation requirements with relevant stakeholders; and
- NOTE the introduction of the new planning application forms coming into effect on 6 April 2008.

Case Officer – Jerry Crossley
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01622 221052
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Background Documents – The Validation of Planning Applications: Guidance for Local Planning Authorities (December 2007) Department for Communities and Local Government.
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## **Item D3**

**Floodlit all weather pitch and extension of existing non-floodlit multi-use games area, The North School, Ashford – AS/06/2277**

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**Floodlit all weather pitch and extension of existing non-floodlit multi-use games area, The North School, Ashford – AS/06/2277**

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**Floodlit all weather pitch and extension of existing non-floodlit multi-use games area, The North School, Ashford – AS/06/2277**

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SECTION C  
MINERALS AND WASTE DISPOSAL

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

**Item C1**

**Application for removal of condition 14 of planning permission TM/06/762 at Blaise Farm Quarry Composting Facility, West Malling, Kent – TM/07/4435**

A report by Head of Planning Applications Unit to Planning Applications Committee on 18 March 2008.

Application by New Earth Solutions Ltd for removal of condition 14 of planning permission TM/06/762 at Blaise Farm Quarry Composting Facility, West Malling, Kent.

Recommendation: Permit subject to amended condition.

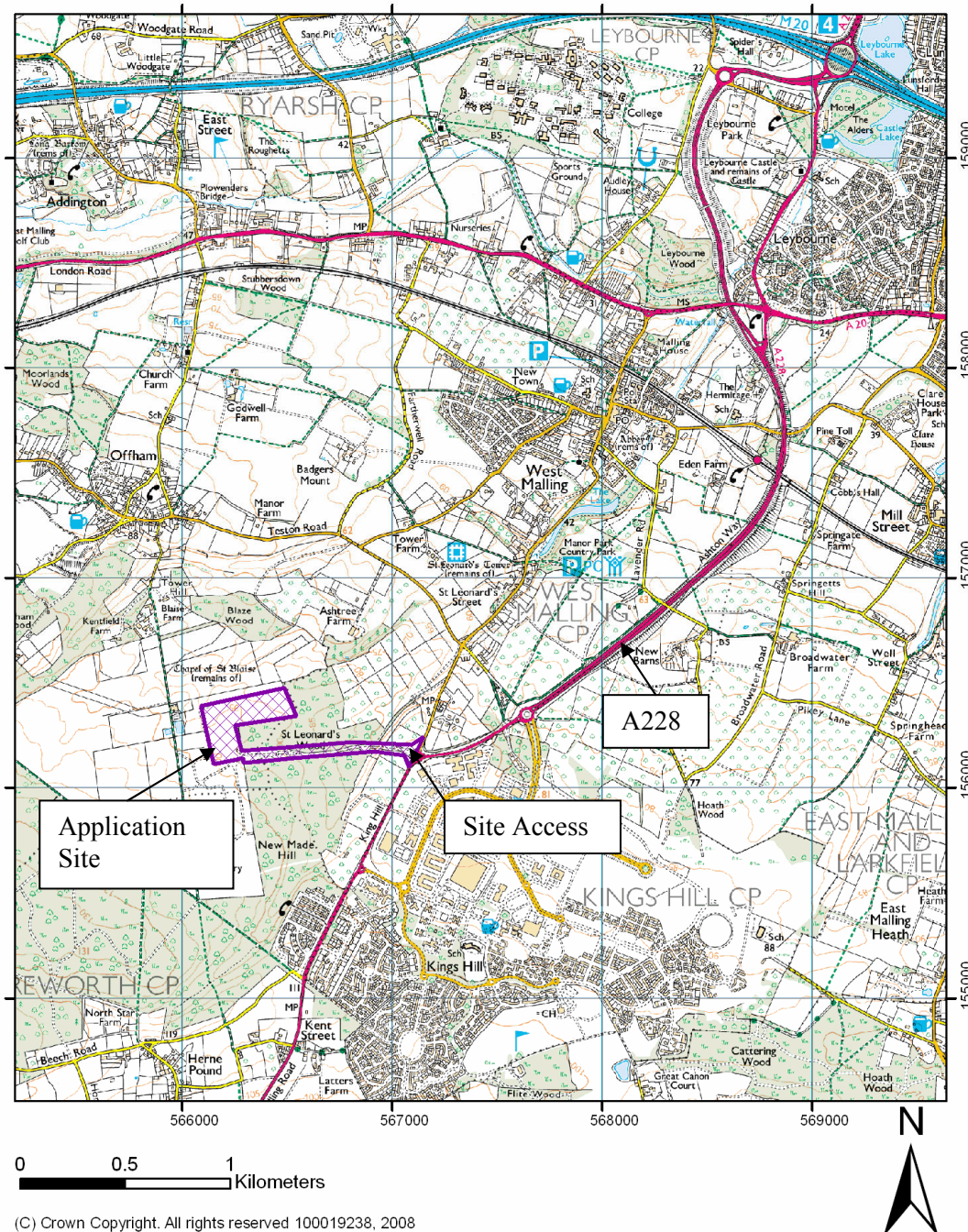
Local Members: Mrs S Hohler, Mrs T Dean and Mr R Long

Unrestricted

**Site description and background**

1. The Blaise Farm Quarry composting facility is being constructed within the excavated quarry void in the north eastern corner of Blaise Farm Quarry near Kings Hill, West Malling in the Parish of Offham. The composting facility will be located about 15 to 20m lower than adjacent ground and be bounded to the east / part south by St Leonard's Wood, to the north by farmland and planting associated with the quarry and to the west / part south by those parts of the quarry that have yet to be started / fully excavated. The nearest residential property (Blaise Farm House) is about 500m to the north west. Access to the composting facility will be via a new purpose built access road from the existing quarry access road and the A228 West Malling roundabout located near Kings Hill. The site lies in the Metropolitan Green Belt and St Leonards Wood is designated as both Ancient Woodland and a Site of Nature Conservation Importance (SNCI). The remains of the Chapel of St Blaise (Scheduled Ancient Monument) lies about 100m to the north of the application site. The quarry has the benefit of a mineral permission (TM/88/1002) granted in 1994 which provides for the winning and working of ragstone over a 62-year period from the start of commercial mineral extraction (i.e. from March 2001).
2. Planning permission for the composting facility (TM/06/762) was granted on 19 September 2006 following the prior completion of a Section 106 (legal) agreement having previously been considered by the County Council's Planning Applications Committee on 20 June 2006.

**Application for removal of condition 14 of planning permission  
TM/06/762 at Blaise Farm Quarry Composting Facility, West Malling,  
Kent – TM/07/4435**



**Application for removal of condition 14 of planning permission  
TM/06/762 at Blaise Farm Quarry Composting Facility, West Malling,  
Kent – TM/07/4435**

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3. The planning permission provides for a fully enclosed composting facility (a series of buildings with a gross floor area of 24,153m<sup>3</sup>) to produce compost mainly from biodegradable materials comprising paper, card, food, vegetable and garden waste delivered by Waste Collection Authorities in Kent collected from household kerbside collection schemes and from Household Waste Recycling Centres (HWRCs), as well as from similar business wastes in Kent. The application proposed that the facility would have a capacity of up to 50,000 tonnes per annum (tpa). The facility was primarily designed to meet the requirements of a Kent County Council (KCC) waste management contract to process up to 25,000tpa of waste derived from Tonbridge and Malling and Tunbridge Wells over a 15 to 20 year period, as well as similar waste from Maidstone and Sevenoaks, although it was always envisaged that any spare capacity would be used for waste sourced from other parts of Kent (including Medway). The application was accompanied by a traffic impact report which concluded that the proposed location would meet the proximity principle for nine Districts (including Medway) in north, west and mid Kent and an alternative sites assessment report which concluded that of the four District areas considered (Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks), and in the absence of alternative sites in urban areas and non-Green Belt locations, only three locations (including Blaise Farm Quarry) offered practical opportunities for development of the facility based on the criteria used for assessment.
4. The conditions attached to the planning permission of particular relevance to the current application are 5, 12 and 14. Clause 5.3 of the Section 106 agreement is similarly important as this effectively repeats the terms of condition 12. Condition 5 requires that the development be carried out and completed in all respects strictly in accordance with the submitted / approved documents, plans and drawings, condition 12 requires that waste shall only be imported from Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks except in those circumstances that are identified (see paragraph 37 below) and condition 14 requires that no more than 50,000tpa of waste shall be imported to the site for composting in any calendar year. Other conditions and clauses in the Section 106 agreement will be referred to as necessary later in this report. It is also worth noting that now the planning permission has been implemented, an earlier permission (TM/03/1155) for a composting facility in the centre of Blaise Farm Quarry will not now be implemented.<sup>1</sup> It should further be noted that the dualling of the West Malling by-pass and by-passing of Leybourne Way (to the north of Blaise Farm Quarry) has now been completed and that the KCC waste management contract to process biodegradable waste from Tonbridge and Malling and Tunbridge Wells has now been let.

**The Proposal**

5. The application proposes that condition 14 of planning permission TM/06/762 be removed. Condition 14 states:-
  14. No more than 50,000 tonnes of waste shall be imported to the site for composting in any calendar year.

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<sup>1</sup> This was secured by clause 7.1 of the Section 106 agreement.

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*Reason: To ensure that the development is carried out in accordance with the approved plans and details and to accord with the objectives of Kent Waste Local Plan Policies W10 and W18.*

However, the applicant has indicated that it would be prepared to accept that condition 14 be amended to allow up to 100,000tpa of waste to be imported to the site if the County Council is not minded to remove the condition entirely. I am satisfied that the application can be treated on this basis.

6. In support of the application, the applicant states:-

- (a) A recent appeal decision relating to a waste facility development in King's Lynn has confirmed guidance set out in PPS10 and PPS23 that there should not be duplication of control between the planning and waste management licensing regimes and it should not be necessary to use planning conditions to control the pollution aspects of developments that are subject to the prior approval of the licensing authority responsible for pollution (the Environment Agency). The Inspector determined that the amount of waste brought to the site is a matter for the licensing authority and appropriateness, in land use terms, of the site being used for waste treatment has been established by the granting of planning permission.
- (b) The Environment Agency will determine through technical assessment the volume of waste that the facility is capable of processing without causing environmental pollution or any harm to animal or human health and will impose a control on waste imports in granting a licence.
- (c) Notwithstanding the Environment Agency determination of the volumes of waste that can be processed, the restriction on HGV movements imposed by condition 17 (41 in / 41 out on any weekday and 21 in / 21 out on a Saturday) remains unaffected and in force so there would be no impact on the level of HGV movements (i.e. a maximum of 82 HGV movements per day).
- (d) The figure of 50,000tpa was only intended to be an estimate of average annual input as required by question 1C of the of the planning application form. The figure was calculated on information available at the time and was based on calculating the relationship between 2 factors: (i) the assumed pattern of waste deliveries, which included significant peaks; and (ii) the volume of waste in the windrows housed within the composting halls. The 50,000tpa figure was then transposed into the planning permission as an absolute figure which was inappropriate bearing in mind the estimated and average context of the figure supplied.
- (e) In July 2007 the pattern of waste deliveries from the Kent waste contract was confirmed which significantly reduced seasonal peaks providing a more even distribution of waste deliveries over the year. This results in less composting hall floorspace being left under or unused awaiting a peak delivery period. Balancing out peaks increases the capacity of the composting halls above the 50,000tpa limit.
- (f) The windrow turner has been modified by incorporating vertical blades to form a windrow with a trapezoid cross section rather than a triangular one which means that more waste can be placed in each windrow thereby increasing the tonnage

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- of waste and overall capacity of the composting hall.
- (g) The waste material is shredded to produce a small particle size which increases the bulk density of the waste placed in the windrow thereby increasing the tonnage of waste within a windrow and overall capacity of the composting hall.
  - (h) The turner modification and shredding process are changes to operational practices developed after the planning application was submitted and have been used at the Poole composting facility for over 12 months. Independent consultants have verified that the Poole facility is operating at 50,000tpa.
  - (i) The approved built footprint of the Blaise Farm composting facility comprises the equivalent of two Poole facilities and the permitted buildings at Blaise Farm are therefore capable of processing significantly more than the 50,000tpa limit imposed. To restrict the inputs to this level is therefore an artificial constraint which would result in the Blaise Farm facility operating at a sub-optimal level of efficiency.
  - (j) Operating the facility at more than the 50,000tpa will have no implications on noise or odour emissions. The bio-filter at Blaise Farm is twice the size of that at Poole and is designed to handle the air volume from both of the composting buildings. Noise modelling was based on the assumed peak conditions whereby all the windrows in all the composting halls were being aerated by the suction pumps.
7. The applicant has also submitted a report prepared by Eunomia Research & Consulting Ltd (dated 21 February 2008) on potential organic waste arisings from the nine District areas (including Medway) referred to in paragraph 3 above, together with its own analysis based on this, in order to demonstrate that the potential organic waste arisings from within the main catchment area (i.e. the four District areas of Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks) would be greater than the estimated overall capacity of the Blaise Farm Composting Facility (i.e. 100,000tpa). The report includes information on biodegradable waste collected from kerbside, as well as that from household waste recycling centres and the commercial and industrial sector. The analysis concludes that between 149,991tpa and 170,661tpa of biodegradable waste would be available from within the four Districts based on 4 scenarios.

**Planning Policy Context**

8. **National Planning Policies** – the most relevant National Planning Policies are set out in PPG2 (Green Belts), PPS10 (Planning for Sustainable Waste Management), PPS23 (Planning and Pollution Control) and Waste Strategy for England 2007.
9. **Regional Planning Policies** – These include Policies E1 (areas of cultural importance), E2 (biodiversity), E3 (Green Belts), W4 (sub-regional self-sufficiency), W5 (targets for diversion from landfill), W6 (recycling and composting targets), W7 (capacity requirements) and W17 (location of waste management facilities) of the adopted Regional Spatial Strategy (RPG9) and Policies BE7 (management of the historic environment), NRM4 (conservation and improvement of biodiversity), NRM5 (woodlands), CC10a (Green Belts), W4 (sub-regional self-sufficiency), W5 (targets for diversion from landfill), W6 (recycling and composting targets), W7 (capacity requirements) and W17 (location of waste management facilities) of the emerging

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South East (SE) Plan.

10. **Kent Structure Plan (2006)** - These include Policies SP1 (conserving and enhancing Kent's environment and ensuring a sustainable pattern of development), SS2 (extent of the metropolitan Green Belt), EN1 (protecting Kent's countryside), EN3 (protecting and enhancing countryside character), EN7 (county and local wildlife designations), EN8 (protection, conservation and enhancement of biodiversity), EN9 (trees, woodland and hedgerows), NR5 (pollution impacts), NR8 (water quality), TP12 (development and access to the primary / secondary road network), TP15 (development traffic & HGVs), TP17 (traffic and management of minor roads), WM1 (integrated waste management), WM2 (assessment criteria for waste proposals), WM4 (planning for waste management capacity) and WM6 (assessment of strategic waste management facilities)
11. **Kent Waste Local Plan (1998)** – These include Policies W6 (consideration of need / harm), W10 (criteria for composting proposals), W18 (noise, dust and odour), W19 (ground and surface water), W20 (land drainage and flood control), W21 (nature conservation), W22 (road traffic and access), W31 (landscaping) and W32 (aftercare).
12. **Tonbridge and Malling Borough Local Plan (December 1998)** - Identifies that the application site lies in the Green Belt.
13. **Tonbridge and Malling Borough Council Local Development Framework Core Strategy (September 2007)** – Policies CP1 (sustainable development), CP3 (Metropolitan Green Belt).
14. **Kent Joint Municipal Waste Management Strategy (April 2007)** – The most relevant Policies are 8 (which states that the Kent Waste Partnership will achieve a minimum level of 40% recycling and composting of household waste by 2012/13 and will seek to exceed this target) and 12 (which states that the Kent Waste Partnership will work to secure composting capacity including in-vessel in the County to enable the authorities in the east of Kent to provide an efficient and cost-effective service for management compostable wastes).

**Consultations<sup>2</sup>**

15. **Tonbridge and Malling Borough Council** – No objections. All conditions attached to consent reference TM/06/762 should remain in force.
16. **Offham Parish Council** – No objections to the removal of planning condition 14 on the basis that the principle of use of the land for waste treatment has already been established and that the applicant states that the increase in capacity will have no impact on noise or odour emissions or on the level of HGV movements permitted by condition 17. If there is subsequently any increase in noise, odour or HGV movements then we would have very serious concerns and objections.

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<sup>2</sup> All consultee responses were received before the applicant confirmed that it would be willing for the application to be treated on the basis of a maximum of 100,000tpa being permitted by condition 14 rather than the removal of the condition.



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17. **West Malling Parish Council** – Objects on the grounds that the original environmental benefits would be negated by this increase in the catchment area.
18. **Mereworth Parish Council** – Is concerned that this would lead to increased lorry movements and is strongly of the view that these vehicles do not come through the village.
19. **Kings Hill Parish Council** – No objection.
20. **SEERA** – The County Council, in considering whether to remove planning condition 14 of the existing planning permission, should be satisfied that the proposal is in accordance with guidance in PPG2 (Green Belts) to comply with the objectives of Policy E3 of RPG9 and Policy CC10a of the draft South East Plan. If the County Council is minded to remove planning condition 14, it should also address the following through appropriately worded conditions and/or legal agreements to secure: appropriate mitigation measures concerning air quality (including odour emissions) and noise to the satisfaction of the Environment Agency, to accord with the objectives of Policy E7 of RPG9 and Policies NRM7 and NRM8 of the draft South East Plan.
21. **SEEDA** – Has no detailed comments on the proposed removal of condition 14, however, considers that maximising the volume of waste sent for recycling (including composting) will assist local authorities in meeting landfill targets. Supports the establishment of facilities that will contribute towards delivering the Regional Economic Strategy (RES). Target 12 of the RES seeks to achieve a 30% increase over the 2003 baseline in GVA (Gross Value Added)<sup>3</sup> generated per tonne of materials entering the waste stream by 2016. Therefore, considers that the development of the composting facility will assist in the delivery of this target.
22. **Environment Agency** – No objection. Has confirmed that although it has not yet received a waste management licence application, the applicant is correct in stating that the volumes of waste permitted to be accepted at the site would be controlled through conditions on any licence granted.
23. **Transportation Manager (West Kent)** – No objection subject to the retention of the existing HGV movement restrictions.
24. **KCC Waste Management Unit** – Has accepted the assumptions and findings of the Eunomia report and agreed that there would be the potential for at least 100,000tpa of biodegradable waste arising from within Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks.

**Representations**

25. The application has been publicised both by site notice and newspaper advertisement and 12 local residential / business properties were notified. At the time of writing this

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<sup>3</sup> GVA measures the contribution to the economy of each individual producer, industry or sector in the UK.

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report, three letters of objection has been received.<sup>4</sup> The grounds of objection are as follows:-

- The removal of the 50,000tpa restriction would not recognise the exceptional nature of the original planning consent for a waste management facility in the Green Belt and the factors taken into account by the Planning Committee when making its decision in June 2006;
- The proposal would result in a much higher average number of daily vehicle movements than originally envisaged and considered. Had KCC known of what is now proposed it may have come to a different decision or placed further constraints on the development;
- KCC should, as an elected planning authority, maintain control over site capacity;
- The proposal would lead to waste being imported from a wider area than originally proposed and undermine the proximity reasons for the location of a facility to serve Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks due to increased journey times and associated vehicle pollution. It would also reduce the ability of KCC to ensure that the proximity principle is adhered to;
- The planning decision in Kings Lynn should not be seen as setting a precedent. Questions whether that facility was in the Green Belt and whether its capacity / travel assumptions were radically amended 18 months after planning permission was granted; and
- The removal of condition 14 would reduce the effectiveness of elected representatives and their officers to act on local concerns.

**Local Members**

26. County Council Members Mrs S Hohler, Mrs T Dean and Mr R Long were notified in December 2007.

**Discussion**

27. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the context of this application, the policies outlined in paragraphs 8 to 13 are of greatest relevance. Also of particular relevance is Circular 11/95: The Use of Conditions in Planning Permissions (1995) which sets out the general criteria for the validity of planning conditions. These “six tests” are that conditions should be:-

- Necessary;
- Relevant to planning;
- Relevant to the development permitted;
- Enforceable;
- Precise; and

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<sup>4</sup> All three responses were received before the applicant confirmed that it would be willing for the application to be treated on the basis of a maximum of 100,000tpa being permitted by condition 14 rather than the removal of the condition.

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- Reasonable in all other respects.
28. Prior to the publication of PPS10, Government advice required planning authorities to consider whether waste planning applications constituted the Best Practicable Environmental Option (BPEO). Case law established that consideration of BPEO to individual applications should be afforded substantial weight in the decision making process. PPS10 moved the consideration of BPEO principles to the Plan making stage where it is to be considered as part of the Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) process applied to the Plan. However, where planning authorities' current waste policies have not been subject to the SA / SEA process (as is the case with the Kent Waste Local Plan) it is still appropriate to consider planning applications against the principles of BPEO. Until such time as the Kent Waste Development Framework (WDF) reaches a more advanced stage, applications will be considered against Policy WM2 of the Kent & Medway Structure Plan to ensure that they deliver facilities that are *"of the right type, in the right place and at the right time"* in accordance with paragraph 2 of PPS10. This approach is also consistent with the underlying principles of the adopted and emerging Regional Spatial Strategy for the South East (i.e. RPG9 and the draft SE Plan).
29. Since planning permission has already been granted for the Blaise Farm Quarry composting facility and the permission has been implemented by development works it is not necessary or appropriate to reconsider the principle of a composting facility at this location. However, it is necessary to consider whether as a general principle it is appropriate to leave the amount of waste that may be imported to the site to the waste management licence, thereby removing any planning controls on this, and whether the implications of the removal of condition 14 of planning permission TM/06/762 would be acceptable in planning terms.

Is it appropriate (in principle) to leave the amount of waste that may be imported to a waste site entirely to the waste management licence?

30. PPS10 contains guidance on the responsibilities of, and relationships between, the planning and pollution control authorities. Specifically, paragraph 26 states that *"waste planning authorities should concern themselves with implementing the planning strategy in the development plan and not with the control of processes which are a matter for the pollution control authorities"*. Paragraph 27 states that *"Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the use of substances to the environment at the lowest practicable level and ensure that ambient air and water quality meet the standards that guard against impacts to the environment and human health. The planning system controls the development and use of land in the public interest and should focus on whether development is an acceptable use of the land, and the impacts of those uses on the development and use of the land. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced."* Paragraph 32 states that *"It should not be necessary to use planning conditions to control the pollution impacts of a waste management facility where the facility requires a permit from the pollution control authority. In some cases, however, it may be appropriate to use planning conditions to control other aspects of the development. For example, planning conditions could be used in respect of transport modes, the hours of*

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*operation where these may have an impact on neighbouring land use, landscaping, plant and buildings, the timescale of the operations, and impacts such as noise, vibrations, odour, and dust from certain phases of the development such as demolition and construction.” Similar, albeit older, guidance is contained in PPG23.*

31. The applicant places considerable reliance on one appeal decision dated 23 August 2007 relating to conditions attached to a planning permission granted by Norfolk County Council in 2006 for a change of use from existing industrial / warehouse units to waste transfer / treatment station and ancillary offices and storage on an industrial estate in King's Lynn. The appeal sought the removal of nine of the thirteen conditions that had been attached to the planning permission. The contested conditions included those requiring the cessation of development within 20 years, a 5,000tpa limit on waste imports, a requirement to maintain a record of output / production, a restriction on waste types to those specified in the permission and various site drainage and related matters. The conditions had been imposed (as appropriate) to safeguard amenity and hydrological interests. The condition of most relevance to the current application is condition 3 which stated that *“No more than 5,000 tonnes of waste per annum shall be brought onto the site.”* This was imposed *“To ensure orderly working in the interests of the amenities of the surrounding area to accord with the Waste Local Plan Policy WAS13.”*
32. As the applicant points out, the appeal was upheld by the Inspector and all nine conditions appealed (including condition 3) were deleted on the grounds that the Inspector considered that these were unnecessary / unreasonable in terms of Circular 11/95. In reaching her decision, the Inspector states that: *“The amount and detailed type of waste being brought to the site is a matter for the licensing authority. By granting planning permission the Council has accepted that, in land use terms, this is an appropriate location for a waste transfer / treatment facility. It is up to the waste licence to deal with the likely impact upon pollution or public health of the type of waste of waste to be handled within the site. Any variation in the amount or types of waste would need to be the subject of a waste management licence modification application to the Environment Agency which in turn would involve consultation with the local planning authority. The Council is concerned about the traffic which may be generated by any increases in waste handling, but the site is on a relatively modern industrial estate which has good connections to the main road network. There is no substantiated evidence before me that, in this case, increases in the amount of waste which would be compatible with the requirements of the waste licence would lead to an unacceptable increase in vehicular movements.”*
33. Notwithstanding the Inspector's decision, I am of the opinion that whilst it may be appropriate to leave the amount of waste that may be imported to a waste site entirely to the waste management licence in some circumstances (such as those in King's Lynn where it relates to the use of a site on a modern industrial estate, involves relatively small amounts of waste and is clearly related to potential local amenity impacts) I do not accept that this will always be the case, particularly where there are strong planning reasons for conditions to be attached to the planning permission. At Blaise Farm Quarry there are very important planning reasons for imposing a maximum limit on waste imports in the planning permission and I am satisfied that retaining such a condition could meet the six tests for conditions set out in Circular

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11/95 provided it is satisfactorily worded. The reasons for retaining planning control of maximum waste imports by condition is discussed further below.

What are the implications of removing condition 14 of planning permission TM/06/762 and would removal be acceptable in planning terms?

34. Kings Hill Parish Council has objected to the proposals on the grounds that the environmental benefits of the original permission would be negated by an increased catchment area whilst Mereworth Parish Council has expressed concerns that the proposal would lead to increased HGV movements (including through the village). Three local residents have also objected on similar grounds (see paragraph 25), as it would reduce local accountability and as they reject accepting the Kings Lynn case as a precedent. Although Offham Parish Council has not objected to the proposal, it has said that it would object strongly and be concerned if there is subsequently any increase in noise, odour or HGV movements. No objections (in cases subject to conditions) have been received from Tonbridge and Malling Borough Council, Kings Hill Parish Council, the Environment Agency, SEERA and the Transportation Manager (West Kent). SEEDA supports the proposal.
35. Although the reason for imposing a 50,000tpa maximum waste import limit in condition 14 was *“to ensure that the development was carried out in accordance with the approved plans and details and to accord with the objectives of Kent Waste Local Plan Policies W10 and W18”*, planning permission TM/06/762 needs to be read in its entirety and other conditions and the reasons for imposing these are also relevant. Policies W10 and W18 of the Kent Waste Local Plan relate, respectively, to proposals for composting and digestion and noise, dust and odour.
36. Planning permission TM/06/762 was granted on the basis that the County Council accepted that there were very special circumstances sufficient to justify the development of a 50,000tpa composting facility to (primarily) serve Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks in the Green Belt at Blaise Farm Quarry. These and related issues were dealt with in detail in the previous Committee Report.<sup>5</sup> The very special circumstances included that there were no alternative sites in urban areas and non-Green Belt locations in Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks (based on the results of an alternative site assessment exercise for the four Districts). Since there was no assessment of whether alternative sites may exist in other Districts in Kent, a strict interpretation of what is now Policy W17 of RPG9 and the draft SE Plan would have led to waste sources being limited strictly to Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks.
37. However, in acknowledgement that waste sourced from Swale, Ashford, Dartford, Gravesham and Medway would be almost as proximate as that from a number of locations within the four Districts (based on a traffic impact assessment report) and to ensure that the remaining 25,000tpa capacity over and above that referred to in paragraph 3 above could be utilised if further contracts were not immediately forthcoming, the County Council resolved to permit waste from these other areas as

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<sup>5</sup> Paragraphs 54 to 69 on pages C1.15 to C1.21.

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exceptions subject to further conditions. This is reflected in condition 12 (and repeated in clause 5.3 of the Section 106 agreement) which states:<sup>6</sup>

12. Waste imported to the composting facility shall only be sourced from within the Districts of Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks except in the following circumstances:
- (i) those occasions where there is sufficient capacity to handle the additional wastes at the Blaise Farm composting facility without diverting wastes from sources within Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks Districts; and
  - (ii) where the additional wastes would otherwise be exported from the County or landfilled; and
  - (iii) where the additional sources of permitted waste are from within Swale, Ashford, Dartford and Gravesham Districts and the Medway Authority area.

*Reason: As the principles of Best Practicable Environmental Option (BPEO), including the proximity principle, and very special circumstances necessary to justify the Green Belt location have been accepted on the basis that waste will primarily be derived from Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks and to accord with the principles of (amongst others) Waste Strategy 2000, PPG2, RPG9 Regional Waste Strategy (revised June 2006), Kent Structure Plan (1996) Policies S1 and MGB3, Kent & Medway Structure Plan (2006) Policy WM2 and Kent Waste Local Plan Policy W1, whilst acknowledging that a number of other waste sources are similarly proximate and could be used without undermining the reason for permitting a waste management facility in the Green Belt under certain circumstances.*

38. Based on comparison between the floorspace of the Blaise Farm Quarry and Poole facilities, I estimate that if the County Council were to permit the removal of condition 14 it would be possible for the Blaise Farm Quarry facility to operate with a maximum capacity of up to 100,000tpa. The applicant accepts this estimate although it stresses that this is dependent on waste being delivered evenly throughout the year without the peaks and troughs originally envisaged. On this basis, it could mean that a further 75,000tpa of waste could potentially be imported to Blaise Farm over and above that already secured by the KCC waste management contract. Whilst it is difficult to assess precisely how much of this additional waste would come from within Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks and how much may come from within Swale, Ashford, Dartford and Gravesham Districts and the Medway Authority area, it would be entirely possible for a significant percentage of the balance to come from the latter. Indeed, given the wording of condition 12 it is possible that all of the additional 75,000tpa could do so without breaching the terms of the condition at least until further waste contracts become available or if those contracts are awarded elsewhere. This could mean that at least three times as much waste as originally envisaged could come from outside the Green Belt (at least for some period of time).<sup>7</sup>

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<sup>6</sup> Note that the Planning Applications Committee resolved to restrict the exceptional waste sources further than recommended at paragraph 65 of the 20 June 2006 Committee Report.

<sup>7</sup> It should be noted that parts of Dartford and Gravesham are also in the Green Belt.

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Unless it can be demonstrated that this additional waste could be sourced from within Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks, the proposed change could undermine the initial justification for locating the composting facility at Blaise Farm Quarry in the Green Belt.

