



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 16th January, 2007, 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 December 2006 (Pages 1 - 6)
4. Site Meetings and Other Meetings

B. MATTERS DEFERRED FROM THE PREVIOUS MEETING

1. Application TW/06/1646 - Change of use from agricultural to new green waste open windrow composting facility at Little Bayhall Farm, High Woods Lane, Tunbridge Wells; Bowman and Sons. (Pages 7 - 22)
2. Application SE/06/2415 - Variation of Condition 8 of permission SE/87/1468 to extend operating hours for bagging plant to between 1800 and 2400 Mondays to Fridays between 1 April and 30 September at Sevenoaks Quarry, Sevenoaks; Tarmac Ltd. (Pages 23 - 30)
3. Proposal SW/06/1137 - Extension and modernisation to 1 F.E School, including parking area and temporary works, including mobile classroom at Boughton under Blean Methodist Primary School, School Lane, Boughton under Blean, Faversham; Governors of Boughton under Blean Methodist Primary School and KCC Children, Families and Education. (Pages 31 - 44)
4. Proposal CA/06/1392 - Demolition of existing buildings and erection of a detached 3 storey block of 40 extra care apartments for the elderly with associated communal facilities together with car parking and landscaping at King Edward Court, King Edward Avenue, Herne Bay; KCC Adult Services and Housing 21. (Pages 45 - 60)
5. Proposal AS/06/1422 - Integrated highways depot comprising offices, garaging, salt barn and storage areas with associated car parking and landscaping at Land adjacent to Henwood Industrial Estate, Ashford; Kent Highways Services. (Pages 61 - 86)

6. Proposal TM/06/2488 - Construction of new art and drama block and sports centre, introduction of a one-way traffic management system with new exit and slip road onto Pembury Road and refurbishment of the existing reception (Collectively Phase 2) at The Weald of Kent Grammar School for Girls; Tudeley Lane, Tonbridge; Governors of The Weald of Kent Grammar School and KCC Children, Families and Education. (Pages 87 - 108)
7. Proposal SW/06/836 - Erection of a 1.5m high weldmesh fence around the school playground and stock fence around the playing field at Rodmersham Primary School, Rodmersham; Governors of Rodmersham School, Rodmersham Green, Rodmersham, Sittingbourne; Governors of Rodmersham Primary School and KCC Education and Libraries. (Pages 109 - 116)

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal TW/06/3473 - Retrospective application for the widening of access road and addition of a footpath at the Meadows School, London Road, Southborough, Tunbridge Wells; KCC Adult Services. (Pages 117 - 126)
2. Proposal TH/06/1170 - Demolition of existing buildings and erection of a detached part two and part three storey block of 40 extra care apartments for the elderly together with communal facilities, car parking and landscaping at Appleton Lodge, Rumfields Road, Broadstairs; KCC Adult Services and Housing 21. (Pages 127 - 150)
3. Proposal TM/06/3385 - Two storey detached building comprising 7 supported apartments for people with learning difficulties, with communal space together with access, car parking and landscaping at Land at the former Mill Stream School, Mill Street, East Malling; KCC Adult Services and Housing 21. (Pages 151 - 170)
4. Proposal DO/06/1247 - Demolition of existing buildings and erection of a detached three storey block of 40 extra care apartments for the elderly with associated communal facilities, a two storey block of 7 supported apartments for people with learning difficulties and two replacement bungalows for the elderly, together with access, car parking and landscaping at Roly Eckhoff House, Roosevelt Road, Dover; KCC Adult Services and Housing 21. (Pages 171 - 184)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 185 - 194)
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, 8 January 2007

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KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held at Sessions House, County Hall, Maidstone on Tuesday, 12 December 2006.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mrs V J Dagger, Mr J A Davies, Mr J B O Fullarton, Mrs E Green, Mr T Gates, Mrs S V Hohler, Mr C Hibberd (substitute for Mrs P A V Stockell), Mr G A Horne, Mr S J G Koowaree, Mr T A Maddison, Mr R A Marsh, Mr J I Muckle, Mr W V Newman, Mr A R Poole and Ms B J Simpson.

OTHER MEMBERS: Mr M J Northey.

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

UNRESTRICTED ITEMS

95. Minutes

RESOLVED that subject to the amendment of Minute 87 (2) (d) to indicate that the Allington Energy from Waste Plant accepts a limited amount of waste between 0800 and 0930, the Minutes of the meeting held on 7 November 2006 are correctly recorded and that they be signed by the Chairman.

96. Site Meetings and Other Meetings
(Item A3)

(1) The Committee agreed to visit Hugh Christie School, Tonbridge on Monday 22 January 2007 and Allans Bank, Lydd on Thursday 1 February 2007.

97. Application DA/06/417 – Retrospective application for the use of land for screening, crushing and processing of aggregates, construction waste and concrete, together with open storage of these materials at F M Conway Works, Rochester Way, Dartford; F M Conway
(Item C1 – report by Head of Planning Applications Group)

(1) Professor Duncan Laxen was present to answer questions on dust control at the application site.

(2) The Head of Planning Applications Group reported the views of Dartford BC raising no objection subject to conditions together with an additional representation from a local resident requesting a site visit whilst expressing concerns over noise and drawing attention to intensification on the site.

(3) The Head of Planning Applications Group informed the Committee that since publication of the report, the applicants had given a commitment to the provision of a quieter road sweeper thereby reducing the noise rating to 3.4 dba above background levels.

(4) Mr S Burch, a local resident and Councillor H Marriner, a ward councillor from Bexley Council spoke in opposition to the application. Mr K Parr from RPS spoke in reply on behalf of the applicants.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried unanimously.

(6) RESOLVED that the application be referred to the Secretary of State for Communities and Local Government and that subject to her giving no direction to the contrary permission be granted to the application subject to conditions including conditions relating to standard commencement; restriction on waste sources to those identified; details of the acoustic barrier including planting; restriction on stockpile heights to 6m and measures to remove plant visible above the barrier outside working hours; control of noise; operating hours, including the provision for out of hours use in exceptional circumstances and operating hours for the road sweeper; noise; dust and environmental monitoring and the availability of data and results; limitations on plant; measures to eliminate contaminated material; the definition of maintenance activities and a programme for implementation.

98. Proposal TM/06/2342 – Redevelopment to provide integrated highways depot comprising offices, garaging, salt barn and storage areas with associated car parking and landscaping at The Poplars Business Park, London Road, Wrotham; Kent High Services

(Item D5 – report by Head of Planning Applications Group)

(1) Mrs V J Dagger addressed the Committee in her capacity as local Member but did not take part in the decision-making process.

(2) The following additional documents were tabled:-

- (a) further comments from Wrotham Parish Council;
- (b) an amended south west elevation;
- (c) the further views of the Divisional Transportation Manager;
- (d) the further views of Tonbridge and Malling Borough Council; and
- (e) a representation from the North Larkfield Group for Protection of the Environment.

(3) The Head of Planning Applications Group tabled an amended recommendation.

(4) Mr P Gillin from Keep Boroughs Green; Councillor H Rayner from Wrotham Parish Council; Mr M Taylor from Borough Green Traffic Action Group; Mr M Coffin, a local resident and Mr R Saunders from the North Larkfield Group for the Protection of the Environment spoke in opposition to the proposal. Mr D Crofts from RPS spoke in reply on behalf of the applicants.

(5) On being put to the vote the amended recommendation of the Head of Planning Applications Group was carried by 8 votes to 7.

(6) RESOLVED that:-

- a) the application be referred to the Secretary of State for Communities and Local Government and that subject to her decision and satisfactory resolution of the outstanding issues on noise and contamination permission be granted to the application subject to conditions including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; tree protection measures; a scheme of landscaping and boundary treatment, to include measures to enhance the site for wildlife, and subsequent maintenance; details of site and finished floor levels; external materials; external lighting; details of vehicular access – egress to be designed for left turn only, and a scheme of signing and lighting, for approval; provision and safeguarding of pedestrian access; provision and safeguarding of parking within the site and vehicular access routes within the site; implementation and ongoing review of the Travel Plan; details of foul and surface water drainage; ground contamination from previous uses; location of and construction of contractors' site compound and provision of vehicle parking; measures to prevent mud and debris being taken onto the public highway; hours of working during construction and demolition; preparation and implementation of a detailed reptile mitigation strategy to include a long term management plan and monitoring strategy; an archaeological watching brief and no additional floor space being added to the buildings without the permission of the County Planning Authority; and
- b) the applicant be advised of the following informatives:-
- (i) Natural England's advice about the action to be taken should there be any bats or evidence of bats found prior to or during works;
 - (ii) the applicants should ensure that any activity they undertake on the site must comply with the appropriate wildlife legislation, and that failure to do so may result in fines and potentially, a custodial sentence; and
 - (iii) the applicant must take account of the Environment Agency's Pollution Prevention Guidelines for Highway Depots.

99. Proposal CA/06/1187 – Retrospective application for the replacement of weldmesh fencing with metal palisade fencing at the shared school playing field off Spring Lane, Canterbury; Governors of Barton Court Grammar and Chaucer Technology Schools and KCC Children, Families and Education
(Item D6 – report by Head of Planning Applications Group)
(Mr M J Northey was present for this item pursuant to the Committee Procedure 2.24 and spoke)

- (1) Notes of a site visit held on 1 December 2006 were tabled together with correspondence from Mr George Jeffrey, a local resident.
- (2) The Head of Planning Applications Group reported additional correspondence from Mr Glendon of the Barton Ward Liberal Democrats.
- (3) Mr S Bax, a local resident spoke in opposition to the application. Mr A Ploughman (Deputy Head Teacher of Barton Court Grammar School) spoke in reply.

- (4) The Head of Planning Applications Group tabled a revised recommendation.
- (5) Mr A R Bassam moved, seconded by Mrs S V Hohler that the revised recommendation of the Head of Planning Applications Group be approved.
- (6) Mr J I Muckle moved, seconded by Mr J A Davies as an amendment that consideration of this matter be deferred to enable further discussions on how to avoid damage to the visual amenity to take place involving the applicants; local residents; Planning Officers and the Conservation Officer. This amendment was carried, became the substantive motion and was in turn carried with no opposition.
- (7) RESOLVED that consideration of this matter be deferred to enable further discussions to take place on how to avoid damage to the visual amenity, involving the applicants; local residents; Planning Officers and the Conservation Officer.

100. Temporary revisions to delegated powers pending the appointment of a new Head or Acting Head of Planning Applications Group.
(Item F1 – report by Head of Planning Applications Group)

- (1) The Chairman declared this item to be urgent as Mr Bill Murphy was leaving the County Council's employ before the Committee's next meeting.
- (2) The Head of Planning Applications Group tabled a report requesting that a number of powers currently delegated to himself should be delegated to the County Planning Officer until a replacement was in post.
- (3) Members of the Committee praised Mr Bill Murphy for his work on its behalf. It was agreed that their appreciation of his work be recorded.
- (4) RESOLVED that:-
 - (a) Mr Bill Murphy be thanked for all his work on behalf of the Committee and be wished well in his new post; and
 - (b) the functions set out in paragraph 2 of the report be delegated to the County Planning Officer pending the appointment of a new or acting Head of Planning Applications Group.

101. Deferred Items

The following matters were deferred to the next meeting of the Committee on 16 January 2007:-

- (a) Application TW/06/1646 – Change of use from agricultural to new green waste open window composting facility at Little Bayhall Farm, High Woods Lane, Tunbridge Wells; Bowman and Sons;
- (b) Application SE/06/2415 – Variation of Condition 8 of permission SE/87/1488 to extend operating hours for bagging plant to between 1800 and 2400 Mondays to Fridays between 1 April and 30 September at Sevenoaks Quarry, Sevenoaks; Tarmac Ltd;

- (c) Proposal SW/06/1137 – Extension and modernisation to 1 FE School, including parking area and temporary works, including mobile classroom at Boughton under Blean Methodist Primary School, School Lane, Boughton under Blean, Faversham; Governors of Boughton under Blean Methodist Primary School and KCC Children, Families and Education;
- (d) Proposal CA/06/1392 – Demolition of existing buildings and erection of a detached 3 storey block of 40 extra care apartments for the elderly with associated communal facilities together with car parking and landscaping at King Edward Court, King Edward Avenue, Herne Bay; KCC Adult Services and Housing 21;
- (e) Proposal AS/06/1422 – Integrated highways depot comprising offices, garaging, salt barn and storage areas with associated car parking and landscaping at Land adjacent to Henwood Industrial Estate, Ashford; Kent Highways Services;
- (f) Proposal TM/06/2488 – Construction of new art and drama block and sports centre, introduction of a one way traffic management system with new exit and slip road onto Pembury Road and refurbishment of the existing reception (Collectively Phase 2) at The Weald of Kent Grammar school for Girls; Tudeley Lane, Tonbridge; Governors of The Weald of Kent Grammar School and KCC Children, Families and Education;
- (g) Proposal SW/06/836 – Erection of a 1.5m high weldmesh fence around the school playground and stock fence around the playing field at Rodmersham Primary School, Rodmersham; Governors of Rodmersham Green, Rodmersham, Sittingbourne; Governors of Rodmersham Primary School and KCC Education and Libraries; and
- (h) County Matters dealt with under Delegated Powers.

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Item B1

TW/06/1646 – Change of Use from Agricultural Use to New Green Waste Open Windrow Composting Facility at Little Bayhall Farm, High Woods Lane, Tunbridge Wells

A report by Head of Planning Applications Group to Planning Applications Committee on 16 January 2007.

TW/06/1646 – Change of use from agricultural use to new green waste open windrow composting facility at Little Bayhall Farm, High Woods Lane, Tunbridge Wells, Kent (MR. 096 901)

Recommendation: Refusal.

Local Member: Mr J Scholes

Classification: Unrestricted

Background

1. Members will recall considering a similar planning application under reference TW/05/3222 for a green waste composting facility at Little Bayhall Farm at the March 2006 Committee meeting. Given the lack of information submitted at the time which failed to demonstrate the special circumstances required to override the normal policy presumption against this type of development being located in such areas together with insufficient information on the potential impact of passing places upon landscape and nature conservation interest in the adjacent hedgerows, the application was refused. The Applicant has now submitted a second application, which seeks to address the previous reasons for refusal, set out in full below¹.
2. A site location plan is attached.

Site Description and Current Proposal

3. The application site is located within the Metropolitan Green Belt and High Weald Area of Outstanding Natural Beauty. The site is located to the east of Tunbridge Wells Town Centre. The existing site is currently used as an agricultural and organic farm.
4. This is a retrospective application which proposes a change of use from agricultural use to a permanent green waste open windrow composting facility which operate for a period of three months every year, processing an average of 4000 tonnes of material. The applicant states that source separated green waste would be collected by Tunbridge Wells Borough Council contractors and local landscape specialists and delivered to Little Bayhall Farm for processing.

¹ See paragraph 20

Item B1

**TW/06/1646 – Change of Use from Agricultural Use to New Green Waste
Open Windrow Composting Facility at Little Bayhall Farm, High Woods
Lane, Tunbridge Wells**

B1.2

Item B1

**TW/06/1646 – Change of Use from Agricultural Use to New Green Waste
Open Windrow Composting Facility at Little Bayhall Farm, High Woods
Lane, Tunbridge Wells**

B1.3

TW/06/1646 – Change of Use from Agricultural Use to New Green Waste Open Windrow Composting Facility at Little Bayhall Farm, High Woods Lane, Tunbridge Wells

5. The proposal would generate a maximum of 4 vehicle movements per day (2 in/2 out), although the applicant states that an average of 2 movements is more likely. Vehicles would access the site via High Woods Lane, a Public Bridleway and privately owned road which the applicant considers to have sufficient passing places along its route to accommodate passing vehicles.
6. Upon delivery to the site, it is proposed that green waste would be stored within the reception area for a maximum of 24 hours before being checked for non compostable waste and shredded to optimal particle size. Non compostable waste would be stored in a skip on site and returned to the Borough Councils sorting station at North Farm on a weekly basis. The applicant states that shredded material would be placed in open windrows (identified by the applicant as High Rate Composting) for between 10-12 weeks and turned whenever necessary. Compost would then be transferred to the Low rate Composting area for a further 3 – 14 days until the material has transformed to *odourless compost*.
7. Upon completion of the process, finished compost would be spread on adjoining agricultural land farmed by the applicant and would not be available for sale on the open market.
8. The proposed operating hours would be between 0700 and 1700 Monday to Friday only and whilst in the main the applicant proposes to use existing farm equipment, the only additional equipment required would be a shredder at the front end of the process.

Planning Policy Context

9. The National and Development Plan Policies summarised below are relevant to the consideration of the application:

National Planning Policy – National Planning Policies are set out in PPS10, PPS23 and Waste Strategy 2000 (as amended in July 2005).

Regional Planning Policy – the most relevant Regional Planning Policies are set out in RPG9 and the emerging South East Regional Waste Strategy. GOSE has published the changes to RPG9 in August 2005.

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

Policy SP1	Seeks to conserve and enhance Kent's environment and ensuring a sustainable pattern of development.
Policy SS8	Non-residential development in rural Kent should amongst other matters re-use, adapt or redevelop an existing rural building where the change is acceptable on environmental, traffic and other planning grounds.

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Policy E1	Kent's countryside will be protected for its own sake. Development in the countryside should seek to maintain and enhance it.
Policy E4	Protection will be given to the nationally important landscapes of the Kent Downs and High Weald Areas of Outstanding Natural Beauty.
Policy E5	The primary objective in Special Landscape Areas will be the long term protection and enhancement of the quality of the landscape.
Policy E9	Tree cover and hedgerow networks in the County will be maintained and where possible enhanced.
Policy QL1	All development should be well designed, of high quality and should amongst other matters protect the amenity of residents. Development detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted. Existing built environment of high quality and character will be protected and enhanced.
Policy QL6	The primary planning policy towards conservation areas is to preserve or enhance their special character and appearance.
Policy QL17c)	The rights of way network will be protected and enhanced and the provision, protection and improvement of routes and networks open to equestrians will be supported.
Policy TP15	Development which generates significant increases in traffic, especially heavy goods vehicles, will not be permitted if it is not well related to the primary and secondary road network, or would result in a significant increased risk of crashes or traffic delays unless appropriate measures to mitigate the effect of the development have been secured.
Policy EP7	Provision for small-scale business development should be appropriate to the scale of the settlement and without detriment to its amenity, character or setting.
Policy NR5	The quality of Kent's environment will be conserved and enhanced.
Policy WM1	Provision will be made for the integrated management of waste reflecting Best Practicable Environmental Option (BPEO), the national waste hierarchy and national targets for waste management.

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

(ii) Kent Waste Local Plan, 1998:

Policy W1 The local planning authority will make provision for waste arising in Kent to be dealt with in Kent, based on the following hierarchy: I) reduction, (ii) re-use, (iii) recovery (including composting) and (iv) disposal.

Policy W2 Waste Management proposals will not be permitted if they would cause a significantly adverse impact in areas including: Special Landscape Areas, Conservation Areas and sites and settings of buildings of historic interest.

Policy W3 Proposals, which involve only waste processing at locations outside those identified on the proposals map will not be permitted unless they are located within or adjacent to existing waste management operations or avoid the need for road access.

Policy W4 With the exception of temporary proposals related to the restoration of mineral workings, there will be a general presumption against proposals for any built waste management developments within the Metropolitan Green Belt.

Policy W6 Where a planning application is submitted for waste management development on a site outside a location identified as suitable in principle in the plan and demonstrable harm would be caused to an interest of acknowledged importance, need will be a material consideration in the decision.

Policy W10 Proposals for composting and digestion plant will be permitted subject to their satisfying the following criteria:

- a) That the site is within an established or committed industrial area (with the exception of proposals for composting by windrowing, which in principle are better suited to a rural area).
- b) That the proposal would not cause significant harm to residential amenities due to noise, dust, smell or visual impact.
- c) That the site has, or is planned to have, ready accessibility to the primary or secondary route network.

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- d) That the proposal would not be unduly obtrusive in the landscape.
- e) That impact on the natural environment would be minimised.

- Policy W16** When considering applications for waste management facilities, the planning authority will have regard to the industry's past record in respect of the environmental management of comparable operations.
- 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 noise, dust, odours and other emissions, particularly in respect of its potential impact on neighbouring land uses and amenity.
- Policy W20** Before granting planning permission the planning authority will require to be satisfied that proposals have taken into account land settlement, land stability, safeguarding of land drainage etc.
- Policy W21** Before granting permission for a waste management proposal the Planning Authority will need to be satisfied that the earth science and ecological interests of the site and its surroundings have been established and provisions made for the safeguarding of irreplaceable and other important geological and geomorphological features, habitats, or species of wildlife importance. Where an overriding need requires some direct loss or indirect harm to such features, habitats or species, where practicable suitable compensatory mitigation measures should be provided.
- Policy W22** When considering applications for waste management facilities the planning authority will:-
- (i) normally refuse 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
- Policy W27** Where proposals to establish a waste management facility could adversely affect a public right of way, when determining the application the planning authority will secure the interests of the users of the right of way. The use of primarily pedestrian rights of

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way to gain vehicular access to a proposal will normally be resisted.

Policy W33

The planning authority requires all waste management activities to take place within planning control and the appropriate planning permission obtained.

10. Consultations

Tunbridge Wells Borough Council: Raise objections to the proposal, for the following reasons:

- (1) Insufficient information has currently been supplied to fully assess the impact of the proposed development and therefore the recommendation is to refuse until further details are supplied. These details should include:
- Traffic Impact Assessment
 - Landscape Impact Assessment
 - Details of total level of activity/waste levels
 - Realistic assessment of traffic movements
 - Assessment of alternative sites not included within the Metropolitan Green Belt

Countryside Agency: No comments received.

Environment Agency: No objection raised.

Divisional Transportation Manager: No objections raised in principle however he has raised some concerns over possible pedestrian vehicular conflict along High Woods Lane.

Jacobs (Landscape Consultant): No objections raised.

Jacobs (Noise, dust and Odour): – no objection raised.

Countryside Policy and Projects (Biodiversity Officer): No comments received.

Environmental Management Officer, Public Rights of Way: No objection raised subject to a condition restricting daily vehicle movements to 4 (2 in/2 out) per day and provided the passing places indicated in the application are of sufficient size.

Ramblers Association: No views received.

British Horse Society: No views received.

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Local Member

11. The Local County Member, Mr Scholes was notified of the application on 14 June 2006.

Publicity

12. The application was publicised by the posting of a site notice, advertisement in the local newspaper and individual notification of 16 neighbouring properties including those who made written representations on the previous planning application.

Representations

13. 5 letters of representation have been received to date objecting to the proposal. Those objections can be summarised as follows:

- ❑ High Woods Lane is in a very poor state of repair is not suitable for heavy goods vehicles;
- ❑ High Woods Lane is a private road with long stretches of road between the Bowls Club and little Bayhall Farm without suitable passing places;
- ❑ High Woods Lane is busy at weekends with visitors to the Bowls Club as well as users of the PROW and Bridleway;
- ❑ Given the current activity along the Lane, any 'industrial type' activity could cause conflict;
- ❑ The number of vehicle movements proposed is unclear;
- ❑ Not sufficient space for large vehicles to pass safely along the stretch of High Woods Lane between the Bowls Club and Little Bayhall Farm;
- ❑ High Woods Lane is too narrow to allow pedestrians, cyclists and horses to safely pass a large vehicle;
- ❑ How would the use of green waste on the land be restricted?
- ❑ Concerns at potential for the site to generate unacceptable noise, odour and pollution levels.

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Discussion

14. The application is for a change of use from agricultural use to a green waste open windrow composting facility. It represents a departure from the Development Plan. Given its location in the Green Belt where this is a requirement to maintain the open character of Green Belt land. In addition, long term protection should be provided for designated AONBs and conservation and enhancement are priorities in such areas. There is therefore a strong policy presumption against this type of development in such areas and very special circumstances would need to be demonstrated in order to allow what would normally be considered as inappropriate development in such areas.
15. 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.
16. Prior to the publication of PPS10 and revisions to Waste Strategy 2000 in July 2005, former 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.
17. PPS10 moves 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 during the preparation and review of existing development plans. However, where planning authorities' current development plan policies have not been subject to the SA / SEA process (as is the case with the Kent Waste Local Plan) it is appropriate to consider planning applications against the principles of BPEO.
18. Until such time as the Kent Waste Development Framework (WDF) which is at a relatively early stage in its preparation 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 emerging South East Regional Waste Strategy / RSS for the South East.
19. The principles of 'location' for green waste composing proposals are set down in the Adopted Kent Waste Local Plan which considers rural locations to be the most appropriate for the windrowing method of composting. However, given the proposed site is within the Green Belt and AONB it will need to be demonstrated that special circumstances exist sufficient to override the normal policy presumption against such development being located in these areas.
20. Members will recall the previous application determined under reference TW/95/3222 was refused on the following grounds:

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- (1) The proposal represents inappropriate development in the Green Belt and Area of Outstanding Natural Beauty and the applicant has failed to demonstrate the special circumstances necessary to override presumption against permitting the proposal. I therefore consider the proposal to be contrary to Policies ENV1, ENV3 and MGB3 of the Adopted Kent Structure Plan, Policies WM2, E1 and E4 of the Kent and Medway Structure Plan (Deposit Draft) and Policies W2 and W4 of the Kent Waste Local Plan.
- (2) The proposal lacks in sufficient detail to enable a proposed assessment to be made of the potential impacts from the development to be properly enforced should planning permission be granted. The proposal is therefore contrary to Policy W33 of the Kent Waste Local Plan.
- (3) The proposal lacks sufficient information to ensure that the spreading of the end product on agricultural land would not exceed the Nitrate Vulnerable Zone.
- (4) No details assessing the potential impact of the passing bays has been provided both in terms of impact upon landscape itself and of nature conservation interest in the adjacent hedgerows. The proposal therefore is contrary to policies W2, W4 and W21 of the Kent Waste Local Plan, policy ENV2 of the Kent Structure Plan and Policy E3 of the Kent and Medway Structure Plan (Deposit Draft).

21. To be considered favourably it is therefore incumbent on the applicant to address all these previous reasons for refusal in his current application. I therefore take each ground for refusal in turn:

Refusal Ground (i)

22. Whilst the site is located within a rural location, which in principle is supported in the Waste Local Plan as suitable in principle for green waste open windrowing, this site is located within the Metropolitan Green Belt (MGB) and High Weald Area of Outstanding Natural Beauty (AONB). The limited details submitted under the previous application failed to demonstrate the special circumstances necessary to override a presumption against permitting the proposal in the Green Belt and AONB.

23. The applicant was therefore advised prior to submission of this second application to provide an alternative site assessment having regard to other potential locations not subject to such policy designations and taking into account the proximity of these to the source of the waste material to enable him to demonstrate the special circumstances necessary to overcome this reason for refusal. It should be noted that the Borough Council in objecting to the proposal have also raised this issue. In my opinion given no built development is proposed an assessment of whether this small-scale proposal constitutes inappropriate

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development in this sensitive location would also be dependant on whether grounds (ii) to (iv) for refusal listed above, have been satisfactorily addressed.

Refusal Ground (ii) and (iv)

24. Policy W10 c) of the Kent Waste Local Plan requires consideration be given to whether proposals have ready access to the main road network. The applicant states that vehicles visiting the site would use the existing private High Woods Lane which is currently maintained by the applicant and would generate a maximum of 4 daily vehicle movements (2 in/2 out) as a result of this proposal. Notwithstanding the comments of the Borough Council, who have recommended a Traffic Impact Assessment be submitted in support of the proposal, both the Divisional Transport Manager and Public Rights of Way officer are of the opinion that in terms of pure numbers the vehicle movements proposed are negligible when compared to the amount of traffic which will continue to use this route as part of the current agricultural activities, particularly during certain times of the year. However, the previous proposal left doubts as to whether the applicant was proposing additional passing places or whether they already existed along High Woods Lane. Given the uncertainty at the time, the landscape and biodiversity officers had concerns that should some form of hedgerow removal be necessary to facilitate additional passing places, the applicant would need to provide further supporting information by way of a landscape impact assessment and biodiversity assessment with the application. The applicant has now clarified that no hedgerow removal is required, and that some 13 natural passing places already exist along the Lane. In recognition of this, Jacobs, our landscape advisors, raise no objection to the proposal. In addition, both the Divisional Transport Manager and the Public Rights of Way Officer raise no objection subject to a planning condition restricting an upper limit of vehicles visiting the site. In my view it would be difficult to justify a traffic assessment based on the limited vehicle movements proposed, however, I have reservations as to the ability of the applicant to secure the passing places. In the absence of the control of the passing place there is likely to be a detrimental impact on highway and pedestrian safety along High Woods Lane.

Securing the maintenance of the proposed passing places

25. As already stated above, High Woods Lane runs alongside a Public Right of Way and Bridleway. Whilst the application proposes a maximum number of 4 vehicle movements a day, the PROW officer has indicated he has no objection to the proposal provided a restriction be placed on vehicle movements to and from the site and on the proviso that the Highway Authority is satisfied that the proposed passing places are of sufficient size for safe passing of vehicles and pedestrians. The Divisional Transportation Officer has raised no objection in principle to the proposal given, in his view, the minimal numbers of vehicle numbers proposed and that as the lane does not form part of the adopted highway, there would be no impact on the public highway itself. However he recognises that passing places are few and far between and that there is likelihood of conflicting vehicles where there would be no space to pass or where there is poor visibility along the lane. Thus he suggests that any reversing vehicles could have possible consequences for the safety of users of the PROW. On the basis of this advice, in my opinion should the proposal be granted planning

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permission as a minimum requirement the maintenance of all the current passing places along the lane should be secured to maintain highway and pedestrian safety for the duration of operations. In order to secure this by condition, the applicant would have to be sole owner of the access and the passing places included in the application. However it has come to light that notwithstanding the submission of an ownership certificate A, which indicates sole ownership, the applicant is not able to demonstrate that he has the necessary ownership or control over the passing places. In his letter dated 22 September 2006, the applicants states that “*some of the passing places are gateways and access points to other properties e.g. the bowls club*). *As such they are (in the applicants view) suitable passing places but not under my control beyond the confines of the lane.*”

26. The applicant was advised that in order to progress his application, and given some of those passing places indicated in the application are privately owned access points and cannot be maintained by him, the Waste Planning Authority would require a guarantee that the passing places could be maintained to ensure highway and pedestrian safety in the event of any future grant of planning permission. Failure to have such control would make any planning condition unenforceable. Thus far the applicant has failed to do so therefore I cannot guarantee the safety of users of the PROW. In my view therefore it does not fully address ground (ii) of the previous reasons for refusal and in addition also, the proposal clearly conflicts with Policy QL17c) of the Structure Plan and Policies W22 and W27 of the Kent Waste Local Plan.

Refusal Ground (iii) - Nitrate Vulnerable Zone

27. The Environment Agency (EA) raised an objection to the previous planning application in the absence of any evidence to ensure that the spreading activity would not exceed the Nitrate Vulnerable Zone (NVZ) and Soil Association limits. The applicant has submitted the required risk assessment and NVZ Compliance Assessment in support of the proposal to address these concerns. The EA have been formally consulted and they have raised no objection. I am therefore satisfied that ground (iii) has been satisfactorily addressed.

Other Matters

28. Policy W10 b) of the Kent Waste Local Plan requires that consideration be given to whether proposals seek to minimise impacts on residential amenity in terms of noise, dust, smell or visual impact. This site is located approximately 160 metres from the nearest residential properties. The EA as regulators of any Waste Management License have been consulted on the potential health impact. The applicant has included in his submission a site specific risk assessment as required by the EA I can confirm that the Agency are satisfied with the contents and raise no objection to the proposal.
29. In terms of noise, dust and odour, no objections have been raised by consultees provided the necessary mitigation measures can be put in place. I agree that on the basis of the

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information submitted, noise, dust and odour be controlled by way of appropriate planning conditions should Members be minded to grant planning permission.

Conclusion

30. Despite the efforts of the applicant to address the reasons for refusing the previous application, I consider that whilst he forms his own conclusions that this proposal represents the best location for such a facility, he does not provide with the application any evidence to support this view by way of an alternative sites assessment. In addition, the applicant has not been able to provide evidence that he has control over the access and passing places necessary for them to be maintained for the duration of operations and as such I am not satisfied that there would be no vehicular/pedestrian conflict. I am therefore of the opinion that the proposal does not meet the objectives of policy QL17c) of the Structure Plan and Policies W22 and W27 of the KWLP. Finally, notwithstanding that the current proposal does not require the erection of any built development, which would clearly compromise development plan policy for a site located in the Green Belt, in my view the applicant has failed to demonstrate the special circumstances necessary to override the strong policy presumption against permitting the proposal in the Green Belt and AONB.
31. With the exception of ground (3) and in part, ground (2), I am not satisfied that the Applicant has addressed all other grounds for refusing the previous application.
32. I therefore recommend accordingly.

Recommendation

33. I RECOMMEND that PERMISSION BE REFUSED, on the following grounds:
- (1) The proposal represents inappropriate development in the Green Belt and Area of Outstanding Natural Beauty and the applicant has failed to demonstrate the special circumstances necessary to override presumption against permitting the proposal. I therefore consider the proposal to be contrary to Policies WM2, E1 and E4 of the Adopted Kent and Medway Structure Plan 2006, and Policies W2 and W4 of the Kent Waste Local Plan.
 - (2) The applicant has failed to demonstrate he has control over the passing places required to be maintained for the duration of operations applied for to ensure vehicular and pedestrian safety along High Woods Lane. The proposal is therefore contrary to of policy QL17c) of the Kent and Medway Structure Plan and Policies W22, W27 and W33of the Kent Waste Local Plan.

Case Officer: Angela Watts ackground Documents: See Section Heading	01622 221059
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Item B1

**TW/06/1646 – Change of Use from Agricultural Use to New Green Waste
Open Windrow Composting Facility at Little Bayhall Farm, High Woods
Lane, Tunbridge Wells**

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Item B2

Variation of condition (8) of permission SE/87/1468 to extend operating hours for bagging plant for the period of 1800 to 2400 Monday to Friday, between 1 April and 30 September at Sevenoaks Quarry, Sevenoaks – SE/06/2415

A report by Head of Planning Applications Unit to Planning Applications Committee on 16 January 2007.

Application by Tarmac Limited to extend operating hours for bagging plant by varying condition (8) of planning permission SE/87/1468 for the period between 1800 to 2400 hours, Monday to Friday, during the months from 1 April to 30 September at Sevenoaks Quarry, Bat & Ball Road, Sevenoaks.

Recommendation: Permission be part granted and part refused.

Local Member(s): Mr N Chard

Classification: Unrestricted

Site description and background

1. Sevenoaks Quarry is a long established mineral working located within the metropolitan Green Belt. The sand quarry covers an extensive area which is being worked in a west to east direction towards Seal. An area previously worked for clay is currently being restored by landfilling to original levels. The majority of the sand quarry is worked to below the water table and is being restored at a lower level. The bagging plant, the subject of this application, is located within an area containing various processing plant and is approximately 40 metres from the closest housing to the north west on Watercress Drive.
2. Sevenoaks Quarry produces sand for building and concreting purposes. The processing plant at the quarry includes a bagging plant in which sands of various blends and mixes are bagged for sale as pre-packed items. This process takes place in a closed building with the bagged product being stored in the adjacent open stockyard.
3. The bagging plant was originally approved in 1987. In 1993, following noise assessment as to potential impact, temporary permission was granted to extend plant operation from 1800 to 2400 hours, Monday to Friday, during the period of April to September. A request to include Saturday in the extended hours was refused on amenity grounds. Since 1993 the extended hours permission has been renewed by a series of temporary permissions every 3 years, the last of which expired on 30 September 2006.

The Proposal

4. This application is to allow the same extended hours between the months of April and September (inclusive) on a permanent basis for the remaining life of the permitted sand reserves.
5. The applicant has advised that the bagging building is currently being altered using permitted development rights and that the building will have new front and back walls comprising doubled skinned insulated steel.

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Application to extend operating hours for bagging plant by varying condition (8) of permission SE/87/1468 at Sevenoaks Quarry, Sevenoaks SE/06/2415

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Planning Policy

6. The adopted and emerging Development Plan Policies summarised below are relevant to the consideration of the renewal of planning permission:

The Kent & Medway Structure Plan (2006):

Policy SP1 – This seeks to conserve and enhancing Kent’s environment and ensure a sustainable pattern of development.

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

Policy TP15 – Development that generates significant increases in traffic, especially HGVs will not be permitted if it is not well related to primary and secondary road networks.

Policy MN3 – Proposals for minerals extraction and or/associated plant and buildings will be permitted only where they do not have an unacceptable adverse impact on agricultural, landscape, conservation or environmental interests of acknowledged importance, or on residential and business communities.

Kent Minerals Local Plan Construction Aggregates (1993):

Policy CA18 – Proposals are considered against potential impacts of noise, vibration and dust.

Sevenoaks District Local Plan (2000):

Policy GB2 – Within the Green Belt there is a general presumption against inappropriate development.

Kent Waste Development Framework Primary Mineral Development Control Policies Development Plan Document (Submission Document, November 2006):

(Draft) Policy MDC20 – sets out appropriate noise limits for mineral development during different times of the day, evening and night.

Consultations

7. **Sevenoaks District Council:** No objection.
8. **Sevenoaks Town Council:** Object to the proposal as there are strong local objections to the proposal, which is situated within metres of the end of Farm Road and Watercress Drive. Operations on site cause noise nuisance and loss of amenity through disturbance in Watercress Drive and Farm Road.
9. **Divisional Transport Manager:** No objection.
10. **KCC Noise / Dust Consultant (Jacobs):** No objection subject to imposition of an appropriate noise condition.

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Local Member

11. The local County Council Member, Nick Chard was notified of the application on the 29 September 2006.

Publicity

12. The application was publicised by the posting of 2 site notices, advertisement in the local newspaper and individual notification of 40 neighbouring properties.

Representations

13. Two letters of representation have been received to date. The main reasons for objection are as follows:
 - Traffic coming from the Sevenoaks Quarry will cause worse tailbacks at the Bat and Ball traffic junction.
 - Currently noise and pollution from this industrial area and the proposal would be a gross intrusion on the well being of local residents.
 - The impact of early alarms coming from the site at present, along with noise generated on site and by vehicles entering and leaving the site.
 - Reversing alarms from 0600 to 1800, noise from empty tippers, squeaks and squeals from the conveyer systems and noise from other mechanical devices.
 - Neighbours cannot enjoy their gardens in the summer months.

Discussion

14. 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 this instance, the most significant adopted and emerging development plan policies are set out at paragraph 6. In determining this application, Members should consider the issues discussed under the following headings.

Metropolitan Green Belt

15. The site is located within the Metropolitan Green Belt and the development would normally constitute unacceptable development. However, the principle of the bagging plant located within an operating quarry has already been established and this application does seek to further develop the site. The application therefore will not adversely affect the openness of the Green Belt any further than current operations do. From this perspective I consider the proposal to be acceptable. The development, however, has the potential to cause an impact upon the amenity of surrounding residents by virtue of noise impact and therefore requires consideration against Policy MN3 of the Structure Plan, Policy CA18 of the adopted Construction Aggregates Plan and draft Policy MDC20 of the submitted Kent Waste Development Framework Primary Mineral Development Control Policies Development Plan Document.

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Impact on adjoining residents

16. The impact of the proposed continuation of extended hours is strongly opposed by the Town Council who refer to the potential loss of amenity to residents in Farm Road and Watercress Drive. In response to the consultation, one resident of Farm Road has also raised objection on noise grounds although it would appear that some of the noise referred to may originate from other activities within the quarry. Several residents from Watercress Drive have also raised noise concerns via the local newspaper.
17. It is clear that the local community has concerns relating to the potential impact of noise during the extended hours. The operators, however, claim not to have received complaints since the extended hours were first approved in 1993 and I have no records of complaints being received by my Group. It should also be noted that the Borough Council, which often comments on such issues, has raised no objection. Similarly, the County Council's noise consultant (Jacobs) has not objected subject to the imposition of an appropriate noise condition.
18. In considering the previous proposals for working the bagging plant after 1800 hours, the advice of the County Council's noise consultant was that a limit of 50dB (LAeq) (1 hour) free field at relevant noise sensitive properties was appropriate on the basis that this was 10dB above the measured background noise level of 40dB in the area during the evening period. As a result, this 50dB limit was imposed by condition on previous permissions. At that time, the relevant minerals policies (e.g. Policy CA18 of the Construction Aggregates Plan) contained no specific noise limits.
19. Since the previous application for extended hours, the County Council has published the first parts of its new Minerals Development Framework (MDF). When formally adopted, these will replace the old Minerals Local Plans. Draft Policy MDC20 of the MDF Primary Mineral Development Control Policies Development Plan Document states that the Mineral Planning Authority (MPA) will require noise associated with mineral development to comply with the following limits outside normal working hours (i.e. outside 0700 to 1800 hours):-
 - evening working (i.e. between 1800 and 2200 hours) not to exceed the background noise level by more than 10dB;
 - night time working (i.e. between 2200 and 0700 hours) not to exceed 42dB L_{Aeq} 1hour (free field).
20. Although not yet adopted as part of the development plan, draft Policy MDC20 is an important material consideration in this case, particularly as the limits are consistent with Government advice in Annex 2 (paragraph 2.19) of Minerals Policy Statement 2: Controlling and Mitigating the Environmental Effects of Minerals Extraction in England. It is clear that a limit of 50dB L_{Aeq} 1hour (free field) would no longer be appropriate after 2200 hours and that a lower limit of 42dB L_{Aeq} 1hour (free field) should be applied if mineral development were to be allowed after this time.
21. Notwithstanding the fact that the applicant has recently carried out works to the building which should reduce the potential for noise leakage from it, in the absence of further detailed noise assessment there can be no guarantee that if a limit of 42dB

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Application to extend operating hours for bagging plant by varying condition (8) of permission SE/87/1468 at Sevenoaks Quarry, Sevenoaks SE/06/2415

were imposed after 2200 hours that this would be complied with. In this context it should also be noted that some operations take place outside the building.

22. As a result of the recent policy change, I consider that if the bagging plant is permitted to operate after 1800 hours it would only be appropriate to allow this up to 2200 hours with a limit of 50dB L_{Aeq} 1hour (free field) unless the applicant can demonstrate that the 42dB L_{Aeq} 1hour (free field) limit can be achieved during the period 2200 to 2400 hours. At this time, this has not been done.

Other issues

23. I have received one objection from a resident of Otford Road which raises issues relating to import of traffic from the quarry. As the proposal does not alter traffic movements from those currently permitted I do not consider this to be a material issue.

Conclusion

24. Provision already exists for mineral working at this site and the bagging plant has operated during extended hours for over 15 years through various temporary planning permissions, renewed every 3 years. Whilst it is clear that there are concerns from the Town Council and local residents concerning noise impact, given the imposition of appropriate conditions to control noise levels I would conclude that permission could be granted for extended hours for a period which coincides with the estimated life of the site (i.e. the end of 2018) without adversely affecting residential amenity. However, for the reasons set out in paragraphs 18 to 22 I do not consider that it would be appropriate to allow the bagging plant to operate after 2200 hours until such a time as it can be demonstrated that the new 42dB L_{Aeq} 1hour (free field) limit can be achieved during the period 2200 to 2400 hours. I therefore recommend accordingly.

Recommendation

21. I RECOMMEND that:-
- (A) PERMISSION BE GRANTED to extend the operating hours for the bagging plant for the period between 1800 to 2200 hours, Monday to Friday, during the months from April to September (inclusive) SUBJECT TO conditions which (amongst other things) limit the use of the site for these hours up to 31 December 2018 and restrict noise between these hours to no more than 50dB L_{Aeq} 1hour (free field);
 - (B) PERMISSION BE REFUSED for the proposed extended operating hours for the bagging plant between 2200 and 2400 hours on the grounds that the applicant has not demonstrated that the required 42dB L_{Aeq} 1hour (free field) limit can be achieved between these hours; and
 - (C) that the applicant BE INFORMED that should it be able to satisfactorily demonstrate that the new 42dB L_{Aeq} 1hour (free field) limit can be achieved during the period 2200 to 2400 hours, the County Council may favourably view an application to extend the hours during this period on a similar basis subject to the imposition of such a limit.

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Application to extend operating hours for bagging plant by varying condition (8) of permission SE/87/1468 at Sevenoaks Quarry, Sevenoaks SE/06/2415

Case Officer: Helena Woodcock

Tel. no. 01622 221063

Background Documents: see section heading.

Item B3**Extension and modernisation to 1.0FE Boughton-Under-Blean Methodist School, including parking area and temporary works, including mobile classroom – SW/06/1137**

A report by Head of Planning Applications Unit to Planning Applications Committee on 16 January 2007.

Application by Boughton-under-Blean Methodist School and Kent County Council Children, Families and Education for the extension and modernisation to 1.0FE school at Boughton-Under-Blean Methodist School including parking area and temporary works, including mobile classrooms at Boughton-Under-Blean Methodist Primary School, School Lane, Boughton-under-Blean, Faversham.

Recommendation: Permission be granted subject to conditions.

Local Member(s): A. Bowles

Classification: Unrestricted

Site

1. Boughton-Under-Blean Methodist School is located within the Boughton Street Conservation Area, off School Lane. The site of the existing school shares boundaries with farmland to the north and to the east. The rear gardens of the properties along The Street and a few houses lie to the south of the school. To the west, a car park for the Village Hall is accessible from Bulls Lane. A site location plan is attached.

Proposal

2. The application has been submitted by Boughton-under-Blean Methodist Primary School and Kent County Council Children, Families & Education and proposes an extension and modernisation to 1 Form of Entry school, including a new parking area and temporary works including mobile classrooms. Vehicular access is proposed to be from School Lane. Car parking is to be extended to provide an additional 21 spaces including disabled spaces. The application is also accompanied by a School Travel Plan.

Design

3. An attempt has been made to design a sensitive low-impact building appropriate to its natural setting. External materials have been chosen on the basis of being durable and low maintenance. The building would use large areas of glass with aluminium windows and skylights to provide internal spaces with good levels of daylight and views towards the exterior play areas the external teaching spaces.

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Item B3

Extension and modernisation to 1.0FE Boughton-Under-Blean Methodist School, including parking area and temporary works, including mobile classroom – SW/06/1137

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Extension and modernisation to 1.0FE Boughton-Under-Blean Methodist School, including parking area and temporary works, including mobile classroom – SW/06/1137

Planning Policy

4. 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 – All development should be well designed and be of high quality.