39. Also of relevance to the proposal, is the amount of other composting capacity in Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks. Green waste composting facilities already exist at Dunbrik (Sevenoaks) and Conghurst Farm near Hawkhurst (Tonbridge Wells). Dunbrik has a capacity of up to 18,000tpa, however, it generally operates well below this level. It should also be noted that the Dunbrik composting facility would close if a permitted new waste transfer station and enhanced household waste recycling centre (HWRC) is built. The facility at Conghurst Farm is much smaller (up to 11 loads per week), only has the benefit of a temporary planning permission (until 23 June 2010) and can only accept green waste from the HWRCs in Tunbridge Wells and Ashford. As of June 2007, only waste from Ashford had been accepted at the facility. Neither facility can accept the full range of biodegradable wastes permitted at Blaise Farm. The only permitted composting facility that could accept the full range of biodegradable wastes is that at Greatness Quarry (Sevenoaks). Although not yet operational, this facility would be able to accept about 10,000tpa until 7 December 2011 when landfilling should be completed and the site restored. It should also be noted that the Greatness Quarry composting facility has yet to obtain the necessary permit or licence from the Environment Agency.
40. The Eunomia report on potential organic waste arisings and the applicant's own analysis of this demonstrates that the potential organic waste arisings from within the 4 District areas (Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks) would be greater than 100,000tpa (i.e. between 149,991tpa and 170,661tpa). KCC Waste Management Group has accepted that the report's findings in respect of biodegradable waste collected from kerbside and that from household waste recycling centres are reasonable and that, in general terms, its assumptions in respect of commercial and industrial waste are fair. I agree with this. As a result, and even if the other composting capacity in Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks is taken into account, the reason for permitting the composting facility at Blaise Farm Quarry need not be undermined by an increase in permitted waste imports as the intention behind condition 12 would remain intact.
41. Although it seems likely that the Blaise Farm Quarry composting facility may have a maximum capacity of 100,000tpa, and the applicant has suggested that this could not be exceeded due to the existing permitted daily HGV restriction, this is not certain. Various factors, including the size of HGVs delivering waste and collecting compost or reject materials, could affect overall capacity. If condition 14 were removed entirely and the maximum capacity of the facility turned out to be greater than 100,000tpa it is possible that the above justification would be undermined. For this reason, and since the County Council would have no direct control over any maximum capacity that may be applied via the waste management licence, I would not wish to see condition 14 removed entirely. However, I would be prepared to accept that the current 50,000tpa be increased to 100,000tpa since the Eunomia report has demonstrated that more than 100,000tpa of biodegradable waste could arise from within the four District areas. This would be consistent with the intent behind the original planning application and

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still be consistent with the principles of BPEO and accord with the principles of PPG2, Policy E3 of RPG9, Policy CC10a of the draft SE Plan and Policies SS2 and WM2 of the Kent and Medway Structure Plan. It would also accord with the objectives of the Waste Strategy for England 2007 and ensure that available capacity at Blaise Farm is not wasted. The applicant has agreed that the application be treated on this basis and I am satisfied that as the application contains information indicating that the capacity of the facility could increase to 100,000tpa that it would be reasonable for it to be determined accordingly.

43. As it is not proposed to alter any of the other existing planning conditions, there would be no increase in the maximum number of daily HGV movements although a greater average number of movements would be possible as has been noted by local residents. Condition 17 restricts HGV movements to 82 (41 in/41 out) Monday to Friday and 42 (21 in/21 out) on Saturdays. The Transportation Manager for West Kent has no objection to the proposals provided the daily maximum is maintained. It should also be noted that condition 18 further restricts HGV movements to 9 to the south on the A228 during each of the peak hours of 08.00 to 09.00 and 16.30 to 17.30. Vehicle routing would continue to be controlled under the terms of the Section 106 agreement to ensure that only HGVs collecting organic wastes from local villages would use local roads. Given this, it is worth noting that HGVs using the site would virtually all use the A228 (a primary road) and that the use of such roads to obtain access to waste management facilities is consistent with the objectives of Policy W22 of the Kent Waste Local Plan and Policy WM2 of the Kent and Medway Structure Plan. On this basis, and given the recent improvements to the A228, I consider that it would be difficult to substantiate an objection on the basis of a higher average number of daily HGV movements. The possibility that further changes might be sought to the permission (e.g. increased daily HGV movements) is not a matter for consideration at this stage and any such proposals would require a further planning application(s) to be submitted.
44. The permitted facility is some distance from the nearest properties and measures to minimise adverse air quality impacts, odour and noise are integral to the development (e.g. biofilters, negative air pressure on buildings). These matters were examined in detail during consideration of the original application and conditions were imposed on the planning permission to safeguard local amenity.<sup>8</sup> The facility will also require a waste management licence which will include detailed controls on emissions (odour and bioaerosols). No changes are proposed to these conditions and the facility will still require a waste management licence. The only negative impact on air quality and noise that may arise from the proposal would be as a result of any increase in average daily HGV movements. Any increase would not be significant and I am of the opinion that an objection on these grounds would be very difficult to substantiate, particularly given the response of the Transportation Manager (West Kent).
45. The potential increase in HGV movements could also have a slightly greater impact in visual and landscape terms. However, since HGVs would continue to arrive at / leave the site on the A228, enter / leave the site via the purpose built quarry access and as the facility and all associated infrastructure would still be within the quarry void and

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<sup>8</sup> E.g. Conditions 16 (hours of operation), 24 and 25 (noise), 26 (noise, dust and odour).



**Application for removal of condition 14 of planning permission  
TM/06/762 at Blaise Farm Quarry Composting Facility, West Malling,  
Kent – TM/07/4435**

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largely surrounded by woodland, any landscape and visual impacts on the Green Belt would be minimal. Once again, I do not consider that any objection would be appropriate on these grounds.

Conclusion

46. For the reasons set out above, I do not consider that it would be appropriate to remove condition 14. However, in view of the fact that more than 100,000tpa of biodegradable waste could arise from within Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks (i.e. the main catchment area) I consider that it would be reasonable to vary condition 14 to allow up to 100,000 tonnes of waste to be imported to the site for composting in any calendar year. I am satisfied that this would accord with relevant development plan policies and be consistent with the principles of the BPEO.

**Recommendation**

47. I RECOMMEND that PERMISSION BE GRANTED subject to condition 14 of planning permission TM/06/762 dated 19 September 2006 being reworded as follows:-

“14. No more than 100,000 tonnes of waste shall be imported to the site for composting in any calendar year.

*Reason: To ensure that the development is carried out in accordance with the approved plans and details, to accord with the objectives of Kent Waste Local Plan Policies W10 and W18 and as the principles of Best Practicable Environmental Option (BPEO), including the proximity principle, and very special circumstances necessary to justify the Green Belt location have been accepted on the basis that waste will primarily be derived from Tonbridge and Malling, Tunbridge Wells, Maidstone and Sevenoaks and to accord with the principles of (amongst others) the Waste Strategy for England 2007, PPG2, RPG9 Regional Waste Strategy (revised June 2006) and Kent & Medway Structure Plan (2006) Policy WM2, whilst acknowledging that a number of other waste sources are similarly proximate and could be used without undermining the reason for permitting a waste management facility in the Green Belt under certain circumstances.”*

Case Officer: Jim Wooldridge	Tel. no. 01622 221060
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Background Documents: see section heading.
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## Item C2

### **Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 March 2008.

Application by Kent County Council Waste Management for the weekend only temporary use of the site to provide an area for the stationing of one refuse freighter and one open back collection vehicle for the purpose of accepting bulky household waste, and the placing of recycling containers outside the boundary fence for collection by Shepway District Council at Land at Former Goods Yard, Station Road, Lydd - (Ref: SH/07/1655)

Recommendation: Planning permission be GRANTED subject to conditions.

Local Member(s): Mr F. Wood-Brignall

Classification: Unrestricted

#### **Site**

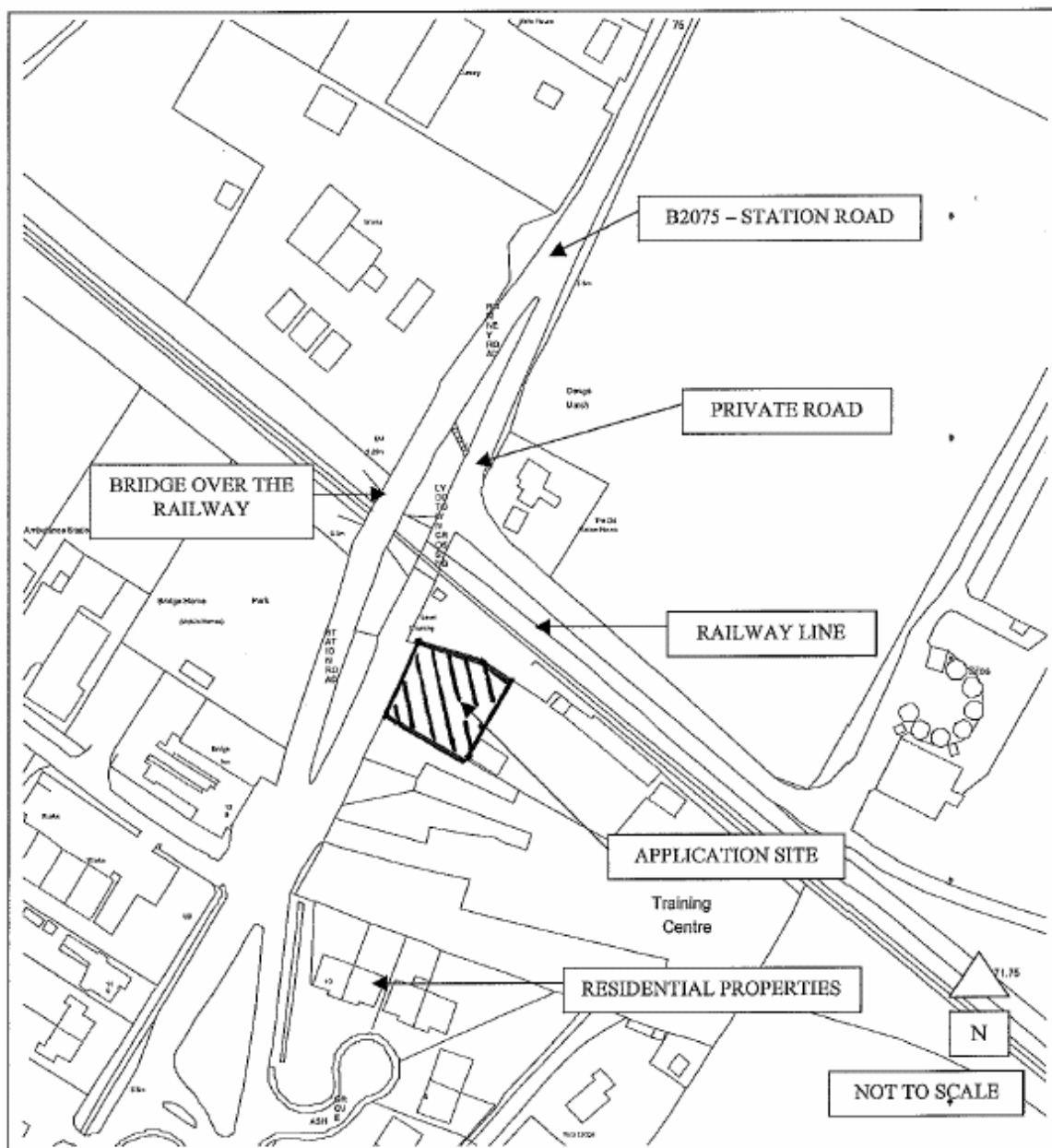
1. The application site is located on the northern periphery of the town of Lydd. The site is located to the east of the B2075 (Station Road), and is accessed via a 'private road' which departs the B2075 prior to reaching a bridge which crosses a railway line, and rejoins the B Road to the south of the bridge. The 'private road' runs parallel to the B2075, and crosses the private railway line (which runs directly to Dungeness Power Station and is little used) via a level crossing. The application site lies to the immediate south of the railway line, to the east of the 'private road', and is a fenced open derelict area, formally used as a good yard. The site is bound by the railway line to the north, beyond which lies a residential property (formally the Station House), and open flat ground to the south and east. Residential properties back onto the area of open space to the south of the site, and are approximately 65 metres from the site. Further residential properties are located to the far side of the B2075 to the west of the site. The site is designated within the Shepway District Local Plan, adopted 2006, under Policy E1 (i) as an Established Employment Site, where use classes B1, B2 & B8 are specified. A site plan is attached.

#### **Background**

2. This application was originally submitted in October 2007, and met with objection on the grounds of inadequate access and highway safety, which subsequently led to the application being withdrawn. The application was withdrawn by the applicant in order that they could undertake further discussions with Kent Highway Services to determine what highway works could be undertaken to improve the safety and suitability of the site access. The application was re-submitted in December 2007.
3. The site is currently being operated for the use applied for in this planning application under the Town and Country Planning (General Permitted Development) Order 1995, Schedule 2, Part 4, Class B, which allows the site to be used for 28 days in a calendar year. Should planning permission be granted, this would allow for the site to be retained for a temporary period and used every weekend throughout the year as opposed to 28 days (14 weekends) allowed under permitted development rights.

Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

## SITE LOCATION PLAN



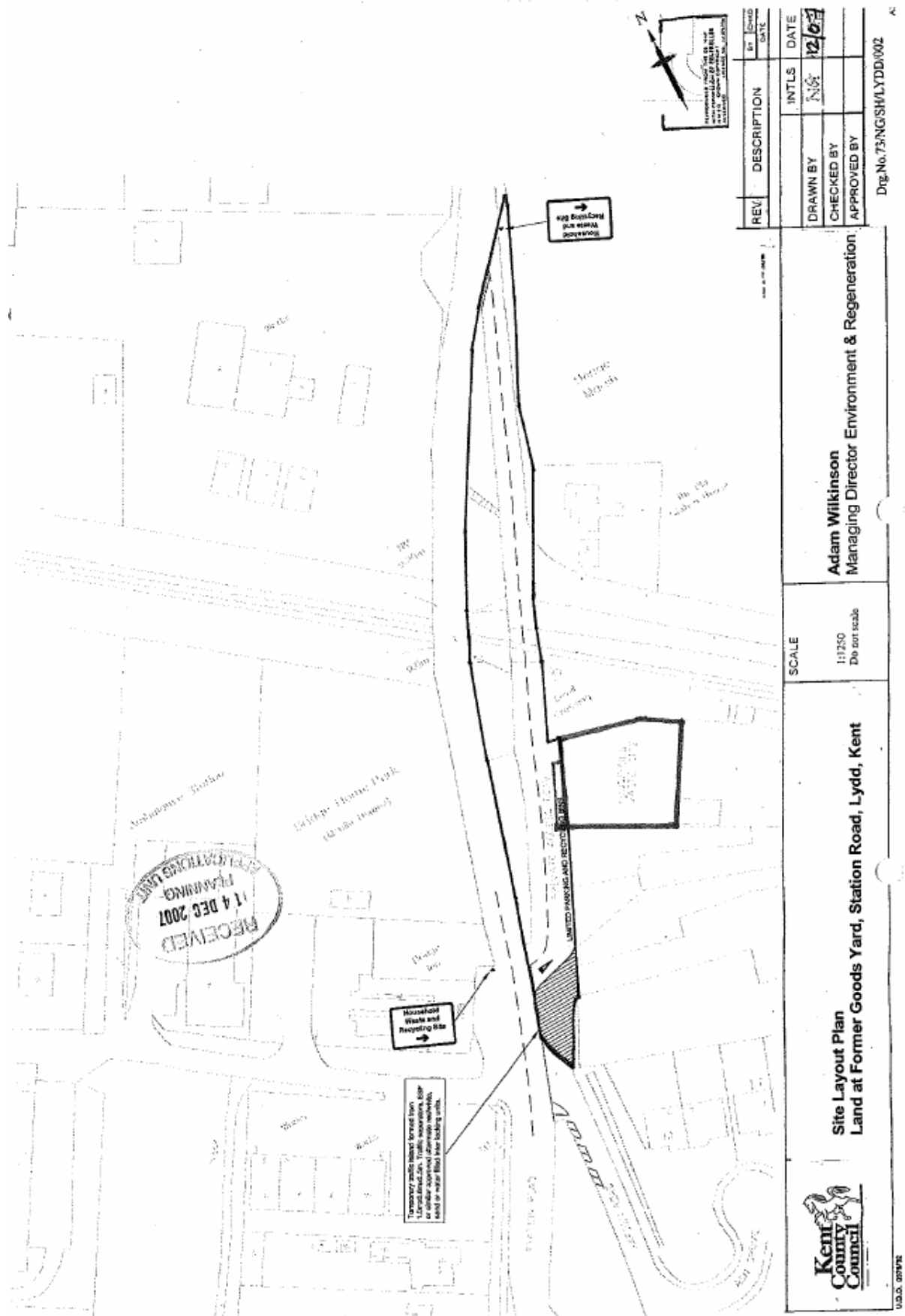
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Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655



## Item C2

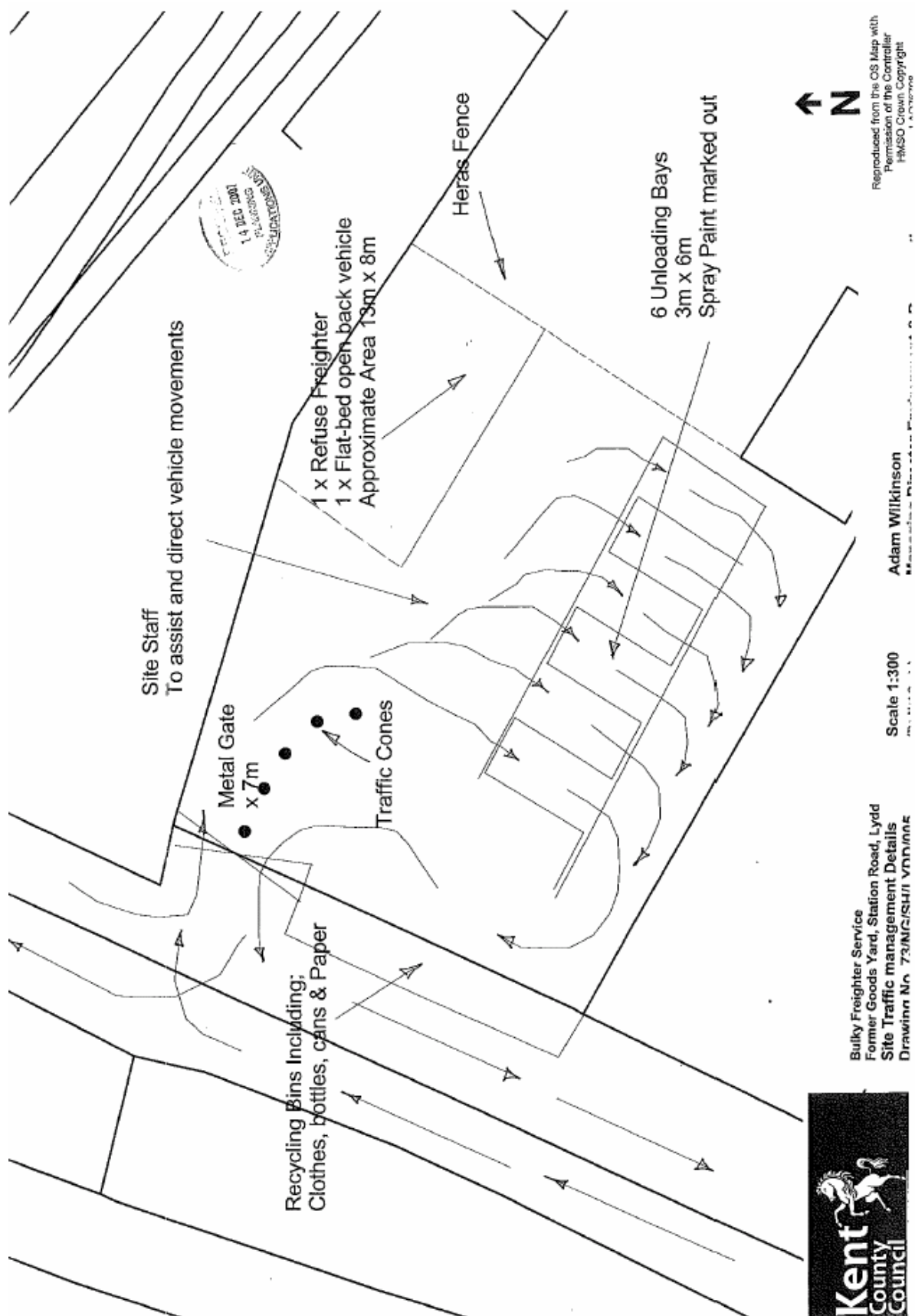
Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655





## Item C2

Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655



Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655





## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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### **Proposal**

4. This application has been submitted by Kent County Council Waste Management and proposes the weekend only temporary use of the site to provide an area for the stationing of one refuse freighter and one open backed collection vehicle, for the purpose of accepting bulky household waste at land at the Former Goods Yard, Station Road, Lydd. The applicant is also proposing the placing of recycling containers outside the boundary fence for collection by Shepway District Council.
5. The facility being applied for is intended as a replacement facility for a site which used to operate from the Park Street Car Park in Lydd, and which is no longer available. A temporary replacement facility is therefore required for a period of up to three years whilst a new permanent Householders Waste and Recycling Centre (HWRC) is established. An initial twelve-month period is being applied for. In the event that a permanent HWRC replacement has not been completed within this time frame, a request to extend the period of operation for a further two years would be made. However, use of the site would cease as soon as a permanent HWRC is provided. It is intended that this temporary site would provide Lydd householders with continuity of service and a facility to dispose of their unwanted bulky and waste items, pending the establishment of a long term facility.
6. The applicant advises that this is a small-scale development, provided for the sole benefit of local householders. Trade or commercial type wastes would not be accepted. The proposed operation would provide householders with a convenient and accessible alternative for the disposal of unwanted bulky waste items, reducing vehicle movements and the need to drive to the next nearest HWRC, some 17 miles away in Chart Leacon, Ashford. The service would be provided through the stationing on site of one standard refuse freighter with a carrying capacity of 8-9 tonnes, and one open backed vehicle. The open back vehicle would only be used for accepting WEEE waste, which generally consists of fridges and freezers. In addition, the standard recycling bins previously used at Park Street have been relocated and are positioned alongside, but outside, of the site boundary fence. These are standard modular recycling bins, provided for the collection of paper, glass and textiles, and will continue to be serviced by Shepway District Council.
7. It is proposed that this service would be available on Saturdays and Sundays between 09.00 & 16.30 and 10.00 & 16.30 respectively. The applicant confirms that no equipment, vehicles or waste would be left or stored on site when not in use. Collected material would be taken initially to one of the Kent County Council Transfer Stations at either Hawkinge or Whitfield. Any additional freighter capacity would be provided on a shuttle basis to ensure that any vehicles parked on site are kept to an absolute operational minimum. The Kent County Council contractor would be responsible for ensuring the site is left in a neat and tidy state after it closes to householders at the weekends. In addition, Shepway District Councils and County Council Officers have been asked to be extra vigilant regarding any unauthorised deposits of waste, to ensure any dumped material is kept to an absolute minimum.
8. It is estimated that approximately 300 householders (600 vehicle movements) are likely on Saturdays, with this reducing to 200 householders (400 vehicle movements) on Sundays. The applicant advises that two thirds of the vehicles seeking to enter the site would be from the Lydd Town side. Householders wishing to park up outside the site to use the recycling bins are estimated at some 10 on a Saturday and approximately 5 on a Sunday.

## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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9. Access to the site would be via Station Road and the junction with Harden Road, and then via the 'private road' from the Lydd town side. Alternatively, traffic wishing to access the site from the New Romney direction to the north would be expected to join the 'private road' from the northern end, then continue to the site via the level crossing. Egress would be via the same route as access. Vision Splays of 2.4m x 70m are provided at both ends of the 'private road' and signage and a traffic island would be provided to allow for improved traffic management.
10. Although the 'private road' is double yellow lined to prevent parking obstructions, Shepway District Council have confirmed that they would not enforce parking restrictions along the road unless vehicles were just parked and left unattended. Unloading, whether this be for the purpose of the bulky waste service or for using the recycling bins, would be permitted.
11. On site, site staff would encourage householders to park up and to observe site related protocols to ensure the smooth flow of vehicles entering and leaving the site. Since the facility began operating it is understood that these arrangements have so far ensured little or no queuing of vehicles. Householders would be responsible for parking their own vehicles on site and depositing their waste either in the refuse freighter or open backed vehicle as appropriate. The site is marked out and provides spaces for up to six vehicles to be parked to allow off loading. It is proposed to place a line of heras fencing across the part of the site to be used. Should a temporary planning approval be granted, then the owner of the site would replace this fencing with a more secure fence.
12. Although the proposed operation is of a temporary nature, a number of potential locations have been investigated over the last twelve months by both Shepway District Council and Kent County Council. Details of these alternative sites were submitted by the applicant, who advise that most had to be discounted as not meeting current operational requirements. The proposed site is therefore considered appropriate in terms of both location and access, and is considered to be able to fulfil the short term requirement for the provision of the waste service.
13. There are no proposals for installing any fixed plant or buildings. On vacating the site confirmation is given that it would be left in a neat and tidy condition.

*Reduced copies of the submitted drawings showing the site layout are attached.*

### **Planning Policy**

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

(i) **The Kent & Medway Structure Plan: Adopted 2006:**

**Policy SP1** - Seeks to conserve and enhance Kent's environment and ensure a sustainable pattern of development.

**Policy QL1** – Seeks to conserve and enhance the environment through the quality of development and design. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings.

## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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**Policy QL12** - Provision will be made to accommodate additional requirements for local community services. New community services will be located where they are accessible by walking and cycling and by public transport from the area they serve. Wherever practical they will be located in town, district or local centres.

**Policy TP15** - Development which generates significant increases in traffic, especially heavy good vehicles, will not be permitted if it is not well related to the primary and secondary road network, or if it would result in a significant increased risk of crashes or traffic delays, unless appropriate measures to mitigate the effect of the development has been secured.

**Policy NR5** – The quality of Kent's environment will be conserved and enhanced. This will include the visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.

**Policy WM2** – Proposals for the treatment, storage, transfer, processing or disposal of waste will be required to show that they represent the best balance between the most efficient and most environmentally sustainable method of managing a specific type of waste.

(ii) **Shepway District Local Plan: Adopted 2006**

**Policy BE1** – A high standard of layout, design and choice of materials will be expected for all new development. Development should accord with existing development in the locality, where the site and surrounding development are physically and visually interrelated in respect of building form, mass, height, and elevational details.

**Policy SD1** - All development proposals should take account of the broad aim of sustainable development - ensuring that development contributes towards ensuring a better quality of life for everyone, now and for generations to come. This involves meeting economic and social objectives and helping people meet their personal aspirations through accommodating the district's need for commercial and industrial development, new homes and other land uses and improving quality of life for all members of society whilst respecting specified environmental criteria

**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.

## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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**Policy TR3** - Development which would prejudice the reuse of Lydd Station as a rail transport interchange in the event of the railway line to Appledore being reopened for public use will not be permitted

**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 E1** - Planning permission for industrial and commercial development or redevelopment will be granted within the established employment sites shown on the Proposals Map for that purpose. The use classes B1, B2 & B8 will be permitted at the sites listed, subject to Policy E5.

**Policy U10** - In appropriate locations the District Council will grant planning permission for development required as part of the process of recycling materials. Development proposals including commercial or residential uses should include provision for the storage of waste and recyclable materials awaiting collection.

### (iii) **Kent Waste Local Plan: Adopted 1998**

**Policy W3** – Proposals which involve only waste processing and transfer at locations outside those identified on the proposals map will not be permitted unless they;

- (i) can avoid the need for road access, or can gain ready access to the primary or secondary route network and preferably have potential for a rail or water transport link and;
- (ii) are located within or adjacent to an existing waste management operation, or within an area of established or proposed general industrial use where the former is a temporary use, permission will only be granted for the duration of the primary use.

**Policy W9** - Proposals for waste separation and transfer would be considered against whether they seek to minimise impact on the local and natural environments, have (or could secure) ready access to the main road network .....

**Policy W18** - Before granting permission for a waste management operation the Planning Authority will require to be satisfied as to the means of control of;

- (i) noise,
- (ii) dust, odours and other emissions,
- (iii) landfill gas,

particularly in respect of its potential impact on neighbouring land uses and amenity.

**Policy W22** - When considering proposals for waste management facilities the Planning Authority will;

## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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- (i) normally refuse planning permission if it is considered that the proposed access, or necessary off-site highway improvements or the effects of vehicles travelling to and from the site, would affect in a materially adverse way:
  - (a) the safety of the highway network,
  - (b) that character of historic rural lanes,
  - (c) the local environment, including dwellings, Conservation Areas and Listed Buildings,
- (ii) ensure that any off site highway improvements considered to be necessary to secure acceptable access are completed, if necessary in stages, related to the development of the site before specified operations on site commence, and provided at the developments expense.

### Consultations

**15. Shepway District Council:** raises no objection, but make the following comments:

“It is recommended that the proposed operations be restricted to within the red line boundary shown on the site layout plan with the application, and that conditions are imposed to control external storage of material and hours of operation, in the interests of local amenity.”

**Lydd Town Council:** supports the application, and adds that they hope the County Council will continue to seek a permanent site in the parish of Lydd, preferably one that would enable a full recycling site to be provided.

**The Divisional Transportation Manager:** raises no objection to the proposal subject to conditions requiring the provision of 2.4m x 70m visibility splays, the provision and retention of parking and turning areas (as shown on the plans), and the provision of traffic management measures. The Transportation Manager also states:

“I confirm it would be acceptable for the necessary traffic management measures to be of a temporary nature for up to a year of operation of the waste site. The applicant should note that the temporary measures will need to be agreed with our Roadworks Coordination team and it will be the applicant’s responsibility to inspect and maintain the measures for the period they are in place. If the waste site is required to be in operation for more than one year then the traffic management measures must be suitably amended to be of a permanent nature prior to the commencement of the second year of operation. As previously advised, this will require a Stage 1/Stage 2 submission for approval to KHS. The condition requiring provision of traffic management measures should reflect the need to provide permanent measures beyond the first year of operation.”

**The Environment Agency:** no written comments received to date.

**The County Councils Noise Advisor:** states that operationally the site should generally not be a significant noise source, with the site only receiving household waste and not commercial or construction material. The only noise that might possibly be generated would be impact noise from the movement of white goods, such as fridges

## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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and freezers, hitting the ground or lorry bed. In addition, it is considered that the local topography would assist in attenuating noise from the additional traffic generated by the proposal.

### **Local Member**

16. The local County Member, Mr F. Wood-Brignall, was notified of the application on the 19 December 2007.

### **Publicity**

17. The application was publicised by the posting of a site notice, advertisement in a local newspaper, and the individual notification of 29 nearby properties.