Policy QL6 – Seeks to preserve or enhance the special character and Appearance of Conservation Areas.

Policy QL11 – Existing community services, including schools, will be protected as long as there is a demonstrable need for them.

Policy TP19 – Development proposals should comply with the respective Vehicle Parking policies and maximum standards adopted by Kent County Council and Medway Council.

(ii) **Swale Borough Local Plan, 2000:**

Policy G1 – All development will be expected to accord with the policies and proposals of the Plan unless material considerations indicate otherwise, have regard for the character of the locality, avoid unacceptable impact, cause not harm to residential amenity, provide parking facilities.

Policy E9 – The countryside of the Borough will be protected for its own sake.

Policy E36 – When considering development within or adjacent to Conservation Areas, the Borough Council will pay special attention to ensure that the character or appearance of the area is preserved and enhanced, high standard of design is achieved and the scale, mass and setting of the development are appropriate.

Policy E48 – The Borough Council will seek to ensure that all new development is of a high standard of design appropriate to its surroundings and reflecting local distinctiveness.

Policy E49 – The Borough Council will, in appropriate cases, require the submission of a landscaping proposal in connection with the proposed development.

Extension and modernisation to 1.0FE Boughton-Under-Blean Methodist School, including parking area and temporary works, including mobile classroom – SW/06/1137

Policy E50 – The Borough Council will expect development to have regard to security and safety measures within its design and layout.

Policy IN12 – Proposals for schools, or for significant extensions to existing schools, will be required to provide adequate car parking and dropping off facilities on site.

(iii) **Swale Borough Local Plan, First Deposit 2004:**

Policy E1 – As G1 above.

Policy E6 - As E9 above.

Policy E14 – As E36 above.

Policy E18 – As E48 above.

Policy E19 – As E50 above.

Policy C1 – The Borough Council will grant planning permission for new or improved community services and facilities.

(iv) **Swale Borough Local Plan, Second Deposit 2005:**

Policy E1 – As above.

Policy E6 – As above.

Policy E15 – As E14 above.

Policy E19 – As E18 above.

Policy E20 – As E19 above.

Policy C1 – As above.

Consultations

5. **Swale Borough Council:** raises no objection to the proposed works, subject to the following:

- Standard time limit condition;
- High quality of materials for external surfaces;
- Management of the time of use;
- Restrictions on the use of School Lane by construction vehicles;
- Any other conditions recommended by consultees.

Extension and modernisation to 1.0FE Boughton-Under-Blean Methodist School, including parking area and temporary works, including mobile classroom – SW/06/1137

“Whilst we raise no objection to the proposal, we would draw your attention to the location of the proposed car park extension. As shown on the current drawings, the car park extends across the entire length of the boundary with a nearby residential property, and we are of the opinion that this may result in detrimental amenity impacts for the occupiers of the dwelling. We therefore suggest that an investigation into the possibility of continuing the line of the existing tarmac parking area, bringing the car park extension gradually further away from the boundary fence and allowing space for appropriate screening”.

Boughton-under-Blean Parish Council: welcomes the long overdue improvements to the school and upgrading of the conditions under which the children are taught.

“With regard to the proposed plans, the Council has carefully considered these and Members have queried as to why cedar cladding is being used when it would be more appropriate to have red brick to match the existing building and which would require less maintenance in the future.

“There is also some confusion regarding the design of the roof, which seems to be, at least, partially flat – a feature not to be recommended as this type of construction always leads to future problems.

“Finally, in the light of a recent devastating fire at another Kent school, are there any plans to have an internal sprinkler system installed in the new building?”

Sport England: no objection to the temporary road subject to the proviso that the County Council imposes planning conditions to ensure the removal of the road and reinstatement of the playing field afterwards. Sport England would wish to see a condition that requires the complete removal of the temporary road including all gravel and other materials deposited within 1 month of completion and signing off of the project. The playing fields shall be reinstated to the same or better condition than before the road was constructed. Photographic evidence of the current condition of the playing field should be recorded to ensure this.

English Heritage: No comments.

Conservation Officer: No comments.

Divisional Transport Manager: No objection.

Biodiversity Officer: Comments as follows:

“The submitted bat report is satisfactory to conclude that currently there are unlikely to be significant impacts upon bats. I would note section 5 of the report that potential exists for bats to use the building, I would recommend that the implementation of the precautionary mitigation in section 5 of the report is used as a condition of any planning permission.

“Likewise the potential to impact on breeding birds is significant and mitigation advice at section 5.5 of the report should also be conditioned with any grant of permission.

Extension and modernisation to 1.0FE Boughton-Under-Blean Methodist School, including parking area and temporary works, including mobile classroom – SW/06/1137

“Whilst the applicant has not provided any evidence of why reptile and great crested newts surveys were not required after having been highlighted in the scoping report. From reviewing the site photographs and our GIS information it seems unlikely that significant potential for impacts exists to either of these receptors”.

Environment Agency: No objection subject to the following conditions:

- All surface water drainage from parking areas and hard-standings shall be passed through an oil separator and trapped gullies. Roof water shall not pass through the separator.

Local Member

6. The local County Member, Mr A. Bowles was notified of the application on the 19 September 2006.

Publicity

7. The application was publicised by an advertisement in a local paper, the posting of a site notice and the individual notification of 18 neighbouring properties.

Representations

8. 1 letter of representation has been received to date. The main areas of concern and objection are as follows:
 - What is the need for additional parking spaces?
 - The car parking area appears to extend along the whole length of the fence against a neighbour's Golden Cypress hedge, preventing it from receiving any rain, damaging the roots and killing the hedge (it must be at least 2m from the hedge to avoid killing it).
 - School Lane is to be the main access but is only approx. 13ft wide with high brick walls on each side, with no footpaths. Unaccompanied children and elderly people use the lane, building lorries should not be allowed to use it.
 - Lorries will churn up the road surface and damage the foundations requiring extensive repairs.
 - What is the point in introducing bats on to the site? Encouraging bats on to the site will lead to health risks. Who will clear up the droppings caused by bats?
 - Bats only come out at night when the children are not there to see them.
 - Bats are offensive to neighbours who do not like them entering their roofs.
 - The building of a newt pond seems impractical and expensive and will need to be properly fenced for safety, concreted, located well away from the hedge otherwise newts could be adversely affected by the shedding of twigs and leaves.
 - The newt pond will need cleaning regularly so that it does not have an offensive smell and cause a health hazard. Who will pay for this?
 - Children in this rural and attractive area have plenty of opportunity to study wildlife without the expense of introducing bats and newts.

Discussion

Extension and modernisation to 1.0FE Boughton-Under-Blean Methodist School, including parking area and temporary works, including mobile classroom – SW/06/1137

9. This application must be determined with regard to the relevant Development Plan Policies and in the light of other material planning considerations, including relevant planning objections raised by consultees, set against the need for the proposed development.

Policy

10. The key policies for consideration regarding the proposed development are SP1 (environment), QL6 (Conservation Areas), and QL11 (Community). I consider that the principle of the development accords with Policy SP1 and the detailed layout and design is such that the overall impact on the wider landscape and environment is minimised and generally acceptable.
11. Overall I consider that the proposed development is in general in accordance with the relevant Development Plan Policies and I see no overriding objection on planning policy grounds. In particular the proposed development would be erected adjacent to the existing school, and would not encroach onto playing field or open land. However, there are detailed design and layout, ecological and parking issues, which need to be addressed further.

Design

12. Due to the restrictive nature of the site and level of accommodation required by the School, I consider a mix of new build and refurbishment to be an appropriate design approach.
13. Boughton-under-Blean Parish Council raises concern regarding the choice of Cedar Cladding to be used instead of red brick, which would match the existing building. The applicant provides two reasons for this choice: *Best Practice & Best Value and Architectural Merit*. In terms of Best Practice and Best value, the applicant states that unless reconstituted Victorian red brick was employed for the new build it would be impossible to closely marry to the existing. Using reconstituted Victorian brick would have implications in that it would require sourcing brick from a similar building that has been demolished with a mind for reuse, which is uncommon. Reclaimed brick also requires manual cleaning prior to re-use which has significant associated time, cost and wastage factors which would dramatically hinder the ability to deliver the new school on time and on budget. The sourcing of non-reconstituted brick that marries with the existing is also difficult and requires greater transportation. Cedar cladding is considered a more practical option and has a low ecological impact rating. I support these arguments.
14. With regard to architectural merit, in circumstances where it is difficult to marry with an existing structure it is argued by the architects that aesthetically successful extensions do not try to mimic architecture of a differing genre but instead provide a solution that contrasts whilst complementing the existing. This can be facilitated by a sympathetic linking structure. The applicant does not consider the proposed new build would lend itself to an application of brick construction. The proposed extension is of a modern contemporary nature and as such the chosen materials should reflect this in order to maintain the building's integrity.

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15. I do not consider the use of red brick, in order to try and match with the existing school building, to be practicable or aesthetically appropriate in this instance, particularly considering the school's location within a Conservation Area. I consider the proposed contrasting extension to be an acceptable solution to the School's development needs. The contrasting nature of the proposed extension would also complement the existing building in terms of its architectural merits and the existing Victorian features should become more prominent than if they were crudely copied by the new build.
16. The reasoning for not employing a traditional pitch roof is similar to that for the use of cedar cladding rather than red brick. The architectural language of the building does not lend itself to a pitched roof construction and the architect has stated that the employment of a flat roofing system is a cleaner and more elegant solution that would have a significantly smaller aesthetic impact from the road side and on its surrounding landscape and environment. Under the circumstances pertaining to this particular site and development, I would agree with this view.
17. The applicant has stated that a number of problems would be experienced should a pitched roof be adopted. If a pitched roof was employed it would be preferable to span the entire extent of the width of the building. In order to keep the ridge height at an acceptable level a 15° pitch would need to be employed. The vast majority of tiles on the market require a minimum of 22.5° pitch, with a few requiring a minimum of 17° pitch. Therefore in order for the tiles to function effectively against elements of wind, rain and snow an under tray system would be required to hold the tiles in place which has significant cost implications for that particular element. Even with a 15° pitch, the height of the building would be increased by 1m along the entire extents of the façade, resulting in a 6m-ridge height of which half the main elevation would become roof. I do not consider this to be an acceptable solution as the proportion of roof to façade would be disproportionately balanced.
18. The applicant has advised that within the original competition brief the installation of an internal sprinkler system was requested as an additional feature. When the project is submitted to competitive contractors for tender they will be requested to quote for an internal sprinkler system as an 'over & above' element. The normal resulting scenario is that if the returned tender prices fall below budget the inclusion of the 'over & above elements' are then considered for inclusion. My own view is that the precise method of fire protection is a matter best resolved through the Building Regulations and Insurance provider, and it is not a matter for the Planning Authority to concern itself with.
19. Overall, I consider that the design approach is of a satisfactory standard for this particular site. The proposed extension complements the existing building and I consider that it is appropriate to its location (attached to the existing school building). Under the circumstances, I consider that the new building would enhance the visual appearance of the site.

Parking & Access

20. Boughton-under-Blean Primary School suffers from a lack of on site car parking. Limited parking facilities create an overflow that encroaches on the school's entry and compromises the safe entry for students and visitors. It is proposed within this application to introduce additional car parking by extending the existing car park along the southern boundary of the school site.

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21. Concerns have been raised by Swale Borough Council regarding the proximity of this extension to an adjacent residential property. I consider that by redesigning the parking in such a manner that it effectively extends the current line of the existing tarmac area would result in an unacceptable loss of soft open play area. The applicant has stated that at the eastern extent of the extension they had aspired to provide a bunded play area around the existing slide. Details of this could be requested through a landscaping condition. There is also a significant amount of soil that would be required to be moved in order to accommodate a reasonably level playing area. It is currently proposed that the soil could be placed around the existing slide area to form landscaped bunds that define a visual boundary around this particular play space. This would not be possible if the existing line of the current car park was simply extended. However, the applicant has proposed that a compromise could be reached to resolve this issue that could provide a 1200mm buffer zone to the boundary of the affected neighbouring property resulting in a smaller proportion of the existing slide play area being lost.
22. I acknowledge neighbour's concerns regarding associated pollutants with the car park, and the applicant has confirmed that if it is deemed necessary it is quite feasible that additional landscaping can be included within this area and specified in such a manner that the flora assimilates light and heavy toxins/pollutants exhausted from cars and thereby help mitigate the effects of pollutants. Self-clinging climbers are particularly effective in this manner and a surprisingly high level of success can be achieved in this way. I consider that this can be dealt with through a suitably worded planning condition, requesting the prior submission of a detailed landscaping scheme to include details relating to flora and fauna to mitigate pollution impacts.
23. With regards to the concerns raised about an existing 2 metre high golden cypress hedge and the possibility of damage occurring to it, the applicant has confirmed that the development would be carried out in such a manner as to avoid damage to hedges, including their root system, and a suitable condition placed on the planning permission would help to ensure that this is the case. Overall, it is not expected that the existing hedging would be threatened by the proposed proximity of the car park.
24. The car park extension would, in my view, reduce the problem of visitors parking in and around the entrance of the school. Appropriate landscaping and tree/hedge protection measures would help reduce any visual or pollutant impacts that the proposed car park would have.
25. Due to the concerns raised by neighbours of the school with regard to School Lane being used as a main site access, the applicant is proposing a site access via Bulls Lane with a temporary service road being laid through the school playing field, which would later be removed and remedial works would ensure that it is reinstated to its original condition. Neighbours should not be significantly affected by the construction access under the circumstances.
26. Concern has been raised by neighbours of the school regarding access arrangements for the school and contractors involved in the new build. In particular, concerns have been raised regarding the amount of playing field space taken up by the temporary construction access and road. I agree that the temporary access road does take a large sweep through the playing field and the applicant has confirmed that it is being proposed for a number of reasons. In particular, School Lane is particularly narrow and poses a

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number of health and safety issues if used as a site access to pedestrians, especially parents with school children. It is the opinion of the School and myself that using School Lane as site access would cause undue disruption to the local community. It was also considered by the planning supervisor that School Lane was unsuitable for HGV's, cranes, plant and any other heavy or sizeable equipment.

27. With regard to the specification for the temporary site road, the applicant proposes to strip the topsoil down and fill with granular material and provide a geotextile to cover compacted gravel/granular materials. This road would be in place for the full duration of the construction period and all remedial works would ensure that the field would be reinstated as before. This can also be attached as a condition to the decision notice should Members be minded to permit.
28. I do not consider there to be a detrimental impact to playing field and sporting/play areas as a result of the construction access road given that it is temporary in nature and playing fields and open space would only be affected for a limited period of time. A condition can be placed on the decision notice requesting the playing fields be reinstated as originally found prior to the construction access being instated on the land.

Ecology

29. The application also seeks to provide facilities on site to encourage wildlife, such as bats and great crested newts on to the school site by providing bat boxes and additional ponds. This has raised concerns with a neighbour of the school in terms of the impacts this would have on residents and the area.
30. Bats are a European protected species and are protected due to declining populations as a result of a number of factors, particularly habitat loss. Legislation protects the bats themselves as well as any place they use for shelter, whether they are present or not. The school building was identified as having the potential to support bats. Albeit no bats were recorded emerging from the building on the day of survey, bats were recorded in the local area and bats may move roost relatively frequently. There is, therefore, the potential that bats may roost in the building in the future, prior to works commencing on the extension. If a roost is identified, it will be necessary to obtain a licence to undertake works and a replacement roost must be provided if the original roost is to be lost. This replacement roost must either be in the form of bat boxes or through building in roosting sites into the structure, through lifted tiles or gaps under the eaves. It is also best practice to enhance development sites for biodiversity and this may include erecting bat boxes or building in habitat for bats into structures.
31. An adjoining resident raises concerns relating to bat hygiene and need to clean out droppings. The ecologist employed by the School advises that many people may have bats between tiles and roofing felt in their loft and are never aware of their presence. If bat hygiene does become a concern it would ultimately be a management issue incurred and absorbed by the School and would be undertaken in accordance with current health & safety standards. I do not consider this to be a reason in itself to warrant refusing planning permission.
32. Similar concerns have been raised in respect of the maintenance associated with providing newt habitat. As there is already an existing pond, no more additional maintenance should be required than is already in place. It is of the opinion of the school that the pond does not require fencing as the children would always be under

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appropriate supervision and they also consider that this is an opportunity to teach the children about responsible behaviour and safety around bodies of water.

33. Overall, I consider that any proposals incorporating facilities to encourage the introduction of biodiversity and ecology as part of a development scheme should be welcomed. It is not so much for the benefit of learning (especially with regards the nocturnal bats) but to encourage and maintain a protected species by providing safe habitats for them. The Biodiversity Officer does not consider that a detrimental impact would be have on wildlife habitats and encourages the mitigation measures proposed.

Landscaping

34. Although no objections have been received in terms of landscaping and tree removal, a number of small trees and a couple of semi-mature trees are proposed to be removed as part of the application, these are located, in the main, within the area proposed for the car park extension. There are no plans to remove the hedging and climbing plants along the southern boundary adjacent to the proposed extended car parking area. A full landscaping scheme incorporating the retention of trees, any new trees to be planted, bunding and shrubs can be requested via condition on the planning permission. I consider that this would help to compensate for the loss of those trees proposed for removal.

Temporary Facilities

35. During construction, pupils would be required to be taught in temporary mobile classrooms until the permanent classrooms are ready to be occupied. This would include the relocation of an existing mobile classroom, and a proposed new temporary mobile classroom. I have no objection to these temporary facilities being provided, however, a planning condition should be placed on any grant of planning permission requiring the removal of these facilities on the completion of the development and the reinstatement of the areas back to their former condition.

Conclusion

36. Overall the application has to be considered in relation to the location of the proposed development set against the impact of the proposal in the context of the Development Plan. I consider the design of the development to be acceptable in planning terms and that the development would represent an opportunity to improve and enhance the school site overall in line with development plan policies. Whilst concerns have been raised mainly relating to access and parking at the site and the proposed methods of encouraging bats and newts onto the site, these matters can be addressed through suitably worded conditions. I therefore recommend accordingly.

Recommendation

37. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO conditions including: -
the standard time condition;
- Submission of details of all external materials;

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- Submission of a detailed landscaping scheme to include details of trees to be removed and replaced, shrubbery to minimise pollution impacts, fencing details and bunding details;
- Temporary consent for mobile classrooms;
- The temporary access road to be removed upon completion of the development and the land reinstated to its former state;
- A minimum 1200mm landscape buffer zone to the southern boundary shall be created between the extended car park and neighbouring property.
- Details of any external lighting shall be submitted for prior approval.

Case officer – Helena Woodcock	01622 221063
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Background documents - See section heading
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Item B4**40 Extra Care apartments for the elderly with associated communal facilities, car parking and landscaping at King Edward Court, Herne Bay – CA/06/1392**

A report by Head of Planning Applications Unit to Planning Applications Committee on 16 January 2007.

Application by Kent County Council Adult Services and Housing 21 for the demolition of existing buildings and erection of a detached three storey block of 40 extra care apartments for the elderly with associated communal facilities together with car parking and landscaping at King Edward Court, King Edward Avenue, Herne Bay.

Recommendation: Permission be granted subject to conditions.

Local Member(s): J. Law and D. Hirst

Classification: Unrestricted

Site

1. The application site is located off King Edward Avenue in Herne Bay. The site currently consists of a mixture of one and two storey buildings, which provide County Council accommodation for the elderly. Residential properties surround the site and a hospital is located on the northern side of King Edward Avenue. A Public Right of Way runs to the south of the site along Grange Road (see attached plans).

Background

2. The application is one of a number of applications, which have been submitted on behalf of Kent County Council Adult Services and Housing 21. The proposals form part of a Private Finance Initiative (PFI) to redevelop a number of sites in Kent with new extra care accommodation for the elderly and supported flats for people with learning disabilities.
3. Outline Planning permission was granted (ref: CA/05/1124) by the Planning Application Committee on 8 November 2005 for a similar development. That outline planning permission for the site approved the principle of development, with a part 2 and part 3 storey building for use as 40 extra care flats, using a site layout that differs from the current application.
4. Following the submission of a new full planning application, Housing 21 has held an exhibition for local residents regarding the proposed development of the site, which coincided with the submission of the planning application. Responses submitted in response to the exhibition have been conveyed to myself and are incorporated those received in response to the planning application.

Proposal

5. Full planning permission is now sought for the demolition of the existing buildings and the erection of a detached 3-storey block of 40 extra care apartments for the elderly with associated communal facilities together with landscaping. A total of 19 car-parking spaces would be provided on site, including 4 spaces for use by disabled persons.

Item B4

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Layout

6. The layout of the development on site is constrained by the need to re-use the existing access to King Edward Court and by surrounding residential development. The site runs southward from King Edward Avenue and is broadly triangular in plan. The applicant considered the siting of the proposed building would respect the existing building line and appearance of the essentially residential character of the street.
7. The compact 'L' shaped building form is concentrated to the north of the site releasing much of the southern portion to provide a large south facing garden and separation zone to the existing rear gardens beyond. One of the three existing bungalows on the site (each with three flats) is to be retained along with a significant number of existing mature trees. The principal communal rooms are located in the north/south wing to benefit from direct access to the garden and the long views beyond.
8. The access into the building for residents and tenants is very close to the access into the site and is by its nature clear and direct to encourage the wider community in. The service road continues to a discreet service area, which also allows access to those bungalow units that would remain. Parking would be located away from the building entrance and is broken into bays of a few spaces separated by new landscaping.
9. The development has been designed in crime prevention terms to comply with Secured by Design principles. The applicant has stated that an integrated approach to the development has been taken to ensure that a well designed environment is created with good natural surveillance over the car parking areas, a secure and well maintained access from King Edward Avenue and private amenity space for the residents which is overlooked from each unit within the building and secure from intruders. It is also proposed to introduce low level lighting to the parking court and pedestrian access route.

Proposed Building

10. The site is located in a residential area and the design of the new building has been influenced by the need to provide a building which complements adjoining properties whilst providing an appropriate appearance to the street scene. The building has long principal elevations with a strong horizontal emphasis. In order to provide interest and activity in the elevations, the front and rear elevations have been broken into modules with projecting bays in contrasting materials in order to provide a vertical rhythm.
11. The horizontal emphasis would also be delineated by differing materials with the third floor set within a tiled mansard style roof and lower floors marked by fair faced brick. The projecting bay windows are a key feature of the design, which provides residents with a safe and secure area for viewing the gardens to the front and rear of the building. These features have proved to work well in other similar schemes that have been built to this architect's design. The projecting bays are also distinguished by horizontal cedar cladding to provide a softer contrast to the other materials. In order to complement the other materials, windows and doors would be constructed of powder coated metal frames to provide a crisp, understated finish.

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12. The main entrance to the extra care building would be easily identified by its location alongside the drop-off point and the car parking spaces, with shelter provided by a projecting canopy.

Access

13. Given the site constraints and the layout of the surrounding development, the existing site access is being re-used. The site is well located in relation to main routes into the town and is easily accessible from the surrounding road network. Full access for refuse and emergency vehicles would be maintained.

Landscaping

14. The garden is protected and made private by the configuration of the buildings, the area closest to the communal rooms is framed and given a discreet sense of enclosure by the existing trees on the western border and by the bungalows to the south.