### **Representations**

18. 1 letter of representation has been received to date. The main planning comments/points of concern and objection can be summarised as follows:
  - concerned that the facility is already operating, prior to neighbour consultation;
  - objects most strongly to the siting of the waste collection point;
  - the private road has always been a problem with regards to access because of the dangerous road junction;
  - vehicles leaving the private road, at either end, cannot see traffic approaching over the bridge;
  - accidents will happen as a result of the siting of this facility;
  - alternative sites should be considered;

### **Discussion**

19. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (14) 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. Issues of particular relevance include highway implications, site selection and impact upon local residential amenity.
20. Policies SP1 and QL1 of the Kent and Medway Structure Plan & SD1 and BE1 of the Shepway District Local Plan, seek to conserve and enhance the environment and require development to be well designed and respect its setting.

### Site Selection

21. As detailed in paragraphs 4-13 above, this application proposes the weekend only temporary use of a site in Lydd to provide an area for the stationing of one refuse freighter and one open backed collection vehicle for the purpose of accepting bulky

## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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household waste. In addition, the applicant is proposing to place recycling containers outside of the boundary fence for collection by Shepway District Council. As detailed in paragraph 5 of this report, the previous permanent site for the housing of this facility in Lydd, Park Street Car Park, was sold in September 2007 by Shepway District Council. The County Council is in the process of trying to find a permanent replacement site for the Householders Waste Recycling Centre (HWRC), but in the interim has been using the land at the Former Goods Yard, Station Road, Lydd, under permitted development rights. This application seeks to extend the use of the site beyond the 28 days given as permitted development, initially for a twelve-month period. Thereafter, should a permanent site not be found, a further extension of 2 years would be applied for, which would be subject to a new planning application. However, the appropriateness of the site has been questioned by a local resident, who suggests that an alternative should be found.

22. The applicant advises that the proposed site is the only site available, and fit for purpose, within Lydd. 11 sites were initially investigated by the applicant, and details of these have been submitted. Some of the sites were of insufficient size, others were still in use, too close to residential properties, had very poor access or would need to be prepared/surfaced. The applicant therefore considers the proposed site to be the most appropriate in terms of both location and access, bearing in mind the short-term need for the temporary site.
23. The site is a former Goods Yard and is derelict brownfield land, which is surfaced in part, and fenced. The site is allocated within the Shepway District Local Plan under Policy E1 (i) as an Established Employment Site, where Use Classes B1, B2 & B8 would be permitted. Although the use applied for does not fall within the specified Use Classes, Policy E1 (i) sets a precedent for the sites development, and establishes it as a potential employment site. The temporary use of the site for a use which falls outside of the specified Use Classes would not preclude the site from permanent future development, or set a precedent for future use of the site as a waste facility. The sites designation for development also suggests that the site is not sensitive in nature, and has acceptable access arrangements (this will be discussed in more detail below).
24. In principle, the use of this site is acceptable. It is previously developed land, which is surfaced in part, and is designated within the Local Plan for future development. The applicant has also demonstrated that the use of alternative sites has been explored, and has provided adequate explanation of why these other sites were discounted. However, the implications of the sites use in terms of access and highway safety, and impact upon local residential amenity, need to be assessed before the proposed development can be considered to be acceptable and in accordance with Development Plan Policy.

### Access and Highway Safety

25. As outlined within paragraphs 2 and 3 of this report, the first submission of this application was withdrawn due to objections from local residents and Kent Highway Services due to concerns over the suitability of the site access. Prior to resubmitting the application, the applicant liaised with Kent Highway Services in an effort to overcome the concerns initially expressed. As a result, the applicant is now proposing to install signage and a traffic island, and has demonstrated that vision splays of 2.4m x 70m can be achieved. The routing of vehicles when accessing and exiting the site has been carefully considered, as have the internal site arrangements. As previously explained, the site is already in operation under Permitted Development Rights and, too date, I have not

## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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received any complaints with regards to access or highway safety.

26. In addition, the site is accessed via a 'private road' and, therefore, should vehicles have to wait to enter the site, it is more than likely that all queuing would occur off of the main highway. This is an advantage of the sites location. In addition, although the 'private road' is double yellow lined, Shepway District Council have confirmed that they would not enforce parking restrictions along the road unless vehicles were left unattended. All waiting, and unloading, whether this be for the purpose of the bulky waste service or the use of the recycling bins, could be safely accommodated on the 'private road' without the risk of penalty. It is also worth noting that the site would not be in operation during the working week, and therefore peak traffic hours would not be affected.
27. As a result of the measures proposed by the applicant, detailed within paragraphs 9-11 of this report, Kent Highway Services have raised no objection to the proposed development, subject to the imposition of conditions. As this application proposes to use the site for a temporary period of 12 months, Kent Highway Services have accepted that temporary signage and a temporary traffic island can be used. However, should an application be submitted for a further two year retention, then the temporary measures would no longer be acceptable and permanent replacements would have to be installed. Should planning permission be granted this would be a condition of consent.
28. In light of the above, I consider that the site access is acceptable, and that subject to the imposition of conditions, the safety of the local highway network should not be detrimentally affected. I therefore see no reason to refuse this application on the grounds of access or highway safety.

### Residential amenity

29. The proposed site is located on the periphery of Lydd, but is still in close proximity to residential properties. The impact of the development upon the amenity of nearby residents therefore needs to be considered and addressed in the determination of this application. The application proposes use of the site at weekends only, between 9.00 and 16.30 on a Saturday, and 10.00 and 16.30 on a Sunday. I consider these hours to be reasonable given the nature of the development proposed and, should planning permission be granted, these hours would be specified by planning condition. However, use of the site has the potential to generate noise, and could attract unofficial dumping of household (or other) waste when the facility would be closed.
30. First, with regards to noise, it is considered that the highest noise generation would potentially come from the movement of 'white goods' and/or from vehicles waiting to enter the site. The applicant states that noise generation from the movement of white goods would be largely mitigated through appropriate on site assistance from site staff. In light of the temporary nature of the site, and the scale of the development, it would be unreasonable and inappropriate to expect mechanical aids for moving white goods to be available on site. Regardless of this, mechanical aids have the potential to generate more noise and disturbance than the movement of white goods by hand. The County Council's Noise Advisor considers that assistance from site staff when handling white goods would reduce noise generation and I therefore consider this to be an acceptable solution.
31. With regards to noise generated from vehicles waiting to enter the site, the applicant advises that site staff are mindful of the need to maximise householder 'turn around' to



## Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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ensure the smooth operation of the site and to reduce any potential nuisance or disturbance from queuing cars. In addition, the elevated nature of Station Road in comparison to the application site should be noted. The railway bridge and raised road would provide a significant noise barrier to any properties to the west of the site. The County Council's Noise Advisor considers that the smooth operation of the site, and the levels of the site in relation to the adjacent road, would assist in attenuating noise generated by the use of the site. In addition, it is worth noting that local residents have not objected to this proposal on the grounds of noise, and as the facility is currently operating, the assumption can be made that noise is not having a detrimental impact on local residential amenity. I therefore see no reason to refuse this application on the grounds of noise generation.

32. As the site would only be in operation at weekends, for the remainder of the week the site would be unattended, and could encourage unauthorised dumping of material. The applicant has confirmed that no equipment, vehicles or waste would be left or stored on site when not in use. This would discourage the unauthorised use of the site. In addition, the site would be secured with a locked gate and fencing, and both Shepway District Council and County Council Officers have been asked to be extra vigilant regarding any unauthorised deposits of waste. The applicant has made all reasonable efforts to ensure that the site is secured out of operating hours and has, as far as practicably possible, reduced the likelihood of the unauthorised dumping of waste.

### Summary

33. The applicant has provided a case of need for this temporary facility, and is undertaking a search to find an appropriate site for a replacement permanent HWRC. The applicant has demonstrated that alternative sites have been considered and has provided reasoning as to why they were not acceptable and/or appropriate. The use of this site is therefore proposed for an initial period of a year and, subject to the imposition of conditions regarding hours of use, provision of signage and a traffic island and the securing and condition of the site out of operating hours, I do not consider that the proposed development would have a significantly adverse affect on the local highway network or the amenity of neighbouring residential amenities.

### **Conclusion**

34. Overall, I consider that the temporary use of this site is acceptable in terms of impact upon the landscape, local highway network and the amenity of neighbouring properties. 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 permission be granted subject to the imposition of appropriate conditions.

### **Recommendation**

35. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- use of the site to cease within a year of the date of the permission;
  - details of site restoration upon vacating the site;

## Item C2

Temporary use of the site to station refuse vehicles for the collection of household waste at Former Goods Yard, Station Road, Lydd – SH/07/1655

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- the development to be carried out in accordance with the permitted details;
- hours of operation;
- the installation and maintenance of temporary signage and a traffic island;
- the installation of permanent signage and a traffic island should a second application be submitted for further retention of the site;
- securing the site and ensuring the site is cleared of all equipment, vehicles or waste outside of operating hours;

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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**Item D1****Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 March 2008.

Application by Kent County Council Children, Families and Education for the construction of a single storey modular building with a flat roof for use as a Children's Centre, including the installation of a canopy, storage units, fencing, and external impact absorbent play area plus replacement of toilet facilities connected to existing nursery at St. Nicholas Primary School, Fairfield Road, New Romney, Romney Marsh (SH/07/1496)

Recommendation: Planning permission be granted, subject to conditions.

Local Member(s): Mr. F. Wood Brignall

Classification: Unrestricted

**Site**

1. St. Nicholas Primary School is located to the north-west of the town of New Romney, off Fairfield Road. The school site is a split site comprising the main campus being located to the north-west of Fairfield Road, and the school playing fields located on a detached sports field to the west of the main school site. The site contains a variety of current uses, comprising a day nursery, family centre and the main buildings of St. Nicholas Primary School. The application site for the proposed Children's Centre lies to the front entrance (north-east) of the school site on a patch of undeveloped grass directly adjacent to Craythorne Lane, beyond which is a street of residential properties which are primarily single storey bungalows.
2. The application site is located within an area at risk of fluvial/tidal flooding and lies approximately 100 metres north-east of the New Romney Conservation Area. *A location plan is attached.*

**Background**

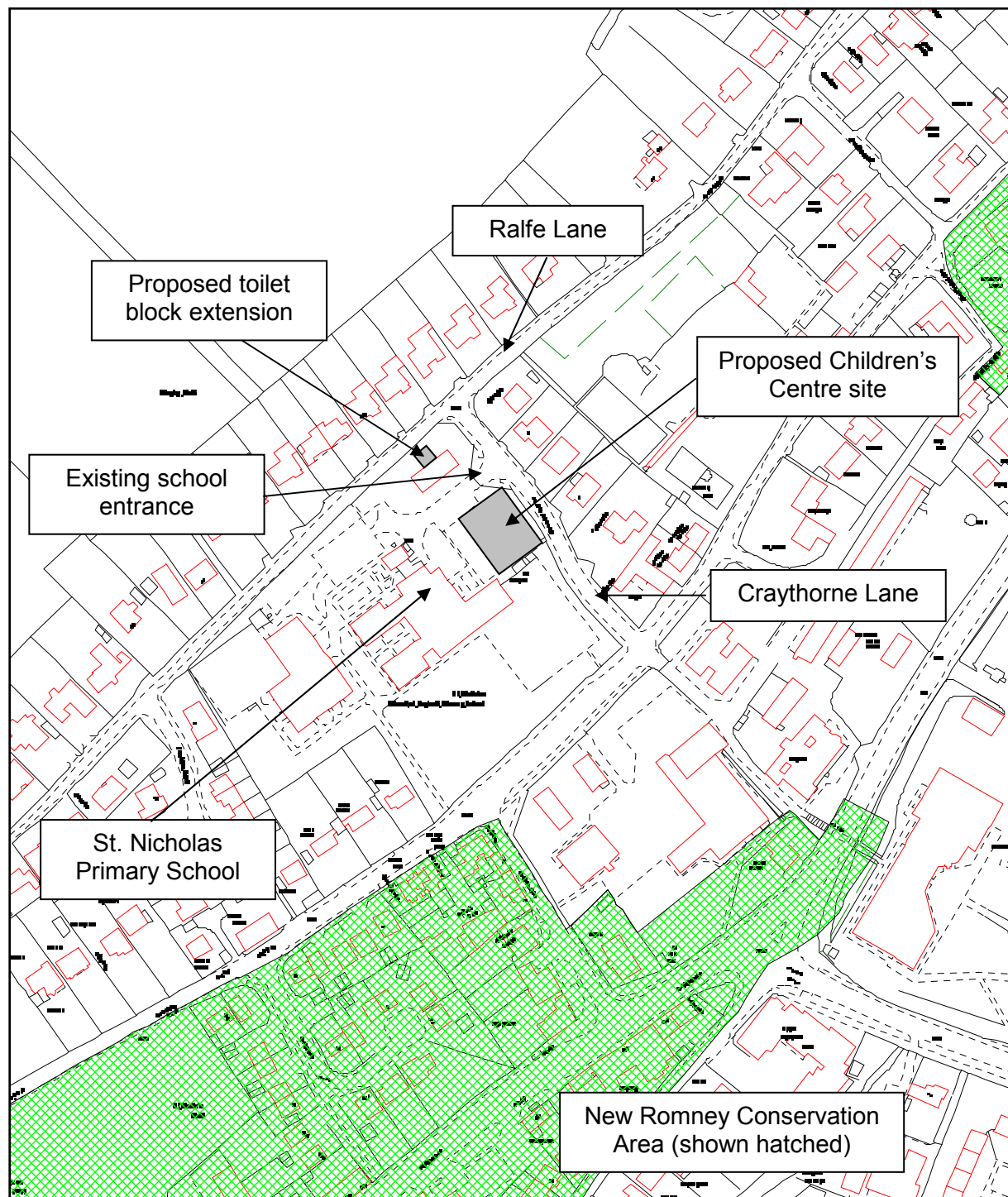
3. The County Planning Authority granted planning permission in 2006 for two temporary mobile classrooms (to be retained on site until October 2011) for the expansion of the existing Family Centre within the school grounds, under reference SH/06/1244.

**Proposal**

4. This application proposes the creation of a half core Children's Centre on a section of grassland adjacent to the main site entrance. The half core Children's Centre is proposed to provide a community facility with a crèche, meeting and staff accommodation, together with external works including the provision of a buggy store and an external impact absorbent play area.
5. The application has been made on behalf of the County Council's Children, Families and Education Directorate. The scheme is one of a number of similar applications being proposed across the County as part of Central Government's National Sure Start Programme, funded by the Department for Education and Skills (DfES). The main aim of the Sure Start Programme is to increase the availability of childcare for all children, improve health and emotional development for young children and support parents in their aspirations towards employment. The aim of the Children's Centre is to offer a range of health, adult education and family support services for the local community.

**Children's Centre at St. Nicholas Primary School, Fairfield Road,  
New Romney – SH/07/1496**

**Site Location Plan**



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**Scale 1:2500**

Eltham Station

Proposed Block Plan

Existing 1.8m high weld mesh fencing

New 1.8m high weld mesh fencing

CRAYTHORNE LANE

Sub Sta

Existing 1.8m high weld mesh fencing to be removed and a new gate installed

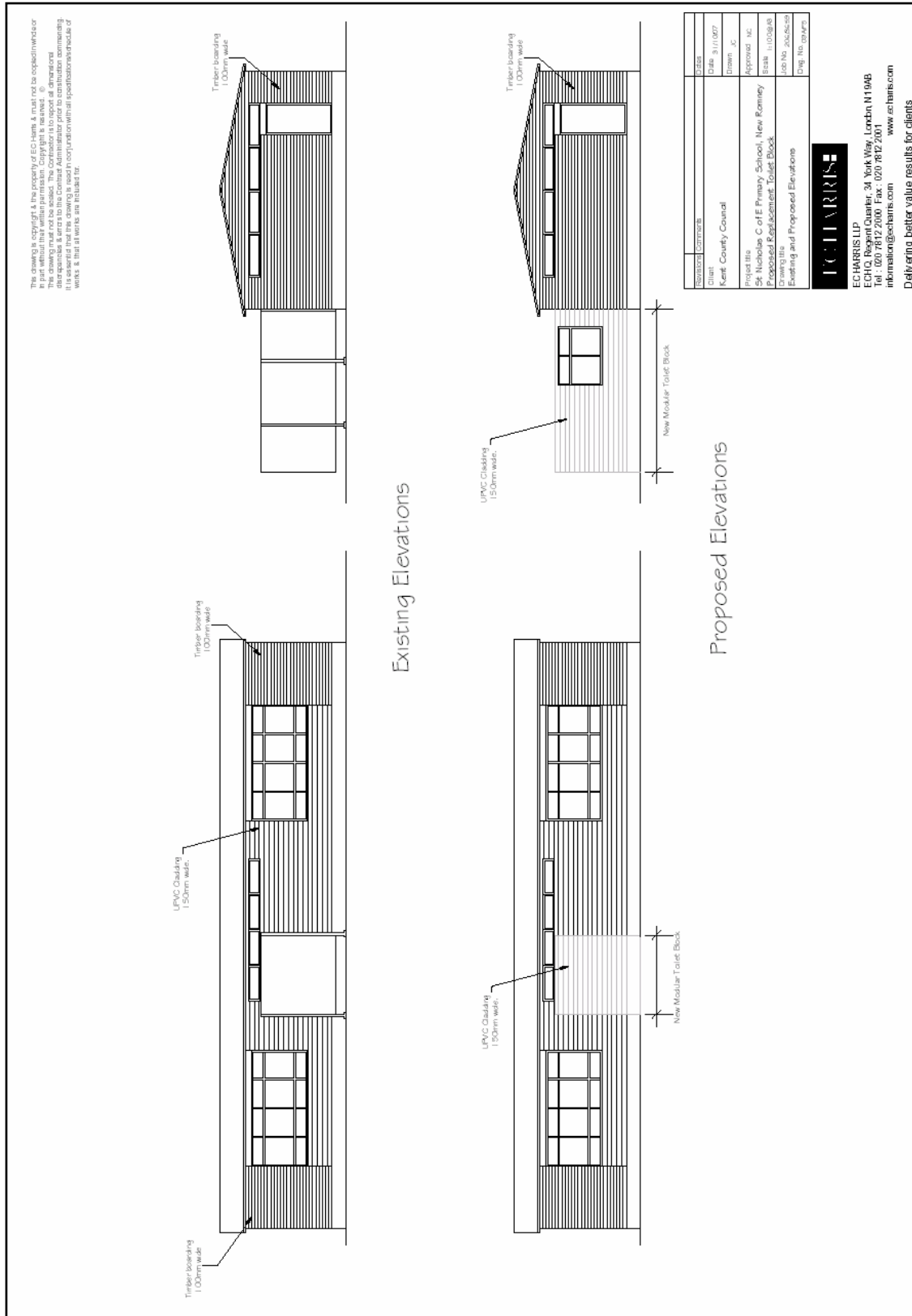
New 1.8m high weld mesh fencing to be installed

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# Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496

## Proposed Replacement Toilet Block Elevations



**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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6. The Children's Centre would operate as a separate community facility independent from the School, Family Centre and Day Nursery functions within the St. Nicholas Primary School site. The application proposes that the Centre would be open from 08:00 to 18:00 hours, Monday to Friday, 48 weeks of the year. The Centre would employ 3 members of staff on a regular basis with the number rising for special events. The application states that the Centre is expected to generate up to 40 visitors in a normal day, spread out over the 10 hours of operation. It has been stated that only when a particular event, such as a seminar is being provided, would there be a number of people arriving at any one time. However, the application sets out that it is unlikely that such events would occur at the same time as school start/finish times to avoid additional impact on the road network at peak times.
7. The proposed Children's Centre is of a modular building type and would be constructed in major sections off-site and shipped to site and fixed on pre-constructed foundations. The unit has been amended by the applicants to benefit from an 'enhanced' design which proposes vertical cedar cladding wrapped around the corners of the unit with a smooth sand yellow render to the rest of the building. The roof is proposed to be a metal flat deck. A plan showing the proposed elevations of the modular Children's Centre can be found on page (D1.4).
8. The application sets out that staff employed at the Centre would be employed within the surrounding area and would be encouraged to walk to/from work. In addition the application states that where staff would be expected to drive in they would be offered a parking space within the existing parking provision of the school site. It is noted that the application states that the Centre has been located to minimise travel distances by being located within the community it is intended to serve, and visitors therefore would be encouraged to walk.
9. The application proposes that the Children's Centre site be surrounded in green powder coated 1.8m high weld mesh fencing. In addition, it should be noted that as part of the current proposals the application seeks the removal of 7 trees of varying species and age.
10. At the same time as the proposed Children's Centre development, the application also proposes the upgrade of the existing Day Nursery toilets on the adjacent site to the proposed Children's Centre. That particular element comprises a small flat-roofed extension (approximately 10 sq. metres) with cladding to match that of the existing Day Nursery building. A location plan and elevations of this particular element of the proposals have been given on pages (D1.2) and (D1. 5).

**Planning Policy**

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

- (i) The adopted 2006 **Kent & Medway Structure Plan**:

**Policy SP1** – The primary purpose of Kent's development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development. This will be done principally by, amongst other matters:

- protecting the Kent countryside and its wildlife for future generations;



**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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- protecting and enhancing features of importance in the natural and built environment;
- encouraging high quality development and innovative design that reflects Kent's identity and local distinctiveness and promoting healthy, safe and secure living and working environments;

**Policy QL1** – All development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.

**Policy QL6** – The primary policy towards Conservation Areas is to preserve their special character or appearance and development that would harm the character or appearance of these areas will not be permitted.

**Policy QL11** – Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

**Policy QL12** – Provision will be made to accommodate additional requirements for local community services in response to growth in demand from the community as a whole. The services will be located where they are accessible by walking, cycling and by public transport.

**Policy EN9** – Tree cover and the hedgerow network should be maintained. Additionally they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats.

**Policy TP3** – Local Planning Authorities should ensure that development sites are well served by public transport, walking and cycling.

**Policy TP19** – Seeks development proposals comply with the respective vehicle parking policies and maximum standards adopted by Kent County Council and Medway Council.

(ii) The adopted 2006 **Shepway District Council Local Plan Review**

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

**Policy BE1** – A high standard to 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.

**Policy SC2** – The District Planning Authority will grant planning permission for new or improved social and community facilities where the proposal would be compatible with surrounding land uses, acceptable in highway, infrastructure and environmental terms, accessible by a range of transport

**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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alternatives to the car and includes adequate provision for access for disabled persons.

**Policy TR6** – New development will not be permitted unless provision is made for the needs of pedestrians. The layout and design of development should provide for safe, attractive and convenient pedestrian routes, particularly to public transport routes.

**Policy TR12** – New development will only be permitted if it makes provision for off street parking on or near the site, unless the location is well served by public transport and there would be no adverse effect on road safety or traffic management.

**Policy TR13** – Where development proposals are considered less likely to have significant transport implications, a travel plan should be submitted with the planning application.

**Consultations**

**12. Shepway District Council:** has commented as follows:

*"Having regard to the amended design, the Local Planning Authority now considers that the development proposes a more visually acceptable form of development within the context of the existing school buildings and the setting of Craythorne Lane, in accordance with Policies SD1 and BE1 of the Shepway District Council Local Plan Review and SP1 and QL1 of the Kent and Medway Structure Plan.*

*Given the form of construction and temporary nature, it is advised that should permission be granted, consideration be given to ensuring a building of a suitable and sustainable life span.*

*It is also recommended that should permission be granted, all trees that are proposed to be removed be replaced with suitable species, planted along the front and side areas between the proposed building and the Craythorne Lane highway and the school entrance to visually enhance the street scene and provide some visual relief from the new development.*

*Based on the amended design, the Local Planning Authority therefore raises no objection to the proposed development".*

**New Romney Town Council:** raises no objection to the amended design of the Children's Centre.

**Divisional Transportation Manager:** has commented as follows:

*"I have no objection to the proposal but recommend that a condition be applied requiring the provision, implementation and maintenance of a School Travel Plan [incorporating both the School and Children's Centre]".*

**Environment Agency:** has raised no objection to the proposal but offers advice to the applicant relating to the site being located within a low lying area which is at risk from flooding. The Environment Agency note that there is no residential use associated with

**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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the proposed application and further understand that there is a local need for these facilities and that no alternative site with a reduced flood risk is available.

In addition, the Environment Agency has suggested the imposition of conditions covering a scheme for the disposal of foul and surface waters to be submitted to and approved by the County Planning Authority prior to the commencement of operations on site, and the use of appropriate pollution prevention methods on site.

**KCC Archaeology:** has commented as follows:

*"As significant remains could be affected by proposal, I recommend that no development shall take place until the applicant has secured the implementation of a programme of archaeological work"*

**KCC Landscape Consultant (Jacobs):** has commented as follows:

*"We have no objection to the building size or materials proposed, or to the fencing style chosen. We recommend however, that the applicant submits further details relating to the proposal's impact on the existing trees to be retained in terms of their protection during the building's construction and refer the applicants to British Standard 5837:2005 - Trees in Relation to Construction for acceptable protection methods".*

**Local Member**

13. The local County Member, Mr. F. Wood-Brignall, was notified of the original application on the 6 November 2007, and amended application ['enhanced' design proposal] on 17 January 2008.

**Publicity**

14. The application was publicised by posting a site notice at the main entrance of the site with Craythorne Lane, and the individual notification of 18 neighbouring residential properties.

**Representations**

15. I have received 3 letters of representation to date in connection with this application. The following concerns raised by local residents are summarised below:
- Main concern is the amount of traffic already parking in Rolfe Lane [north-west of the School site] and the thought of even more cars is worrying. This will only be worse with the proposed building expansion;
  - You have to live in the road to experience first-hand the problems with current traffic levels – one day there will be a very bad accident here;
  - Since the Day Nursery opened we have had cars coming and going nearly all day and the thought of more cars does not appeal;
  - Rolfe Lane is a residential area and should be taken into consideration when dealing with the application – without addressing the issue of increased traffic could severely jeopardise safety and increase antagonism between the school and the community in Rolfe Lane;
  - Clear safety issue here with no public footpaths in road and children crossing to use the adjacent sports field site;

**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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- Concerns regarding loss of trees to make room for the Children's Centre building. This is a Conservation Area and all residents were sent conservation packs from Shepway District Council explaining what is and is not permitted – is KCC exempt from these laws?

**Discussion**Introduction

16. The application proposed to seek planning permission for a half-core community Children's Centre and a small-scale toilet block extension to the existing Day Nursery provision currently on site. The application is being reported to the Planning Applications Committee as a result of the residential objections received from nearby local residents. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (11) 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.
17. The proposed Centre is one of 52 similar facilities being applied for by KCC's Children, Families and Education Directorate across the County. The aim of the Children's Centre is to offer a range of health, adult education and family support services to provide for the needs of that particular local community.
18. The application proposes some associated external works in connection with the Centre to include the provision of an external buggy store and an area of impact absorbent play surface. In order to site the Centre on its proposed location to the front entrance of the school the application proposes the removal of 7 trees of varying species and age.

Location

19. The application site falls within the built development of the town of New Romney, however is proposed to sit in a relatively prominent location close to the front boundary of the school site on Craythorne Lane. It is noted that the application site is located some 100m from the New Romney Conservation Area, however views into/out of this area from the application site are limited through existing built development. Whilst I consider that the application would not have an adverse impact on the adjacent New Romney Conservation Area, and subsequently be in accordance with Structure Plan Policy QL6, I consider it to be important to sufficiently address the Centre's prominence within the street-scene from Craythorne Lane.
20. The application site at the front entrance to the school has been chosen as the only suitable site for the Centre given that the existing built development occupies a large proportion of the total site area. I note that there is very little remaining space on the main campus site to locate such development elsewhere without interrupting existing sports, education or car parking provision. Members will note however that residential concerns have been raised in paragraph (15) to the chosen site given that the development encompasses the removal of 7 trees of varying age and species. This specific issue is discussed under the 'trees/landscaping' section in paragraphs (33-37).

**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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21. It is worth noting that the proposed Centre modular building would stand as a prominent feature within the street-scene from Craythorne Lane given that the chosen site is currently an undeveloped grassed area with a relatively open boundary to the roadway beyond. The application has been amended to benefit from an 'enhanced' design of building (to include cedar cladding and a render finish) as a result of concerns relating to visual prominence within the street-scene. Although I note that the size and bulk of the building has not changed as a result of the alternative design of the unit, given that the floorspace requirements are set by the Sure Start programme, I consider that current proposal goes some way towards achieving a suitable design solution for this particular location.
22. I note the consultee response from Shepway District Council on the 'enhanced' design unit where they state that the *'development proposes a more visually acceptable form of development within the context of the existing school buildings and the setting of Craythorne Lane'*. I consider that whilst this application proposes bringing the built development of the school site closer to residential properties in Craythorne Lane, given the unit proposed is of a flat-roof design, similar to that of the main school buildings, and the nearest residential properties are separated by a roadway and would be approximately 15 metres from the front elevation of the proposed Centre, I would not raise an objection to this proposal on visual intrusion grounds. Accordingly, I consider the proposal to be in conformity with Structure Plan Policy QL1 and Local Plan Policy BE1.
23. The small-scale toilet block extension would be located to the north side of the existing Day Nursery building and occupy a site currently used for temporary 'Portakabin' style toilets. Given that this specific element involves the replacement of the same function with a new extension in the same location as that of the previous temporary building, and a choice of materials to match the existing Day Nursery building, I consider the location and built form of this specific element of the proposal to be acceptable in planning terms. Members will note that there have been no objections received either from statutory consultees or nearby residents with regards to this particular element of the proposal.

**Traffic and Access**

24. Another element of the application that requires consideration is the potential for the proposed Centre to generate additional traffic activity, including movements to and from the site, and whether these would result in an unacceptable impact on the surrounding area. Members will note the residential objections received (see paragraph 15 above) concerning traffic and highway issues, in particular the increase of vehicle movements to/from the site in light of the current proposals.
25. The application proposes no new additional car parking facilities at St. Nicholas Primary School in connection with the proposed Centre, but instead suggests that the existing car parking provision on site is sufficient for the current school needs with surplus capacity to absorb the needs of any additional staff parking in association with the Children's Centre. Whilst it is noted that there would be 3 full-time members of staff employed at the proposed Centre, the application sets out that staff would be employed from within a close proximity to the site.
26. The application sets out that no visitor car parking would be provided for users in connection with the Centre. However, the applicant states that all the Centres in Kent have been strategically located to minimise travel distances for the majority of the residents they are intended to serve. The Sure Start scheme puts a great deal of

**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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emphasis on “buggy pushing distance” with the users of the centre encouraged to walk. It is estimated that the Centre would have up to 40 visitors in a day, over and above the existing number of visitors using the School, Day Nursery and Family Centre within the site. However, the applicant advises that the visitors for the proposed Children's Centre would be spread out over the 10 hours of operation and visiting primarily via an appointment, rather than all on site at any one time. Only when a particular event, such as a seminar, is being provided would there be a number of people arriving at the site at any one time which would typically be outside of normal school hours. The applicant has also indicated that the timing of events likely to generate significant numbers of users attending the Centre would be scheduled to avoid school opening/closing times to avoid traffic congestion on the local road network at peak times.

27. Whilst I note that the Centre has the potential to increase traffic generation to/from the site I note that the Divisional Transportation Manager has raised no objection to the current proposals (see paragraph 12 above), but instead has recommended that the School in conjunction with the proposed Children's Centre prepare, implement and maintain a School Travel Plan. I consider that if the proposal is approved, there is a potential risk that the congestion level might increase on some occasions but it is unlikely for this to be on a regular basis or to be sufficient enough to recommend refusal of this application on these grounds alone. Moreover, the Divisional Transportation Manager is satisfied that the surrounding highways have the capacity to accommodate those movements.
28. From a policy point of view, it is considered that the proposal meets the requirements of Policies TP3 and QL12 which require that community facilities be grouped together to reduce the need for travel, be easily accessible by walking and public transport. Bearing in mind the views expressed by the Divisional Transportation Manager in paragraph (12) above, I would not raise an objection on highway grounds and further suggest that a School Travel Plan be conditioned to be produced and implemented within 3 months of the first occupation of the proposed Centre.

#### Hours of Use

29. The proposed hours of use of the Centre have been stated by the applicants as being between 08:00 to 18:00 hours, 5 days a week for 48 weeks of the year. In reality, the majority of these hours would be within the existing school opening times, including the other activities the school provides. Accordingly, I would not raise an objection to the hours of use proposed by this application, and recommend that these hours of operation be secured by planning condition.

#### Design

30. Members will note that the Centre design has been amended to include an 'enhanced' design of modular building comprising vertical timber cedar cladding and a yellow sand-coloured render. It is noted that this specific design approach has been adopted on a number of such Centres across the County located in sensitive or prominent locations. I am of the opinion that the 'enhanced' design improves the external appearance of the proposed building and accordingly would not raise an objection on design grounds but recommend that the exact details of any external materials be secured by planning condition.
31. In addition to the proposed Centre the application proposes a small uPVC clad toilet block extension to the existing Day Nursery on the School site. I note that this toilet block addition has been designed to match the existing nursery, with horizontal cladding,

**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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and replaces a currently dilapidated 'Portakabin' style toilet block. I am of the opinion that the design and external materials of this specific element of the proposal are in accordance with Structure Plan Policy QL1.

32. In addition to the proposed Children's Centre and toilet block addition, the application proposes the inclusion of an impact absorbent play surface and 1.8m high green powder-coated weld-mesh fencing. In design terms I would not seek to raise objection to either of these external elements, but suggest that exact details be secured by planning condition in this case. I note that many of the proposed Children's Centres contain external steel-framed polycarbonate canopies. Taking account of the prominent location of this specific Centre, and in light of no such canopy being proposed, I recommend that a condition be placed on any decision removing the right for a canopy to be erected under 'permitted development rights' without the prior written permission of the County Planning Authority.

### Trees / Landscaping

33. Members will note that this application seeks the removal of 7 trees of varying age and species in order to situate the Centre in its proposed location, and that several residential concerns have been raised to the removal of such trees. It is noted that contrary to the views expressed by local residents, the application site is not within the New Romney Conservation Area, but is located some 100m from its closest boundary. Therefore special controls relating to trees in Conservation Areas do not specifically relate to the consideration of this application. Nevertheless, it is important to consider the visual amenity impacts arising from the loss of 7 trees.
34. Whilst I note that many of the existing trees are relatively small and have not yet matured they provide a pleasant visual screen into the site from the roadway and residential properties beyond. I consider it to be unfortunate that the siting of this unit would result in the loss of trees, but accept that within the current site this location has been selected as the only viable option and note the social and community benefits that such centre would bring to the area. Whilst the removal of trees is in conflict with Structure Plan Policy EN9 encouraging trees to be retained on site wherever possible, I consider that in order to mitigate against the loss of trees I recommend that a condition be placed on any decision requiring the submission and implementation of a detailed landscaping scheme, to include replacement tree planting for all species removed as part of this proposal.
35. I note the proximity of a further tree to be retained on site adjacent to an area of external impact absorbent play surface to the north-west of the proposed modular building. Taking account of the advice provided by the KCC Landscape Consultant (Jacobs) in paragraph (12) above, I suggest that details of tree protection measures to be used during construction be secured by planning condition in this case.
36. In addition to the removal of existing trees on site and their subsequent replacement with suitable alternatives, I suggest that there is scope for low-level boundary hedge planting between the existing site boundary fence and Craythorne Lane in order to mitigate any adverse visual impacts from nearby residential properties. Accordingly, I suggest that this detail be secured by planning condition and new boundary hedge planting be implemented within the first planting season following the completion of the development.
37. On balance, I consider that the removal of 7 trees could be sufficiently mitigated by the approval of an adequate landscaping scheme to include new replacement tree planting

**Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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and additional low-level boundary hedge planting along Craythorne Lane. On the basis of a landscaping scheme being secured by planning condition I consider the development to be acceptable and in accordance with Structure Plan Policies QL1 & EN9.

Drainage / Flooding

38. Members will note the concerns relating to foul and surface water drainage as expressed by the Environment Agency in paragraph (12) above. The Agency have suggested that a condition be attached to any decision requiring the applicants to submit and have approved a scheme for the disposal of foul and surface waters prior to the commencement of operations on site. Accordingly, I recommend that such condition be placed on any decision and would not seek to raise an objection on these grounds.
39. In addition, the Agency has suggested the application site lies within a low lying area which is at risk from flooding. However, since there is no residential use associated with the proposed development and there is a need for such a facility in the locality, the Agency is satisfied that the development is in accordance with their current guidance relating to development and flooding. Accordingly, I would not seek to raise objection on flooding grounds, but suggest that the applicants be advised of the potential flood risk in this locality.

Archaeology

40. The KCC Archaeological Officer has suggested that as significant archaeological remains could be affected by this proposal, no works should take place until the applicants have secured the implementation of a programme of archaeological work. Therefore, I would not raise an objection on archaeology grounds, given the small amount of ground works proposed for the construction of a modular building, but recommend that the programme of archaeological works be secured by planning condition prior to the commencement of any operations on site.

**Conclusion**

41. Having regard to the Development Plan Policies, in addition to the material considerations raised by several local residents in this case, I consider that the creation of a community Children's Centre plus the replacement of a small-scale toilet block in association with the current on site Day Nursery is in general conformity with the Development Plan. Whilst I note the views received from local residents in connection with traffic movements to/from site and the removal of trees on site, I am satisfied that these issues can be sufficiently resolved by the imposition of planning conditions as outlined in paragraph (42) below. In addition, I have noted the views of statutory consultees as detailed in paragraph (12) above and have accordingly suggested appropriate conditions. Therefore I recommend that planning permission be granted as set out in paragraph (42) below.

**Recommendation**

42. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- the standard time limit;
  - the development to be carried out in accordance with the permitted details;



## Item D1

### **Children's Centre at St. Nicholas Primary School, Fairfield Road, New Romney – SH/07/1496**

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- details of all external materials, fencing and safety surfacing being submitted to and approved by the County Planning Authority prior to any development commencing on site;
- School Travel Plan be produced and implemented within 3 months from the date of first occupation of the Centre;
- hours of use 08:00 to 18:00 Monday to Friday;
- full landscaping scheme (to include replacement trees and boundary hedge planting) to be submitted to and approved by the County Planning Authority prior to any development commencing on site;
- surface water drainage scheme being submitted to and approved by the County Planning Authority prior to any development commencing on site;
- removal of further permitted development rights in association with Centre unless otherwise agreed in writing by the County Planning Authority;
- programme of archaeological works.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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**Item D2****Single storey modular building for Children's Centre, Swalecliffe Community Primary School.**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 March 2008.

Application by KCC Children, Families And Education for single storey modular building for Children's Centre at Swalecliffe Community Primary School, Bridgefield Road, Whitstable (Ref:CA/08/78)

Recommendation: permission be granted subject to conditions

Local Member(s): Mark Dance, Michael Harrison

Classification: Unrestricted

**Site**

1. Swalecliffe Community Primary School is located in a residential area of Swalecliffe, between Bridgefield Road to the north east and Swalecliffe Road to the south side. From the south west the site adjoins wooded open space. The north west boundary, between the houses along Southwood Road and the school grounds, is extensively landscaped with trees, shrubs and tall hedge. The vehicular access to the school site is through three leading roads off Bridgefield Road. A site plan is attached (see page D2.3).

**Proposal**

2. The planning application is one of 52 new Children's Centre across Kent, which is part of the Central Government's National Sure Start Programme. The main aims of the Sure Start programme are to increase the availability of childcare for young children and support parents in their aspirations towards employment. The Children's Centre would offer a range of health, adult education and family support services. Alongside with these services, there would be a nursery facility for 3-5 year old children, which would be managed by the School. The planning application has been submitted by Kent County Council's Children Families and Education Directorate. The Swalecliffe Community Primary School site has been chosen as part of the Kent Strategy as being in an area with demand for the Children's Centre.
3. The proposal is for a new single storey, flat roof modular building together with two canopies and 12 new car parking spaces, one of which is a disabled parking bay (see page D2.3). The proposed building is constructed in sections in a quality controlled factory environment (see page D2.4). The parts are transported to the site and fixed on pre-constructed foundations. The units come with a factory plastisol finish in a light green colour of the external walls. The roof would be felt finish. The applicant states that the proposed building would achieve a minimum BREEAM rating of 'good' with desired target of 'very good'. A minimum life-span of 25 years is warranted by the manufacturer, which is also the requirement of the Department for Education and Skills (DfES), which would provide funding for this project. Externally, there would also be two canopies and an impact absorbent play area. Inside, the building would contain crèche/meeting rooms, a playroom, a multi-purpose room, an interview medical room, a snack kitchen, a reception/office area and toilets. The Centre's site would be enclosed with 1.8 metre high weld mesh fencing.
4. The entry to the Children's Centre would be through the existing vehicular and pedestrian access to the site along Buckingham Road. The new car parking bays would be shared between the staff working in the Centre, specifically the community facility and the nursery. No visitor's car parking is provided apart from the one disabled visitor

**Single storey modular block for Children's Centre at Swalecliffe Community Primary School, Whitstable – CA/08/78**

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space. The aim, as with the other approved Children's Centres, is that the majority of the visitors would live in a walking distance to the Centre and therefore it is expected that users would walk.

5. The expected opening hours are to be 8.00am to 6.00pm, five days a week for 48 weeks of the year. However, the nursery aspect would be open between 9.00am to 3.00pm term time only. The community facility would employ 3 members of staff on a regular basis with the number rising for special events. It is expected that there would be up to 30 visitors to the community facility spread throughout the day. Additionally, there would be 5 nursery staff who would be employed by the School. Although, some of the staff would be moved from the already existing nursery within the school grounds. The nursery would provide care for children age 3-5, 20 in the morning and 20 children in the afternoon session.

**Planning Policy**

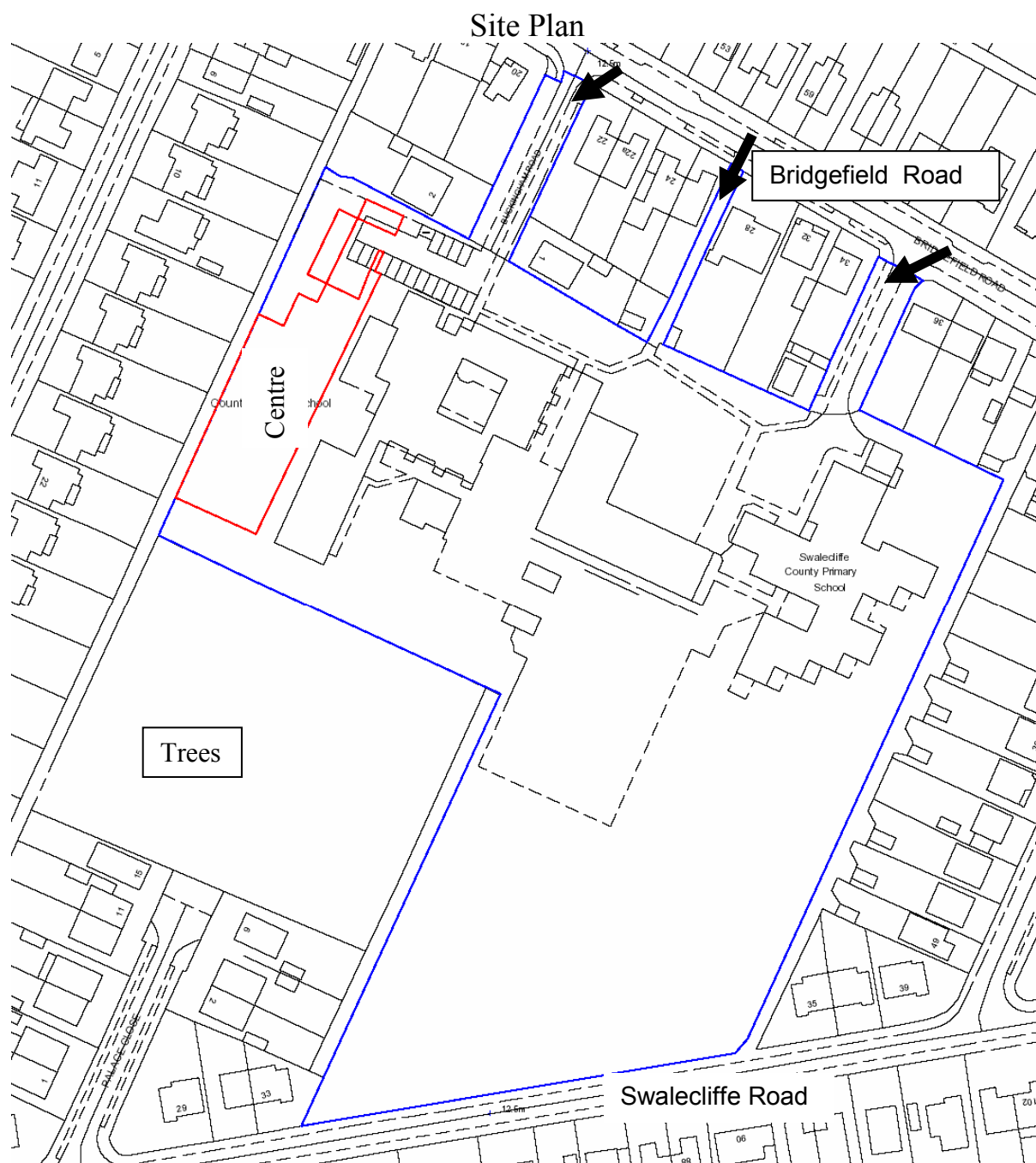
6. The Development Plan Policies summarised below are relevant to the consideration of the application:

- (i) The Kent & Medway Structure Plan 2006:

Policy SP1	Seeks to conserve and enhance Kent's environment and to ensure a sustainable pattern of development.
Policy SS6	Seeks to improve the built and natural environment, the functioning and appearance of the suburbs, including the provision of services and facilities that serve local needs.
Policy QL1	Seeks to ensure that all development is well designed and of a high quality that responds positively to the local character. Development, which would be detrimental to the built environment, amenity, function or character of the area, will not be permitted.
Policy QL12	Provision will be made to accommodate additional requirements for local community services in response to growth in demand from the community as a whole. The services will be located where they are accessible by walking, cycling and by public transport.
Policy TP3	States that the local planning authority should ensure that development sites are well served by public transport, walking and cycling.
Policy TP19	States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council.
Policy NR1	Proposals for development should incorporate sustainable construction techniques.
Policy NE5	Development should not result in an unacceptable level of pollution i.e. noise level.

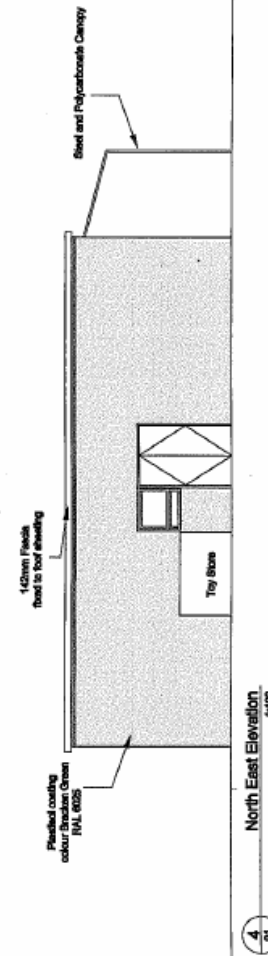
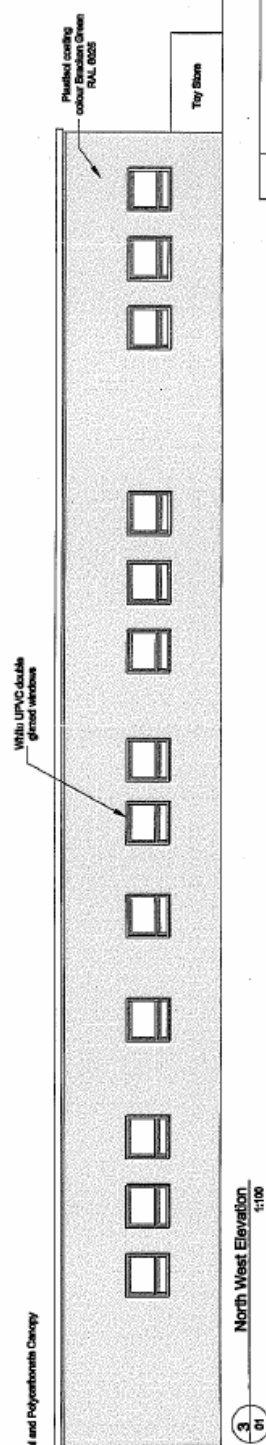
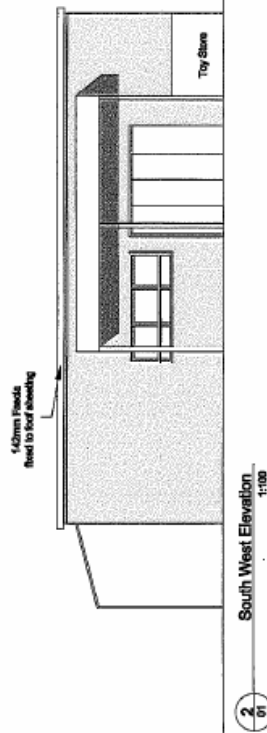
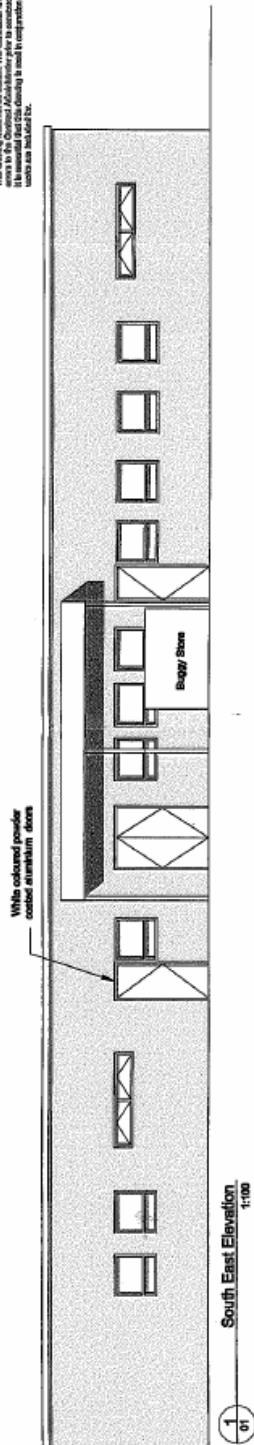
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Single storey modular block for Children's Centre at Swalecliffe Community Primary School, Whitstable – CA/08/78



Single storey modular block for Children's Centre at Swalecliffe Community Primary School, Whitstable – CA/08/78

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Revision	Description	Date
1	Client Kent County Council	10/12/07
2	Project title Swalecliffe Community Primary School	11/02/08
3	Drawing title Proposed Elevations	11/02/08
4	Job No. 20080209	11/02/08
5	Drawn by S. J. P. H.	11/02/08

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## Item D2

Single storey modular block for Children's Centre at Swalecliffe Community Primary School, Whitstable – CA/08/78

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(ii) The Canterbury District Local Plan 2006:

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|------------|---|
| Policy C11 | New buildings for local communities to provide social infrastructure will be encourage subject to their appropriate design, location and highway safety   |
| Policy NE5 | The development should be designed to retain trees, hedgerows, woodland that make an important contribution to the amenity of the site  |
| Policy BE1 | Proposals should have high quality design, be accessible and allow for safe movement, protect the amenity and privacy of the existing environment and respond to the objectives of sustainable development. |

**Consultations**

7. **Canterbury City Council:** raises no objection to the proposal.

**Divisional Transportation Manager:** raises no objection to the proposal subject to following conditions being attached to any permission granted:

- Cycle parking to be provided in accordance with Kent Vehicle Parking Standards,
- All spaces within the existing school car park should be made available to the Centre users outside of operational school hours
- A Travel Plan should be submitted for approval, or the existing School Travel Plan revised to include the Centre

**Local Members**

8. The local Members Mr. M Dance and Mr. M Harrison were notified of the application on the 17<sup>th</sup> January 2008. No comments received.

**Publicity**

9. The application was publicised by the posting of a site notice and the individual notification of 30 nearby properties.

**Representations**

10. 1 letter of representation was received in response to the proposal. The main planning reasons for objections can be summarised as follows:

- This building would be directly at the rear of one's property and the noise generated by 26 children age 0-5 playing outside would be intrusive, on occasions unbearable and therefore would affect quality of life.
- At present the school's car park is full on a daily basis with teachers' vehicles, some of which are parked outside the bays and in the middle of the car park. Clearly there is not enough space already leading to double parking and additional parking on the surrounding residential streets. At present the respondent's driveway is blocked on a daily basis by inconsiderate parents dropping off and collecting children. The cars are parked on corners and double yellow lines. The Police have recently highlighted the problem in the local media.



**Single storey modular block for Children's Centre at Swalecliffe Community Primary School, Whitstable – CA/08/78**

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- Bridgefield Road, Southwood Road and Kemp Road are a no-go zone in one direction for an hour a day and hinder deliveries or any vehicle larger than a car. The added traffic on the local roads would cause unnecessary danger to the school children.
- A child was knocked down two months ago leaving the school, due to the parking issues highlighted above.
- Query the hours and days of operation of the nursery aspect of the Centre

**Discussion***Introduction*

11. The Children's Centre Programme is being developed as part of the Central Government's National Sure Start Programme and is founded by the DfES. Kent County Council has been tasked with creating 52 Children's Centres across Kent by March 2008. Having regard to the Kent Primary Strategy, Kent County Council's Children's Centre Team in conjunction with Multi Agency partners has identified suitable sites within areas of deprivation. This proposal represents one of the many Children's Centres planned in Kent.
12. The application is required to be determined in accordance with the relevant Development Plan policies, unless other material considerations are of overriding importance. Consideration should be given to the impact of the siting, layout and scale of the development as well as impact on playing fields and highway safety. In addition, the design of the proposal and the need for the new community facility should be considered. Policy QL1 of the Kent and Medway Structure Plan and Policy BE1 of the Canterbury Local Plan require new developments to be of high quality and well designed, not to lead to the loss of amenity and to consider their impact on the generated travel demand. Further, consideration should be given to the Kent and Medway Structure Plan Policy QL12 and the Canterbury District Local Plan Policy C11 that encourage decision makers to make provision for community facilities. In conjunction with these and other relevant policies, these issues are considered and discussed below. In principle, I see no overriding objection on planning policy grounds, on the basis that site is already well established for the accommodation of children's services.

*Car parking*

13. Currently, there are 81 full and part time staff at the school. The School has two car parks which are used by the staff. There is no provision of car park for parents and visitors within the school grounds. It was brought to my attention that there is a current problem with parents using the nearby roads and private driveways to park their cars during the drop off and pick up hours. Also, parents park on double yellow lines and on corners of roads. There is a concern that the new development would cause an escalation of the situation. The applicant also confirmed that there is no spare capacity to accommodate new staff. In the light of the already existing car parking problem, the proposal for the Centre includes an extra 11 new bays +1 bay for a disabled person. It is argued that that is sufficient to alleviate the risk of the Centre adding to any existing traffic congestion problem.
14. The Children's Centre would employ 3 members of staff on a regular basis with the number rising for special events. Also, there would be up to 5 members of staff employed by the School to run the nursery aspect of the Centre. Therefore, it is considered that the proposed 11 +1 spaces should be adequate for the Centre's staff.
15. There is no provision for visitor car parking proposed, apart from one disabled parking bay. The applicant states that the Centre has been strategically located to minimise

**Single storey modular block for Children's Centre at Swalecliffe Community Primary School, Whitstable – CA/08/78**

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travel distance for the community it is intended to serve. Also, the Sure Start scheme puts a great deal of emphasis on “buggy pushing distance” with the users of the Centre encouraged to walk. It is estimated that the Centre would have up to 30 visitors in a day. However, the applicant believes that these visitors would be spread out over the 10 hours of operation. Only when a particular event, such as a seminar, is being provided would there be a number of people arriving at one time. In the event when those events are organised after the school hours, the Divisional Transportation Manager recommends that all spaces within the existing school car parks are made available to the Centre users. Further, the applicant also believes that it is unlikely that these events would occur at the same time as the start and end of school.

16. With regards to the nursery aspect, this would provide care for total of 40 children 3-5 years old. The traffic would be spread by introducing different opening hours for the nursery than that of the school. The current school's core opening hours are 8.30am to 4.15pm, whereas the nursery would be open from 9.00am to 3.00pm. This half an hour in the morning and over an hour in the afternoon should help in minimising the risk of increasing the congestion during the peak time hours. Also, it is noted that the nursery is proposed to meet the demand for childcare within the local community and therefore it is also expected for the parents to walk to the nursery. Following the advice of the Divisional Transportation Manager, a Travel Plan should be prepared to support this aim.
17. From the policy point of view, I consider that the proposal meets the requirements of Policies TP3 and QL12 of the KMSP 2006 and Policy C11 of the Canterbury District Local Plan, which requires that community facilities be located where they are accessible by walking and cycling and by public transport to reduce the need for travel. In the opinion of the Divisional Transportation Manager, due to the nature of the facility the proposal is acceptable and the number of car parking spaces is appropriate.
18. It is acknowledged that residents may already be experiencing some level of congestion around the site during the school times, especially during pick up and drop off times. However, I do not consider the proposed development would cause a significant increase in car journeys to the site sufficient to justify refusal of the proposal on the grounds of an existing and separate traffic congestion issue.

***Location and noise***

19. The proposed site is currently used only as an informal grass play area during breaks between lessons. It is located between the school's buildings and the western school boundary. In the past, the site was used for siting of temporary mobile classrooms. The objection was raised to the siting of the Centre in close proximity to the neighbour's garden and the potential noise impact, which could have detrimental impact on the quality of the neighbour's life. Consequently, the neighbour requested moving the building to elsewhere on the school site. In response, the applicant stated that the location for the Children's Centre was mainly chosen to avoid encroaching on the school's playing field. Also, the proposal site is conveniently located to the site's entrance and the existing car park. The applicant also points out that the impact on the residential houses should be minimal as the site is separated from the neighbouring properties and gardens by approximately 8 metres of thick trees, shrubs and hedges as well as a path.
20. Objection has been raised to the proposal on the basis that the children from the nursery would spend a lot of day time outdoors and therefore generate lots of noise. That is considered by the neighbour to be intrusive and would lessen the enjoyment of their garden. I would point out however, that the nursery aspect of the Centre would be accommodated to the southern end of the building and therefore away from the objector's property. The play area between the car park and the Centre that the

**Single storey modular block for Children's Centre at Swalecliffe Community Primary School, Whitstable – CA/08/78**

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neighbour might be most concerned about would be used as a crèche while their parents attend the Centre. Due to the smaller size of the rooms and their mixed use for crèche/meeting rooms, it would not accommodate the same numbers of children at any one time as the nursery would. The level of noise it is likely to produce would be even smaller. Notwithstanding that, the building would be approximately 8-9 metres away from the nearest neighbours' boundary and nearly 30 metres away from the actual nearest house. There would not be any play area between the Centre and the School's boundary as the existing trees, hedge and shrubs would be maintained. Only a minor trimming of the boundary shrubs and hedge might be necessary to position the building so the Centre would still be extensively screened. I would recommend securing the maintenance of the trees, shrubs and hedges by a planning condition. For the reasons above, especially due to the distance of the external play areas from the neighbouring properties and the nature of the proposal, I consider this issue to be unlikely to have any significant impact on the quality of the neighbours' life. Consequently I would not recommend refusal on these grounds. Furthermore, the applicant has considered alternative locations within the site and confirmed that there is no other area within the school grounds to locate this Centre without compromising the provision of valuable playing field space.

21. Overall, I consider that the proposal is in accordance with the Policy QL1 and NR5 of the Kent and Medway Structure Plan 2006 and Policy BE1 of the Canterbury District Plan, which require all developments to protect the amenity of their local surroundings and not lead to unacceptable noise levels.

*Other considerations*

22. Finally, the above policies and the Government require for the proposed development to consider the needs of all sections of the community and to provide for a safe environment. The applicant aims to achieve this by means of providing level access to the building and a wide corridor within the building. The boundary of the Children's Centre site would be secured by weld mesh fencing from three sides, while maintaining the green boundary to the north west. However, I would recommend that the new fencing should be finished in powder coated green colour to blend in with the green setting of the Centre, and not metal paint as considered in the Supporting Statement. I believe that the detail of the fencing colour finish could be secured by condition on the planning permission, should the proposal be permitted.

**Conclusion**

23. Overall, I believe that the local community would benefit from having the facility, which would provide better access to a range of health, adult education and family support services. It is unlikely in my view that by introducing the Children's Centre within the School's grounds the safety on the nearby highways would be compromised or that it would cause a significant increase in traffic problems during the drop off and pick up times. Additionally, it is considered that any potential noise increase arising from children aged 0-5 playing outdoors would not be significant enough to warrant refusal on these grounds. Consequently, I consider that the proposed development would be in accordance with the aims and objectives of the relevant Development Plan Policies.

**Recommendation**

24. Subject to any further views received by the Committee Meeting, I RECOMMEND that PERMISSION BE GRANTED SUBJECT to conditions, covering:
- Standard time restriction for hours of operation
  - Protection of existing trees and hedges

## Item D2

### Single storey modular block for Children's Centre at Swalecliffe Community Primary School, Whitstable – CA/08/78

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- The fencing should be finished in powder coated green to blend in with the landscaped setting
- A Travel Plan should be submitted for approval, or the existing School Travel Plan revised to include the Centre
- Details of cycle parking should be submitted for approval, in accordance with Kent Vehicle Parking Standards
- All spaces within the existing school car park should be made available to the Centre users outside of operational school hours
- Hours of use for the Children's Centre to be restricted to 8.00-18.00 Monday to Friday
- Hours of use for the nursery to be restricted to 9.00–15.00 Monday to Friday term time
- The development to be carried out in accordance with the permitted details.