15. A sensory garden is also proposed. Its main component would be new planting. The structure of the planting would be visually stimulating with bright areas and cooler zones and all year round interest. It would include plants that have movement and create sound, such as ornamental grasses. Tactile plants would be located at the front of raised beds. Plants with scented flowers and leaves would be carefully selected and located with both summer and winter in mind. Small and safe water features such as bubble fountains would be designed in association with seating areas.

16. A clipped evergreen hedge laid out with indented cells would define the new site frontage to King Edwards Avenue. Within each cell a tree would be planted with low ground cover below. Altogether 5 trees at even spacing, together with the hedge, would create a formal but distinctive boundary with the avenue. Around the immediate edge of the Care Home block, low to medium height flowering and scented would be planted to enhance the view from the windows.

17. The rear garden has two design elements. First, a sensory garden would be laid out adjoining the proposed paved patio. This would comprise of a circular walk enclosing a curved garden. Within the garden a sitting out space would be created bordered by a semi-circular curved timber pergola with climbing plants. That would link through to a raised bed. Planting in both the ground and raised bed would comprise a range of flowering shrubs, herbs and perennials with an emphasis on scented species that are also suitable for a seaside location.

18. Secondly, a line of ornamental trees would be planted along the western boundary to create interest. Along the south eastern boundary groups of woodland trees and shrubs would provide a wooded backcloth and encourage birds and other wildlife to enrich the experience of living in the new care home.

Planning Policy

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

40 Extra Care apartments for the elderly with associated communal facilities, car parking and landscaping at King Edward Court, Herne Bay – CA/06/1392

(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 – All development should be well designed and be of high quality.

Policy QL7 – The archaeological and historic integrity of scheduled ancient monuments and other important archaeological sites, together with their settings, will be protected and, where possible, enhanced.

Policy QL11 – Existing community services, will be protected as long as there is a demonstrable need for them.

Policy TP3 – Development sites should be well served by public transport, walking and cycling or will be made so as a result of the development. Requires travel plans to be established for larger developments that generate significant demand for travel. Developments likely to generate a larger number of trips should be located where there is either a good choice of transport already available or where a good choice can be provided in an acceptable manner.

Policy TP19 – Development proposals must comply with the adopted vehicle parking policies and standards.

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

(ii) **Canterbury District Local Plan, Adopted November 1998:**

Policy D1 – The City Council will permit development of a high standard of design, which is sympathetic to the appearance and character of the surrounding area and appropriate in scale; and avoids placing undue burden on existing infrastructure.

Policy D3 – The City Council seeks landscaping to be carried out in appropriate cases.

Policy D62 – New development will be required to provide parking for vehicles in accordance with Kent Vehicle Parking Standards.

(iii) **Canterbury District Local Plan, Deposit April 2002:**

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Policy BE1 – The City Council will permit proposals of high quality design.

Policy BE2 - Sets out criteria that should be given regard to when considering planning applications including landscaping, lighting, the retention and incorporation of public rights of way and the creation of a connected open space and pedestrian/cyclist circulation system.

Policy NE5 – Requires development to retain existing trees, hedgerows and woodland.

Policy C8 - Seeks to apply Kent Vehicle Parking Standards to development proposals.

Policy C10 - Proposals for new buildings or uses for local communities will be encouraged and granted planning permission on the basis that any new building is appropriately designed and located.

Consultations

20. **Canterbury City Council:** has no objection to the principle of the application. The redevelopment of this site is acceptable however, the Council is concerned by the scale and mass of the proposed building and its impact in the street scene and on the adjoining residential properties. The provision of second floor accommodation within the roof of any new building may be a means of reducing its scale and impact.

“Kent County Council should be satisfied that sufficient parking is to be provided on the site and should consider a Green Travel Plan for staff. Landscaping screening should be sought to break up views of the building, including hedging and mature trees. Additional screening should be provided along the boundary with 9 King Edward Avenue to reduce the impact of the car parking in this part of the site. Overall, as much landscaping and existing trees should be retained on site and it is recommended that a condition should be imposed to require an archaeological evaluation to be undertaken”

Divisional Transport Manager: no objection subject to cycle parking being conditioned. The cycle parking facilities for 5 Bicycles should be shown in a secure communal compound on site.

Jacobs (Landscaping): “Overall, the visual impact would be ‘slight adverse’ due to the size of the proposed building and close proximity of visual receptors. In order to reduce this impact, we recommend the retention of existing screening planting to the south of the site. Slight adjustment of the car parking along the eastern boundary to allow for a native hedgerow would also be beneficial in reducing visual impact on the adjacent property, 9 King Edward Avenue. The impact on trees and the landscape is assessed as negligible, providing the suitability of the following information, which we would like to see before making further comment:

- Full landscape plans, including hard and soft detailing (taking into account the above recommendations).
- Tree protection plan in accordance with BS5837:2005 ‘Trees in Relation to

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Construction”.

Public Rights of Way: No comments.
County Archaeologist: No comments.

Local Member

21. The local County Member(s), Mr J. Law and Mr. D. Hirst were notified of the application on the 13 October 2006. Mr Law has commented as follows:

“As local Kent County Council Member, I have inspected the plans together with the officers on site and support the application in line with desirable Supporting Independence Programme providing modern accommodation and monitoring systems for residents. The project will also provide 23 additional jobs on site to benefit the local economy”.

Publicity

22. The application was publicised by advertisement in a local paper, the posting of two site notices and the notification of 31 neighbouring properties.

Representations

23. 3 letters of representation have been received. The main concerns and objections are as follows:

- To demolish the existing building would entail the use of heavy equipment and transport. King Edward Avenue is in poor condition and considering the car parking that takes place on both sides due to the hospital and Church, heavy traffic would cause serious problems.
- The noise, dust, etc. from the demolition and construction would be an inconvenience, affecting surrounding properties, most of these are bungalows owned by elderly people.
- Is there not a more suitable site for the proposed development?
- 3-storey building is a bit domineering in an area of predominately two and one storey homes.
- The proposed number of parking spaces does not appear to be sufficient to cope with traffic numbers and cars will be parked outside neighbouring properties.
- Detrimental effect on visual amenity from neighbouring properties.
- Privacy will be taken away from neighbours trying to enjoy their homes.
- The proposed new building is unattractive.
- What is the intention of the west boundary, where at present there is only a basic long link fence garages and a shed? Traffic entering the site will look directly onto the property adjacent to the west boundary, as at present there is only a low fence.

Discussion

24. This application needs to be determined with regard to the relevant Development Plan Policies and in the light of other material planning considerations, including relevant

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planning objections raised by the consultees, set against the need for the proposed development.

Policy

25. The key policies for consideration regarding the proposed development are SP1 (environment), QL1 (design) and QL11 (community). The principle of the development accords with Policy SP1, although there are design and layout issues that need to be addressed.
26. Overall I consider that the proposed development is in general accordance with the relevant Development Plan Policies and I see no overriding objection on planning policy grounds. In particular the proposed development would be erected over the existing footprint of the existing care home facilities and a significant part of the building is contained in a block, which follows the orientation of properties fronting King Edward Avenue.

Design and Layout

27. Canterbury City Council has no objections in principle to the redevelopment of the site, but is concerned by the scale and mass of the proposed building and its impact in the street scene and on the adjoining residential properties. This concern is shared by neighbours of the site. The proposed building generally follows the existing building line, and although it would be a large building (3-storey) it would be similar in scale to the existing building. Unlike the existing building on the site, the proposed care home building would be articulated with bays, commensurate in size with the adjoining houses, projecting forward to reduce its scale. In this regard, I consider that the building would represent an appropriate scale of development in the street scene, which can be softened in appearance through the implementation of appropriate landscaping and other detailed building treatment.
28. To further reduce the bulk of the proposed building, the applicant has looked at the possibility of including accommodation within the roof space, but that would result in the loss of a number of units of accommodation. The proposal is for a high quality extra care building with enhanced communal facilities such as a hairdresser, a small kiosk/shop and restaurant and tea bar, both for residents and visitors. These additional facilities would add to the quality of life for residents but also require a quantum of development to make them viable, both economically and in care terms. The applicant would therefore be concerned that the loss of accommodation would render the scheme unviable and could also have an impact on the Kent PFI as a whole. The architect has explored a mansard roof plan on other proposed sites in Kent and has come to the conclusion that the proposed building at King Edwards Court would be more elegant and less imposing were a mansard not deployed, and this aspect has therefore not been adopted. I do not dissent from that view in this particular case, where there is little precedent for such a style of roofing.
29. In terms of appearance, all external materials proposed for use can be conditioned for submission prior to the commencement of operations on site. I do not consider the design to be out of character for the site and consider that it would complement the existing street scene, which is a mixture of relatively modern materials and detailing of

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no uniform or distinctive design. The proposed building would be an improvement to the run-down buildings existing on site and in my opinion provide a fresh contribution to the character of the area.

Residential Amenity

30. With regards to the amenities of neighbouring local residents, the new building's proposed siting has been chosen in order to minimise its impact on the amenities of neighbouring local residents. The front section of the building would be located in line with existing houses either side of the site and would have a limited impact on their amenities in my view. To the east the new building would be located 18 metres from the side elevation of number 9 King Edward Avenue. To the west, the building would be located in line with the existing dwelling and 4 metres from the side elevation of number 11. New planting on the western elevation boundary of the site would also protect the privacy of the garden of number 11.
31. The eastern elevation of the building would, however, have a view of the rear garden of number 9, and in order to mitigate this impact, the applicant has relocated two of the car parking spaces and now showing tree planting along the eastern boundary of the site which in time, would prevent any overlooking. The car parking spaces, which remain on the eastern boundary, are located in a similar location to the existing car parking spaces on site. At the rear of the site the new building would be located over 35 metres from the nearest residential properties in Grange Road. There would be no windows in this part of the southern elevation of the building and therefore I do not consider the amenities of local residents would be affected along the southern boundary. Overall I do not consider that there would be any significant loss of privacy for neighbouring occupiers by virtue of overlooking.
32. Loss of amenity due to the introduction of a building of overbearing proportions should not be confused with the right to an uninterrupted private view, which cannot be considered as a material planning objection sufficient to warrant refusal of the application. The proximity of a dominant building could have the potential to affect neighbouring amenities if it was perceived as overbearing in appearance and presence. However, given the distances proposed and the measures proposed to reduce impact such as landscaping, I do not consider that the building would be overbearing for neighbouring residents and therefore see no overriding objection in terms of residential amenity considerations. Additional planting can be included along open boundaries of the site in order to further maintain privacy and any overlooking issues.
33. The boundaries are likely to be marked with a 1.8 metre high close boarded fence (details of which can be requested under a condition on the planning consent, should Members be minded to permit).

Parking and Access

34. The site would be accessed from an existing access off King Edward Avenue and the parking spaces would be provided off the access road. One of these spaces would be an ambulance space. The applicant has submitted an amended plan in order to address the concerns raised by the Divisional Transport Manager and Canterbury City Council. The ambulance parking space has now been provided to the right on entering the site from King Edward Avenue and the parking bays have been re-organised to Kent Vehicle

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Parking standards and also to incorporate landscaping cover on the east boundary next to 9 King Edward Avenue. This has been considered acceptable by the Divisional Transport Officer.

35. There are a number of other issues arising in relation to traffic, access and parking as a result of the proposed development. These are reflected in the letters of representation summarised in paragraph (23) above and include concerns about additional traffic and the state of the roads in the area and the impact on residential amenity.
36. I consider that the number of car parking spaces proposed to be sufficient to serve the needs of the development, without causing unacceptable additional on-street car parking. The Divisional Transport Manager has raised no objections on this issue. It is not expected that parking problems would occur as a direct result of this development. The County Council vehicle parking standards for sheltered housing require 1 space per resident warden and 1 space for 2 units. This would result in the requirement for 21 spaces. However, it should be borne in mind that the residents of extra-care housing are likely to be the very frail/elderly and car ownership levels amongst residents is usually very low. The provision of 19 spaces in total, including 4 spaces for disabled use would therefore be appropriate in this instance.
37. Concern has been raised regarding the ability for King Edward Avenue to cope with the level of construction vehicles associated with the new build. It is not envisaged that there would be significant change to traffic generation at the site and therefore the development should not have a significant effect on the existing road network. Construction traffic and the presence of HGVs would be temporary, and the area would not experience heavy vehicle traffic permanently. A condition to control construction hours can be attached to any planning consent, in order that construction traffic does not compete with peak time traffic.
38. The Divisional Transport Manager has also requested a condition for the inclusion of cycle parking on site, which I would advise could be incorporated in any consent.

Landscaping

39. The application site currently benefits from existing planting and landscaping, which forms an important amenity function both within the site and within the wider area. The proposed development would not affect the existing boundary vegetation, and further tree planting is proposed.
40. Canterbury City Council has requested the inclusion of landscape screening at the front of the site to break up views of the building, including hedging and mature trees. The applicant has stated that this can be done, but considers it not to be a feature of the existing building. It is possible that any serious tree planting and screening which breaks forward from the main front elevation would draw attention to the different nature of the building, and therefore the applicant has suggested a small number of high quality specimen trees to break up the frontage and to add interest to the street scene.
41. Jacobs Landscaping has also requested the submission of a detailed landscaping scheme that could be attached to any grant of planning permission. Details would include species and size of trees to be planted, those to be removed, a maintenance plan and specific boundary work on the east and west boundaries of the site. Given that

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the proposal includes the removal of at least 4 existing trees, the applicant has been informed of the need for a Tree Protection Plan, which has been requested prior to determination of this planning application. The Tree Protection Plan has not yet been submitted and I would therefore advise that permission be granted subject to the receipt of a satisfactory Tree Protection Plan.

42. I have no objection to the removal of the trees identified in paragraph (41) or the proposed extra tree planting provided by the applicant. I consider that detailed and thorough landscaping on site would help mitigate and visual amenity and overlooking issues which have been of particular concern for neighbouring residents of the site. I also consider that detailed landscaping would add character and attractiveness to the site and proposed building.

Archaeology

43. The application site lies between two concentrations of prehistoric and Roman activity, and whilst the County Archaeologist has not commented on the full application for the proposed care home facility, it was advised under outline planning stage that the site might harbour archaeological remains. It is acknowledged that a sizeable building already occupies the site, but it is considered that there is the potential for significant remains to survive in some parts of the site. It was therefore recommended that a condition is placed on any grant of planning permission requiring that prior to any development taking place on the site that the implementation of a programme of archaeological work is secured in accordance with a written specification and time table. I consider that the suggested condition would be an appropriate means of addressing the potential archaeological issues.

Public Rights of Way

44. A Public Right of Way (CH49) is located to the south of the application site linking the two parts of Grange Road (see attached plans). Development Plan Policies see to protect and enhance Public Rights of Way and the interests of its users. I would advise that the main impacts of the development on the Public Right of Way would appear to be from demolition and construction works and from the location of the proposed location of the building and car park.
45. In terms of the location of the building within the site, the proposed building would be at its closest point approximately 22 metres from the boundary of the site. The elevation, which would face the Public Right of Way, would be the end elevation and this would be approximately 18 metres in length. I would consider this elevation to be of sufficient distance not to affect the Public Right of way and given the proposed parking area is two-dimensional, I do not consider this to have a detrimental impact of the footpath. The boundary is also well vegetated and views to the site are minimal.
46. In terms of the effect of the demolition and construction works on the Public Right of Way, these would predominantly be from the potential for the activities to cause noise and dust. In order to minimise the potential for these impacts to occur, conditions should be imposed on any grant of planning permission. The specific conditions that should be imposed are outlined below.

Demolition and Construction

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47. It is proposed to demolish the two blocks of 3 bungalows included within, and to the south of, the development site along with the 'C' shaped existing care home building. This has the potential to have an impact particularly on the closest residential properties. In order to minimise the impact of the development on local residents during demolition and construction, especially in terms of noise and dust, a condition should limit the use of any plant, machinery and other equipment which is audible at the application site boundary to 0800 to 1800 Mondays to Fridays and 0900 to 1300 Saturdays. Conditions should also require measures to be taken to minimise dust and to ensure mud and other debris is not deposited on the public highway.

Conclusion

48. The application has to be considered in the context of the Development Plan and in relation to the location of the proposed development set against the impact of the proposal and the need for the proposal. Whilst issues have been raised relating to amongst other things the scale of the building and the potential loss of amenity and privacy from the proposed development, I consider that the location of the development on the site is acceptable. Additionally, I consider that with the use of suitable external materials and the provision of landscape screening, the impacts of the building would be minimised to an acceptable level. Furthermore I consider that there should not be an unacceptable detrimental impact from vehicle movements at the site and that the use of conditions should minimise any potential disturbance during demolition and construction. I therefore recommend accordingly.

Recommendation

49. I RECOMMEND that SUBJECT TO the submission of an acceptable Tree Protection Plan, PERMISSION BE GRANTED, SUBJECT to conditions including:

- the standard time condition,
- submission of details of materials,
- submission of a detailed landscaping scheme, including fencing details,
- provision of cycle parking,
- hours of use for construction, including use of machinery and plant,
- measures to minimise dust disturbance
- measure to ensure mud is not deposited on the highway
- programme of archaeological work
- development to be constructed strictly in accordance with approved plans.

Case officer – Helena Woodcock	01622 221063
Background documents - See section heading	

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Item B5**Integrated Highways Depot, at land adjacent to the Henwood Industrial Estate, Ashford- AS/06/1422**

A report by Head of Planning Applications Group to Planning Applications Committee on 16 January 2007.

Application submitted by Kent Highway Services for an integrated highways depot comprising offices, garaging, salt barn and storage areas with associated car parking and landscaping at land adjacent to The Henwood Industrial Estate, Ashford. (Ref:AS/06/1422)

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mrs E Tweed

Classification: Unrestricted

Site

1. The application site is located about 1.5 km east of Ashford Town Centre, south of the M20 and north of Hythe Road, with the Ashford to Canterbury railway line to the east, and Henwood Road to the west. The site is approximately 2.04 hectares in area, and comprises former playing field, raised above boundary drainage ditches to the east, south and west. To the north the site is bounded by the M20 motorway. Norton Knatchbull School playing fields, incorporating a fenced sports pitch, are located to the immediate east of the site. Land to the south is slightly lower in level, and is subject to an outline planning approval for a housing development. Buildings forming part of the Henwood Industrial Estate are located to the west. *A site location plan is attached.*

Background

2. The application site forms part of a larger area of land allocated for both employment uses and housing in the Ashford Borough Local Plan, adopted in 2000. The site was also included within a previous planning application (Ashford Borough Council Application Reference: AS/05/00786) for class B1, B2 and B8 employment uses, which has been granted outline planning permission. Planning condition 13 of the consent prevents operation of any process or machinery, and deliveries or despatches to and from the site outside the hours of 0700-1900 Mondays to Fridays and 0700-1700 on Saturdays. The applicant understands that this condition was applied to control 'nuisance development' in respect of future residential properties to the south. However, the applicant believes that the condition would be unreasonable for a highways depot, which would need to carry out gritting activities at all times during bad weather, usually at night. Therefore, the applicant proposes that the condition should not apply, providing that adequate acoustic attenuation and the maintenance of appropriate air quality can be demonstrated.

Proposal

3. The application seeks planning permission for an integrated highways depot comprising a 2 storey office block, garaging, salt barn and storage areas, along with associated car parking and landscaping. *Reduced copies of the drawings showing the illustrative site layout, floor plans and site elevations and sections are attached.*

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The application is also accompanied by a Planning Supporting Statement, Design Statement, Access Statement, Transport Assessment, Travel Plan, Air Quality Assessment and Noise Assessment.

4. The depot would be one of two principal depots in East and West Kent, the West Kent Depot being proposed at Wrotham. It is intended that the proposed Ashford Divisional Headquarters serve Ashford, Swale, Canterbury, Thanet, Dover and Shepway Districts, supported by a satellite depot at Preston, Faversham. The proposal for this, and the other highway depots, follows a decision taken by Cabinet in September 2004 to reshape the Kent Highways Service including, among other matters, the County Council taking back the functions previously delegated to the twelve District Councils under an agency agreement. The initial intention was to provide three super depots across Kent, but Cabinet resolved on the 16 October 2006 not to proceed with the acquisition and development of the site at Dover. The County Council decided upon a new strategy – to concentrate service delivery at two principal sites and to rely more heavily upon new technology, making more effective use of the satellite locations/remote working, and to promote more home working.
5. Therefore, it is now proposed to develop two Divisional Headquarters, one at Ashford and the other at Wrotham. In addition to the application site, it is proposed that another operational depot be developed in the Dover/Thanet area in the future. The purpose of the proposed development is to enable the County Council to discharge its functions as Highway Authority more efficiently and effectively, involving the co-location of maintenance, design and administrative functions. More specifically the purpose is:
 - To enable the effective maintenance of the highways network to be carried out all year round;
 - In winter, and at other times of the year as necessary, to respond swiftly to the arrival of severe weather, to keep roads open to facilitate safe and convenient travel for all road users;
 - To take full advantage of the organisational benefits to be derived from the location on a single site of a range of professional and administrative staff, along with manual workers.
6. The primary strategy of the development at the site has been to locate most of the buildings and structures along the southern boundary in an effort to minimise the visual impact of the development's operation, and reduce noise, fumes and odours for the future residential properties which have the benefit of planning permission to the south. The proposed development provides a single point of access through the adjacent Henwood Industrial Estate, and planning permission has already been obtained for the access road (from Ashford Borough Council). The road would cross over the open drainage ditch running along the western boundary, via a small bridge, and would be provided by the developer of the Heinke Building site. The application site is divided between the depot yard, located in the western half of the site, and the depot offices and associated car park located in the eastern half. This arrangement has been adopted to ensure early separation of yard and office traffic.
7. The proposed 2 storey office building would be located at the south east corner of the site, predominately aligned with the southern boundary, and in alignment with, but separate from, the covered storage buildings within the depot yard. The 'L' shaped office building would provide general open plan office space for 169 Kent Highways Services staff, PROW (Public Right of Way) staff, external contractors and suppliers, including yard and headquarters staff working for Kent's appointed road maintenance and traffic signal maintenance contractors. In addition, the building would provide surveying, road safety equipment and traffic signal equipment stores, traffic signal testing facilities, and

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welfare accommodation for 45 road maintenance contractor operatives. It is proposed that the offices would be occupied between 7.30am and 7pm.