Case Officer –Anna Michalska-Dober
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01622 696979
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Background documents –See section heading
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**Item D3****Floodlit synthetic turf hockey pitch at Tunbridge Wells Girls Grammar School - TW/07/4011**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 March 2008.

Application by Kent County Council Children, Families and Education and the Governors of Tunbridge Wells Girls Grammar School for the construction of a floodlit synthetic turf hockey pitch, including fencing, at Tunbridge Wells Girls Grammar School, Southfield Road, Tunbridge Wells - (Ref: TW/07/4011)

Recommendation: that planning permission be granted subject to conditions.

Local Member(s): Mr R. Bullock

Classification: Unrestricted

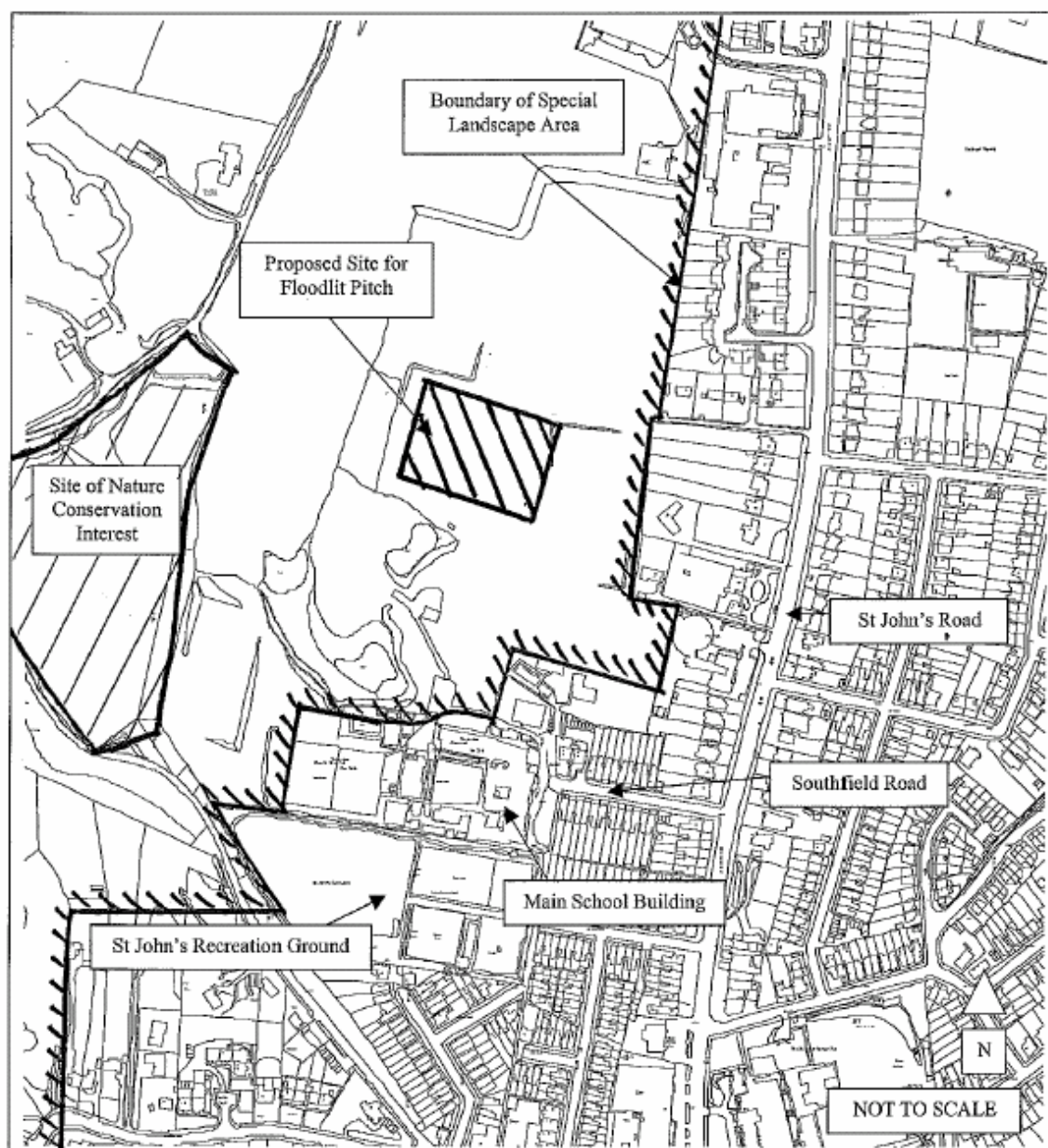
**Site**

1. Tunbridge Wells Girls Grammar School is located to the north of Tunbridge Wells town centre, to the west of St. Johns Road, accessed via Southfield Road. The main school buildings are located to the south-east corner of the site, adjacent to the school only access from Southfield Road. To the north and west of the school site, playing fields and open grassland extend to the site boundary, along with some heavily wooded areas. The school site is bound to the east by residential properties on St Johns Road and Southfield Road, and to the south by St John's Recreation Ground. Tunbridge Wells Boys Grammar School's playing fields are located to the north of the site boundary, and open countryside to the west. The whole of the school site, excluding the main built development to the south-east corner, is within a Special Landscape Area. In addition, the Tunbridge Wells Borough Wide Local Plan identifies the site as being within the Rural Fringe, and a Site of Nature Conservation Interest is located to the west of the school boundary. The proposed floodlit pitch would be located in the north of the school site, adjacent to the fenced boundary with the Boys Grammar School's playing fields. A site plan is attached.

**Proposal**

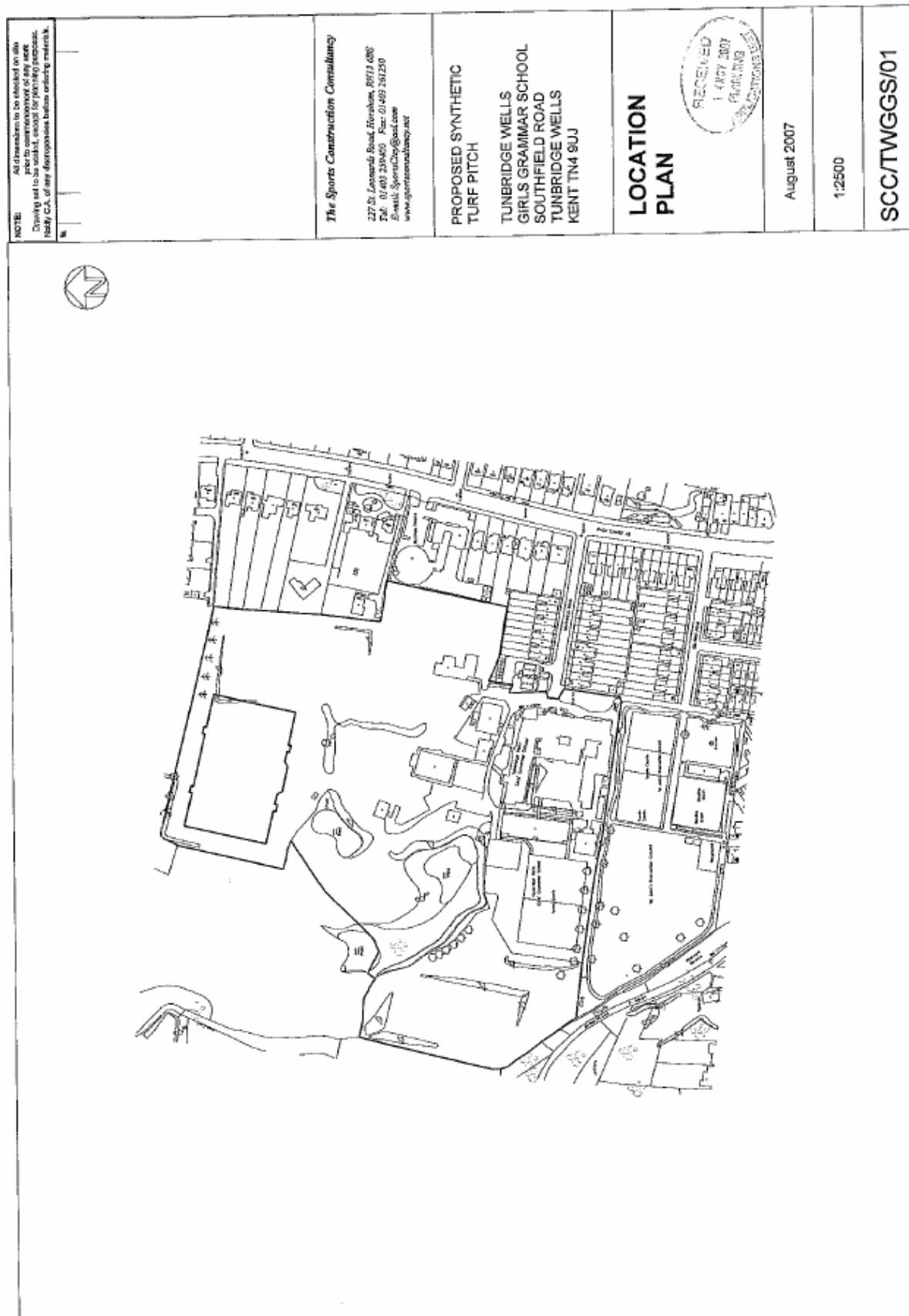
- 2 This application has been submitted by Kent County Council Children, Families and Education and the Governors of Tunbridge Wells Girls Grammar School and proposes the construction of a floodlit synthetic turf hockey pitch, including fencing. Tunbridge Wells Girls Grammar School (TWGGS) is a state funded grammar school teaching girls aged 11-18, with some boys from the local grammar schools attending sixth form lessons. The current school capacity is 966 girls. TWGGS would like to improve its outdoor sporting facilities by the building of an all weather synthetic turf pitch within the school grounds. The pitch would mostly be used for hockey, and would provide for essential curriculum needs within the school day, and also for competitive matches and tournaments outside of these times. This necessitates the requirement for a floodlit pitch because hockey is largely a winter sport. In addition, current facilities, apart from a small set of tennis courts, rely on grass pitches which, due to the clay based soil, are largely unusable for 3 months of the year. Additionally hockey, one of the school's main sports, is no longer played on grass pitches and the school is required to hire pitches in Hawkenbury, some 3 miles away. The school has a successful record in hockey, and the provision of a synthetic turf pitch at the school has been a long standing desire. The project would be solely funded by the school, a result of efficient fund management.

## SITE LOCATION PLAN



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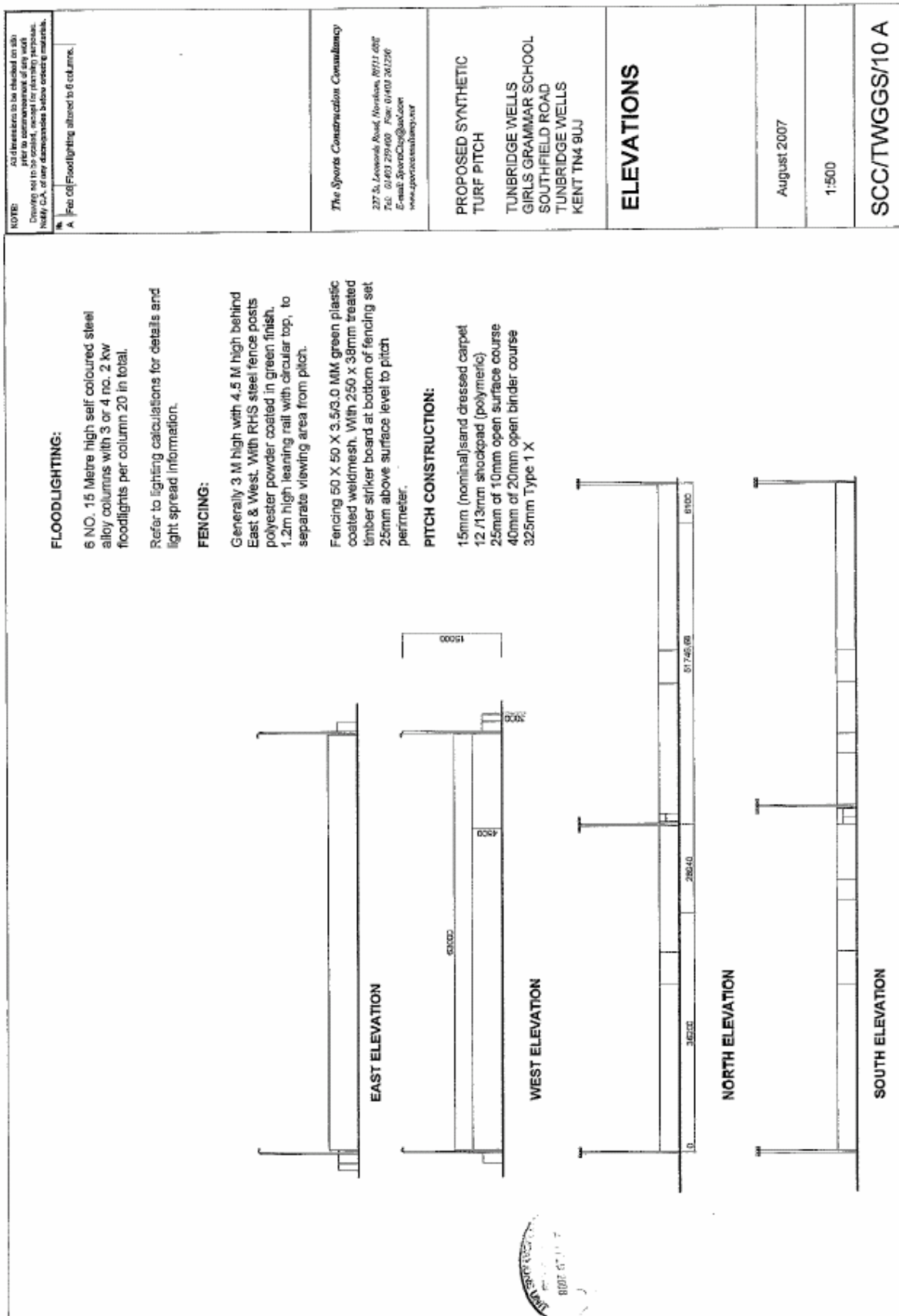








# Floodlit synthetic turf hockey pitch at Tunbridge Wells Girls Grammar School - TW/07/4011



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3. This application proposes the construction of a 101 x 63metre pitch, including run off and a 2metre tarmac edge to the ends of the pitch, and 1metre to the sides. The synthetic turf would cover an area of 97 x 55 metres, accommodating 1 full size pitch, or 2 half pitches. The pitch would be oriented to run from east to west, and would be lit by 6 15 metre high self coloured steel alloy columns. Each column would accommodate 3 or 4 2kw floodlights, with a total of 20 lighting the pitch. The pitch would be fenced with 3 metre high green powder coated weldmesh fencing, which would increase in height to 4.5 metres to the east and west ends of the pitch. 2 goal recesses would be positioned along the north and southern sides of the fencing to allow play on 2 smaller pitches. A 0.25m timber striker board would be located at the base of the fencing, which the applicant proposes to cover in artificial grass to reduce noise generation.
4. Prior to the submission of this application, the School had three possible sites for the location of the floodlit pitch. Following pre-application discussions and the completion of ecological and tree surveys, the proposed location was considered to be the most suitable within the school site. The first of the three locations was to the west of the school site, on an abandoned former playing field. This was the initial preferred option due to its distance from neighbouring properties. However, this site was found to have potential ecological issues, with the likely presence of Great Crested Newts. In addition, the area, which is now overgrown and heavily wooded to the perimeter by mature trees and self-sown saplings, is fairly small and to obtain the required pitch size tree felling and substantial earth works would be required. It would also bound a Site of Nature Conservation Interest. This site was therefore discounted.
5. The second site considered is adjacent to the site proposed, to the north-eastern boundary of the site. However, this site would also require the felling of a number of mature trees from a copse, which again could raise ecological concerns. In addition, a badger sett (although considered by the School to be dormant) was within the development site. However, the main reason that this site was discounted was its proximity to neighbouring properties, being within metres from the boundary and, in two cases, the properties themselves. This site would have led to unacceptable levels of light and noise pollution and, subsequently, the third site was considered the most suitable.
6. The proposed location for the floodlit pitch is situated to the north of the school site, but to the far side of the site from properties on St Johns Road. The site lies within a natural dip in the ground, being approximately 2 metres lower than the playing field to the east (the second site considered). The site is currently home to the school's grass athletics track, which would be relocated to the playing field to the east, and is adjacent to the boundary with the Boys Grammar School's playing field. The proposed siting of the pitch would necessitate the removal of one semi-mature Oak Tree and a Hornbeam. A tree survey was submitted with this application, and the School advises that they would be happy to mitigate this loss by planting in the immediate vicinity, or elsewhere on the school site. In addition, tree protection measures would be adopted to protect the remaining trees to be retained. As this area of the school site is currently heavily mown, the applicant advises that it is unlikely to house protected species, or have wider ecological impacts. A protected species survey was submitted with this application which concludes that the use of this site would have no impact upon protected species.
7. As outlined above, the pitch would be approximately 2metres below the surrounding ground level due to a natural dip in the site. The end of the pitch closest to the St John's Road properties would be further lowered by 0.5metres to provide pitch gradients to the accepted criteria. Therefore, as part of the construction design, topsoil would be removed from the pitch area. The applicant confirms that it is not proposed to move this

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from site, but to use it for the improvement of another pitch and/or for the soft landscaping of previously approved schemes at the school. The lower level of the pitch helps to minimise the effect of the floodlights outside of the pitch area. A detailed lighting scheme was submitted with this application, and from the light spill levels supplied it can be seen that the light level is equivalent to moonlight at approximately halfway between the pitch and neighbouring properties. The applicant advises that the scheme would accord with the Institute of Lighting Engineer's Zone E2 and E3 guidance, whichever is considered appropriate for the site. The lighting would be governed by a time clock and be capable of partial switching to illuminate only half of the pitch if that is all that is being used. A safe access/egress lighting system would also be incorporated.

8. The hours of use of the pitch are proposed to be severely restricted, the bulk of use being up to 6.30pm, with very occasional weekend use. The applicant proposes the hours of use to be:
  - Weekday use limited to 9.00pm;
  - Saturday use limited to 9.00am to 7.00pm;
  - Sunday use limited to 10.00am to 5.00pm;
  - Weekend use restricted to 8 weekends per calendar year;
9. The pitch would be used for school training and school matches, which typically attract a small number of spectators, often around 10 in number. The School would like to offer some other educational use, and propose that the pitch would be used on an occasional basis by other Schools in the Tunbridge Wells Cluster, and those within a 5 mile radius of TWGGS. The pitch would be used principally by TWGGS, and would not be let out on a commercial basis or be made available for use by the general public.
10. In light of the above, the applicant does not expect that the pitch would generate any significant increase in traffic locally. As inter-school matches would take place after school, any parking required for this could be accommodated within the school site using existing parking. An access path is proposed for foot traffic to the pitch from the car parking/hard surfaced areas. This would also serve as an emergency access, and would allow maintenance equipment to gain access on a firm surface. It is not expected that the pitch would be used for wheelchair sport but, nevertheless, the access would also serve as a wheelchair access for either sports participation or spectating. The route of the access path would be used as the construction access, which would be scheduled, as far as is possible, outside of school terms.

*Reduced copies of the submitted drawings showing the site layout, floor plans and elevations are attached.*

## **Planning Policy**

11. The Development Plan Policies summarised below are relevant to the consideration of the application:
  - (i) **The Kent & Medway Structure Plan: Adopted 2006:**
    - Policy SP1** - Seeks to conserve and enhance Kent's environment and ensure a sustainable pattern of development.
    - Policy QL1** – Seeks to conserve and enhance the environment through the quality of development and design. Developments, individually

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or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings.

**Policy QL12** - Provision will be made to accommodate additional requirements for local community services. New community services will be located where they are accessible by walking and cycling and by public transport from the area they serve. Wherever practical they will be located in town, district or local centres.

**Policy QL15** – All major formal recreation and sports facilities should be accessible by choice of transport and designed to avoid nuisance from traffic, noise and lighting.

**Policy EN1** - Kent's countryside will be protected, conserved and enhanced for its own sake. Development in the countryside should seek to maintain or enhance it.

**Policy EN5** – The primary objective of designating Special Landscape Areas is the protection, conservation and enhancement of the quality of their landscapes, whilst having regard to the need to facilitate the social and economic well-being of the communities situated within them.

**Policy EN8** - Wildlife habitats and species will be protected, conserved and enhanced. Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitats or species, will not be permitted unless the adverse impact on an important nature conservation resource can be adequately mitigated and/or compensated.

**Policy EN9** - Tree cover and the hedgerow network should be maintained. Additionally, they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats.

**Policy TP19** - States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council.

**Policy NR5** – The quality of Kent's environment will be conserved and enhanced. This will include the visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.

(ii) **Tunbridge Wells Borough Local Plan (2006):**

**Policy EN1** - Seeks all proposals to be compatible in nature and intensity with neighbouring uses and not cause significant harm to character and amenities of the area in terms of daylight, sunlight, privacy, noise or excessive traffic generation. Seeks the design of the proposal to respect the context of the site and not cause significant harm to residential amenities.

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**Policy EN14** - Development proposals that would affect a Site of Special Scientific Interest or the habitat of a protected species will only be permitted where it would have no detrimental effect on the nature conservation or geological interest of the site.

**Policy EN27** - Within the High and Low Weald Special Landscape Areas, but outside the boundary of the High Weald Area of Outstanding Natural Beauty, development proposals will only be permitted where they would cause no significant harm to the important landscape character of the area.

**Policy TP4** - Seeks new development to be located where the road hierarchy has adequate capacity to cater for the traffic which would be generated by the development, and not compromise the safety and free flow of traffic or for other road users. Seeks a safely located access with adequate visibility.

**Policy TP5** - Vehicle parking in connection with development proposals will be restricted to the maximum necessary having regard to local highway conditions. Kent County Council's Vehicle Parking Standards, adopted by the Council, will be applied to such development proposals.

**Policy RF2**- Land within the Rural Fringe will be safeguarded from development as a reserve of land to meet the longer term development needs unless the proposal would meet the needs of an established use on the site or would be for a temporary development. Proposals should not prejudice the longer-term comprehensive development of the Rural Fringe and should respect the special characteristics and constraints of the site.

**Consultations**

12. **Tunbridge Wells Borough Council:** raises no objection to the proposal subject to the imposition of conditions requiring a more robust landscaping scheme and ensuring that there would be no commercial use of the pitch. In addition, it is suggested that the pitch should not be used at all on weekends or public holidays, except with the prior written consent of the County Planning Authority, in order to protect the residential amenity of neighbouring properties.

**The Divisional Transportation Manager:** raises no objections to the proposal. It is recommended that a condition be placed on the decision which restricts the use of the facility to non-commercial uses. Commercial use would generate significant additional traffic and result in on-street parking demand, which would be potentially hazardous to other highway users.

**The County Biodiversity Officer:** raises no objection to the proposal subject to the imposition of a number of conditions including; the lighting to be installed and operated in accordance with the details submitted, the undertaking of a badger survey prior to the commencement of works to assess the site for new badger excavations, protection of nesting birds, details of biodiversity enhancement, and the development to accord with

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the recommendations made within the Protected Species Survey and Amphibian & Reptile Habitat Assessment.

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

"We commend the School's prior consultation with its neighbours regarding the proposed work and appreciate the neighbours' comments regarding the openness of their views in a westerly direction, and desire to 'disguise the lines of columns that will be apparent'.

Drawing no.SCC/TWGGS/05 – Proposed Areas of Planting, submitted within this application shows three areas of tree planting at 2/3no.trees per area. The group of trees located to the south-east corner of the proposed pitch may disguise the lighting column immediately adjacent to it, but the other columns would remain visible from very shallow angles outside the eastern-horizontal. Light spill would not be blocked-out by this small quantity of trees, and although there is a central group of trees at the east end of the pitch, we feel this is still too sparse for the proposal.

We appreciate the School's need to retain the flat open spaces (especially that to the east of the proposed pitch) and the limited timescales being put on the pitch use. However, we feel a slightly larger quantity of clustered tree planting along the existing bank would not only help disguise the pitch and columns from the neighbours, but would also help soften the overall view of the area in a naturalistic way, adding to the westerly views rather than causing a negative impact.

We recommend a greater number of trees of advanced nursery stock (including evergreens such as Scots Pine) are planted in more linear groups. We suggest that the applicant resubmits their proposals, along with a 5 year maintenance plan, for approval."

**The County Council's Noise Advisor:** considers that noise levels would not increase as a result of hockey players calling/shouting, hockey balls striking hockey sticks, and supporters cheering. The introduction of timber kick boards remains a potential source of adverse noise impact but the applicant has stated that they would cover the timber with artificial grass carpeting and this needs to be undertaken.

**The County Council's Lighting Advisor:** comments as follows:

"The school is 100m or so from the A26 St John's Road which runs from Tunbridge Wells to Tonbridge. The proposed sports pitch, which is to the north of the main school building, has more sports pitches and a leisure centre to the north, the rear of houses facing the A26 to the east, the school to the south and open country to the west. I would therefore classify the area as category E3 "small town centres or urban locations."

The site has little natural screening but is approximately 2m lower than the buildings to the east of the site. The floodlights chosen are of the flat glass type with the lantern mounted horizontally thereby reducing any upward light to a minimum and minimising spill light outside of the area to be lit. The calculations show that the spill light reduces to 1 lux some 45m from the edge of the playing surface and since the closest property is 80m away the spill light at this distance will be negligible. Unfortunately there are no



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calculations indicating vertical illuminance but based on the horizontal illuminance and other submissions it is clear that the levels will be well below the maximum of 10 lux for an E3 area.

The proposed lighting therefore complies with the requirements of the ILE Guidance Notes for the Reduction of Obtrusive Light."

**Sport England:** raises objection to the application on the grounds that community use is not incorporated into the scheme. Following the submission of additional information by the applicant, no further comments have been received at the time of writing this report.

### **Local Member**

13. The local County Member, Mr R. Bullock, was notified of the application on the 19 November 2007, and has no objections or comments to make.

### **Publicity**

14. The application was publicised by the posting of a site notice, advertisement in a local newspaper, and the individual notification of 71 nearby properties.

### **Representations**

15. 3 letters of representation have been received to date. The main planning comments/points of concern and objection can be summarised as follows:
  - The proposed development affects an area of considerable landscape merit, adjacent to a Special Landscape Area;
  - The fencing and lighting columns would substantially reduce the sense of openness of the whole area;
  - Should planning permission be granted, the Council should seek to establish a basis for avoiding the remaining playing fields becoming degraded by piecemeal developments;
  - A previous application for a 2.4 metre fence at the site was refused planning permission on the grounds of visual intrusion;
  - The old sports pitch to the west of the site should be used as it would not impact upon neighbouring properties;
  - Access to the school is already limited to Southfield Road, a narrow double parked residential street;
  - Traffic chaos and congestion is already a concern, this application would severely exacerbate current concerns. The local roads cannot take any more traffic;
  - Concerned about the commercial hiring out of the facility;
  - Use by other schools would greatly increase disturbance to neighbours. It is suggested that all matches should involve a team from TWGGS, and it should not be used every evening and every weekend;
  - The facility would create considerable light and noise pollution, and would intrude into peaceful evenings and weekends, adversely affecting the quality of life for nearby residents;
  - A time limit should be placed upon the use of the pitch to reduce disturbance to neighbours, one neighbour suggests 19.30, another 21.30;
  - The development would impact upon wildlife and protected species;
  - The School's need for an all weather pitch to the standards set by the Sports Governing Bodies is recognised;

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- It is recognised that the School has gone to some lengths to consult local residents and sought to ameliorate the visual impact of the pitch through colouring the fencing and providing additional planting;

### **Discussion**

16. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (11) 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. Issues of particular relevance include site selection and impact upon the landscape, hours and type of use, highway implications and access, trees, ecology, and local residential amenity.
17. Policies SP1 and QL1 of the Kent and Medway Structure Plan & EN1 of the Tunbridge Wells Borough Local Plan, seek to conserve and enhance the environment and require development to be well designed and respect its setting. This is particularly relevant to this site which is within a Special Landscape Area and designated as Land within the Rural Fringe, which are subject to policy designations which intend to protect, preserve and enhance the quality of the landscape.

### **Site Selection and impact upon the landscape**

18. As detailed in paragraphs 4, 5 & 6 of this report, the applicant initially had 3 possible sites upon which to locate the floodlit pitch. The need for Tunbridge Wells Girls Grammar School (TWGGS) to have such a facility is outlined in paragraph 2 of this report, and is accepted. The proposed siting of the pitch was carefully considered and influenced by policy designations, amenity of local residents, impacts upon trees and the findings and recommendations of ecological surveys. All three of the proposed sites were within the Special Landscape Area and, therefore, the impact upon the wider landscape was also a consideration.
19. Two of the proposed sites were discounted on the grounds of loss of trees, ecological implications, the need for substantial earth works, proximity to local properties and proximity to a Site of Nature Conservation Interest (explained in more detail in paragraphs 4-6). The proposed site for the floodlit pitch was considered by the applicant to be the most suitable and the least contentious of the three possible sites. Located to the north of the school site, but to the far side of the site from properties in St Johns Road, the proposed site is in closer proximity to neighbouring residents than one of the sites considered, but further away than the second option. This site has the advantage of being 2 metres lower than the playing field located to the east, and is home to the schools grass athletic track which means it is level and mown on a regular basis. The impact of the proposed development on trees and ecology will be discussed in detail below, but in principle the use of this site is deemed to be acceptable with regards to these matters. In addition, the impact of the proposal with regards to residential amenity due to noise and light pollution, and impact upon the local highway network, will be discussed later in this report. However, the impact upon the landscape needs to be considered at this stage.
20. The proposed site for the floodlit pitch is within a Special Landscape Area, and on Land within the Rural Fringe as designated with the Tunbridge Wells Borough Local Plan. Policy RF2 of the Local Plan seeks to safeguard land within the Rural Fringe from

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development, unless the proposal would meet the needs of an established use on site. In this instance, the proposed development is located within the school site, which is an established educational facility. The School has demonstrated a case of need for the facility, and I consider that the proposal would meet the needs of the school. Therefore, I do not consider that the development would be contrary to the principles of Policy RF2, and conclude that the development would be appropriate within its Rural Fringe location. However, the application site is within a Special Landscape Area, within which development would only be permitted where it would cause no significant harm to the important landscape character of the area. The primary objective of a Special Landscape Area is the protection, conservation and enhancement of the quality of the landscape, whilst having regard to the need to facilitate the social and economic well-being of the communities situated within them.