8. The proposed office building is 17 metres wide and 68 metres in length, with a 15 metre by 15 metre section at the south eastern end. It would have a total gross floor area of 2,368 Sq.m, the gross floor area at ground level being 1,197 Sq.m. Steep roof pitches and low eaves lines combine to lower the overall height of the building to 9.175 metres, ensuring that the height and scale is more comparable with the adjacent yard buildings. Accommodation at ground floor level would be generally cellular in nature, apart from the open plan offices, reception and break out spaces at the southeastern end of the building. At first floor level the accommodation would be fully open plan on the south east and south west frontages, and at each end of the building, with cellular accommodation such as managers offices, meeting rooms, toilets and other support accommodation arranged along the northerly facades of the building. This arrangement allows for good daylight penetration and assisted natural ventilation in the majority of spaces. Fresh air and day light would be able to filter into all parts of the building via openable vents, windows, roof lights, and via wind catcher ridge ventilators. Large (1 metre deep) roof overhangs at eaves level and external slatted timber solar shading devices would reduce unwanted solar gain.
9. The external envelope of the building proposes two differing wall cladding aesthetics, each reflecting the nature of the accommodation contained within the building, its aspect and location. The south east and south west elevations, fronting onto open plan office spaces are proposed to be clad to full height in a light grey powder coated curtain walling system, in-filled with green tinted glazing and mid brown coloured horizontal cedar boarding. The remaining elevations, fronting onto cellular accommodation, would be clad in flint filled gabion walling to a height of 3 metres above ground floor level, with either curtain walling or mid brown vertical cedar boarding located above it. The roof would be clad in mid grey PVF coated standing seam aluminium, with like coloured roof light framing. The applicant advises that the appearance of the external cladding is durable and tough, appropriate to the office building's location in a highways depot environment, whilst also providing a visual interest. Similar materials and arrangement of fenestration is proposed on corresponding end and side elevations.
10. In addition to the two storey office building, the eastern half of the site would also accommodate 142 car parking spaces for office and yard staff (including 10 spaces for visitor parking and 7 disabled parking bays), together with 5 motorcycle spaces and parking for 15 cycles. The site access road, pedestrian access and the primary car parking aisles and parking spaces would be surfaced in macadam. Secondary car parking aisles and parking spaces would be surfaced with reinforced turf. Block paving is proposed at the office entrances and for outdoor working areas, with access to the office block proposed via a full height recessed glazed entrance screen with automatic doors, located to the south east of the building.
11. The depot yard, located to the west of the site would be separated from the office building and associated access and car parking by a 2.4 metre high fine mesh galvanised steel security fence, to be finished in dark green. The remaining perimeter of the site would be fenced using a more open mesh equivalent, or by means of existing fencing. Gates of a similar construction, finish and colour would be provided at the point of entry to the depot yard and car park. The gates would be of the hinged type, being held open during the working day and locked shut when the depot yard and/or car park are not in use. A personnel gate of similar construction but with swipe card controlled access would be provided between the yard and the office building. The entrance gates

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to the depot yard would be 'framed' by free standing gabion walling and structure planting to soften and enhance the visual appearance of the site entrance.

12. The depot yard would include a salt barn to store up to 4000 tonnes of salt, open and covered parking for gritting and other lorries, enclosed storage buildings, open storage areas, a weighbridge and other related areas for recycling, refuelling and vehicle washing. In addition, there would be a small office, a mess room and a toilet for yard staff.
13. The salt barn, because of the salt loading requirements and method of delivery is required to be high. Therefore, in an effort to reduce its visual impact, the structure is proposed to be sited in the northern part of the site, adjacent to the car park and access road, away from sensitive site boundaries. The rectangular shaped salt barn would be 30 metres long and 21.6 metres wide, with an overall height of 11.2 metres.
14. A covered parking areas for gritting lorries and smaller vehicles is also proposed. This structure would measure 21 metres by 14.2 metres, with a height of 6.4 metres.
15. Further covered storage buildings are proposed along the southern boundary of the yard, to house various plant and equipment. The 'L' shaped form of the buildings is intended to reflect the form of the office building, and would have a maximum roof height of 6.4 metres and a total gross floor area of 1332.8 square metres.
16. Concreted open storage areas designed to drain to interceptor tanks and filters are proposed to the east, north and west boundaries of the depot yard, and also centrally within the yard.
17. Various other structures, plant, equipment and facilities, as shown on the site layout, would also be provided.
18. Indicative details of landscaping and boundary treatment have been submitted. Existing trees within planted margins along the east, south and west boundaries would be retained, where possible, and reinforced with further planting of trees, shrubs and hedging. New native tree planting along the southern boundary, in conjunction with mounding and trellis topped fencing, is proposed to screen the office building from the residential properties that are to be constructed to the south of the site, and to provide summer shade for office staff. Native species of climbing plants are also proposed to cover the south west and south east facades of the covered storage buildings.

Reduced copies of the submitted drawings showing the site layout, elevations, and access are attached.

Planning Policy

19. The Development Plan Policies summarised below are relevant to the consideration of the application:
 - (i) The Adopted 2006 **Kent & Medway Structure Plan**:
Policy SP1 - States that the primary purpose of Kent's development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern of development.

- 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.
Development should be planned and designed to avoid, or adequately mitigate, pollution impacts. Proposals likely to have adverse implications for pollution should be the subject of a pollution impact assessment.
In assessing proposals local authorities will take into account:
(a) impact on prevailing background pollution levels; and
(b) the cumulative impacts of proposals on pollution levels; and
(c) the ability to mitigate adverse pollution impacts; and
(d) the extent and potential extremes of any impacts on air quality, water resources, biodiversity and human health.
Development which would result in, or significantly contribute to, unacceptable levels of pollution, will not be permitted.
- 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.
- Policy EN3** - Kent's landscape and wildlife (flora and fauna) habitats will be conserved and enhanced.
- Policy EN8** - Wildlife habitats and species will be protected, conserved and enhanced, especially through long term management and habitat creation schemes, particularly where they have been identified as national and county priorities in the UK and Kent Biodiversity Action Plan(s), or where they are protected under wildlife legislation. This will be secured by:
(a) ensuring that site evaluation is undertaken to establish the nature conservation value of proposed development sites
(b) identifying, safeguarding and managing existing and potential land for nature conservation as part of development proposals, particularly where a connected series of sites can be achieved
(c) local planning authorities identifying locations and proposals for habitat and species management, restoration and creation.
Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitats or species will not be permitted unless:
• there is an overriding need for the development that outweighs adverse impact on nature conservation; and
• adverse impact on an important nature conservation resource can be adequately mitigated and/or compensated.
- Policy EN9** - Seeks to maintain tree cover and the hedgerow network. Additionally, states they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats. Ancient and semi-natural woodland will be protected and, where possible, enhanced.

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Policy EP3 - Proposals for employment and business development other than (a) those already identified in adopted Local Plans or (b) at the specific locations identified in Policy EP5(b) or identified pursuant to Policy EP7, should be located in, or adjacent to, major or principal urban areas and be easily accessible by a choice of transport. Such proposals should be attractive to the market place.

Policy TP3 - States that local planning authorities should ensure that development sites are well served by public transport, walking and cycling, or will be made so as a result of the development. Travel Plans should be established for larger developments that generate significant demand for travel to promote the use of these means of transport. Developments likely to generate a large number of trips should be located where there is either a good choice of transport already available or where a good choice can be provided in a manner acceptable to the local transport authority.

Policy TP15 - States that development which generates significant increases in traffic, especially heavy goods 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 have been secured.

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

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

Policy DP1 - Requires development to be thought out in design terms in relation to scale, density, height, massing, landscape, access and detailing.

Policy DP2 - New development proposals must satisfy the following general requirements:

(a) the development must be designed in a way which respects the character and appearance of the area around it;

(b) the ability of neighbours to enjoy reasonable levels of privacy, peace and quiet, natural light, and atmosphere relatively free from dust and other pollutants must not be adversely affected;

(c) the local transport system must be capable of properly serving the development proposed taking account of its scale, nature and location and there must be safe access to the site, sufficient car and cycle parking and adequate space for safe manoeuvring.

Policy DP6 – Development proposals that generate significant levels of noise should be accompanied by a scheme to mitigate such effects, bearing in mind the character of surrounding uses, to ensure there would be no serious impact upon noise sensitive uses.

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- Policy DP7-** Wherever practical, all new development proposals should provide for the enhancement of nature conservation by maintaining and/or creating suitable habitats with locally native species and corridor planting to help sustain and promote wildlife.
- Policy GP4** -To propose development on specific sites in a way which minimises damage to the environment by respecting the character of surrounding areas, protecting important features in the landscape, heritage features and wildlife habitats and providing compensating environmental benefits where damage by development cannot be avoided.
- Policy EN30** -Development which would harm or cause adverse effects to any species protected under the Wildlife and Countryside Act 1981, will not be permitted unless there are material considerations which outweigh the harm to the conservation interest, or the harm could be overcome by conditions or planning obligations. In exceptional circumstances it may be possible for mitigating measures to be included in any particular scheme, provided that they would at least offset any harm.
- Policy EN31** -Development which is likely to significantly affect semi-natural habitats or any other important habitat will not be permitted unless measures have been taken to limit significantly this impact and long term habitat protection is provided where appropriate.
- Policy TP1** - Proposals for development must take account of the following issues and, wherever appropriate, show how these issues have been reflected in the scheme put forward:
- (a) the need to minimise the need to travel, for example, by the location together of complementary uses;
 - (b) the importance of providing access to development via a wide choice of transport modes, including public transport, cycling and walking;
 - (c) the need to design site layouts and the facilities provided in a way which encourages a variety of feasible forms of transport, promotes safety and is attractive.
- Policy TP11-** Proposals for development should provide for the parking of vehicles, in accordance with the Kent County Council Vehicle Parking Standards.
- Policy S37** - Land to the east of Henwood Industrial Estate is proposed for housing and employment development, although at least half of the site should remain as public open space. The Council will seek to secure proposals for the site that:
- (a) deal carefully with the relationship between the layout of the new development to existing residential, employment and educational uses bordering the site;
 - (b) include a variation of housing density and building type;

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- (c) protect existing important habitats wherever practical, and design the site layout to provide new habitat links providing routed for wildlife and provide for the long term management of these areas;
- (d) provide replacement playing fields;
- (e) provide pedestrian and cycle routes through the site which link to the wider network and give easy access to surrounding areas;
- (f) provide separate vehicle accesses to residential and employment development on the site;
- (g) retain the Listed Buildings in an appropriate setting.

Consultations

20. **Ashford Borough Council:** raises no objection to the proposal but makes the following comments and suggestions:

- The Travel Plan is noted and the intention for this to be monitored and periodically reviewed is appreciated. The Council would be grateful to receive updates to the Travel Plan as and when they occur;
- The energy efficiency measures incorporated into the design are welcomed;
- Suggests that enhanced landscaping around the perimeter fence to the compound should be provided to give visual softening, and defensive planting incorporated to assist in security of the compound;
- There is no specific detail in the application concerning external lighting, which has the capacity to give rise to unnecessary light spillage and adverse amenity impact to existing and planned nearby residences. The Council urges that this be dealt with in consideration of the application rather than be left to be dealt with by means of planning condition;
- The southern boundary would benefit from additional tree planting, especially to the rear of the PROW store building, in order to improve the relationship of the development with the planned new dwellings to the south. It is noted that the landscaped 'buffer zone' on this boundary is generally of a reduced depth to that envisaged with Scarborough and Benchmark Estates through the grant of outline planning permission. In that application, the Borough Council considered that a 15 metre wide heavily landscaped buffer zone should be provided. The Borough Council will leave this matter to the County Council to properly consider in the application determination process;
- Any decision made will need to adequately address the potential noise and disturbance impacts arising from uses taking place within the enclosed compound on the amenities of nearby residential occupiers;
- Policies ET3 and ET4 of the Ashford Borough Local Plan (2000) should be taken into account in the determination process. Both Policies were specifically mentioned in the reason for condition 10 of outline planning permission that seeks to restrict the quantum of floorspace related to the matters of use, transport generation and location, relative to the town centre 'employment core' identified in the Ashford Borough Local Plan.

In addition, Ashford Borough Council's Environmental Health Officer comments as follows:

- Pleased to note that the contractor will be expected to apply for a prior consent in accordance with Section 61 of the Control of Pollution Act 1974. Any application

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should assume working hours of 0800-1800 hrs (Mondays to Fridays) and 0800 to 1300 hrs (Saturdays), with no works on Sundays or Bank Holidays;

- The noise assessment should indicate what noise levels may be anticipated at the nearest residential property.
- Dust emissions during the initial construction phase will need to be controlled and works should not begin until there is an adequate mains water supply on site. The mitigation measures outlined in the air quality assessment should be embodied into a dust control condition.

The Divisional Transport Manager: requested that additional information was submitted, and that the Transport Assessment and Travel Plan be amended accordingly. Following receipt of the revised documents, he comments as follows:

“Following confirmation from the applicant, in which we are assured that ‘KHS Management endorses the Travel Plan, and are committed to implementing the measures included in it’, I have no objection to this application.

The trip rates detailed in the Transport Assessment correspond with the proposed modal splits in the Travel Plan. Therefore the success of the Travel Plan is essential for this development in order to keep trip rates at the agreed levels.

The Travel Plan should be conditioned to ensure that the proposals within it are undertaken. By conditioning this, it should be understood that all modal shift targets, initiatives, schemes, facilities, timescales and monitoring targets detailed in the Travel Plan are expected to be implemented. In addition, it should be conditioned that a Travel Plan Co-ordinator is appointed at least 6 months before the site is occupied.

The maximum parking level has been agreed, and this should be reflected in a ‘final’ plan as previously requested. Owing to this change, a condition should be imposed that the final external layout is agreed with the Highways Authority prior to commencement on site.”

Jacobs (Noise): comment as follows:

Construction Noise

“I am satisfied that noise from the proposed development can be adequately controlled by condition to restrict noisy construction work to those typically agreed, in order to reduce the impact on amenity of the closest noise sensitive receivers, (eg. Monday to Friday 7am to 7pm, and on Saturday 8am to 1pm, with no working on Sundays/Bank Holidays).

The applicant has predicted a ‘severe noise impact’ [from construction activity] at the proposed residential area to the south of the site, which is claimed to be 25 metres away. There is also mention of a ‘potential’ for an acoustic barrier to this boundary of the site. I would wish to see this provided to ensure some acoustic mitigation is provided to the proposed housing, albeit for a temporary period of time.”

Operational Noise

“I am satisfied that, subject to a condition, noise from the operational use of the depot should not cause a detriment to amenity at the closest properties. A condition should be attached that only authorises use of vehicles with smart alarms, and the not the traditional reversing alarms that can be most annoying.”

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Air Quality

“There should be no detriment to amenity through air quality emissions from the site.”

Jacobs (Landscaping): raises no objection and concludes that the site is well suited for the proposed development due to the surrounding land use as an industrial estate. The impact on existing trees and vegetation is minimal, with much of it retained as visual screening along the east and south eastern boundaries. The residual visual impact upon proposed housing to the south, the M20 to the north, existing industrial buildings to the west and open land to the east would be minimal. Proposed planting and building materials are suited to the site.

Biodiversity Projects Officer: The submitted reptile survey indicates the definite presence of protected reptiles on the site, and therefore a legal requirement to make all reasonable precautions to avoid harm to these species. The Reptile Mitigation Strategy should identify a receptor site prior to determining the planning application. However, it is considered that in this instance, with the use of appropriate conditions, the written commitment of the applicant, and the integrity of the appointed ecologist, that it is a pragmatic solution which can be supported, given the right controls. Conditions covering the following are suggested:

- that the on-site mitigation work (exclusion, containment) will be carried out as per the method statement;
- that reptile capture cannot commence until a suitable receptor site has been agreed;
- that the identification of a suitable receptor site will be carried out as per the Method Statement with a mechanism to ensure its protection into the "foreseeable future", with enhancement, translocation and monitoring plans submitted for approval;
- that the landscaping proposals are developed in line with the Method Statement proposals, with reptiles in mind to enable recolonisation from surrounding habitat.

In addition, no disturbance to birds should be carried out during the nesting season (March to August). Mitigation measures should be included in the development plans and implemented during construction in order to protect breeding birds that may use vegetation that would be removed.

The landscaping proposed appears to suggest non-native planting in some areas. The choice of native species available is more than adequate for the proposals and indigenous species, with their associated biodiversity gains should be used for all planting.

The Environment Agency: raises no objection to the proposal subject to the imposition of conditions regarding the disposal of foul and surface waters and land contamination.

County Archaeologist: requests that a condition requiring the implementation of an archaeological watching brief be added to any subsequent planning permission.

Representations were also received from:

Mid Kent Water: raises concerns related to the proposed salt barn and the potential risk of contamination to the Groundwater Source at Henwood. Mid Kent Water has a

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duty to ensure it maintains safe drinking water supplies, and that these remain protected from any potential contamination. The data received so far has not been sufficient for the Company to conclude whether there would be risks to water supplies and how this would be mitigated, and therefore maintains an objection to the proposal.

Local Member

21. The local County Member, Mrs E Tweed, was notified of the application on the 2 August 2006.

Publicity

22. The application was publicised by advertisement in a local newspaper, the posting of two site notices, and the individual notification of 8 nearby properties and the housing developer Jones Homes.

Representations

23. At the time of compiling this report, 1 letter of representation had been received. This letter is from Jones Homes, the housing developer which has planning permission to build housing on land immediately to the south of the application site. A copy of the letter is appended to this report.

Discussion

24. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (19) 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 impact upon protected species and their habitats, residential and local amenity, massing and design and impacts upon the local highway network.

Principle of the Development

25. As indicated above, the application site forms part of a larger area of land allocated in the Ashford Borough Local Plan for housing as well as employment uses. Planning permission was granted in November 2005, in outline, for new development to provide Class B1 (business) a, b and c, Class B2 (general industry) and Class B8 (storage and distribution) uses, with associated external works, new access road and junction, and cycleway. The application site covers part of the area allocated for employment. The indicative layout plan for the outline application included a 15 metre buffer zone at the southern boundary of the site, to separate employment and residential development. Condition 13 of the outline permission limits the hours of use for development at the site, as detailed in paragraph 2 above. Although this application proposes development which is considered *sui generis* (ie. a unique use), it is recognised that the purpose of condition 13 is material to the consideration of this application. This application however seeks a 24 hour operation, albeit only in cases of emergency, including the requirement to grit roads in the winter when necessary. Therefore, the impact upon amenity, with regard to the housing to be built to the south of the site, needs to be considered.

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26. The neighbouring housing developer has suggested that the site is not the best location for such an intensive and environmentally disturbing use. It is suggested that the County Council should undertake a more thorough and detailed search for a better located site as it appears that this site has been selected as a compromise solution, and is not wholly acceptable in environmental, access and locational terms. The highway and ecological implications of this proposal are discussed later in this report, as are possible impacts upon adjacent residential development.
27. This application seeks to provide one of two new divisional highway depots/offices in Kent, following a reorganisation in the delivery of highway services. Contrary to the assertions, there has been a thorough and detailed site search with 50 potential sites for the principal depots initially identified. All of those sites were tested for suitability in relation to their proximity to the strategic road network, their adequacy of size, their accessibility for the workforce and others, and their proximity to satellite depots. Out of that initial search, 8 sites made up the initial shortlist for the Mid Kent Division (7 in Ashford and 1 in Aylesford). In strategic terms, Ashford was considered the most appropriate location for the Mid Kent depot, but none of the 7 Ashford sites could ultimately be pursued. Three were found to have overriding constraints which precluded them from further consideration, and the remaining 4 proved unavailable for acquisition. The final choice of the Henwood site followed this initial extensive search, and reflects its subsequent availability as well as the fact that it also meets the locational requirements of the initial site search.
28. Following the decision taken by Cabinet in October 2006 not to proceed with the acquisition and development of the site at Dover, and to concentrate service delivery to 2 principal sites, the site selection process was reviewed and an addendum to the Planning Supporting Statement submitted. The present situation for the newly defined East Kent division is more complex than for the proposed Wrotham Divisional Headquarters which would serve the newly defined West Kent division. The territory covered by Wrotham simply expanded to take in Maidstone and Tunbridge Wells Districts in addition to the original 4. In the case of Ashford, the new territory is substantially different, involving the removal of the 2 districts (Maidstone and Tunbridge Wells) which now form part of West Kent, and the addition of all 4 districts which formed East Kent as originally constituted. Thus the review of the site selection process takes into account the 13 sites originally considered in Ashford and Swale districts, and the 22 sites in the 4 easternmost districts in the County originally considered to serve East Kent as then defined.
29. Seven of these sites were eliminated on the grounds that they were too small. They would therefore also be unsuitable in the present context. 18 sites in all 6 Districts were taken forward for further consideration at the next stage. To have been carried forward to the second stage for consideration, sites had to be large enough and to have adequate connections involving easy access to an A road or other road on the strategic network. It does not however necessarily mean that the point at which access is gained to that network is well located in relation to the area the depot needs to cover. The strategic location of these sites was therefore reconsidered.

The following sites (running clockwise from the north) had a near-coastal location:

- Waterbrook Park, Graveney, near Faversham
- Eddington Business Park, Herne Bay
- Blacksole Farm, near Herne Bay
- Richborough, near Sandwich (two sites)
- Sheerway Business Park, near Folkestone

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- Link Park, Lympne

The following sites (again running clockwise from the north) are located further inland:

- Staines Hill, Sturry
- Lakesview Industrial Estate, Hersden
- Manston Business Park, near Ramsgate
- Lydden Field, near Dover
- Hawkinge Airfield, near Folkestone
- Westenhanger

The near-coastal sites are by definition located near the edge of the East Kent division as now defined, and although well placed to provide winter service and maintenance in the vicinity, are remote from much of the rest of the territory to be covered. Even the sites located a little further inland are situated either too far north or too far south, and none is well located to serve the area to the south-west of Ashford, with the possible exception of the sites at Lympne and Westenhanger, or the western parts. In any event, the consideration of a suitable location in this instance must take into account the proposal to develop the existing depot at Preston, Faversham, as a satellite depot with a salt barn, and the intention to compensate for the Dover site by finding another site for an operational depot in the Dover/Thanet area. It is concluded that none of these sites, considered as candidates for the East Kent division as originally defined, is suitably located to serve the East Kent division as now defined.

30. Three sites were shortlisted for East Kent as originally defined: the White Cliffs Business Park (planning application withdrawn), Highland Court Farm, Bridge, near Canterbury (site sold and therefore no longer available) and the McClaren site at Lydden. As a strategic location, the last named would have the same drawbacks as the Lydden Fields site discussed above. All these factors focussed attention again on Ashford as the optimum strategic location, and given the location of all other potential sites, and the lack of availability of alternatives in Ashford itself, it is concluded that the site at Henwood, Ashford, is the most suitable location for a Divisional Headquarters to serve East Kent as now defined.

Siting and Design

31. The primary concern with regards to the proposed site layout and design is the impact that the development could have on adjacent land to the south, which has planning permission for residential development. Policy QL1 of the Kent and Medway Structure Plan, and Policies DP1 and DP2 of the Ashford Borough Local Plan require developments to respond positively to the scale, layout, pattern and character of their local surroundings. Development must be designed in a way which does not detrimentally impact upon the ability of neighbours to enjoy reasonable levels of privacy, peace and quiet, natural light, and an atmosphere relatively free from dust and other pollutants.
32. In respect of the permitted housing development located to the south of the site, 7 out of the 25 dwellings are to be sited close to the boundary, and it is the impact upon these properties that needs to be addressed. The primary strategy for the layout of the application site is to locate the majority of buildings and structures along the southern boundary. This would reduce the impact of the development's operation, in terms of noise, fumes and odours. However, although the buildings and structures would screen these site operation impacts from residential properties, the impact of the buildings themselves needs to be considered and addressed in terms of overlooking, levels of privacy and loss of light. The issues of noise and dust, and their impact upon residential amenity, is discussed later in this report.