21. The impact of this proposal on trees and ecology, and its wider noise and lighting implications will be discussed later in this report. However, although the provision of a floodlit pitch could not be said to enhance the quality of the landscape, the design of the pitch itself needs to be discussed to make sure that the development is seeking to conserve the quality of the landscape and would cause no significant harm. The applicant is proposing to install 6 15 metre high self coloured steel alloy columns which would house the lighting for the pitch. The applicant has undertaken pre-application discussions with neighbouring properties and, as a result, it was considered best to leave the poles in an alloy finish as these would better blend with the sky. On the contrary, the 3 and 4 metre high weldmesh fencing to the perimeter of the pitch would be finished in dark green, to better blend with trees and planting, and the wider landscape beyond. The height of the fencing and the lighting poles may appear excessive but are necessary for the proposed development to be fit for purpose. The applicant has, however, mitigated the impact of the development by finishing the 'built' elements of the scheme in an appropriate colour. This would form a condition of consent, as would the retention and protection of existing trees and the provision of new areas of planting. I therefore consider that, subject to the imposition of conditions, the design of the floodlit pitch would not have a significantly detrimental effect on the character and appearance of the Special Landscape Area.
22. I consider that the applicant has successfully demonstrated that the use of alternative sites within the school grounds has been carefully considered and that the implications of each site were assessed. I therefore consider the proposed siting of the floodlit pitch to be acceptable in principle, subject to the successful resolution of the matters to be discussed below.

### Trees

23. The proposed siting of the pitch would necessitate the removal of one semi-mature Oak Tree, and a Hornbeam. (It should be noted that this level of tree removal is much lower than that associated with the other sites considered by the school to house the pitch.) The removal of these two trees, although regrettable, is not considered by the County Council's Landscape Advisor to have a significant effect on the landscape and therefore, would not have a detrimental impact upon the Special Landscape Area. The School also advise that they would be happy to mitigate this loss by planting in the immediate vicinity, or elsewhere within the school site. In addition, tree protection measures would be adopted to protect the remaining trees to be retained.
24. The applicant has submitted a landscaping proposal with this application, although this is considered by Tunbridge Wells Borough Council and the County Council's Landscape Advisor not to be robust enough. As mentioned above, the applicant has

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undertaken pre-application discussion with neighbouring residents, and have advised that the submitted scheme addressed the concerns of neighbouring residents. According to the applicant, the overriding requirement of those most affected was the openness of their views in a westerly direction, and it was therefore requested that limited planting should disguise the lighting columns, whilst maintaining open views. The applicant goes on to state that;

“The School has engaged their neighbours in a considerate manner, and would wish this consideration and understanding to prevail if possible. There has been considerable recent planting to the west and north boundaries and this should thicken up and mature in years to come without going against the wishes of neighbours. The school also, incidentally, needs to mark out an athletics track on the flat piece of land between the proposed pitch and the school boundary and this could be a problem if the available area is reduced.”

25. In light of this, I consider that a revised landscaping scheme should be submitted pursuant to planning condition, which should include additional planting where appropriate, whilst maintaining open views. Due to the consultation already undertaken by the school, I consider that it would be appropriate in this instance to consult the two closest properties to the school boundary on the revised landscaping scheme. Tunbridge Wells Borough Council and the County Council's Landscape Advisor must consider the opinions of the nearest local residents when commenting on the revised landscaping scheme as the purpose of the planting is to not only mitigate the impact of the proposal on the wider landscape, but to mitigate the impact of the development upon neighbouring properties.
26. I consider that subject to the imposition of conditions to ensure all trees to be retained are protected throughout construction works, and that a revised scheme of landscaping be submitted for consultation and approval, that the development would not have a detrimental impact upon trees. This is important given the site's landscape designations.

#### Ecology

27. The proposed site is the existing school running track and is, therefore, heavily mown on a regular basis. A protected species survey was submitted with this application which concludes that the use of the site would have no impact upon protected species. In addition, an Amphibian and Reptile Habitat Assessment was submitted by the applicant, which concludes that Great Crested Newts and Reptiles are unlikely to be disturbed by the development and that no further survey work is recommended. The County Council's Biodiversity Officer raises no objection to the proposed development, subject to the imposition of conditions, as outlined in paragraph 12 of this report. Therefore, subject to the imposition of the requested conditions, I am satisfied that the proposed development would not have a detrimental impact upon protected species or the biodiversity value of the site.

#### Hours and type of use

28. Throughout the consultation period concern has been expressed over the implications of the floodlit pitch with regards to increased traffic, access arrangements and light and noise pollution. These issues are directly related to the hours of use of the pitch, and the type of use proposed and, therefore, these elements of the proposal will be discussed first. The applicant proposes that the hours of use be severely restricted, the

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bulk of use being up to 6.30pm, with very occasional weekend use. The applicant proposes the hours of use to be:

- Weekday use limited to 9.00pm;
- Saturday use limited to 9.00am to 7.00pm;
- Sunday use limited to 10.00am to 5.00pm;
- Weekend use restricted to 8 weekends per calendar year;

29. Tunbridge Wells Borough Council suggest that the pitch should not be used at all on weekends or public holidays, except with the prior written consent of the County Planning Authority. However, that would be a complicated, time consuming procedure. I consider that by restricting the use to 8 weekends per calendar year, as suggested by the applicant, this would ensure that the development did not have an unacceptable impact on the amenity of local residents. In addition, the hours of weekend use suggested by the applicant are restrictive and would ensure early mornings and evenings were not impacted upon. Therefore, I consider that the proposed number of weekend uses, and proposed weekend hours of use are acceptable and would not have an unacceptable impact upon the amenity of local residents.
30. Local residents have suggested that a time limit should be placed on use of the pitch to reduce disturbance to neighbours, one suggesting an end time of 7.30pm, and another 9.30pm. The weekend hours of use accord with the earliest time suggested, whereas weekday use is proposed until 9.00pm. The applicant does advise that most of use would be during the school day and for after school matches, which would cease at 6.30pm. However, the applicant does advise that TWGGS would like to offer some other educational use, and propose that the pitch would be used on an occasional basis by other Schools in the Tunbridge Wells Cluster, and those within a 5 mile radius of TWGGS. However, the pitch would be used principally by TWGGS, and would not be let out on a commercial basis or be made available for use by the general public. Use by other schools may necessitate some use in the evenings, and therefore a 9.00pm end time is requested. I do not consider this to be an unreasonable hour, and therefore see no reason not to allow use of the facility until 9.00pm on weekdays.
31. With regards to the type of use proposed, local residents have expressed concern over use beyond that by the School and would wish to see it conditioned that every match should involve a team from TWGGS. In addition, Tunbridge Wells Borough Council and Kent Highway Services have requested, should planning permission be granted, a condition of consent should be that there would be no commercial use of the pitch. However, contrary to this, Sport England has expressed concern over the proposed development due to a lack of commercial community use. In this instance, wider commercial community use of the facility is not appropriate due to the site's location and access arrangements. In addition, it is not something the School wants to pursue as they do not wish this to be an intensively used facility. I also do not consider that wider commercial use of the pitch would be appropriate, and therefore, this would be a condition of consent.
32. The level of use proposed by TWGGS, in that the pitch would be used on an occasional basis by other Schools in the Tunbridge Wells Cluster, appears to appropriate for the site. Should use be limited to matches involving pupils from TWGGS only, the facility would be an under used resource in the area. Limited and controlled use within the hours proposed by local Schools is considered to be a reasonable request, and I do not see any reason to refuse the planning application on this ground. Therefore, should Members be minded to permit, I suggest that permission be granted for the hours and type of use proposed, and that it be conditioned that the floodlit pitch is not used on a commercial basis for the wider community.

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Highway implications and access

33. In light of the above, the applicant does not expect that the pitch would generate any significant increase in traffic locally. As inter-school matches would take place after school, any parking required for this could be accommodated within the school site using existing parking. An average number of 10 spectators may attend a match, and parking for this number of vehicles could easily be accommodated as matches which spectators would attend would be out of school hours. In addition, use by other local Schools would generally involve accessing the site via a mini bus, which could be easily accommodated within the site both during and after school hours.
34. Local residents have expressed concern over the increased levels of traffic associated with this application, but this would only be a significant cause for concern should the facility be hired out commercially for the wider community. As that is not deemed to be appropriate, and could be governed by condition, Kent Highway Services raises no objection to the proposal. Therefore, subject to the imposition of appropriate conditions, I do not consider that this proposal would have a significantly detrimental impact on the local highway network, and am satisfied that all parking associated with the development could be accommodated within the school site.
35. As Southfield Road is a narrow residential street, which is often double parked, I consider it appropriate to condition that vehicles associated with the construction of the pitch do not enter or leave the site between the hours of 8.30 & 9.30am and 3.30 & 4.30pm.

Local Residential Amenity

36. In addition to the issues discussed above, local residents have expressed concern over potential noise and light pollution from the proposed flood lit pitch. With regards to lighting, the applicant proposes that the pitch would be oriented from east to west and would be lit by 6 x 15metre high columns, each of which would accommodate 3 or 4 x 2kw floodlights, with a total of 20 lighting the pitch. A detailed lighting scheme was submitted with this application, and from the light spill levels supplied it can be seen that the light level would be equivalent to moonlight at approximately halfway between the pitch and neighbouring properties. The applicant advises that the lighting scheme would accord with Zone E2 and E3 guidance, whichever is considered appropriate for the site.
37. The County Council's Lighting Advisor has assessed the scheme submitted with this application, and classifies the area as category E3 "small town centres or urban locations. The floodlights proposed are of the flat glass type with the lantern mounted horizontally thereby reducing any upward light to a minimum and minimising spill light outside of the area to be lit. The submitted calculations show that the spill light reduces to 1 lux some 45m from the edge of the playing surface and, since the closest property is 80m away, the spill light at this distance would be negligible. The Lighting Advisor considers that, based on the horizontal illuminance and other submissions, it is clear that the levels would be well below the maximum of 10lux for an E3 area. It is considered, therefore, that the proposed lighting complies with the requirements of the Institute of Lighting Engineers' Guidance Notes for the Reduction of Obtrusive Light. In addition, the lighting would be governed by a time clock and be capable of partial switching to illuminate only half of the pitch if that is all that is being used. Therefore, I do not consider that the lighting scheme proposed would have a significantly detrimental impact upon local residential amenity.

# **Floodlit synthetic turf hockey pitch at Tunbridge Wells Girls Grammar School - TW/07/4011**

38. Neighbouring residents have also expressed concern over potential noise generation from players and spectators. However, it is important to note that the existing grass hockey pitch is located to the east of the proposed synthetic tuft pitch, closer to residential properties. However, the existing grass pitch would only be used during day light hours and would be unlikely to attract spectators. However, the applicant advises that school matches would only attract a small number of spectators, typically around 10 in number. The County Council's Noise Advisor considers that noise levels would not increase as a result of hockey players calling/shouting hockey balls striking hockey sticks and supporters cheering. The introduction of timber kick boards is the only potential noise source which is considered to be a concern. However, the applicant has stated that they would cover the timber with artificial grass carpeting. To ensure that this is undertaken, this would form a condition of consent. Subject to this, I do not consider that the development would have any significant impacts with regards to the generation of noise.

## **Conclusion**

39. In summary, I consider that there are special circumstances to justify the proposed development within a Special Landscape Area. I consider that the siting and design of the floodlit pitch would not have a significantly detrimental effect on the amenity of local residents or the character and appearance of the Special Landscape Area. 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 permission be granted subject to appropriate conditions.

## **Recommendation**

40. 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;
- details of the fencing colour finish;
- timber kick boards to be covered in artificial grass;
- a amended scheme of landscaping, its implementation and maintenance;
- tree protection;
- protection of nesting birds;
- recommendations of ecological Surveys/Reports;
- pre-commencement survey of the site for badgers;
- biodiversity enhancement measures;
- hours of use including limit on number of weekends per year;
- no commercial community use of the pitch;
- level of use of the pitch to accord with submitted details;
- lighting to be installed in accordance with approved details, and checked on site;
- lighting levels not to exceed those specified within the application;
- extinguishing of lighting when pitch not in use;
- hours of working during construction,
- measures to prevent mud and debris on the highway;
- no vehicles associated with construction to enter/leave the site between 8.30 and 9.30 am and 3.30 and 4.30 pm.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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## Item D4

### **Single storey extension and improvements to access, Leigh Primary School, The Green, Leigh, Tonbridge.**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 March 2008.

Application by The Governors Of Leigh Community Primary School & KCC Children, Families & Education for a single storey extension and improvements to access in accordance with the Disability Discrimination Act, The Green (Ref:SE/07/3859)

Recommendation: permission be granted

Local Member(s): Mr. P Lake

Classification: Unrestricted

#### **Site**

1. The School is located in the centre of the village of Leigh, situated about 3 miles west of Tonbridge. The School is on the western edge of The Green, a traditional village green. To the rear of the School buildings there is Orchard House, a Grade II Listed Building. The whole site is within the Leigh Conservation Area, which was designated in recognition of the survival of many Medieval buildings around The Green and the continuity of the Victorian Gothic cottage development. Typical features which contribute to the character of this conservation area include the use of red facing brick, blue brick decorative patterning, stone, dark-stained timber, clay tiles, diamond shape finish on chimney shafts or open character of The Green (please see the site plan D4.3).

#### **Proposal**

2. The proposal is for a 12 square metre extension to the front of the main School building, approximately 4m long and 3m deep. The proposed development would be adjacent to the existing entrance lobby/porch and would be sufficient for a one-person office. Originally, it was proposed to use red facing brick to the flank wall and to the plinth height with pointing in lime mortar to match the existing brickwork. In the light of Sevenoaks District Council and the County Conservation Architect comments, the applicant proposed to enhance the design by introducing stonework to plinth height to match the adjacent building. The proposed roof material is plain tile to allow the shallow roof pitch to fit below the first floor windows. The window frames would be of timber of substantial section. The window frames and the exposed rafter feet would be dark-stained to match the adjacent entrance porch (please see photo D4.5). Rainwater goods would be black painted galvanised steel, in keeping with the original cast iron pipes. Additionally, some minor works to the existing entrance would provide level access to the pupils' area and to the new office.

#### **Planning Policy**

3. The Development Plan Policies summarised below are relevant to the consideration of the application:
  - (i) The Kent & Medway Structure Plan 2006:
 

Policy SP1	Seeks to conserve and enhance Kent's environment and ensuring a sustainable pattern of development
Policy QL1	Seeks to ensure that all development is well designed and of high quality that responds positively to the local character. Development, which would be detrimental to the built environment, amenity, function or character of the area, will not be permitted.

**Single storey extension and improvements to access, Leigh Primary School, The Green, Leigh, Tonbridge – SE/07/3859**

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- Policy QL6 Development within Conservation Areas should preserve or enhance their special character or appearance. Development, which would harm the character or appearance of a Conservation Area, will not be permitted.
- Policy QL8 Listed buildings will be preserved and the character of their setting will be protected and enhanced.
- Policy QL11 Provision will be made for development and improvement of local services in existing residential areas and in town centres, particularly where services are deficient.

(ii) The Sevenoaks Local Plan 2000 (saved beyond 27<sup>th</sup> September 2007):

- Policy EN23 Proposals for development within Conservation Area should be of positive architectural benefit by paying special attention to the desirability of preserving or enhancing the character or appearance of its setting. The design of alterations to existing buildings should respect local character.

**Consultations**

4. **Sevenoaks District Council:** raises objection to the proposal on grounds as following:

“Although the school building is not listed, it is highlighted as ‘contributing to character’ in the Conservation Area Appraisal. It is also in a prominent location adjoining the village green. The extension would project forward of the existing main wall and be in line with the porch. The style of the addition is also different to previous additions, in having a lean-to roof rather than a gabled one. The addition would obscure a major part of the very attractive chimney stack. The Council therefore objects on the grounds of detriment to the character of the Conservation Area”.

**Leigh Parish Council:** supports to the proposal.

**Divisional Transportation Manager:** raises no objection to the proposal.

**County Conservation Architect:** raises no objection subject to conditions covering the detailed design for the windows and the external materials (tiles, gutters, downpipes, bricks, window joinery and eaves detail), all to match the original building.

**Local Members**

5. The local Member, Mr. P. Lake wrote: “I am very keen to support the proposal for the proposed extension to provide an office at the school entrance. Security is paramount and this extension improves security and access to the school with a very practical design, which in my opinion, is an attractive addition to the school. Without such an addition, or something very similar, we are failing to meet our obligations to the staff and the children in their care”.

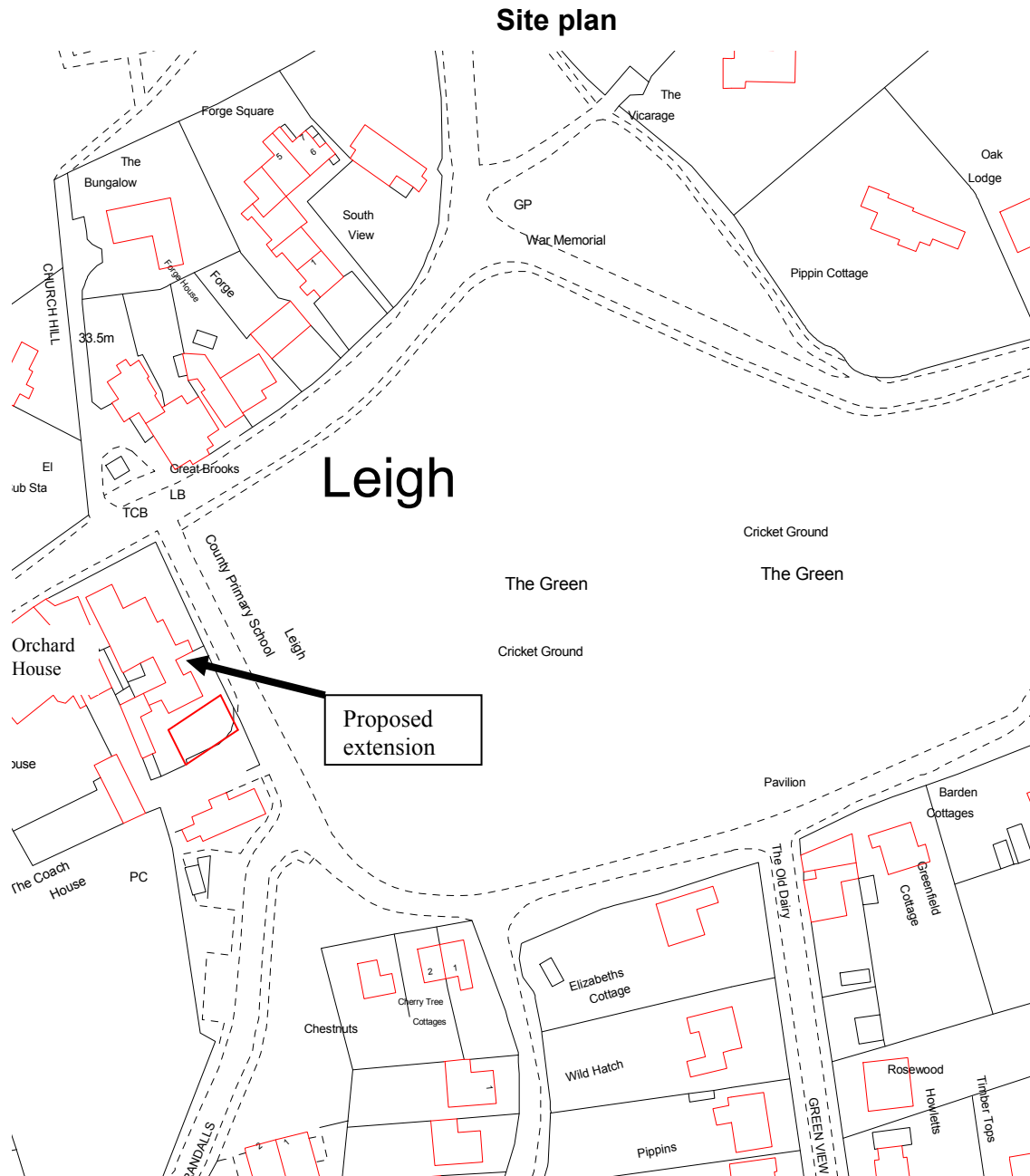
**Publicity**

6. The application was publicised by the posting an advert in a local newspaper and posting a site notice on the site boundary.

**Representations**

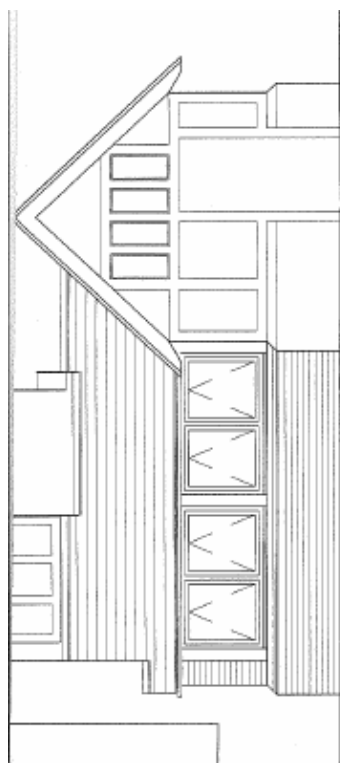
7. No letters of representation were received.

**Single storey extension and improvements to access, Leigh Primary School, The Green, Leigh, Tonbridge – SE/07/3859**

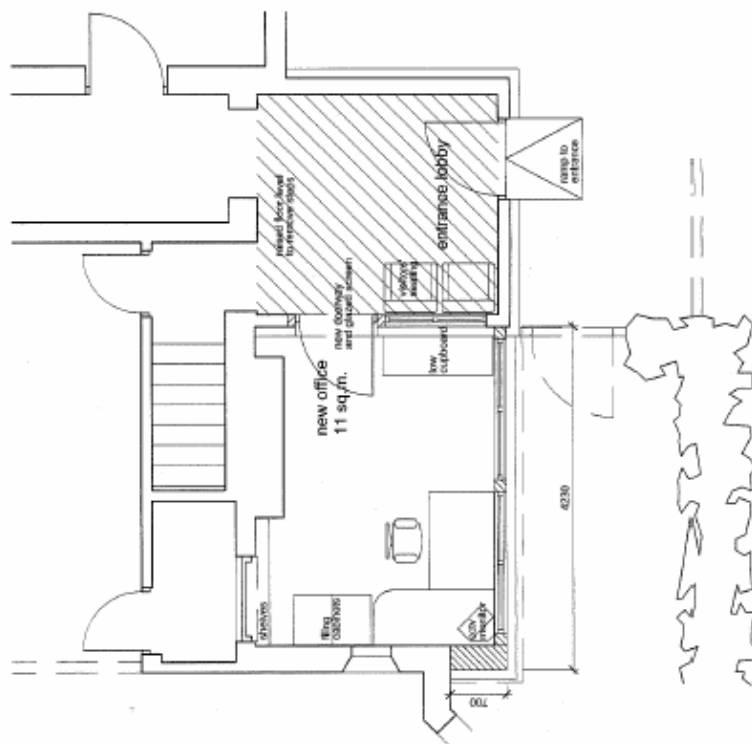
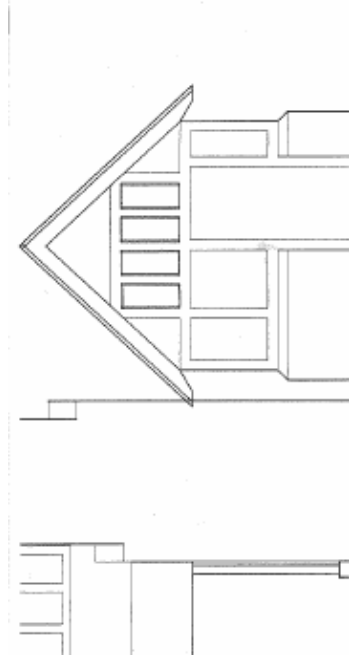


# Item D4

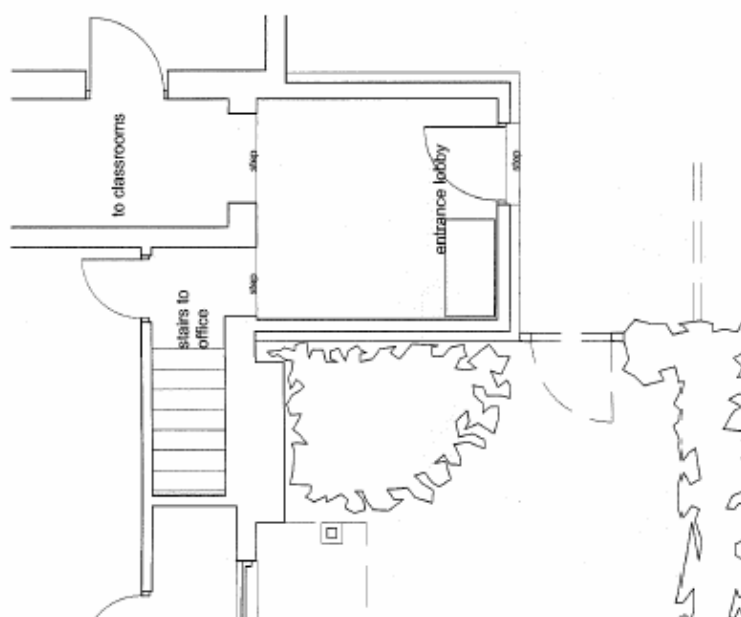
Single storey extension and improvements to access, Leigh Primary School,  
The Green, Leigh, Tonbridge – SE/07/3859



ELEVATION



PLAN

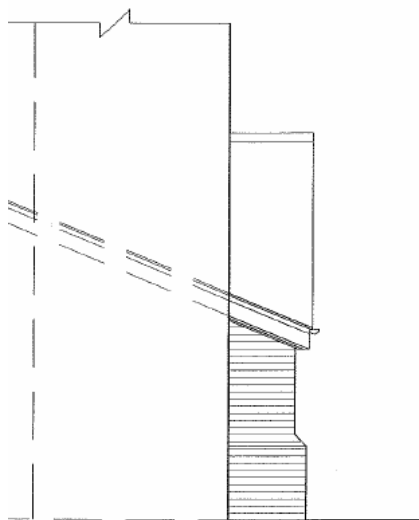


## Item D4

Single storey extension and improvements to access, Leigh Primary School,  
The Green, Leigh, Tonbridge – SE/07/3859

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### SOUTH ELEVATION OF THE EXTENSION



**Single storey extension and improvements to access, Leigh Primary School, The Green, Leigh, Tonbridge – SE/07/3859**

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**Discussion***Introduction*

8. The original school buildings are Victorian, of red brick with blue brick decorative patterning, over a stone plinth. The roof is covered in Kent clay peg tile. Various extensions have been added in the past, generally in keeping with the building's original character. The proposal is for a 12 square metre extension to the front of the school building. The proposal would also help to address Disability Discrimination Act 1995 (DDA) requirements for public buildings. The first floor room vacated by the administration staff would be made available as a meeting/resources and Special Education Needs (SEN) room.
9. The application is required to be determined in accordance with the relevant Development Plan Policies, unless other material considerations are of overriding importance. Special attention should be given to the Conservation Area policies within the Kent and Medway Structure Plan and the Sevenoaks Local Plan. These objectives have to be balanced against the need for improvements to the community facility. In conjunction with these and other relevant policies, these issues are considered and discussed below.

*Need*

10. The current school roll is 121 pupils and is expected to rise to about 130 in September 2008. The current provision of space for resources is cramped and there is no independent area for private meeting (e.g. between staff and parents) or for the separate teaching of children with special education needs. At present, the access to the ground floor classrooms entails two steps, one at the entrance and another into the pupil's area. The existing entrance is cramped and provides no space for visitors to sit while waiting to be seen.
11. The existing school administrative office is on the first floor of the existing school building. The applicant states that this is not satisfactory as it makes the first point of contact office inaccessible to those who cannot negotiate stairs. Consequently, it does not comply with the DDA. Additionally, the main entrance to the school building cannot readily be seen and monitored by the school secretary, which is a flaw in the maintenance of school security.

*Conservation Area and Design*

12. The Policies QL6 of the Kent and Medway Structure Plan and EN23 of the Sevenoaks Local Plan aim to ensure protection of areas of architectural and historic interest against harmful development within the Conservation Area and against development, which would harm the character of Conservation Area. It is also acknowledged that the school on The Green is mentioned in the Conservation Area Appraisal 2001 when discussing the character of the Leigh Conservation Area.
13. The objection raised by Sevenoaks District Council is that the proposed development by being to the front of the building, which is a prominent location adjoining the village green, would project forward of the existing main wall and be in line with the porch. The extension indeed would be forward of the adjacent classroom and would be nearly in line with the porch. The applicant argued that it would still align with the classroom extension further to the south-east. Furthermore, the small size of the proposed extension and the site circumstances would not allow for the proposed line of the extension to be substantially set back from the porch front line. Yet, the applicant offered to increase the

**Single storey extension and improvements to access, Leigh Primary School, The Green, Leigh, Tonbridge – SE/07/3859**

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distance from the front of the porch to 100mm to make the extension more recessed. However, it is noted that this recess would reduce the size of this already small room and is not likely to address the issue of the extension projecting forward of the existing main wall. It is also noted that the reasons for the development are to improve the accessibility of the office and therefore compliance with the DDA requirement as well as to improve monitoring of people entering the building. For this reason it is not part of the proposal before you.

14. Secondly, the Sevenoaks District Council raises objection as to the style of the addition as it would be different to previous additions, in having a lean-to roof rather than a gabled one. The applicant acknowledges that the majority of the roofs along the front elevations have gables. However, the proposed roof with windows below would reflect the detail of the first floor windows under the eaves, which would be immediately above the proposed extension. There is also a lean-to canopy over the door, which would be replaced by the lean-to roof on the proposal.
15. Thirdly, the reason for objection is that the addition would obscure the lower part of the very attractive chimney stack. Although, it is true that some of the chimney stack would be covered by the proposed new extension, the applicant notes that this is already largely hidden by climbing plants (please see photo D4.5). Also, the upper part of the stack with its diapering and angled shafts would still be visible on completion of the extension, which is the part that is mostly visible from wider views across The Green.
16. The School is within the Leigh Conservation Area and any development needs to be of such a quality that it would protect or enhance the special character of this area. It is also acknowledged that there is the need for improvements to the school's entrance so it meets the current standards. Having discussed with the applicant any alternative locations for the office room, I was advised that it could not be located elsewhere. The key purpose of this development is to enable the School Secretary to monitor the school's main entrance, which currently is not adequate.
17. Under these circumstances, it is considered that the external finishes of the extension would be the most important in protecting the integrity of the western elevation of the school building as a whole. As it is proposed to match the external materials with the original school building as closely as possible, the special character of the Leigh Conservation Area would be preserved in accordance with the Local Plan policies. Submission of the window details and samples of all external materials could be secured by a planning condition, should the proposal be permitted. The County Conservation Architect supports this view.

**Conclusion**

18. Whilst I acknowledge that special care is needed with developments in the Leigh Conservation Area, I am satisfied that the proposed external finish of the extension is of highest quality to meet Development Plan Policies. Due to its style and massing, it is considered that the proposed development would not harm the special character of the Leigh Conservation Area. It is noted that the reason for the development is to improve accessibility of the school's office for less mobile people and to improve the security of the entrance to the School by passive monitoring. Therefore, it cannot be readily located elsewhere.