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33. A buffer zone between the proposed development and the southern boundary of the site has been included within this proposal in an effort to screen the proposal from neighbouring residential properties. The southern site boundary would be delineated by a 2.4 metre high fence, topped with 0.7 metre high trellis, giving a total height of 3.1 metres. Between the boundary fencing and the proposed buildings a bund, up to 1 metre above natural ground level, would be created. Native shrubs and trees would be retained, with gaps infilled with new planting of the same species. Adjacent to the boundary fencing, new shrub planting is proposed, with a high proportion of evergreens, at a planting height of 1.2 metres and a density of 1 plant per metre. Beyond this, towards the top of the bund, it is proposed to plant evergreen oaks at 3.5 metres in height, and at 5 metre spacing. Low level shrub planting would then separate the tree planting and a pedestrian footpath, which is proposed to the rear of the buildings. The width of the buffer zone would be 11 metres at the widest point and 7 metres at the narrowest point, which although narrower than the 15 metres specified in the current outline consent, is considered acceptable given the location of noise generating activities further to the north than otherwise might have been the case with general industrial warehousing development on this site.
34. Jacobs Landscaping advises that the proposed design takes into account the future development of the land to the south, and that visual impacts are reduced through the retention of existing shrubs and trees to the southern elevation. The visual buffer that this would provide would be enhanced and strengthened through proposals for new native shrub planting, and a belt of trees. Jacobs Landscaping states that the residual visual impact to the housing to the south of the site would be minimal. Therefore, I consider that the buffer zone and its associated fencing, bunding and planting are appropriate to the context of the site, and would provide adequate screening between the proposed development and housing to the south. However, concerns regarding overlooking and loss of light remain and are considered below.
35. The main office building, and an area of covered storage, are proposed to run parallel to the southern boundary of the site. As explained above, the intention is that the buildings would screen neighbouring properties from noise and activity within the depot itself. The 2 storey office building is proposed to the eastern end of the southern boundary and would face the rear elevations of 4 properties. The height of the office block has been kept as low as possible (9.175 metres) by designing the building with steep roof pitches and low eaves lines. The low eaves height, compared with internal floor level, and the proposed use of high level windows, has the effect of reducing the angle of view from within the proposed office building towards residential properties. Drawing no. B0147000/A/002 Rev P6 shows sections through the site, and plots the proposed office buildings and a rear elevation of the permitted housing. Sight lines from the office windows have been plotted, and the applicant has accurately demonstrated that once boundary fencing, bunding and planting is *in situ* direct views into neighbouring properties would not be possible. In addition, the distance between the rear elevation of properties and the proposed office block would be over 21 metres, a distance considered acceptable for window to window distances within the Kent Design Guide. The design of the office block has taken into consideration the amenity of the properties to be constructed to the south of the site. All practicable methods have been adopted to reduce and mitigate overlooking from the office block. In addition, the distance between the office block and the housing is deemed to be acceptable in terms of window to window distances, indicating that loss of light is not a cause of concern in this instance.
36. In addition to the 2 storey office building, covered storage is proposed to the western end of the southern boundary, which would face the side elevations of two properties.

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The covered storage area would have a maximum roof height of 6.4 metres, but would be a mono-pitch roof in nature, increasing in height as one moves away from the boundary. The rear elevation would be clad in timber and climbing plants would be utilised to cover the timber, softening the appearance of the building. The closest property would be within 12 metres from the covered storage, although the storage building would not contain any windows and therefore overlooking is not a cause of concern here. The side elevations of the properties would run parallel to the storage building, resulting in front and rear facing aspects being unaffected by the proposed development. The Kent Design Guide advises that 11 metres is an acceptable distance between window and walls, and this proposal therefore is in excess of this guidance. Therefore, I do not consider that the proposed office block, or covered storage area, would have a significantly detrimental impact upon the residential amenity of neighbouring properties in terms of privacy, overlooking and loss of light.

37. I consider that the remainder of the site layout is appropriate in terms of scale, massing and design. The salt barn, the tallest element of the proposed depot, is located as far away from the southern boundary as is practicably possible. Conflicting uses on site are adequately separated and the layout would facilitate effective working on site. The design of the proposed buildings, whilst industrial in nature, has incorporated the use of materials and finishes which would soften and reduce the visual impact of the development. Jacobs Landscaping consider that the size and design of the proposed buildings, and the materials to be used, are suitable in terms of adding to the existing built fabric of the surrounding industrial estate. Therefore, I consider that the design and siting of the development is appropriate to the context of the site, and that the applicant has adequately considered and addressed the impact upon housing to the south.

Residential Amenity

38. In addition to the siting and design of the proposed buildings within the depot, which I consider to be acceptable, the use of the depot, at times over 24 hour periods, would generate noise and disturbance. Air Quality and Noise Assessments have been submitted to enable an accurate assessment of the impacts of the use of the depot to be made.
38. Jacobs advise that, subject to the imposition of conditions and the provision of a 2 metre high noise barrier, to be erected to the southern boundary of the site prior to the commencement of construction works, noise should not have a detrimental effect on the amenity of the closest properties to the depot. Hours of construction works could also be limited under planning condition, and I would concur with those suggested by Ashford Borough Council in this regard (0800 to 1800 hrs (Mondays to Fridays) and 0800 to 1300 hrs (Saturdays), with no works on Sundays or Bank Holidays). In addition, Jacobs are satisfied that there should be no detriment to amenity through air quality emissions at the site. Design and siting within the depot has been carefully considered and thought through, resulting in the main office building and covered storage area screening the depot from neighbouring properties. The impacts of noise and dust have been mitigated against and are considered to be acceptable, whilst at the same time the design of the buildings is such that privacy and light levels are maintained.
39. The applicant has requested that planning condition 13 of the previous outline consent at the site, which limited the hours of use, should not apply to this proposal. The applicant advises that the use of the dept at night would be infrequent, occurring only during severe weather conditions, and that the salt barn would be some 90 metres from the nearest property. Calculations of noise generated by the operation of the salt barn predict noise levels of 38dB $L_{Aeq, 1 \text{ hour}}$ at the nearest properties. The World Health

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Organisation (WHO) recommends, in their publication Guidelines for Community Noise, a noise level outside a bedroom window of no more than 45 dB $L_{Aeq, 8 \text{ hours}}$ or 60 dB L_{Amax} in order to minimise sleep disturbance with a window open. Simplistically, a partially open window provides between 10 and 15 dB(A) attenuation. WHO considers that when referring to an internal noise level 'night time' noise levels should not exceed 30 dB $L_{Aeq, 8 \text{ hour}}$, if negative effects on sleeping are to be avoided. The noise assessment predicts that during the extreme weather episodes that require the deployment of gritters, the residents of the properties in the vicinity of the depot would ordinarily have their thermally, double glazed windows closed. Therefore, with an external noise level predicted to be 38dB L_{Aeq} , the night-time noise from the gritters using the depot would not give rise to sleep disturbance. Jacobs Noise are of the opinion that noise should not have a detrimental effect on the amenity of the closest properties to the depot, and air quality should not be affected. Therefore, I consider that 24-hour operation of the depot, which would be infrequent, would be acceptable. Subject to the imposition of conditions, I am of the opinion that this proposal would not have a significantly detrimental impact on the amenity of residential properties to be constructed to the south of the site.

Drainage/Protection of Water Resources

40. The Environment Agency raises no objection to this proposal, subject to the imposition of conditions. In particular, the Agency would require a scheme for the disposal of foul and surface waters to be submitted for approval, prior to the commencement of development on site, and are satisfied that this can be dealt with under planning condition. However, Mid Kent Water is of the opinion that insufficient detail has been provided with regard to the new drainage systems, and are concerned about potential contamination of groundwater. Although the applicant has stated that 'new drainage systems will be provided to ensure that run off that has salt content is directed to the new foul water sewer', Mid Kent Water would like to see the design, volumes of water being considered, the route and the point of discharge for the proposed drainage system before they can comment fully. Members will note the Company's holding objection in this regard, but Mid Kent Water is only accountable for the supply of water and is not responsible for the protection of groundwater quality, which is the proper responsibility of the Environment Agency. Full drainage details, including appropriate contaminant interceptors, would normally be reserved by planning condition and subject to further approval if consent was to be given. Under the circumstances, I do not consider that the additional information requested by Mid Kent Water should delay consideration of the planning application.

Highways Issues

41. Following amendments to the Transport Assessment and Travel Plan submitted with this application, Kent Highways have confirmed that these documents are now acceptable. The application originally proposed a total of 182 car parking spaces, but following negotiations with Kent Highways, the applicant has reduced the number of parking spaces proposed to 125 staff spaces, 10 visitor spaces, 7 disabled spaces, 6 motorcycle spaces and 15 cycle spaces. This number of spaces is now considered by Kent Highways to be the maximum required for the land uses proposed.
42. However, the Travel Plan states that there would be 285 staff using the site, 164 of which would be based in the office 5 days a week with the remaining 121 based at home with a weekly team meeting on site. It is imperative that this arrangement is enforced, as local residents must not be affected by staff parking on the local highway network. Trip rates which have been 'agreed' in the submitted Transport Assessment and Travel Plan would also be incorrect if more staff than predicted used the site on a

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daily basis. Therefore, the success of the Travel Plan is essential for this development in order to keep trip rates at the agreed levels. The Director of Kent Highways Services has confirmed that they endorse the Travel Plan, and are committed to implementing the measures included within it. Should Members be minded to permit, a condition should be added to the decision to ensure that all modal shift targets, initiatives, schemes, facilities, timescales and monitoring targets detailed in the Travel Plan are implemented.

43. The reduction in the number of car parking spaces proposed has resulted in a reduction in the area of the site allocated for car parking. This has freed up an area of the site that could be used for a number of purposes, including additional planting and landscaping. Alternatively, the newly available space could facilitate a minor alteration to the site layout, which was restricted at the time that the application was submitted. An amended site plan is awaited, and should Members be minded to permit, the granting of planning permission would be subject to the receipt and approval of this amended site plan.

Ecology Issues

44. An ecological scoping survey was submitted with this application and confirmed the presence of good to exceptional populations of the viviparous lizard and slow-worm within the application site. The site at Henwood supports individual reptiles that form part of a larger population that also occupies adjacent land areas. This population is considered to be of County wide importance. Proposed development work is likely to result in direct disturbance to individual reptiles, the loss of approximately 0.4 hectares of good quality reptile habitat would contribute to the fragmentation of an important reptile population. Therefore the ecological scoping survey concluded that the preparation of a Method Statement, to detail proposed reptile mitigation, was required.
45. The Method Statement details the mitigation and compensation proposed including habitat enhancement work, isolation of land within the development site using reptile fencing, and relocation of captured animals. Reptile capture work would only commence after the identification and preparation of a suitable receptor site. The Method Statement reiterates Kent County Council's commitment to identifying land that would not be subject to development activities for the foreseeable future that could be used for relocating reptile captures within the proposed development site. A suitable receptor site is not identified within the Method Statement, but it is stated that the future identification of land for use as a receptor site would be assessed for suitability. A suitable planning condition could require the provision and management of a receptor site prior to the removal of the affected reptile population. Habitat management would also be required under planning condition. The views of Natural England are awaited on this application and will be reported at the Committee Meeting.
46. In addition to the protected species issues discussed above, no disturbance to birds should be carried out during the nesting season (March to August). This could also be subject to a planning condition. In addition, a detailed landscaping scheme would be required under planning condition which, amongst other matters, should identify existing trees to be removed, existing trees and planting to be retained, the provision of new trees, shrubs and planting and a programme of maintenance. The initial landscaping proposed appears to suggest non-native planting in some areas, however it would be preferable to use indigenous species, with their associated benefits for biodiversity. Although this proposal has the potential to have a detrimental impact upon protected species, I consider that, subject to the imposition of conditions (as discussed above), any adverse impacts could be effectively mitigated against.

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Conclusion

47. In summary, I consider that there is no overriding planning policy objection to the proposal. I consider that the siting and design of the proposed buildings has been carefully considered to reduce the impact of the depot, and its associated activities, upon the housing to be built to the south of the site. The applicant has successfully demonstrated that the Highway Depot would not have a significantly detrimental effect on the amenity of local residents, or the local highway network. I consider that there are special circumstances to justify the proposed development on a site which is home to a population of protected species. I therefore conclude that, subject to the satisfactory resolution of the outstanding issues on contamination of ground water, revised site layout and any views from Natural England, and the imposition of conditions, 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

48. SUBJECT TO any further views received by the Committee Meeting, a revised site layout to take account of the reduction in car parking provision and any comments from Natural England received by the Committee Meeting date, 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;
- external materials to be submitted for approval;
- external lighting details to be submitted for approval;
- a detailed scheme of landscaping, its implementation and maintenance, to be developed in line with the Method Statement proposals;
- tree protection and a methodology for working in close proximity to trees;
- provision of a 2 metre high noise barrier to the southern boundary;
- details of a scheme for the disposal of foul and surface waters;
- implementation of an archaeological watching brief;
- implementation and ongoing review of the Travel Plan;
- use of smart alarms;
- provision and safeguarding of parking and vehicular access routes within the site;
- location of and construction of contractors site compound and provision of vehicle parking;
- on site mitigation work to be carried out in accordance with the submitted Method Statement;
- reptile capture to not commence until a suitable receptor site is found;
- Identification of a suitable receptor site and its long term protection;
- enhancement, translocation and monitoring plans for the receptor site;
- protection of nesting birds;
- hours of working during construction;
- measures to prevent mud and debris being taken onto the public highway;

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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Item B6**New Art and Drama Block, Sports Centre and new exit onto Pembury Road, Weald of Kent Grammar School for Girls, Tudeley Lane, Tonbridge - TM/06/2488**

A report by Head of Planning Applications Group to Planning Applications Committee on 16 January 2007.

Application by the Governors of Weald of Kent Grammar School for Girls and Kent County Council Children, Families and Education for construction of new Art and Drama Block and Sports Centre, introduction of a one-way traffic management system with new exit and slip road onto Pembury Road and refurbishment of the existing reception (collectively Phase 2), Weald of Kent Grammar School for Girls, Tudeley Lane, Tonbridge – TM/06/2488

Recommendation: The application be referred to the Secretary of State and that subject to her decision, and receipt of details of tree protection measures and a satisfactory landscaping scheme, permission be granted subject to conditions.

Local Members: Dr T R Robinson and Mr G A Horne MBE **Classification:** Unrestricted

The Site

1. Weald of Kent Grammar School for Girls is located on the south east edge of the built up area of Tonbridge. It is bordered by Tudeley Lane to the north, Pembury Road to the west/south west and Woodgate Way to the south east. There are residential properties to the north side of Tudeley Lane and to the west/south west side of Pembury Road where there is also a Public House. The school site is within the Metropolitan Green Belt together with the adjacent highways. The Woodgate Way boundary of the school to the south east adjoins the High Weald Area of Outstanding Natural Beauty and Special Landscape Area, and an Area of Local Landscape Importance that covers the area of Somerhill Park, a historic park with a Grade 1 Listed Building. *A site location plan is attached.*
2. The school buildings adjoin the built up area of Tonbridge occupying a triangular area on a plateau of land above the playing fields to the east. Apart from the floodlit netball/tennis courts on the south side to the south east of the buildings and a new 37-space car park off Tudeley Lane to the east side of the bus lay-by the playing fields remain undeveloped. The main school buildings, which are up to 3 storeys in height, were built in the 1960's but in the last 10 – 16 years there have been a number of extensions, detached buildings and temporary buildings added to provide for an incremental increase in the roll and changing curriculum needs. The most recent additions are a detached kitchen and dining hall building granted permission in October 2002 and a three-storey classroom block granted permission in July 2005 together with the new car park, considered by the Planning Applications Committee in June 2005.

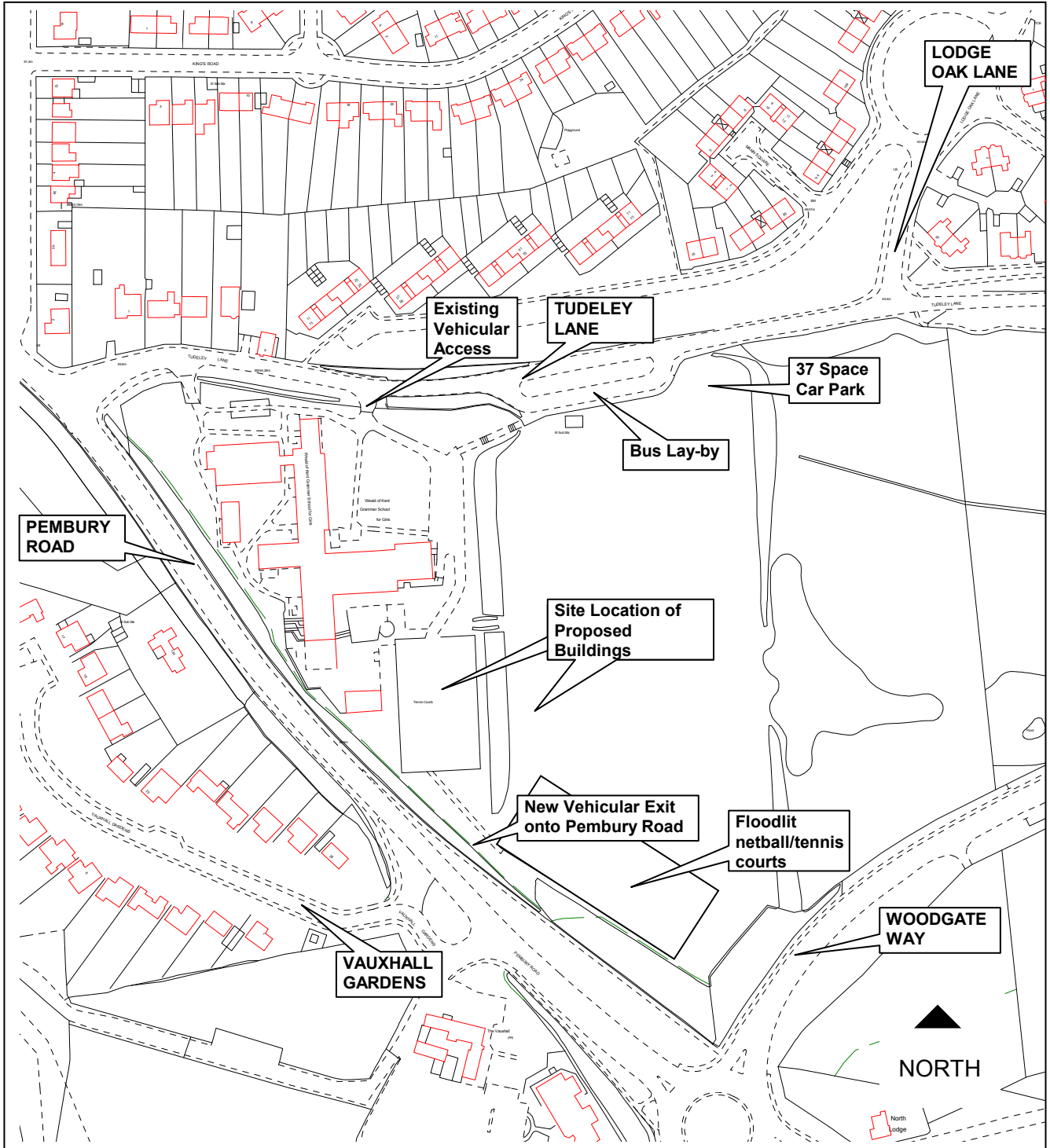
Proposal

3. Planning permission is sought for four phases of development as set out below, which in the case of the two later phases the applicants have indicated are subject to funding being secured. The applicants have stated that the School would continue to be a girls' school of around 1200 pupils and that it is not intended to increase the number of pupils as a result of the proposed development. The application is accompanied by a Design Statement, Landscape Appraisal, a Protected Species Assessment and a School Travel Plan.

Item B6

New Art and Drama Block, Sports Centre and new exit onto Pembury Road, Weald of Kent Grammar School for Girls, Tudeley Lane, Tonbridge - TM/06/2488

Site Location Plan



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New Art and Drama Block, Sports Centre and new exit onto Pembury Road, Weald of Kent Grammar School for Girls, Tudeley Lane, Tonbridge - TM/06/2488

Drawings showing the proposed site layout, exit road, elevations and site sections are attached.

Phase 2a. Refurbishment of the School main reception.

4. Permission is sought retrospectively for this element of the proposal. It has involved increasing the size of the reception area by removing the external front entrance doors and screen, which was set back, and erecting a new white UPVC glazed screen within the line of existing columns to the front of the building with a lean-to roof.

Phase 2b(i) Art and drama block.

5. A two storey building is proposed linked to the recently completed three storey (English and Humanities) classroom block to the north and to the dining hall to the west. This area is currently a hard standing providing 22 parking spaces. On the south side of this, an existing single storey prefabricated modular building (the maths mobile unit) providing five classrooms (the subject of a temporary permission that expired at the end of 2005) would be removed upon completion on the new building. Its removal would free up hard standing, which would provide parking space for 32 vehicles and allow for delivery vehicles to access the new kitchen service yard.
6. It is proposed that the design and appearance of the new building would complement the adjoining classroom block and dining hall. It would have yellow stock brick elevations relieved with a mix of brown brickwork and white cladding panels and a shallow pitched roof finished with slate grey, concrete roof tiles. Windows would be white UPVC and the gable screen and entrance doors would be aluminium powder coated to match the window colour.

Phase 2b(ii) Implementation of a one way traffic management system and creation of a new exit and slip road onto Pembury Road.

7. It is proposed to introduce a one way traffic management system from the existing vehicular access from Tudeley Lane routed through the car park area at the front and along the eastern side of the buildings to a new exit and slip road onto Pembury Road. Some trees would need to be removed to make this possible, together with earthworks and re-routing of the existing footway along Pembury Road to accommodate level changes. The applicants indicate that this proposal has partly arisen in preparing the School Travel Plan. It is intended to reduce congestion on Tudeley Lane and the Pembury Road, increase pedestrian safety, both on the school campus and its adjacent highways, segregate pedestrian routes from those used by motorists within the school site and create a dedicated delivery area away from pedestrian routes. The proposals would increase the number of car parking spaces available on site and create a drop off/pick up zone, promoting student safety and reducing congestion on adjacent roads.

Phase 2c Sports centre

8. The proposed sports centre would be located opposite the proposed art and drama block on the edge of the playing field. It would include two-storey accommodation on the western side and double height space for the sports hall on the eastern side accommodating badminton courts (suitable for national standard play) and a basket ball court together with storage space.

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9. The building would also contain other accommodation, including medical room, staff offices, changing rooms, a PE classroom and dance studio, viewing gallery and servery. It is the School's intention to hire the facilities out to outside groups and non-school users when not required for school use.
10. The building would have yellow stock facing brickwork to match adjacent buildings, low level plinth and banding constructed with brown facing brickwork, projecting first floor, and high level cladding and gable ends clad with powder coated insulated composite panels. The roof would be of powder coated insulated composite panels, and doors and windows powder coated aluminium.
11. Construction of the building would result in the loss of several mature trees along the top of the existing embankment as well as those lost as a result of the new exit. To compensate for the loss of these, additional trees are proposed to be planted around the new exit and on the embankment between the upper and lower sports fields to the east of the existing tennis courts. It is also proposed that a management plan would be established to provide for the trees to be maintained.

Construction Access

12. Due to congestion and safety issues raised by contractors accessing the site through the existing School, it is proposed that if the exit road for the one way traffic management system is approved, this would be used temporarily to access the construction site as a two way road. That would only be for the duration of the construction period. On completion of the building works it would be reinstated as a one way road, exiting onto the Pembury Road.