**Recommendation**

19. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT to conditions, including conditions covering:
  - Standard time condition for it to be implemented;

## **Item D4**

### **Single storey extension and improvements to access, Leigh Primary School, The Green, Leigh, Tonbridge – SE/07/3859**

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- Samples of materials to be used externally should be submitted for prior approval;
- Detailed 1:20 section drawings of the windows would be submitted; and
- The development to be carried out in accordance with the permitted details.

Case Officer –Anna Michalska-Dober
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Background documents –See section heading
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**Item D5****Two storey extension to St Peter's Lodge, St. Peters C Of E Primary School, Mount Pleasant, Aylesford.**

A report by Head of Planning Applications Group to Planning Applications Committee on 18<sup>th</sup> March 2008.

Application by KCC Children, Families And Education for a two storey extension to St Peter's Lodge to provide additional learning space on both floors at St. Peters C of E Primary School, Mount Pleasant, Aylesford (Ref:TM/08/211)

Recommendation: permission be granted subject to conditions

Local Member(s): Mr. Geoff Rowe

Classification: Unrestricted

**Site**

1. St Peter's Church of England (VC) Primary School is a small school located in the centre of Aylesford, north of the High Street. The school is on a hill, which descends towards the High Street. The site is within the Aylesford Conservation Area. Access is arranged from two narrow lanes Mount Pleasant and Church Walk. Further along Church Walk there is an access road to properties in Vicarage Close. To the east there is St. Peter's Church, which is a Grade I Listed Building. To the north-west there is the Vicarage. To the south-east there is a near vertical drop with Coronation Gardens at the bottom. A site plan is attached (see page D5.2).

**Proposal**

2. The proposal is to construct a two-storey extension to St. Peter's Lodge. This comprises an infant classroom on the ground floor and a multipurpose room on the first floor to be used primarily for adult education and includes a small computer suite. The overall footprint is approximately 60 square metres although some part of it would be allocated for an internal lift shaft to provide wheelchair access to the first floor. The extension would require construction of only two walls and would be linked with the existing corridor within the St Peter's Lodge (see the proposed elevation drawings D5.4). key design driver is to match the extension with the existing building and the newly completed single storey pre-school building.

**Planning Policy**

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

- (i) The Kent & Medway Structure Plan 2006:

Policy SP1      Seeks to conserve and enhance Kent's environment and to ensure a sustainable pattern of development.

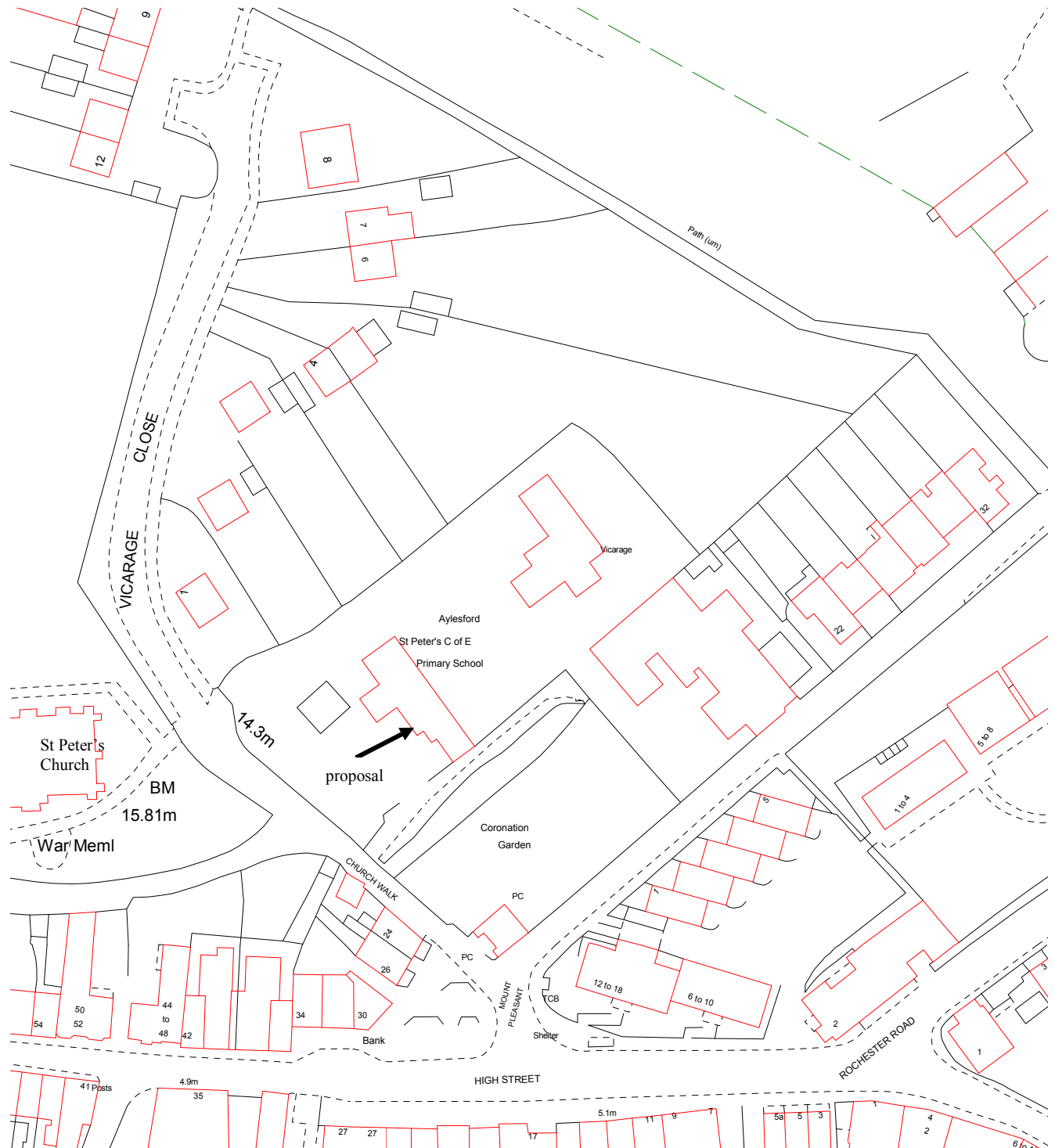
Policy SS6      Seeks to improve the built and natural environment, functioning and appearance of the suburbs, including the provision of services and facilities that serve local needs.

Policy QL1      Seeks to ensure that all development is well designed and of high quality that responds positively to the local character. Development, which would be detrimental to the built environment, amenity, function or character of the area, will not be permitted.

## Item D5

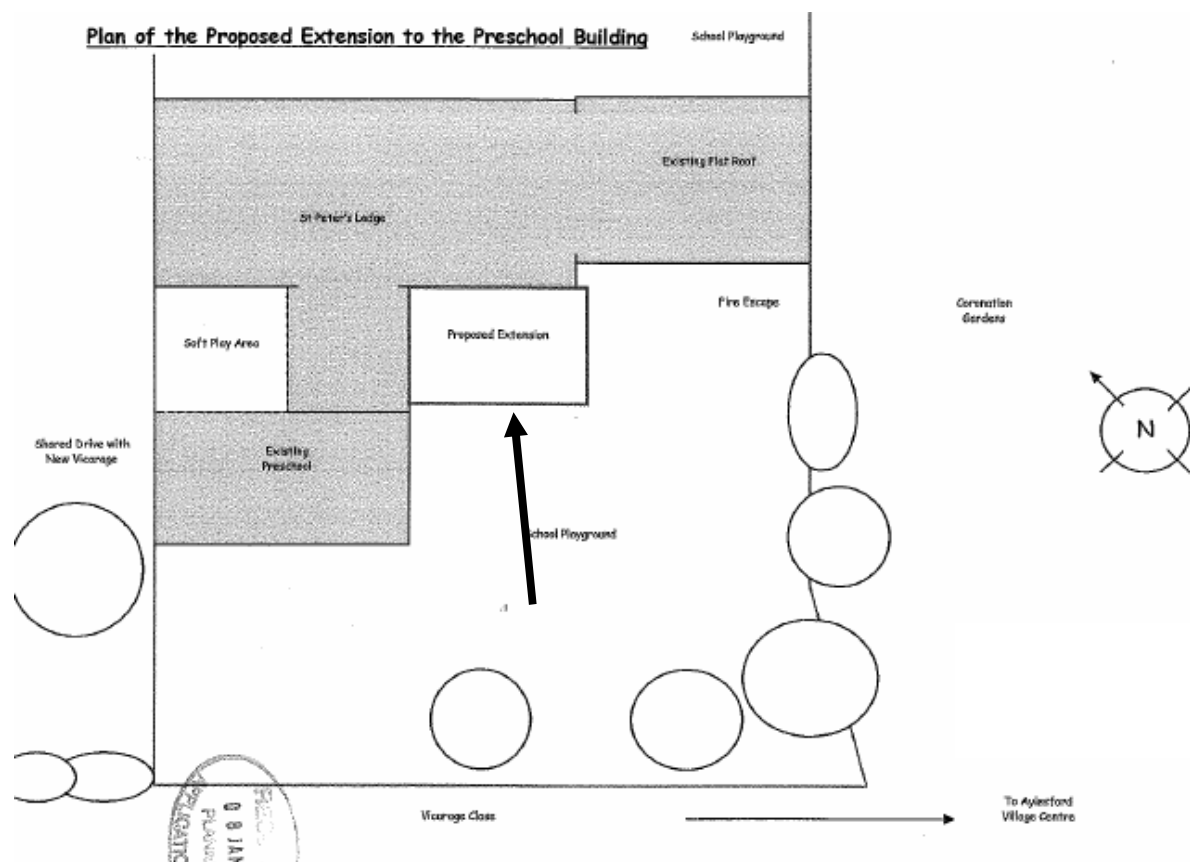
Two storey extension to St Peter's Lodge at St. Peters C Of E Primary School, Mount Pleasant, Aylesford – TM/08/211

### Site plan



## Item D5

Two storey extension to St Peter's Lodge at St. Peters C Of E Primary School, Mount Pleasant, Aylesford – TM/08/211

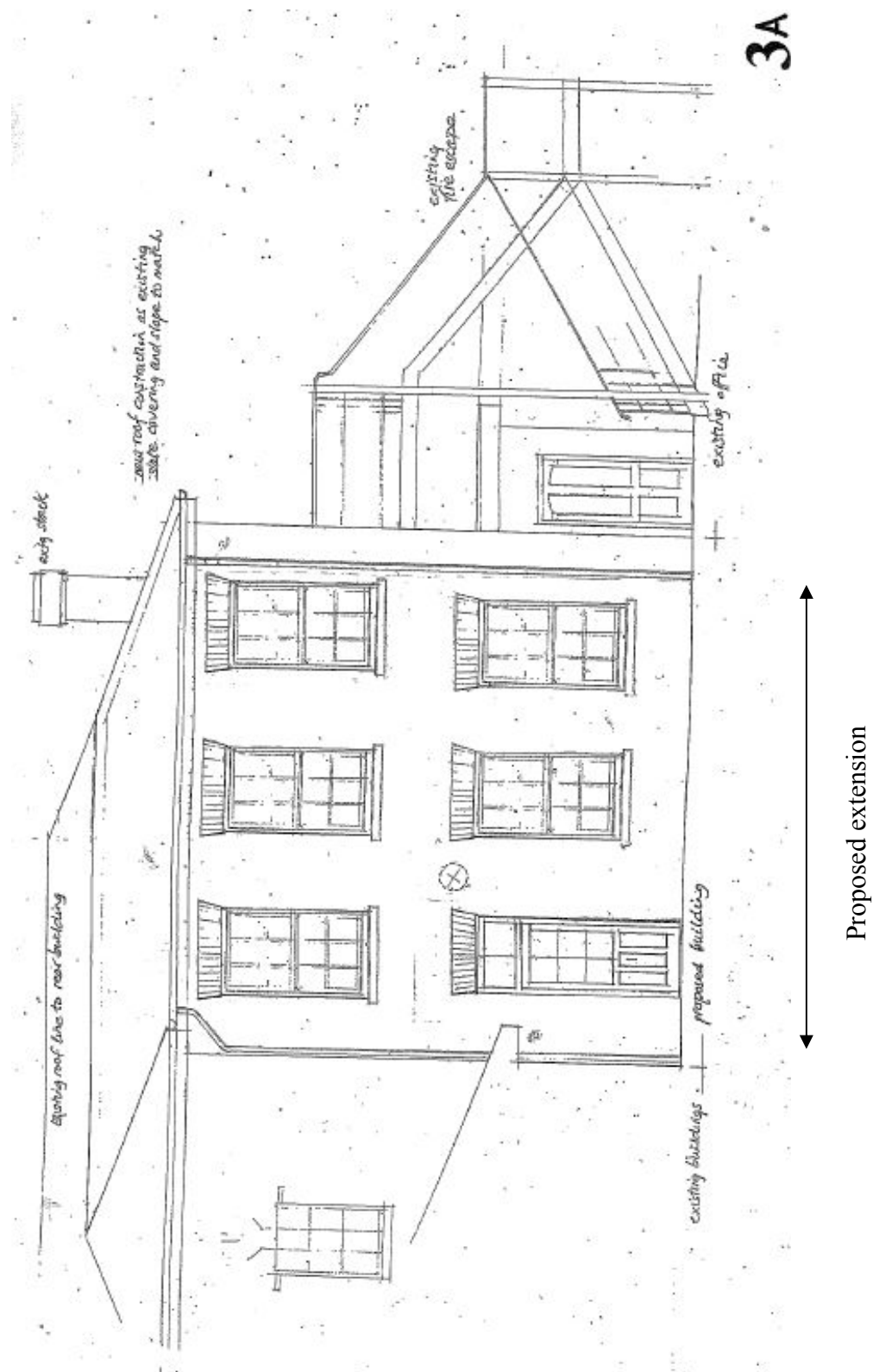


Photographs of Site of Proposed Extension to St Peter's Lodge



## Item D5

Two storey extension to St Peter's Lodge at St. Peters C Of E Primary School,  
Mount Pleasant, Aylesford – TM/08/211



**Two storey extension to St Peter's Lodge at St. Peters C Of E Primary School, Mount Pleasant, Aylesford – TM/08/211**


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Policy QL6	Development within Conservation Areas should preserve or enhance their special character or appearance. Development, which would harm the character or appearance of a Conservation Area, will not be permitted
Policy QL7	Where the development affects an archaeological site, the developer will be required to secure appropriate provision for preservation by record.
Policy QL8	Listed buildings will be preserved and the character of their setting will be protected and enhanced
Policy QL11	Provision will be made for development and improvement of local services in existing residential areas and in town centres, particularly where services are deficient.
Policy TP3	States that the local planning authority should ensure that development sites are well served by public transport, walking and cycling.
Policy TP19	States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council.

**(ii) Tonbridge and Malling Borough Council LDF Core Strategy 2007:**

Policy CP1	Sustainable development, conserving and enhancing the historic environment, making the most efficient use of land and infrastructure
Policy CP2	New development that is likely to generate a significant number of trips should be well located relative to public transport, cycle and pedestrian routes and with good access to local services centres; should minimise the need to travel through implementation of a Travel Plan, be compatible with the capacity of the highway network and ensure accessibility for all.
Policy CP24	All development must be well designed and of high quality to include use of appropriate materials, its scale, siting or character.

**Consultations**

**4. Tonbridge & Malling Borough Council:** raises no objection to the proposal.

**Divisional Transportation Manager:** raises no objection to the proposal. He notes that the additional accommodation would be of compact size and close to the Aylesford centre, where free public car parking is available.

**The Environment Agency:** raises no objection. However, the applicant is advised that appropriate precautions should be taken to avoid discharge and spillage to the ground both during construction and in subsequent operation. The applicant should ensure that the existing drainage systems are well maintained and of sufficient capacity to cope with the additional flow or loading that may occur as a result of this proposal. Care should also be taken in the design of any new soakways, and first contact should be made with the Agency's Groundwater and Contaminated Land Department.

**English Heritage:** advises that the application should be determined in accordance with national and local policy guidance, and on the basis of county specialist conservation advice.

**Two storey extension to St Peter's Lodge at St. Peters C Of E Primary School, Mount Pleasant, Aylesford – TM/08/211**

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**County Conservation Architect:** raises no objection, subject to receiving details of the design for the windows and the external materials including tiles, gutters and downpipes, bricks, window joinery and eaves detail. All should match the original.

**County Archaeologist:** raises no objection to the development but recommends to secure an archaeological watching brief to be undertaken so that the excavation is observed and items of interest and find are recorded.

**Aylesford Parish Council:** no comments received

**Local Members**

5. The local Member, Geoff Rowe was notified of the application on the 17<sup>th</sup> January 2008. No comments received.

**Publicity**

6. The application was publicised by posting an advert in a local newspaper, posting a site notice on the site boundary and six individual notification letters to private properties.

**Representations**

7. 1 letter and a petition objecting to the proposal were received. The main reasons for the neighbours objection can be summarised as follows:
- The development will cause an increase in traffic during the morning and afternoon school rush. As a consequence of traffic on High Street, which regularly comes to a stand-still for a considerable amount of time, no traffic is able to enter or leave Mount Pleasant/Vicarage Close, which for most of its length is only single lane.
  - The school has totally inadequate parking facilities in the Vicarage vicinity to allow for off road parking.
  - Parents park in non through road ignoring double yellow lines on both sides of the road often blocking access to Vicarage Close during the drop-off and pick up hours.
  - Parents use residents' private driveways for turning and also damage the verge of the church yard and leave earth scattered on the road
  - It is extremely dangerous to drive down the hill from the school towards High Street, particularly in the winter months during the morning rush as the sun lies very low in the sky and shines directly into driver's eyes. This is especially dangerous for parents, children and other pedestrians walking up the hill.
  - Another concern is that access for emergency services is jeopardised, preventing speedy progress to the emergency.

Since receiving the petition with objection to the proposal, the Headteacher has been in dialogue with these residents. As a consequence, the person who organised the petition has withdrawn his objection. However, the other people who signed the petition have maintained their objection.

**Discussion***Introduction*

8. The reason for reporting this planning application to the Committee is an objection letter and a petition signed by neighbours on Vicarage Close as set out in paragraph 7 above. The objections can be summerised as issues relating to the existing traffic problems in

**Two storey extension to St Peter's Lodge at St. Peters C Of E Primary School, Mount Pleasant, Aylesford – TM/08/211**

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Church Walk and Vicarage Close during drop-off and pick-up times. Further concern has been raised that following the extension to the school, the problem might become greater.

9. The application is required to be determined in accordance with the relevant Development Plan Policies, unless other material considerations are of overriding importance. In particular, I consider the key determining considerations to be heritage, amenity and access balanced against the need for improvements in community facilities.

*Heritage issues*

10. Development Plan Policies presume against development within the Conservation Area unless it preserves and enhances the Area's special character or appearance. Development, which would harm the character or appearance, should not be permitted. Similarly, Development Plan Policies protect the character and setting of Listed Buildings. In this particular case, consideration has been given to the design of the proposal specifically in the light of the Conservation Area and setting of Listed Building Policies. The scale, detailing and materials have been selected to reflect the existing building. Earlier concerns raised by the County Conservation Architect regarding window detailing have been addressed and he is now satisfied with the proposal. I consider that the revised proposal would preserve the special character and appearance of the Aylesford Conservation Area and would not have any negative impact on the setting of St Peters Church. Finally, the County Archaeologist recommendation to require an archaeological watching brief, can be secured by a condition which would ensure that the excavation is observed and items of interest and finds are recorded, thereby meeting development plan policy. The proposal is considered to be in accordance with the Policies QL6, QL7 and QL8.

*Amenity*

11. Policy QL1 of the Kent and Medway Structure Plan (KMSP) requires that development should not be detrimental to the amenity and functioning of settlements. Residents however raised concerns about parents who use private driveways and the verge of the church for turning and therefore damaging the landscaping and leaving the earth scattered on the road. The Headteacher confirmed that he has been working hard to discourage parents from parking and turning in these areas. This has included Headteacher's patrols, frequent articles in the weekly newsletter and even closing the school's access during drop-off and pick-up hours from Church Walk, which forces parents to use the Mount Pleasant entrance. In addition, the School liaises with the community warden based at the school and the Police. The roads are already fully double yellow lined but parents ignore the signs. Many parents refuse to listen and the problem has persisted but the School cannot be responsible for action of parents outside school.

*Access*

12. Further, Policy CP2 of the Tonbridge and Malling Core Strategy states that if a development is likely to generate a significant number of trips, it should be favourably located relative to public transport, cycle, pedestrian routes, with good access to local services. Policies TP3 and TP19 of the KMSP also require the new development to be well served by public transport, walking and cycling and to comply with vehicle parking policies and maximum standards adopted in The Kent Vehicle Parking Standards. The applicant states that the extension would not provide additional capacity but would provide space for "Opal Class", which is currently taught in the library. There would not be any additional staff or pupils as a consequence of this extension. It is noted that the funding for this project comes from the Department for Children, Schools and Families

**Two storey extension to St Peter's Lodge at St. Peters C Of E Primary School, Mount Pleasant, Aylesford – TM/08/211**

and is available subject to a condition that this is not for an extension that would lead to an increase in pupil capacity.

13. On the other hand, it is noted that the first floor would be a multi-purpose room used by parents through the day. That potentially could generate some limited additional car trips to the site. The applicant advised that visitors would be invited to the school during the day to avoid conflict with the school rush hours. Though, since the school is located in the centre of Aylesford, it is considered that the school is easily accessible by foot, public transport or cycle and with good access to local services. Therefore, visitors would be expected to walk or if necessary to park their cars legally. The Divisional Transport Manager confirmed that there are free car parking spaces in the centre close to the school. It is also planned that any visitors after 3.00pm would use the junior playground to park their cars, the same way as it is already organised with parents whose children attend after-school clubs. It is recognised that the School received a Platinum Travel Plan Award for work on reducing vehicular traffic to school. It is stated that nearly half of the children are now walking to school.
14. Finally, the proposal would be in accordance with Policy QL11, which supports any improvement of local services in existing residential areas and the flexibility in the use of buildings for mixed community uses. Overall, it is considered that the School is well located within the community that it aims to serve.

**Conclusion**

15. This proposal has given rise to concerns, principally heritage, amenity and congestion. I am satisfied that the proposed design of the extension is of high quality and meets the conservation policy requirements. Although it is recognised that there is a current problem with parents who park their cars in inappropriate places, the School is very active in implementation of the School Travel Plan. The development would not cause any increase in staff or student numbers and so would not add to any existing traffic congestion problem. Moreover, the Divisional Transportation Manager is satisfied that the development would not result in any unacceptable impact on the surrounding highways. Finally, it has also been noted that the school is located very close to the centre of the Aylesford village and close to the community that serves.
16. It is considered that the school would benefit from the proposed extension whilst not causing any greater detriment to local residents. Overall, I consider that the proposed development would be in accordance with the aims and objectives of the relevant Development Plan Policies.

**Recommendation**

17. I RECOMMEND that PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:
  - Standard time condition for it to be implemented
  - The external materials including brick type, roof slate, windows and eaves shall be matching the adjacent building
  - Archaeological watching brief to be secured
  - The development to be carried out in accordance with the permitted details

Case Officer –Anna Michalska-Dober	01622 696979
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Background documents –See section heading
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**Item D6****Front lobby extension at Seal Church of England Primary School, Sevenoaks – SE/08/132**

A report by Head of Planning Applications Group to Planning Applications Committee on 18 March 2008.

Application by the Governors of Seal Church of England Primary School and Kent County Council Children, Families & Education for a front lobby extension at Seal Primary School, Zambra Way, Seal, Sevenoaks (SE/08/132)

Recommendation: Planning permission be granted

Local Member(s): Mr. N. Chard

Classification: Unrestricted

**Site**

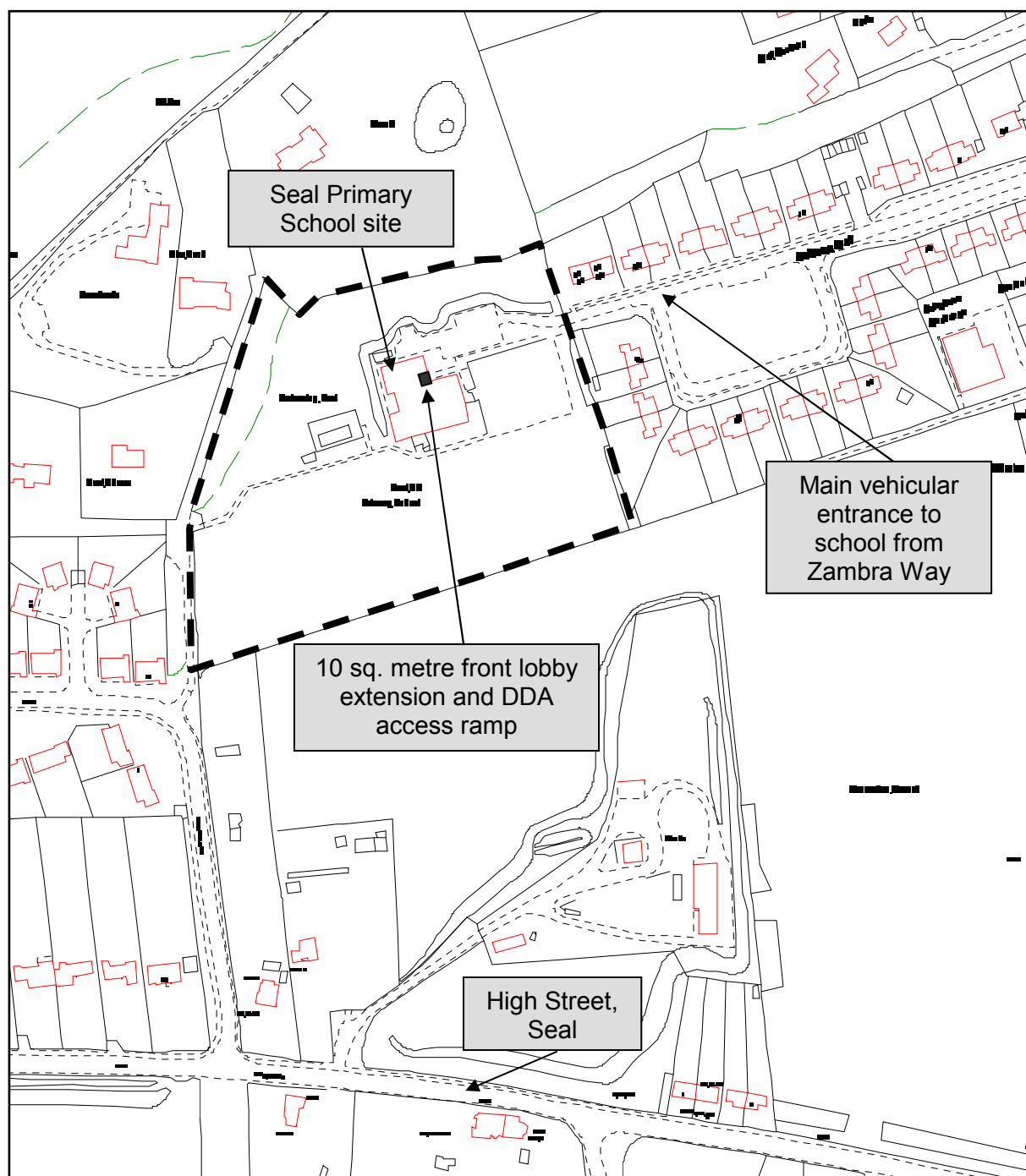
1. Seal Primary School is located to the north of the village of Seal and to the north east of Sevenoaks. The school is located a short distance from the main village itself, and is accessed by both vehicles and pedestrians from its main entrance off Zambra Way. In addition to the primary access route into the site, there is a secondary maintenance access (used solely by occasional maintenance vehicles only) located on Ash Platt Road. The site is bordered to the north-west by a dense tree screen, most of which is protected by a Tree Preservation Order. *A location plan is attached.*
2. The entire Seal Primary School site is located within the Metropolitan Green Belt and adjacent to the Kent Downs Area of Outstanding Natural Beauty (as identified on the site context plans on page 3).

**Background and Proposal**

3. The application seeks planning permission for a secure and Disability Discrimination Act (DDA) compliant front lobby extension to the main pedestrian access point to the school. The lobby comprises of a single storey extension of approximately 10 sq. metres and involves the infilling of an area of courtyard space between three external walls. The proposed works are located some 50 metres from the nearest site boundary. In basic terms the development comprises of a new set of double doors which are fully DDA access compliant with a roof over and a new access ramp providing a gentle slope upwards to the new door threshold.
4. The application has been brought about by the need to secure the front entrance to the school by providing a secure waiting area where visitors can enter and be signed in before entering the main school premises. The DDA access ramp has arisen to meet the needs of a number of families who have disabilities and cannot easily gain access into the main entrance of the school without having to have doors specially held open for them. The proposal intends to fully integrate these families into the life of the school.
5. The application is being reported to the Committee for determination on the basis of a Green Belt Policy objection being lodged from Sevenoaks District Council.