Planning Policy

13. In ODPM Circular (11/2005), the Government's commitment to the principles of the Green Belt and to maintaining tight planning controls over development on Green Belt land has been reaffirmed. It is expected that all planning applications for development in the Green Belt be subject to the most rigorous scrutiny, having regard to the fundamental aim of Green Belt policy as set out in Planning Policy Guidance note 2. That is to prevent urban sprawl by keeping land permanently open. The openness of Green Belts is considered to be their most important attribute and therefore there is a general presumption against inappropriate development, which is by definition harmful and should not be permitted, unless it can be justified by very special circumstances.
14. The Development Plan Policies summarised below are relevant to consideration of the application:
 - (i) The adopted 2006 **Kent & Medway Structure Plan**:
 - Policy SP1 States that 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.
 - 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.

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Development should be planned and designed to avoid, or adequately mitigate, pollution impacts. Proposals likely to have adverse implications for pollution should be the subject of a pollution impact assessment.

In assessing proposals local authorities will take into account:

- (a) impact on prevailing background pollution levels; and
- (b) the cumulative impacts of proposals on pollution levels; and
- (c) the ability to mitigate adverse pollution impacts; and
- (d) the extent and potential extremes of any impacts on air quality, water resources, biodiversity and human health.

Development which would result in, or significantly contribute to, unacceptable levels of pollution, will not be permitted.

Policy QL1 Requires that 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 Existing community services (*including schools and other education provision*) and recreation facilities will be protected as long as there is a demonstrable need for them. 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 Seeks protection for Kent Downs and High Weald Areas of Outstanding Natural Beauty. The primary objective will be to protect, conserve and enhance landscape character and natural beauty. Major commercial development will not be permitted unless there is a proven national interest, and a lack of alternative sites.

Major commercial, mineral or transport infrastructure developments will not be permitted unless it can be demonstrated that:

- (a) there is a proven national interest;
- (b) there are no alternative sites available or the need cannot be met in any other way; and
- (c) appropriate provision can be made to minimise harm to the environment.

Other development which would be detrimental to the natural beauty, quality and character of the landscape and quiet enjoyment of the area will not be permitted.

Development that is essential to meet local social or economic needs should be permitted provided that it is consistent with the purpose of Areas of Outstanding Natural Beauty.

Policy EN5 Seeks protection, conservation and enhancement of the quality of the landscape in Special Landscape Areas whilst having regard to the need to facilitate the social and economic well-being of the communities situated within them.

Policy E9 Seeks to maintain tree cover and the hedgerow network. Additionally, states they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats. Ancient

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and semi-natural woodland will be protected and, where possible, enhanced.

- Policy SS2 Sets out a general presumption against inappropriate development within the Green Belt. Further states that new building should accord with the provisions of PPG2 and Annex B of PPG3.
- Policy TP3 States that local planning authorities should ensure that development sites are well served by public transport, walking and cycling, or will be made so as a result of the development. Travel Plans should be established for larger developments that generate significant demand for travel to promote the use of these means of transport. Developments likely to generate a large number of trips should be located where there is either a good choice of transport already available or where a good choice can be provided in a manner acceptable to the local transport authority.
- Policy TP12 States that development will not be permitted which involves either the construction of a new access onto the local transport authorities' primary or secondary road network or the increased use of an existing access, where a significantly increased risk of crashes or traffic delays would result, unless appropriate measures to mitigate the effect of development have been secured.
- Policy TP19 States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council.

(ii) The adopted 1998 **Tonbridge and Malling Borough Local Plan**:

- Policy P2/16 Long-term protection will be given to the Green Belt. Development outside the built up confines will not be permitted unless acceptable under the terms of other policies of the Plan, or otherwise exceptionally justified.
- Policy P3/5 Gives priority to the conservation and enhancement of the natural beauty of Areas of Outstanding Natural Beauty including landscape, wildlife and geological features, over other planning considerations.
- Policy P3/6 Gives priority to the conservation and enhancement of the natural beauty of Special Landscape Areas.
- Policy P3/7 Within Areas of Local Landscape Importance (in this case Somerhill Park) development which would materially harm the landscape character will not be permitted.
- Policy P4/11 Development must not harm the particular character and quality of the local environment, and wherever possible should make a positive contribution towards the enhancement of the area. The Policy also sets out a list of criteria to be met that include built form and its relationship to site context, development being of a high quality in terms of design, detailing and use of materials, regard to principles contained in Kent Design, regard to good practice relating to daylight and sunlight, security issues, and the need to for landscaping proposals and amenity areas as appropriate.
- Policy P7/18 Provision for parking.

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Consultations

15. **Tonbridge and Malling Borough Council** raises no objection subject to a technical and safety audit which would ensure traffic maintains appropriate speeds at the pedestrian crossing points and where the exit merges with the public highway.

Has further commented on the proposed new exit onto Pembury Road, as follows:

1. It would be appropriate to position Traffic Regulation Orders along Pembury Road to ensure there is no unsuitable parking at school drop-off and pick-up times.
2. The use of speed cushions within the one way system may not be sufficient to reduce vehicular traffic speeds. Consideration should be given to provide a raised pedestrian crossing on the egress road.
3. Consideration should be given to the possibility of extending the 30mph speed limit in Pembury Road.

Divisional Transportation Manager has commented as follows:

“The application seeks to deal with both the existing traffic congestion that occurs in Tudley Lane at school drop off and pick up time, as well as the potential additional traffic associated with the development proposals.

This proposal introduces a one way system that permits vehicles to in effect 'kiss-n-ride' with traffic entering the site via Tudley lane and egressing onto Pembury Road. This will reduce the resulting congestion experienced at present on the highway network in the immediate area and improve highway safety for residents and school children.

Earlier submissions raised issues that following a site meeting with the applicants' agent have been addressed. The gradient of the egress route has been reduced, gates introduced to prevent unacceptable reversing manoeuvres, anti pedestrian paving to deter pedestrian use included, along with other modifications to deal with the safe use of the egress.

The alignment now shown on drg.6746.AL(90)02 Rev B will require a Stage Two safety audit but has addressed former concerns related to vehicle approach speeds, sight lines, and includes additional work to deter right turns from the egress onto Pembury Road.

Whilst Pembury Road in this location is designated as a Primary Distributor road and would normally attract a policy objection to the formation of a new access I am satisfied that the resulting reduction of traffic at the Lodge Oak Lane balances the highway impact.

Further recommendations should this application be approved would be that the applicant is to discuss and potentially fund extensions of Traffic Regulation Orders related to extending parking restrictions and the relocation of the 30mph speed limit nearer to the round-about.

Therefore subject to the imposition of conditions for the proposals to be built as shown on the submitted drawings (including the stage two safety audit modifications if required) and the funding of alterations to Traffic Regulation Orders as mentioned above I raise no objections.”

Sport England raises no objection. It further comments that, should the new sports facilities be built in compliance with Sport England's technical standards within its Guidance Notes and be subject of a Community Use Agreement then it would be in a position to support the application

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Jacobs (Landscape) has commented as follows:

The existing site is located within Green Belt land and so any development of the site should respect the constraints of this designation. The development of the new Art and Drama block and sports hall in the proposed location should not cause an adverse impact on the landscape or detract from the site in any way. The formation of the Art and Drama block may enhance the school campus and provide an enclosed courtyard. The new block and sports hall will not impinge significantly on the existing field, which will still accommodate the 400m running track.

The site is visually contained by vegetation and is situated adjacent to a residential area, with few significant views of the proposals from surrounding properties. Views from properties along Tudeley Lane opposite the site currently have views of the bus layby and the proposed new car park to the Grammar School behind existing mature vegetation. The existing school building does not support local character and the proposed new buildings would not be visually intrusive in size or scale. The proposed materials will be in keeping with the existing permanent School buildings. There would be insignificant visual impact from neighbouring properties.

A small number of properties off Tudeley Lane currently have glimpses through the existing vegetation and trees of the playing field and existing school buildings. There would be a slight visual impact from these properties principally from the upper storey windows. The existing vegetation and mature trees are currently beneficial in providing a visual screen between the housing and school site. Its protection and retention is therefore important

Properties off Pembury Road are unlikely to have views of the proposals due to the existing mature vegetation and trees between the housing and school proposals. The removal of the mature trees to accommodate the exit adjacent to Pembury Road will have an adverse visual impact. Views from users of Pembury Road will be affected, although this impact is not considered severely adverse. Providing the existing vegetation is retained along Woodgate Way, visibility of the new development will be minimal.

Conclusion

The proposals are acceptable in terms of size, scale, siting, design and material use. Visual impacts from the removal of vegetation and some mature trees with construction of new built structures as a result of the development are slight. In addition, requests full landscape details, tree survey and tree protection plans.

Following receipt of a Landscape Appraisal Jacobs (Landscape) has made the following further comments:

The landscape planting proposals for the location should provide adequate screening to the new development in the locations indicated on the submitted drawings. However, full landscape comment is not possible without detailed plant specification as previously requested. It is recommended that native species are used. Planting stock should be of adequate size at the time of planting to provide mass, and be planted at a suitable density.

The construction of the proposed development would result in the loss of 24 trees, several of which are mature, and some of which are of high amenity value. There

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would inevitably be a large adverse impact on existing trees. The mitigation strategy states that compensatory tree planting of preferably native species trees is planned, but there are deficient details as to what species will be planted and at what size the planting stock will be. Replacement trees should be of a reasonable size at time of planting and consist of locally appropriate species to reflect the character of the existing site and surrounding landscape. Whilst tree protection fencing to the correct standard is noted within the appraisal, we would like to see an illustration of the fencing location to ensure it incorporates all retained trees and vegetation adequately.

Local Member

16. Dr T R Robinson and Mr G A Horne MBE, the local County Members were notified of the application on the 26 July 2006.

Publicity

17. The application was publicised by an advertisement in a local newspaper, the posting of site notices and the individual notification of 56 neighbouring properties. Given that the site is within the Metropolitan Green Belt, the advertisement and notices indicate that the proposed development does not accord with the provisions of the Development Plan in force in the area in which the land to which the application relates is situated.

Representations

18. I have received 7 letters of representation from nearby residents in Vauxhall Gardens. The issues raised/points made includes the following.
- Has no issue with the proposed changes within the school and fully support the continued upgrading of the school facilities. However is concerned about the new vehicular exit onto Pembury Road both in terms of the practicality of it at peak times and also the additional hazards it would potentially cause to an already difficult junction between Vauxhall Gardens and Pembury Road. There are two main issues. The first is the parked cars all down the eastern side of Pembury Road waiting to pick up pupils being an obstruction to cars exiting and the likelihood of cars displaced parking on the other side as well or in Vauxhall Gardens. The second is there is always a queue from the roundabout back up the Pembury Road and traffic emerging from the school would have to filter into the queue virtually on the roundabout itself.
 - It is suggested that consideration be given to the following matters:
 - Moving the start/end of the 30mph restriction zone to the roundabout itself. Installing a 'flashing' 30mph sign between the roundabout and Vauxhall Gardens to reinforce the message.
 - Re-locating the Tonbridge and Malling sign out of the line of sight for drivers emerging from Vauxhall Gardens.
 - Removing the slip road outside the Vauxhall Inn to create a standard junction.
 - Extending further the bollards and raised kerb for the school slip road to stop u-turning.
 - Welcomes the proposed facilities and the drop off for the school but concerned about the potential hazard created by traffic merging from the slip road which would conflict with that turning right out of Vauxhall Gardens. At peak time traffic from the school and from Vauxhall Gardens, which carries traffic from the Inn and Travel

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Lodge, would be competing for the same gap which would be exacerbated by the speed and heavy flow of approaching traffic.

- An alternative safe exit point for the school should be considered.
- As the traffic often exceeds 60mph, to reduce the danger the 30mph restriction should be restored to its old position near the Vauxhall Inn or a roundabout or traffic lights might prove necessary to calm traffic.
- Double yellow lines should be extended to prevent the hazards to traffic from parents parking along Pembury Road including on the Vauxhall gardens side.
- Has no objection to the new building but asks the Planning Applications Committee reject the proposed slip road and additional parking on the following grounds:
 - Bearing in mind the existing situation an additional flow of vehicles would create an unnecessary hazard.
 - Pedestrian safety given that the proposal is likely to lead to more pedestrians crossing Pembury Road in the vicinity of the new exit, for example, being dropped off on the opposite side.
 - Creating 35 new car parking spaces is not consistent with the objective of working towards sustainable transport. The proposals make no provision for cyclists even though 30% of pupils live within 3km. No justification is provided for the additional spaces and no assurances are offered that on-street parking would be curtailed during school events.
 - The application gives few details about lighting around the new car park overlooking Pembury Road. Hopes that measures are put in place to ensure that night-time levels are controlled and that delivery times are reasonable. Also comments that no details are given about what road-signs would be installed and that there is already plenty of unsightly street furniture and extraneous lighting.
 - Use of the access for construction traffic bearing in mind that it is one-way.
 - Loss of trees and inadequate landscaping proposals.

DiscussionIntroduction

19. Although the existing use of the land to accommodate school buildings and activities is well established there are a number of issues arising from the proposed development. These include siting, design and appearance in terms of impact on the Green Belt and landscape, and transport and access considerations, which have to be considered in the context of the Development Plan Policies, referred to in paragraph (14) above, and other material planning considerations arising from consultation and publicity.

Siting, design and appearance

20. It will be noted that the whole of the school site is within the Metropolitan Green Belt and in the context of the relevant National Planning Policy and Development Policies that apply, what is proposed has to be considered as inappropriate development. It is therefore necessary to consider the impact of the development on the openness of the Green Belt and whether or not there are very special circumstances that would warrant setting aside the general presumption against the development.
21. Arguably, at first consideration, the development of a two storey building, a large double height sports hall, use of land for car parking and the new exit, would collectively, if not

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individually, significantly impact the openness of the Green Belt. However this needs to be examined in more detail.

22. The existing school buildings form a relatively compact grouping and are contained on a triangular plateau of land above and separate from the playing field land from where they are partly screened by trees along the bank that lies between. This area of development immediately adjoins the urban area confines of Tonbridge to the north and west, identified in the Local Plan. Previous proposals for additional or replacement buildings, including the recent three storey classroom block have been located on this developed part of the site and have not therefore extended the built development onto the playing field to the east, i.e. the open part of the site. Such development has been accepted as not having a significant effect on the openness of the Green Belt, largely on the basis of these factors. In respect of the current proposals, this would not entirely apply since the Sports centre would be located on part of the playing field below the developed part of the site.
23. It will be noted, however, that the new art and drama building would adjoin the dining hall and the recently completed three storey classroom block in the developed part of the site without encroaching onto the open part of the site. That would be on an area of a former hard play area/tennis courts, in effect an area of land already developed, and also until recently occupied by temporary buildings. In terms of layout, massing and built form it would complete and balance the planned arrangement of buildings in this part of the site, including the formation of a courtyard and the step down from three storeys to two. Furthermore upon completion it would result in the removal of a further temporary building (maths mobile) to the side of it, and I now understand two standard mobiles at the front of the site. Taken on its own, bearing in mind the above factors, I do not consider the proposed art and drama block would have a significant effect on the openness of the Green Belt.
24. The area to be used for replacement/additional parking is also in the developed part of the site, currently occupied by the temporary building and formerly a hard play area/tennis courts. I consider that it would have very little additional impact on the openness of the Green Belt limited by its location close to the boundary and its two dimensional nature when not in use.
25. The new exit route would continue from the existing service road along the edge of the developed part of the site and then down the slope breaching the site boundary onto the Pembury Road highway verge before joining the carriageway. Although mainly two dimensional, given quite intensive use during peak times of the day, I consider that it could be argued that it would have a significant impact on the openness of the Green Belt. On the other hand it does not encroach onto the open part of the site and would in part be mitigated by careful alignment through the site and its boundary.
26. As already indicated the Sports Centre building would be located on the edge of the playing field and as such encroaches into what has always been acknowledged as being the open part of the site. It has a sizeable footprint and mass, given the double height space, and would have a significant impact on the openness of the Green Belt. However the applicant has sought to minimise intrusiveness by locating it partly within the embankment, close to the netball/tennis courts and so it is not isolated from other buildings. As such, it would not appear that the buildings are sprawling into the open part of the site. I accept that there is no available space for a building of this size on the already developed part of the site. An alternative site considered off Tudeley Lane

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where it would be isolated from other buildings and more obviously within the playing field, would in my view be unacceptable. A path to serve the Sports centre is proposed across the playing field at the foot of the embankment but I do not consider that this would significantly affect the openness of the Green Belt.

27. The proposed new buildings have been put forward largely on the basis of curriculum needs arising from an incremental expansion of the school over a number of years and the need to provide improved accommodation to meet the challenges of an evolving curriculum and increased expectations of secondary education. The applicants also wish to address the adequacy of existing access arrangements and reduce the traffic impacts particularly on Tudeley Lane. These factors are cited in justification of the proposals by the applicants and, in essence, I consider that taking account of the detailed siting considerations, discussed in paragraphs (23) - (26) above, are sufficient to demonstrate the very special circumstances for overriding Green Belt policy constraints in this particular case. I would not therefore raise an objection on the basis of the effects of the proposed development on the openness of the Green Belt. However, if Members are minded to grant permission, the application would have to be referred to the Secretary of State for Communities and Local Government for consideration. This is required under The Town and Country (Green Belt) Direction 2005 because the proposal involves inappropriate development that would significantly impact on the openness of the Green Belt.
28. The siting of the development also needs to be considered in respect of any potential impact on the landscape, particularly bearing in mind that land on the other side of the Woodgate Way boundary is subject to important landscape designations, as referred to in paragraph (1) above. Development Plan Policies seek to protect, conserve and enhance such landscapes. The school site is, however, on the whole well screened with trees and/or hedgerows along most of its boundaries and across parts of the site. Therefore immediate views of the new buildings from outside of the site in general would be limited and to a greater or lesser extent filtered. There are though some long views of the school buildings from higher land to the east and therefore it would be possible to see the new buildings. However they would be seen against the backdrop of the other buildings on the site and trees, and as such I do not consider they would be particularly conspicuous or have an adverse impact on the wider landscape setting.
29. The main landscape/visual impact would arise as result of the new exit road onto Pembury Road and the need to break through the existing tree belt. This involves the removal of a number of mature trees as well as less mature trees and whilst not necessarily of high individual value they are important as a group to the integrity of the boundary in screening views into the site. Although the exit road has been carefully aligned to minimise impact on trees and to restrict the opening, the proposed car parking, existing and proposed buildings would become more noticeable, from the south east, but more immediately from the lower end of Pembury Road. Furthermore, Structure Plan Policy E9 seeks to maintain and enhance tree cover and the hedgerow network. In addition to these impacts, the slip road and realigned footway/cycle way would have a visual impact on the highway verge, which is a fairly wide grassed area and visually prominent in the street scene and approach to the roundabout junction to the south east.
30. New planting is proposed to mitigate the visual impacts and to integrate the new development into its surroundings, without which, in my view, the proposals would not be acceptable. Jacobs (Landscape) comments will be noted, including the request to

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see full details of landscaping and tree protection measures. Bearing in mind the impacts referred to, I have asked for these details to be submitted now rather than reserve them for later consideration, to ensure that they can be satisfactorily addressed. Whilst it has to be acknowledged that it would be sometime before any new planting establishes and matures to meet the intended objectives, subject to receipt of satisfactory planting details I would not raise a planning objection on the grounds of landscape/visual impact.

31. In terms of the design and appearance of the buildings, I consider that the buildings are appropriate to the context of the site, would complement the existing buildings and would accord with the Development Plan Policies that require development to be well designed. *See attached elevations.* The 2-storey building provides a balance between the massing of the dining hall and recently completed 3-storey classroom building and completes the enclosure of the courtyard. Elevation treatment is similar to the 3-storey building. Overall this building would result in an enhancement of this part of the site bearing in mind removal of the existing temporary accommodation. The Sports Centre building is a large building of significant bulk but careful use of materials (generally matching the other buildings) and window fenestration help to break this up and reduce its overall scale. The result is a very reasonable balance of solid and void. Furthermore, a shallow pitched roof and the fact that it is built at the lower level into the embankment would help to integrate the building into the site and with the adjoining buildings.
32. As the Sports Centre building encroaches onto the playing field Sport England has been consulted. The existing running track can still be accommodated and any sports pitches. Accordingly Sport England has not raised objection.

Transport and access issues

33. There is not intended to be an increase in the school roll as a result of the new classrooms and Sports facilities but there would be a net increase of 10 in the number of parking spaces. As part of new one-way access arrangements it is proposed to provide a drop off within the site and improve the flow of school traffic and reduce congestion in the local area. This is part of the measures promoted in the School Travel Plan, which also seeks to reduce reliance on car travel and increase use of other modes of travel.
34. It will be noted that a number of concerns have been raised by local residents about the new access arrangements including issues about conflict with the speed of traffic and on street parking. Following negotiations about the technical aspects of the new exit and slip road, the details have been amended to address concerns raised by the Divisional Transportation Manager. It will be noted that he comments that, whilst the formation of a new access onto a designated Primary Distributor road would normally attract a policy objection (Structure Plan Policy TP12 refers), he is satisfied that the resulting reduction of traffic at the Lodge Oak Lane balances the highway impact. Therefore, subject to the imposition of conditions (including the stage two safety audit modifications if required) and the funding of alterations to Traffic Regulation Orders to extend parking restrictions and for the relocation of the 30mph speed limit nearer to the roundabout, he raises no objections.
35. It is intended that the new access arrangements be implemented following erection of the two-storey arts and drama block. If permission is granted I consider that the new

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access arrangements should be implemented before the new Sports Centre is constructed. That could be covered by an appropriate condition, which also requires the use of the one-way system and drop off to be safeguarded and made available for use at all times during school term time and/when the sports facilities are in use.

Community Use

36. It is proposed that there would be some community use of the Sports Centre. I am seeking further details and will report verbally on this at the Committee meeting. It does raise some concerns about traffic generation, parking and impact on local amenity. In principle I see no objection to it, subject to hours of use relating to community use outside of normal school hours being controlled, in order to protect the amenity of nearby residential properties. If planning permission is granted, that could be reserved for approval by an appropriate condition.

Construction

37. Given that there are nearby residential properties, if planning permission is granted it would, in my view, be appropriate in order to protect their amenities to impose a condition restricting hours of construction and demolition. I would suggest that this should be between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also normal on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of school day. The applicant is proposing to use the new exit point, once it is constructed, temporarily as access for construction in connection with the Sports Centre. The Divisional Transportation Manager has advised that it would be acceptable in principle but a programme of works/detailed arrangements would need to be considered in the interests of highway safety, and could be reserved by condition.

Ecology

38. The Protected Species Assessment identifies the need for a bat emergence survey to be undertaken on school accommodation affected by the proposed development. It also recommends a badger survey around the proposed development prior to any work commencing because although there were no signs of badger setts at the time, signs of badger have been noted along the A26 and in the scrub adjacent to Pembury Road. In addition, it recommends the examination of any vegetation or structures that are removed during the bird-nesting season to be examined by an ecologist within 48 hours of commencing work. I consider that the requirement for these surveys could be covered by condition together with submission for approval of any necessary mitigation measures. Bearing in mind that the surveys are more relevant to the later phases of the development, the first phase being on an area of hard standing, it would in my view, be premature to undertake them too far in advance of development taking place.