**Front lobby extension at Seal Church of England Primary School,  
Zambra Way, Seal, Sevenoaks – SE/08/132**

**Site Location Plan**

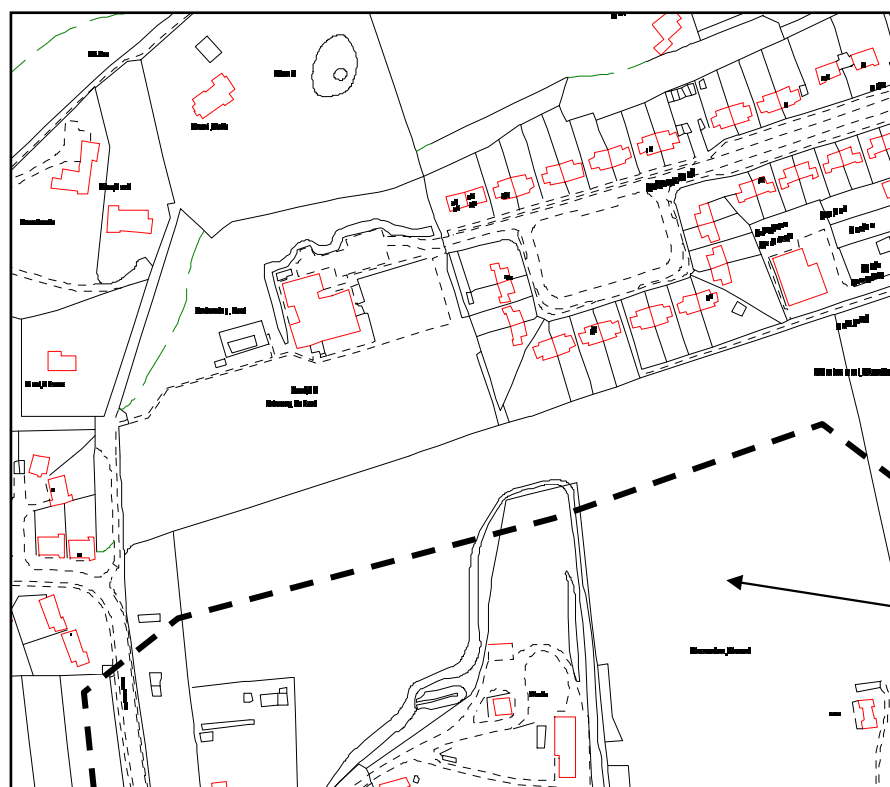


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**Scale 1:2500**

**Front lobby extension at Seal Church of England Primary School,  
Zambra Way, Seal, Sevenoaks – SE/08/132**

**Site Context Plans**



Area of  
Outstanding  
Natural Beauty  
(AONB)

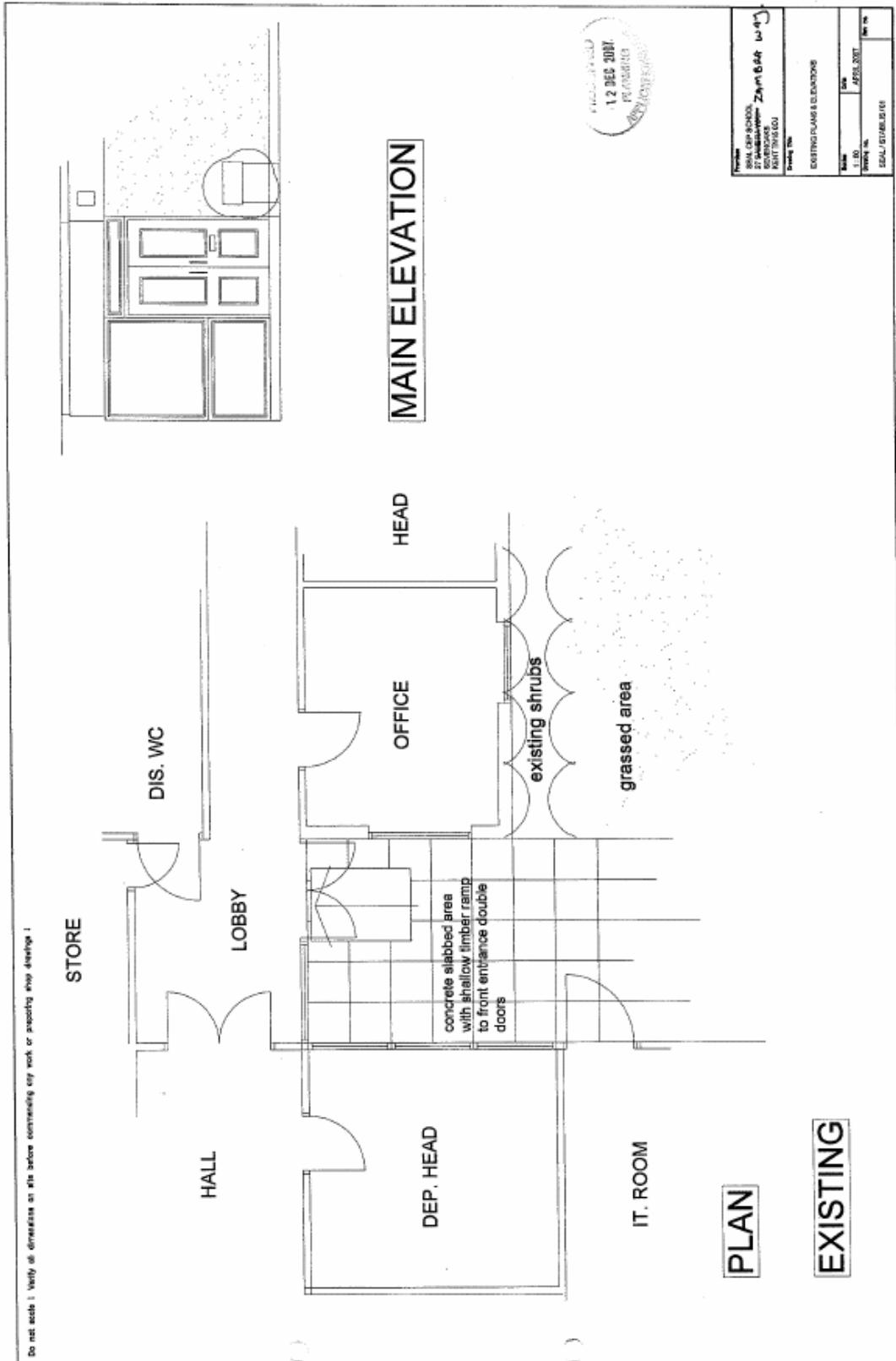


Extent of  
Metropolitan  
Greenbelt

**Site Context Plans not to scale**

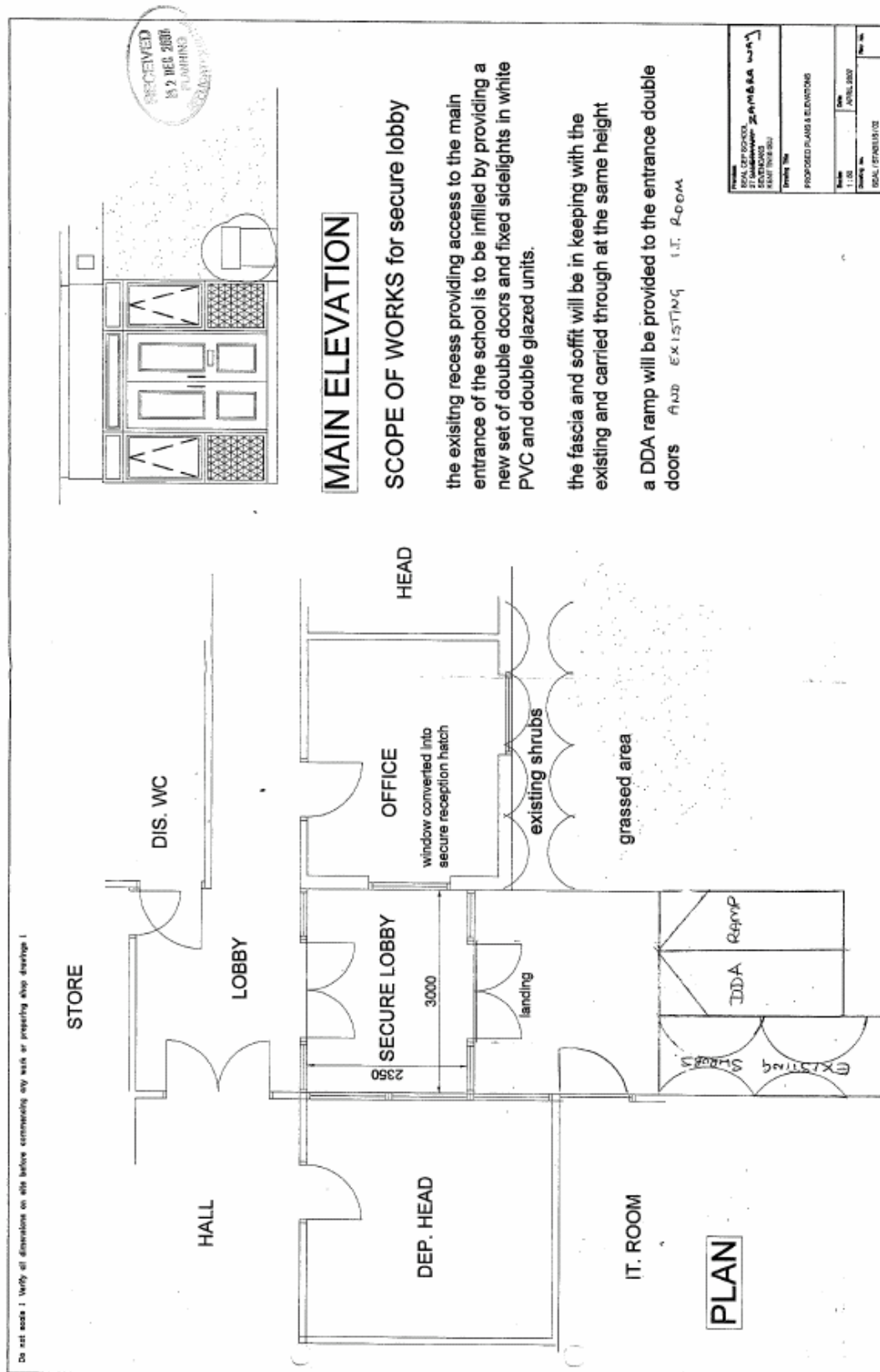
Front lobby extension at Seal Church of England Primary School,  
Zambra Way, Seal, Sevenoaks – SE/08/132

Existing Plans & Elevations



Front lobby extension at Seal Church of England Primary School,  
Zambra Way, Seal, Sevenoaks – SE/08/132

Proposed Plans & Elevations



**Front lobby extension at Seal Church of England Primary School, Zambra Way, Seal, Sevenoaks – SE/08/132**

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**Planning History**

6. At the Planning Applications Committee Meeting on 6 November 2007 planning permission was granted for a section of boundary fence replacement along the western school boundary with Ash Platt Road, under reference SE/07/2536.

**Planning Policy**

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

- (i) The adopted 2006 **Kent & Medway Structure Plan**:

**Policy SP1** – The primary purpose of Kent's development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development. This will be done principally by, amongst other matters:

- protecting the Kent countryside and its wildlife for future generations;
- protecting and enhancing features of importance in the natural and built environment;
- encouraging high quality development and innovative design that reflects Kent's identity and local distinctiveness and promoting healthy, safe and secure living and working environments;

**Policy QL1** – All development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.

**Policy QL11** – Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

**Policy EN4** – Protection will be given to the nationally important landscapes of the Kent Downs Area of Outstanding Natural Beauty where the primary objective will be to protect, conserve and enhance the landscape character and natural beauty.

**Policy SS2** – Within the Green Belt there is a general presumption against inappropriate development.

- (ii) The adopted 2000 **Sevenoaks District Council Local Plan**

**Policy EN1** – Proposals for all forms of development and land use must comply with the Policies set out in the Plan, unless there are overriding material considerations. The following criteria will be applied, amongst other matters, in the consideration of planning applications:

- the form of the development should be compatible in terms of scale, height and use of appropriate materials;

**Front lobby extension at Seal Church of England Primary School,  
Zambra Way, Seal, Sevenoaks – SE/08/132**

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- the proposed development does not have an adverse impact on the amenities of a locality by reason of form, scale and height;
- the design of new development incorporates measures to deter crime;

**Policy EN6** – Development that would harm or detract from the landscape character of the Kent Downs Area of Outstanding Natural Beauty will not be permitted.

**Consultations**

8. **Sevenoaks District Council:** has raised an objection to the front lobby extension for the following reasons:

*“The land lies within the Metropolitan Green Belt where strict policies of restraint apply. The proposal is inappropriate which is by definition harmful to the maintenance of the character of the Green Belt and to its openness. No very special circumstances have been put forward. The proposal thereby conflicts with Planning Policy Guidance Note 2 and Policy SS2 from the Kent and Medway Structure Plan 2006.*

**Seal Parish Council:** was notified of the application on 16 January 2008

**Divisional Transportation Manager:** has no highway objection to this proposal.

**Environment Agency:** has no objection but offered advice to the applicant regarding the site lying within a Source Protection Zone and precautions to be taken to avoid discharges and spillages to the ground both during construction and subsequent operation.

**Local Member**

9. The local County Member, Mr. N. Chard was notified of the application on the 16 January 2008.

**Publicity**

10. The application was publicised by posting a site notice at the school entrance with Zambra Way, and the individual notification of 8 neighbouring residential properties.

**Representations**

11. I have not received any representations in respect of this application to date.

**Discussion**

Introduction

12. The application seeks planning permission for a 10 sq. metre front lobby extension and DDA access ramp to the main front entrance of the school. The application is being reported for determination as a result of the whole site being located within the Metropolitan Green Belt, and therefore Sevenoaks District Council has raised objection

**Front lobby extension at Seal Church of England Primary School,  
Zambra Way, Seal, Sevenoaks – SE/08/132**

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on the grounds that this proposal does not have very special circumstances to allow planning permission to be granted within the Green Belt.

13. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (8) 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 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. Issues of particular relevance in this case include the visual impact of the small-scale secure entrance lobby and DDA ramp and their impact on the surrounding Metropolitan Green Belt.

#### Impact on Green Belt

14. The whole school site is located within the Metropolitan Green Belt and in the context of the relevant national Planning Policy guidance and Development Plan Policies that apply, proposals for new built development need to be exceptionally justified by very special circumstances. In particular, Green Belt policy presumes against inappropriate development, which includes any development which is not related to agriculture, forestry, open recreation, or other compatible Green Belt uses.
15. Whilst the proposed extension does not constitute inappropriate development, I consider that it can be justified as an exemption to Green Belt Policy because it has a negligible impact on the openness of the Green Belt, cannot be sited in any alternative non-Green Belt location and is required to meet the Government imposed requirements relating to equal access to public buildings. I note the views of Sevenoaks District Council as set out in paragraph (8) above, but in my opinion consider that there are adequate very special circumstances to justify overriding Green Belt Policy in this particular case. Accordingly, I do not consider the proposed development to be contrary to Structure Plan Policy SS2.

#### Visual impact of proposed development

16. As noted above, the proposed entrance lobby would be created in an existing courtyard space outside the main entrance to the school. It is proposed to be constructed by installing a set of easily opening double doors (to allow easy wheelchair access) with a flat-roof over. This area would operate as a secure area for visitors, pupils and staff to enter part of the school to sign-in before having direct access into the main school buildings.
17. The external materials of the proposed lobby extension comprise of a set of uPVC double doors and windows, with a flat-roof above. The design of the proposed lobby matches that of the existing school with uPVC windows and a felt flat roof construction. In terms of the DDA ramp this is proposed to be constructed of a concrete ramp to accord with the current DDA slope gradients.
18. It is noted from the site context plans (see page 3) that the application site lies adjacent to the Kent Downs Area of Outstanding Natural Beauty (AONB). However, given the enclosed and secluded location of the works proposed, in my opinion there would be no adverse visual impact upon the wider AONB, or any adverse visual impact from views of the development from outside of the site. Under the circumstances, the application does not need to be judged against the criteria of Structure Plan Policy EN4 and in particular it is clearly not major development for the purpose of this Policy.



**Front lobby extension at Seal Church of England Primary School,  
Zambra Way, Seal, Sevenoaks – SE/08/132**

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19. Given the small-scale of the works proposed and the concealed location of the development, I consider the proposal to be in accordance with Structure Plan Policy QL1 and Local Plan Policy EN1.

Alternative solutions

20. As previously noted the whole of the Seal Primary School site lies within the Metropolitan Green Belt and as such no alternative location for a secure lobby and DDA access ramp would be a better location in terms of Green Belt Policy. On this basis, the current location for the proposed development would seem most appropriate at the main entrance of the school.
21. Accordingly, I am satisfied that no alternative solutions have been pursued as better options in Green Belt terms, and consider the current proposal to be acceptable when weighing-up the need for the development at this particular school against national and local planning policy.

**Conclusion**

22. Having regard to the Development Plan Policies, particularly those policies relating to the Metropolitan Green Belt, and the material considerations received from Sevenoaks District Council, I consider that the addition of a secure entrance lobby and DDA compliant access ramp is in general accordance with the Development Plan. Whilst I note the views received from the District Council with regards to Green Belt Policy, I consider that the very special circumstance of need of a school located wholly within the Green Belt is sufficient to override a Policy objection in this particular case. Accordingly, I consider that planning permission should be granted, subject to the following conditions as set out in paragraph (23) below.

**Recommendation**

23. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- the standard time limit;
  - the development to be carried out in accordance with the permitted details;
  - details of handrails and external materials of DDA access ramp be submitted to and approved in writing by County Planning Authority prior to any operations on site.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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**E1 COUNTY MATTER 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.

- |                                       |  |
|---------------------------------------|--|
| DA/05/328/R5, R26, R27, R30, R33 & R2 | Request for discharge of conditions 5 (various details), 26 (dust management plan), 27 (odour management plan), 30 (archaeology) and 33 (landscape planting and maintenance scheme) and approval of amended weighbridge pursuant to condition 2 of planning permission DA/05/328 for redevelopment of existing household waste recycling centre (HWRC) and highways depot to provide an integrated HWRC and waste transfer station (WTS) together with associated buildings, access, weighbridge, parking areas and landscaping. Pepperhill HWRC Site, Station Road, Southfleet, Gravesend |
| DO/03/477/R20/R                       | Details of proposed otter holt pursuant to condition (20). Integrated Waste Management Centre, Former Brown and Mason Yard, Ramsgate Road, Sandwich  |
| SW/05/77/R11                          | Submission of details of the Waste Handling Procedure, Measures to Attenuate Noise, Suppress Dust, Suppress Odour and Perimeter Fencing Details Pursuant to Condition 11 (parts a to e) of SW/05/77. Units 5, 6 And 7 West Lane, Sittingbourne, Kent   |
| SW/05/744/R4, R5 R25, R30, R32 & R3   | Request for approval of new fence alignment and details (conditions 4 and 5), new haul roads (condition 5), landfill gas and leachate control infrastructure scheme (condition 25), restoration and aftercare schemes (conditions 30 and 32) and annual report on progress with working and restoration (condition 3 – submission only required) pursuant to planning permission SW/05/744. Norwood Quarry and Landfill Site, Lower Road, Brambledown, Isle of Sheppey, Kent   |
| TM/03/2784/R37                        | Survey of excavation base pursuant to condition (37) of planning permission TM/03/2784. Hermitage Quarry, Hermitage Lane, Aylesford  |
| TM/03/2785/R20                        | Details of measures to control dust, pursuant to condition (20) of planning permission TM/03/2785. Hermitage Quarry, Hermitage Lane, Aylesford   |

## **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.

MA/08/0138	Maidstone Borough Council – erection of 14 metres of palisade triple point 1.8m high fencing to eastern boundary to replace existing chain link fencing. Len Valley Nature Reserve, Square Hill Road. Maidstone
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## **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/05/687/R9	Details of cycle parking pursuant to condition 9 of planning permission AS/05/687 The John Wesley CE (Aided) Primary School, Singleton, Ashford
AS/06/435/R2A	Amended details - Changes to roof of nursery building The John Wesley CE (Aided) Primary School, Singleton, Ashford
AS/06/435/R9	Details of cycle parking pursuant to condition 9 of planning permission AS/06/435 The John Wesley CE (Aided) Primary School, Singleton, Ashford
AS/06/1046/R2B	Minor amendments to permitted details of new school building including to main entrance and addition of snow guards to roof – Provision of new buildings for school etc. Goldwyn Community Special School, Godinton Lane, Great Chart, Ashford
AS/07/1396	Modular building to create a childrens centre, including the installation of a canopy, a buggy park, external play area, fencing and a pedestrian access. Tenterden Infants School, Recreation Ground Road, Tenterden

AS/07/1537/R5	Details of foundation design. Ashford St. Marys CE Primary School, Western Avenue, Ashford
AS/07/1578/R5	Details of tree protection measures pursuant to Condition 5 of planning permission reference AS/07/1578 Oak Tree Primary School, Oak Tree Road, Ashford
CA/02/1371/R2	Details pursuant to Condition 2 (Landscape scheme details) of planning permission reference CA/02/1371 Herne Bay High School, Bullockstone Road, Herne Bay
CA/02/1371/R5 & R7	Details pursuant to Condition 5 (Archaeological field evaluation) and Condition 6 (foundations design details) of planning permission reference CA/02/1371 Herne Bay High School, Bullockstone Road, Herne Bay
CA/06/364/R3	Details of a landscaping scheme pursuant to condition (3) of planning permission CA/06/364 – Two storey teaching block. Reculver Primary School, Hillborough, Herne Bay
CA/06/1392/R5B	Further amendments to approved details of external lighting – Erection of a detached three storey block of 40 extra care apartments for the elderly. King Edward Court, King Edward Avenue, Herne Bay.
CA/07/1662	Construction of DDA compliant access ramp & stepped approach. 88 Whitstable Road, Canterbury
CA/07/1783	Change of temporary site access into new car park entrance. St Nicholas School, Holm Oak Close, Nunnery Fields, Canterbury
CA/08/45	Replacement boundary fencing. The Orchard School, Cambridge Road, Canterbury
DA/05/60/R21	Details of the hours for community use – Erection of a technology academy. Leigh City Technology College, Green Street Green Road, Dartford
DA/06/856/R20	Request for relaxation of normal working hours to allow construction of the underpass to take place up until 1600 hours on Saturdays and on three occasions between 0700-2000 Monday to Friday – Kent Thameside Fastrack, Everards Link Phase 2. Land immediately north of the railway line between Station Road and The Avenue, Greenhithe
DA/06/1167/R4	Details of external lighting pursuant to condition 4 of planning permission DA/06/1167 Stanley Morgan House, Shirehall Road, Dartford
DA/07/1098	Application for the construction of a single storey modular building for use as a community children's centre, including the installation of a canopy, external storage units, fencing, hard landscaping, plus the demolition of an existing timber building on site. Darenth Primary School, Green Street Green Road, Darenth

DA/08/96	Two play lodges to be installed on nursery grassed play area. Knockhall Nursery, Eynsford Road, Greenhithe
DO/05/1420/RA	Amendment to the location of the building – New detached building. Castle Community School, Mill Road, Deal
DO/07/1509	Demolition of existing demountable classroom and replacement with new single storey two classroom building, to include the temporary provision of contractor's access, compound and a mobile classroom on King George's field for the duration of construction. Temple Ewell Primary School, 3-4 Brookside, Temple Ewell, Dover
DO/08/66	The construction of two new corridors including lifts, a classroom extension, an external platform lift and alterations to the front entrance steps. Green Park Lower School, The Linces, Dover
DO/08/89	Erection of new timber shed, including ancillary works on access paving and landscaping. Cartwright and Kelsey Primary School, School Road, Ash, Canterbury
DO/08/90	Provision of a start up office/store/classroom building for the newly formed Combined Cadet Force (CCF) at Archers Court College. Archers Court College, Whitfield, Dover
GR/07/1054	Replacement of single garage and shed with a new concrete base and double garage. Shorne C of E Primary School, Cob Drive, Shorne
GR/08/29	New playground facility with associated safety surfacing. Shornewood Country Park, Brewers Road, Shorne, Gravesend
MA/06/1933/R18	Details of external materials pursuant to condition 18 of planning permission reference MA/06/1933 for new apartment buildings Land at Tovil Green, Maidstone
MA/07/1191/R4	Details of slab levels pursuant to condition (4) of planning permission MA/07/1191 for a new teaching block and assembly hall Astor Of Hever School, Oakwood Park, Maidstone
MA/07/1191/R3	Details of external materials pursuant to condition (3) of planning permission MA/07/1191 for teaching block and assembly hall Astor Of Hever School, Oakwood Park, Maidstone
MA/08/231	Single storey extension to provide additional staff toilet and administration facilities. Molehill Copse Primary School, Hereford Road, Maidstone
SE/07/2769	Removal of temporary classrooms and toilets. Construction of 4 new classrooms and administration block and alterations to existing school premises with new school entrance. Crockenhill Primary School, The Green, Crockenhill, Swanley
SH/06/1287/R7A	Amendments to previously approved details of external lighting. Whitegates, Whitegates Close, Hythe

SH/08/70	Proposed water tank and pump and enclosure for fire sprinkler system. Lympne Primary School, Octavian Drive, Lympne, Hythe
SH/08/123	Renewal of temporary planning permission for a storage mobile building. Sellindge Primary School, Main Road, Sellindge
SH/08/126	Single storey extension to provide a community room and creation of a new emergency access route. Sellindge Primary School, Main Road, Sellindge
SW/04/1453/R	Amended construction access route for proposed Sittingbourne northern relief road. Church Marshes Country Park, Off Saffron Way, Sittingbourne
SW/07/1134/R	Amendment to approved plans to extend the front elevation of the main school building permitted under planning permission SW/07/1134. Richmond First School, Nursery Close. St Helens Road, Sheerness
SW/07/1304	Mobile classroom to provide accommodation for children's pre-school nursery with outdoor play area Bapchild & Tonge CE (Aided) Primary School, School Lane, Bapchild, Sittingbourne
SW/07/1411	Demolition of outbuilding and extension of existing car parking and erection of brick wall and gates. Ospringe CE Primary School, Water Lane, Ospringe
SW/07/1506	Renewal of planning permission for storage shed with toilets. Tunstall CE (Aided) Primary School, Tunstall Road, Tunstall, Sittingbourne
TH/06/1184/R2	Details of materials pursuant to condition (2) of planning permission TH/06/1184. Crispe House, Minnis Road, Birchington
TH/06/1300/R3	Details of a programme of building recording pursuant to planning permission TH/06/1300 for a two-storey apartment building. Former Tram Shed and part of the rear gardens of Westbrook House, 150 Canterbury Road, Margate
TH/06/1300/R4	Details of an archaeological evaluation pursuant to planning permission TH/06/1300 for a two-storey apartment building. Former Tram Shed and part of the rear gardens of Westbrook House, 150 Canterbury Road, Margate
TH/06/1300/R14	Details of pedestrian access pursuant to planning permission TH/06/1300 for a two-storey apartment building. Former Tram Shed and part of the rear gardens of Westbrook House, 150 Canterbury Road, Margate
TH/07/1359	Provision of a mobile classroom. Hartsdown Technology College, George V Avenue, Margate

TH/07/1447	Provision of a 2 bay mobile classroom. Chatham House Grammar School, Chatham Street, Ramsgate
TH/08/102	Renewal and retention of planning permissions for existing temporary buildings. Laleham School, Northdown Park Road, Margate
TM/043340/RC	Amended site access details – New school buildings. Aylesford School, Teapot Lane, Aylesford
TW/04/2926/R	Amendments to the approved pitch dimensions and location. Mascalls School, Maidstone Road, Paddock Wood
TM/06/2488/RVAR	Details pursuant – Details of external materials, tree protection details and methodology statement for working in close proximity to trees, external lighting details, details relating to ecological considerations and details relating to construction access, all relating to construction of the art and drama building. Weald of Kent Grammar School for Girls, Tudeley Lane, Tonbridge
TM/07/4217	Construction off a single storey modular building for use as a Community Children's Centre, including the installation of a canopy, external storage, fencing, hard surfacing, ramped pathway and staff car parking. Long Mead Community Primary School, Waveney Road, Trench Wood, Tonbridge
TW/07/2425/RA	Amendment to windows. Tunbridge Wells Grammar School for Girls, Southfield Road, Tunbridge Wells
TW/07/2638/R	Minor amendments to elevations – Refurbishment and extension of existing classrooms to create a Children's Centre. St. Paul's CE Junior School, Burdett Road, Rusthall, Tunbridge Wells
TW/07/3585/R	Amendment to the roof of the extension. Cranbrook Primary School, Carriers Road, Cranbrook

**E4      DETAILED SUBMISSIONS UNDER CHANNEL TUNNEL RAIL LINK ACT 1996**

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

**Background Documents** – The deposited documents.

None



## **E5 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:-

AS/07/TEMP/0072 Removal of 9 existing hutted classrooms and associated structures, and replacement with a single storey 9 classroom extension. Temporary location of 9 classrooms in mobile units elsewhere on site for duration of works. New pedestrian and emergency appliance access onto Upper Vicarage Road.  
Kennington C of E Junior School, Upper Vicarage Road, Kennington, Ashford

DC29/07/AS/0002 Construction of new rising main between the proposed Cheeseman's Green Pumping Station and Ashford Wastewater Treatment Works.

CA/08/TEMP/0001 Application for partial demolition of existing school buildings, construction of new teaching and ancillary accommodation, car parking and landscaping.  
Community College Whitstable, Bellevue Road, Whitstable

CA/08/TEMP/0008 Partial demolition of existing school buildings and alterations and extensions to form new entrance block, roofing over existing courtyard and new sports hall together with associated hard and soft landscaping and the provision of temporary mobile accommodation during the construction period.  
Herne Bay High School, Bullockstone Road, Herne Bay

DA/08/TEMP/0005 Full Application for demolition of the existing Infant School, Classrooms & Nursery and Construction of a 2FE Primary School & Nursery (including partial refurbishment of the existing Junior School), new vehicular & pedestrian access, car-parking and landscaping.  
Oakfield Junior & Infant School, Oakfield Lane, Dartford

GR/08/TEMP/0001 Demolition of existing buildings, retained buildings to be extended and refurbished, construction of new buildings and landscaping as part of Kent Building Schools for the Future.  
Northfleet School for Girls, Hall Road, Northfleet, Gravesend

GR/08/TEMP/0002 Full Application for complete replacement of existing secondary school buildings on site with a new two storey school building with associated works including an extended multi use games area, 150 car parking spaces, hard surfacing and landscaping and the demolition of all the old secondary school accommodation on site on the occupation of the new buildings.  
St. John's Catholic Comprehensive School, Rochester Road, Gravesend

GR/08/TEMP/0003 Application for the demolition of the existing school buildings and the construction of a new two storey school building, the laying out of playing fields, multi use games area, hard play area and courts, car parking and landscaping.  
Thamesview School, Thong Lane, Gravesend

GR/08/TEMP/0005 The complete replacement of existing secondary school buildings on the site with new two storey school buildings with associated landscape works and demolition of all existing secondary school accommodation (except sports pavilion) on site on completion.  
Northfleet Technology College, Colyer Road, Gravesend

SE/06/621 Variation of conditions 7(e) (lighting), 14 (shutter doors), 15 (security, emergency and maintenance lighting), 20 (HGV movements), 26 & 27 (hours of working) of planning permission reference SE/05/2526 (new householder waste recycling centre and waste transfer station).  
Dunbrik Household Waste Recycling Centre and Green Waste Composting Facility, Main Road, Sundridge, Sevenoaks, Kent

TH/08/TEMP/0005 Replacement of existing secondary school buildings on the site (retaining and refurbishing existing sports building) with new two storey school building with associated landscape works, car parking, hard sports court area, hard recreation area, new pedestrian access and the demolition of existing secondary school accommodation (except existing sports building) on site on completion.  
St George's C of E Foundation School, Westwood Road, Broadstairs

TH/08/TEMP/0007 Full Application for partial demolition of existing school buildings and erection of new two storey teaching and ancillary accommodation, refurbishment of the retained buildings and the provision of 142 space car park, a new multi use games area, hard surfacing and landscaping.  
The Charles Dickens School, Broadstairs Road, Broadstairs

TH/08/TEMP/0015 Full Application for demolition of western range of school buildings, erection of new sports hall and alterations and extensions to the eastern block together with associated hard and soft landscaping and provision of new car park area.  
Dane Court Grammar School, Broadstairs Road, Broadstairs

- (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

**E6    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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