Conclusion

39. This proposal has given rise to a number of issues including the impact of the proposed development on the openness of the Green Belt, as discussed above. However, I consider that there are very special circumstances for overriding Green Belt policy constraints in this particular case. In the first place, the accommodation is necessary to

New Art and Drama Block, Sports Centre and new exit onto Pembury Road, Weald of Kent Grammar School for Girls, Tudeley Lane, Tonbridge - TM/06/2488

meet secondary education provision in this locality on an established education site as supported by Structure Plan Policy QL11, which also encourages the concentration of sports facilities at school sites. Secondly, the careful siting, as discussed above, would also to some extent mitigate the overall impact on this part of the Green Belt, and in the case of the Art and Drama block would result in a qualitative visual improvement over the temporary building that in effect is being replaced. On balance therefore, subject to resolution of the outstanding issues, and 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 thrust of the relevant Development Plan Policies. Accordingly, I recommend that the application be referred to the Secretary of State and that subject to her decision and receipt of details of tree protection measures and a satisfactory landscaping scheme, permission be granted subject to appropriate conditions.

Recommendation

40. I RECOMMEND that the application be referred to the Secretary of State and that subject to her decision, and receipt of details of tree protection measures and a satisfactory landscaping scheme, 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,
- external materials,
- tree protection and methodology for working in close proximity to trees,
- implementation of a scheme of landscaping and maintenance,
- new egress and slip road to be constructed in accordance with the permitted details and/or as otherwise amended in accordance with stage 2 safety audit;
- subject to Traffic Regulation Orders, extension of parking restrictions and for the relocation of the 30mph speed limit nearer to the roundabout prior to use of the new egress,
- provision of new one-way access arrangements before the construction of the Sports Centre and safeguarding of vehicular access, drop-off and parking,
- external lighting,
- continuing implementation and ongoing review of the School Travel Plan,
- ecological surveys prior to work commencing on the relevant phases and submission for approval of any necessary mitigation measures,
- details of the hours of use relating to community use outside of normal school hours for the Sports Centre,
- measures to prevent mud and debris being taken onto the public highway,
- hours of working during construction,
- details of construction access, and
- removal of the temporary building (maths mobile) and the 2 standard mobiles at the front of the site within 3 months of the completion and first occupation of the new Arts and Drama block.

Case officer - Paul Hopkins	01622 221051
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Background documents - See section heading
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Item B7**Erection of 1.5m high weldmesh fence and new stock fence at Rodmersham Primary School – SW/06/836**

A report by Head of Planning Applications Group to Planning Applications Committee on 16 January 2007.

Application by The Governors of Rodmersham Primary School and Kent County Council Children Families and Education for the erection of a 1.5m high weldmesh fence around the school playground and stock fence around the playing field at Rodmersham Primary School, Rodmersham Green, Sittingbourne – SW/06/836

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mr. K. Ferrin

Classification: Unrestricted

Site

1. Rodmersham Primary School is located on Green Lane opposite the Rodmersham Village Green. The application site is adjacent to the Rodmersham Green Conservation Area on land which is beyond the settlement boundary as denoted in the Local Plan (*A site location plan is attached and shows the school site*) The nearest residential properties are situated to the Northeast and Northwest on opposite sides of the village green. The Village Hall shares a boundary with the school to the east. A Public Right of Way runs along the western boundary with more public space beyond that. The school site opens out to the south into a small playground and then a playing field, beyond which is agricultural land.

Planning History

2. In December 2000 a proposal for the change of use of an area of agricultural land adjoining the rear of Rodmersham School into a playing field was approved by the County Planning Authority (ref: SW/01/0021) and in 2001 the School was also granted permission for a small extension to provide toilets and an extension to the Head Teacher's office (ref: SW/01/364) In November 2004 the Planning Applications Committee approved a proposal for the temporary siting of a mobile classroom and toilet block at Rodmersham Primary School (ref: SW/04/1146).

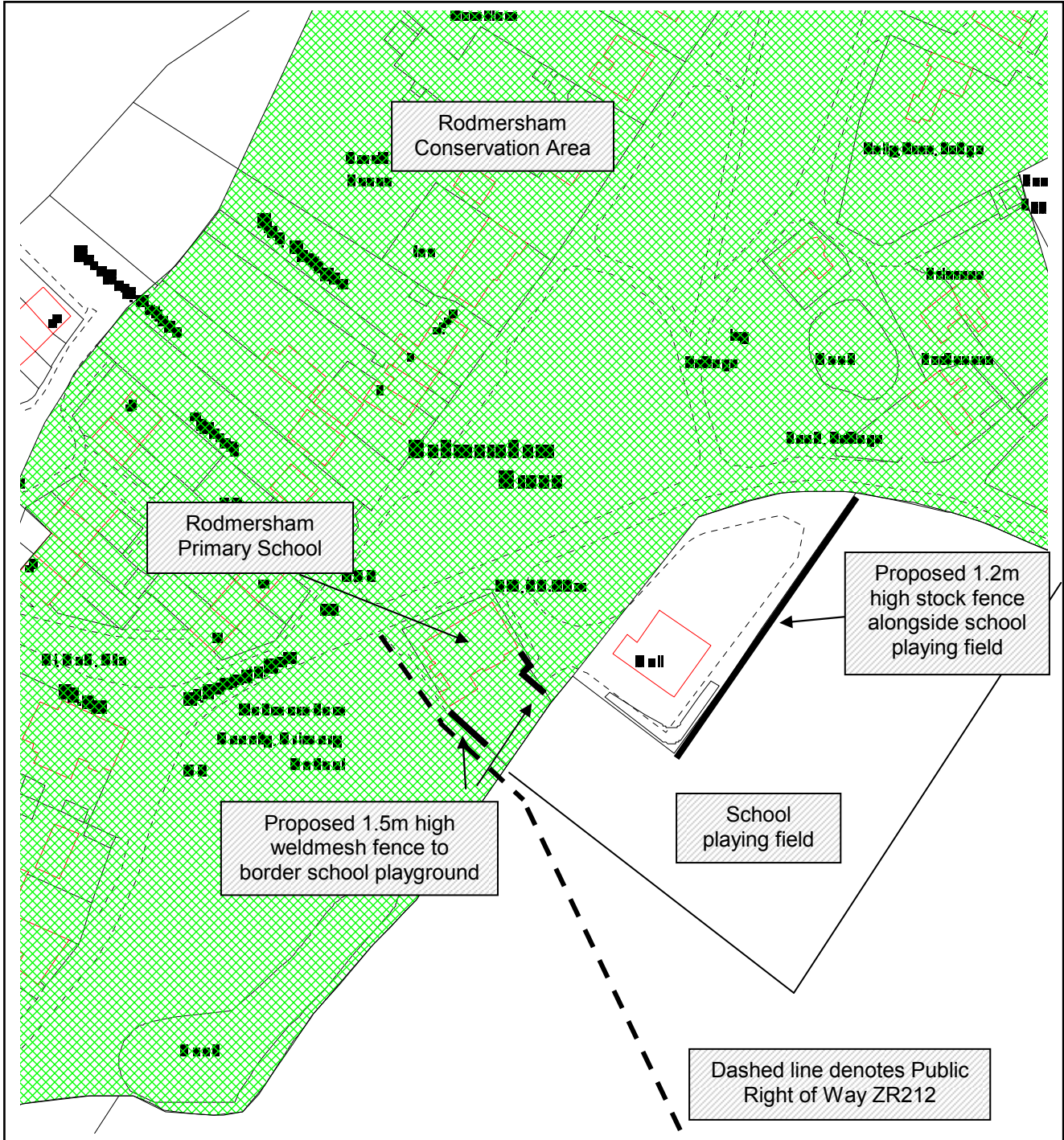
Proposal

3. The proposal includes the replacement of the existing school playground fence, which is currently a 1.3 high chain link fence and replacement stock fencing to the western side of the existing school playing field. When the original application was submitted earlier in 2006, the proposal was for a new 1.8m high weldmesh fence to border the north-east and south-west sides of the existing school playground. The original proposal also included the erection of a low level (1.2m high) stock fence along the west-side of the field. However, the original proposal met with several objections from local residents, as well as the Parish Council, on the grounds that the weldmesh fence that was proposed was too high and out of character in the Rodmersham Conservation Area. As a result the applicants have amended the new application following on from the original consultations. The proposal which is now for consideration is for the erection of a 1.5m weldmesh fence to border the north-east and south-west sides of the school playground, as well as the erection of 1.2m stock fencing on the western side of the school playing field, approximately 70m along boundary the existing Village Hall site.

Item B7

Erection of new weldmesh and stock fencing at Rodmersham Primary School – SW/06/836

Site Location Plan



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Scale 1:2500

Erection of new weldmesh and stock fencing at Rodmersham Primary School – SW/06/836

4. The applicants state that the proposal has come forward in order to bring the perimeter security fence up to current standards as set by other Schools in the locality and that the existing chain link fencing is in urgent need of replacement due to old age and wear.
5. The applicants suggest that the reduction in the proposed height of the playground fence has been an attempt to meet with the objections received to the original proposal for a higher fence. The applicants have also agreed to finish the fence in an appropriate dark colour (either black or green) to allow the fence to blend in as far as possible within its local context.

Planning Policy

6. 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 QL6 - The primary planning policy towards Conservation Areas is to preserve or enhance their special character or appearance. Development that would harm the character or appearance of a conservation area will not be permitted.

Policy QL8 - Listed Buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced.

Policy QL11 - Existing community services and recreation facilities will be protected as long as there is a demonstrable need for them

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.

Erection of new weldmesh and stock fencing at Rodmersham Primary School – SW/06/836

(ii) **The Adopted Swale Borough Council Local Plan 2000:**

Policy G1 – All development proposals will be expected to:

- accord with policies and proposals of the Plan unless material considerations indicate otherwise;
- have regard for the characteristics and features of the site and locality;
- avoid an unacceptable impact on the natural and built environment;
- be well sited and an appropriate scale; and,
- cause no demonstrable harm to residential amenity and other sensitive neighbour uses.

Policy E9 – Seeks to protect land outside defined built-up area boundaries

Policy E36 – When considering development proposals within or adjacent to Conservation Areas the Borough Council will pay special attention to:

- the character or appearance of the area is preserved or enhanced;
- a high standard of design is achieved;
- the scale, mass and form are compatible with adjacent buildings and their setting

Policy E38 – In the village of Rodmersham Green, proposals for infilling and small site development must have particular regard to the conservation of the built environment

Policy E39 – Proposals affecting Listed Buildings, or their settings, will only be permitted if the character and its setting are maintained and preserved

Policy E48 – The Borough Council will seek to ensure that all new development is of a high standard of design appropriate to its surroundings and reflecting local distinctiveness.

Policy C1 – Subject to compliance with out Plan policies, planning permission will be granted for appropriately located social and community facilities

Policy C7 – Subject to compliance with other Plan policies, will grant planning permission for the provision and retention of social and community facilities to serve the rural settlement.

(iii) **The Swale Borough Council Local Plan First Review 2005:**

Policy E1 – Expects all development to:

- accord to policies and proposals of the Plan unless material considerations indicate otherwise;
- have regard for the characteristics and features of the site and locality;
- avoid an unacceptable impact on the natural and built environment;
- be well sited and an appropriate scale; and,
- cause no demonstrable harm to residential amenity and other sensitive neighbour uses.

Policy E9 – seeks to ensure that development in the Countryside is sympathetic towards local landscape character and quality

Erection of new weldmesh and stock fencing at Rodmersham Primary School – SW/06/836

Policy E14 – Proposals affecting the setting of Listed Buildings will only be permitted if the buildings special architectural or historical interest and its setting are preserved.

Policy E15 – Development within, or affecting the setting or, or views into and out of a Conservation Area will preserve or enhance all features that contribute positively to the area's special character or appearance.

Policy E19 – The Borough Council expects development to be of high quality design

Policy C1 – The Borough Council will not permit proposals that involve the loss, or change of use, or a local community facility where this would be detrimental to the social well being or the community.

Consultations

7. **Swale Borough Council:** – no comments have been received to date. Any comments received before the Committee Meeting will be reported verbally.

Rodmersham Parish Council: - views were expressed on the original proposal for new 1.8m weldmesh fence and 1.2m high stock fencing:

- "The Parish Council feels that the height of this proposed fence is totally out of keeping with a village school and very much over the top. Using the Public Footpath, as a reason is wrong, it's scarcely used and is in full view of the school, houses, and playground assistants and teachers. A 1.8m high fence is far too high and quite out of character for a village green".

Following the amendment by the applicant to reduce the height of the proposed weldmesh fence down to 1.5m and finish it in an appropriate dark colour the Parish Council commented as follows:

- "The Parish Council is still of the opinion that this fence is totally out of character with its rural location and is also still too high. A height of 1.2m is enough, any higher and the children may well feel as if they are being caged in. The Council still objects to this proposal".

Public Rights of Way Officer: - Public footpath ZR212 is adjacent to the proposed development. The Public Rights of Way Officer has no objection to the proposed development.

Local Members

8. The local County Member, Mr M. Ferrin, was notified of the original application on the 13 June 2006.

Publicity

9. The application was publicised by the posting of a site, an advertisement in the Kent Messenger and the individual notification of 12 neighbouring residential properties. The

Erection of new weldmesh and stock fencing at Rodmersham Primary School – SW/06/836

site notice and advertisement indicate that the proposed development is within the Rodmersham Conservation Area and is likely to affect its character and/or appearance, and may also affect the setting of nearby Grade II Listed Buildings.

Representations

10. One letter of objection was received to the original application. The main points of the letter are summarised below:
- The existing fence is utilitarian in the extreme and certainly can be improved. However, the proposal to erect a fence on a scale more suited to a prison camp is totally unacceptable particularly as the school is in the central part of a Conservation Area. Whilst the fence is at the rear of the school, the flanks can be seen from a distance of at least 200 yards in each direction;
 - The school playtimes are well supervised and so a higher fence is not required.
 - Now that the school enjoys a large new playground, prohibiting ball games in the traditional playground would not cause any considerable hardship;
 - The design of the fence in such a prominent location should be aesthetically pleasing and neither at an extreme height nor of a poor design;
 - It is extraordinary that the Council has not taken the opportunity to re-instate the white picket fence that was so attractive. The school is not a great beauty in architectural terms but is an integral part of the character of Rodmersham Green. The previous picket fence much enhanced the school and the current, near industrial appearance is only because of an ill-considered concrete and wire mesh fence;

Following on from the amendment to reduce the height and change the colour finish of the weldmesh fence the neighbour was consulted with full details of the application. Since the re-consultation, there have been no further letters of representation received to date.

Discussion

11. In considering this proposal, regard must be had to the Development Plan policies outlined in paragraph (9) 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 in this case include the impact of the proposed fence on the Rodmersham Conservation Area and the visual amenity of the nearby residential dwellings.

Design

12. The proposal to replace the existing school playground fence has, as shown in paragraphs (8 & 11) above, caused some concern from a local resident and the Parish Council. It is important to note that the proposal to erect new stock fence along the western side of the school playing field has attracted no objections and, in my opinion, would cause no material harm to the local environment.
13. When the original application came forward for the erection of 1.8m high weldmesh fencing objections were met on the grounds that the fencing proposed was too high and

Erection of new weldmesh and stock fencing at Rodmersham Primary School – SW/06/836

totally out of character with the Conservation Area. Since receiving these objections the weldmesh fence has been lowered considerably (now down to 1.5m high) and is proposed to be finished in an appropriate dark colour (either dark green or black). In my opinion this is a significant improvement over the original proposal which was considerably higher and finished with a galvanised effect.

14. However, an objection to the current proposal has been lodged by the Parish Council which believes that the proposed fence (1.5m) is still too high and should be at most, erected at 1.2m. It should be noted that this would actually be a decrease in height from the current perimeter fence that is at present 1.3m high. The applicants have stated in their supporting documentation that the reason behind this proposal is to bring the current perimeter fencing up to standards set by other local Schools. It is my opinion that ensuring that the School only erect a fence to a height of 1.2m would be inappropriate and would give no benefit in terms of the overall security to the site.

Impact on Rodmersham Conservation Area

15. The proposed development is located within a Conservation Area. Development Plan policies state that proposals within or adjacent to Conservation Areas should *'preserve or enhance their special character or appearance'* and *'development which would harm the character or appearance of a Conservation Area will not be permitted'* [Policy QL6 from the Adopted Kent and Medway Structure Plan 2006]. Similarly, Policy E36 of the Adopted Swale Borough Council Local Plan states that, *'development within, affecting the setting, or views into and out of conservation areas, should ensure the character or appearance of the area is preserved or enhanced and that a high standard of design is achieved [...]'*.
16. Whilst I recognise that the need for the development should be weighed against any Structure / Local Plan policies, such as Conservation Area policies which aim to preserve the special characteristics of an area, it is my opinion that the current proposal is acceptable in planning terms. I consider that, the height has been considerably reduced and the visual appearance has been improved through colour treatment and would, if Member's were minded to grant permission blend in within the Conservation Area to an acceptable degree.
17. An adjoining nearby resident has suggested that the school should re-instate a previous picket fence that was, in his view, attractive. The picket fence that has been suggested here has not been proposed by the applicants as it would not provide sufficient security, and therefore the proposal before Members is a 1.5m high weldmesh fence along two sides of the existing playground. I do not dispute that a low-height picket fence would fit in well with the local context of the school buildings, but the applicants have insisted from the outset that this application has come forward to upgrade the overall security of the site as well as to replace an existing dilapidated fence.

Residential and local amenity

18. Given that the nearest residential properties are located some 45m from the proposed fencing, I do not consider that residential amenity would be compromised by the proposed development. It should be noted that the Public Right of Way Officer has raised no objection to the development, which on the southern side of the school playground would run alongside the Public Right of Way. Given that the design of fence chosen is a weldmesh fence, with a relatively large mesh size (of approximately 50mm), the visual impact of the fence would not be seriously detrimental on the Conservation Area, local residential amenity or the adjacent Public Right of Way

Erection of new weldmesh and stock fencing at Rodmersham Primary School – SW/06/836

Conclusion

19. In conclusion, I am satisfied that the reduction in the height of the weldmesh fence from 1.8m to 1.5m and the addition of the proposed colour treatment of the fence is acceptable in planning terms. Given that there is the option for either a black or green finish to the proposed weldmesh fence, I would suggest that the colour chosen, be black. This would seem an appropriate colour, as it would ensure that the fence blends in with the existing rainwater goods around the site as well as reducing its visual appearance in the locality. In addition to the erection of the weldmesh fence, I can see no reason why permission should not be granted for the erection of the low level (1.2m high) stock fence on the school playing field. Accordingly, I would recommend that planning permission be granted for both the revised height weldmesh fence (1.5m high) and the stock fence subject to conditions.

Recommendation

20. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including:

- The weldmesh fence being finished in a black and at a maximum height of 1.5m;
- the development being carried out in accordance with the approved plans;
- the development being carried out in accordance with the 3-year timescale.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

Retrospective – Widening of access road and addition of footpath, Meadows School, Southborough TW/06/3473

A report by Head of Planning Applications Group to Planning Applications Committee on 16 January 2007.

Application by Kent County Council Adult Services for – Retrospective – widening of access road and addition of footpath at Meadows School, London Road, Tunbridge Wells.

Recommendation: Planning permission be refused.

Local Member(s): Mr R. Bullock

Classification: Unrestricted

Site

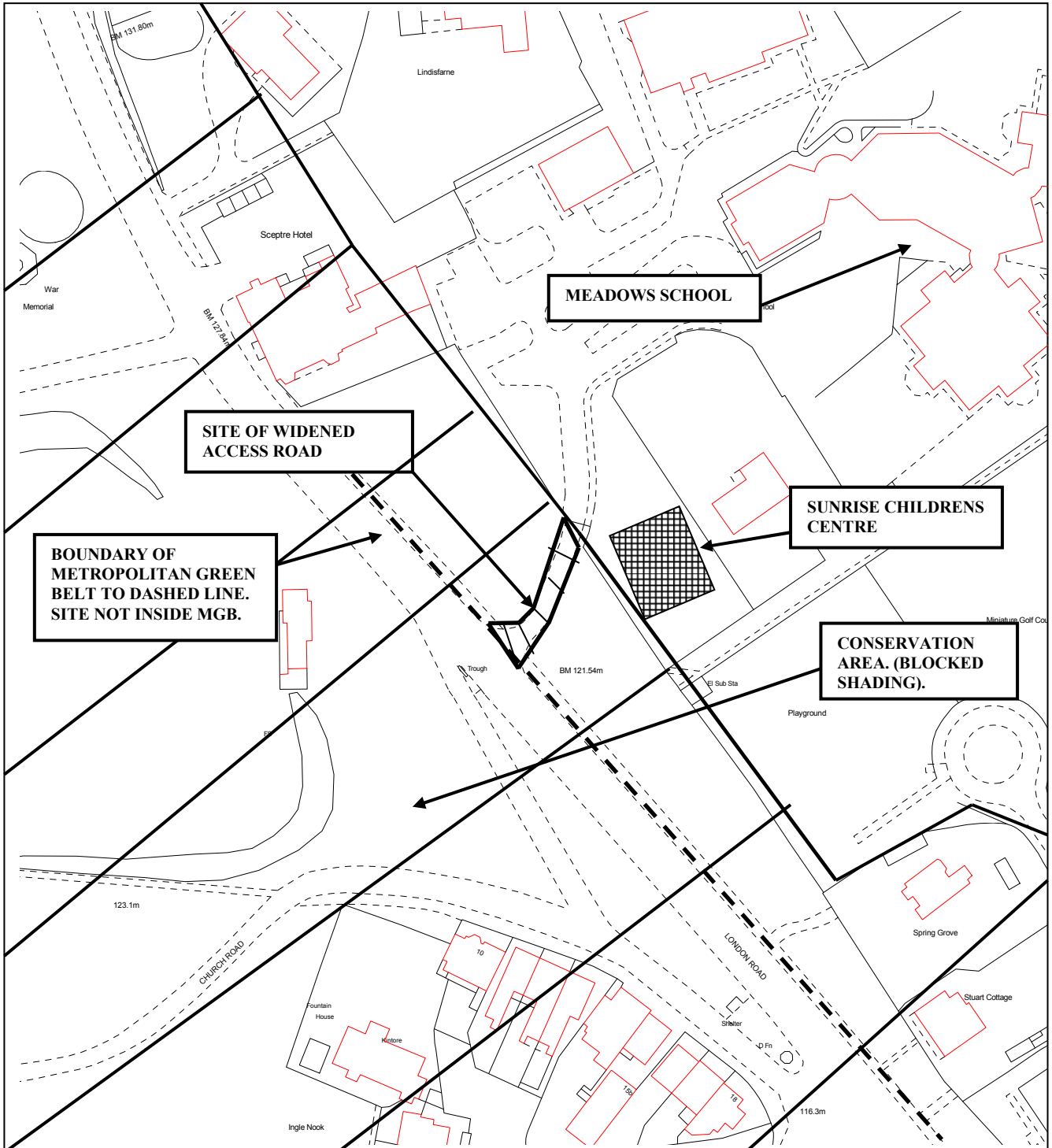
1. The access road is sited on land adjacent to London Road, Southborough leading to the Meadow School and the new Sunrise children's respite centre. The site is situated in the Southborough Conservation Area and adjoins the Metropolitan Green Belt and a Special Landscape Area, it is also part of an important landscape approach into Southborough. The south-east edge of the development lies within the Southborough Common and an Area of Important Open Space. A site location plan is attached.

Entrance of access road from London Road - Southborough



**Retrospective – Widening of access road and addition of footpath,
Meadows School, Southborough TW/06/3473**

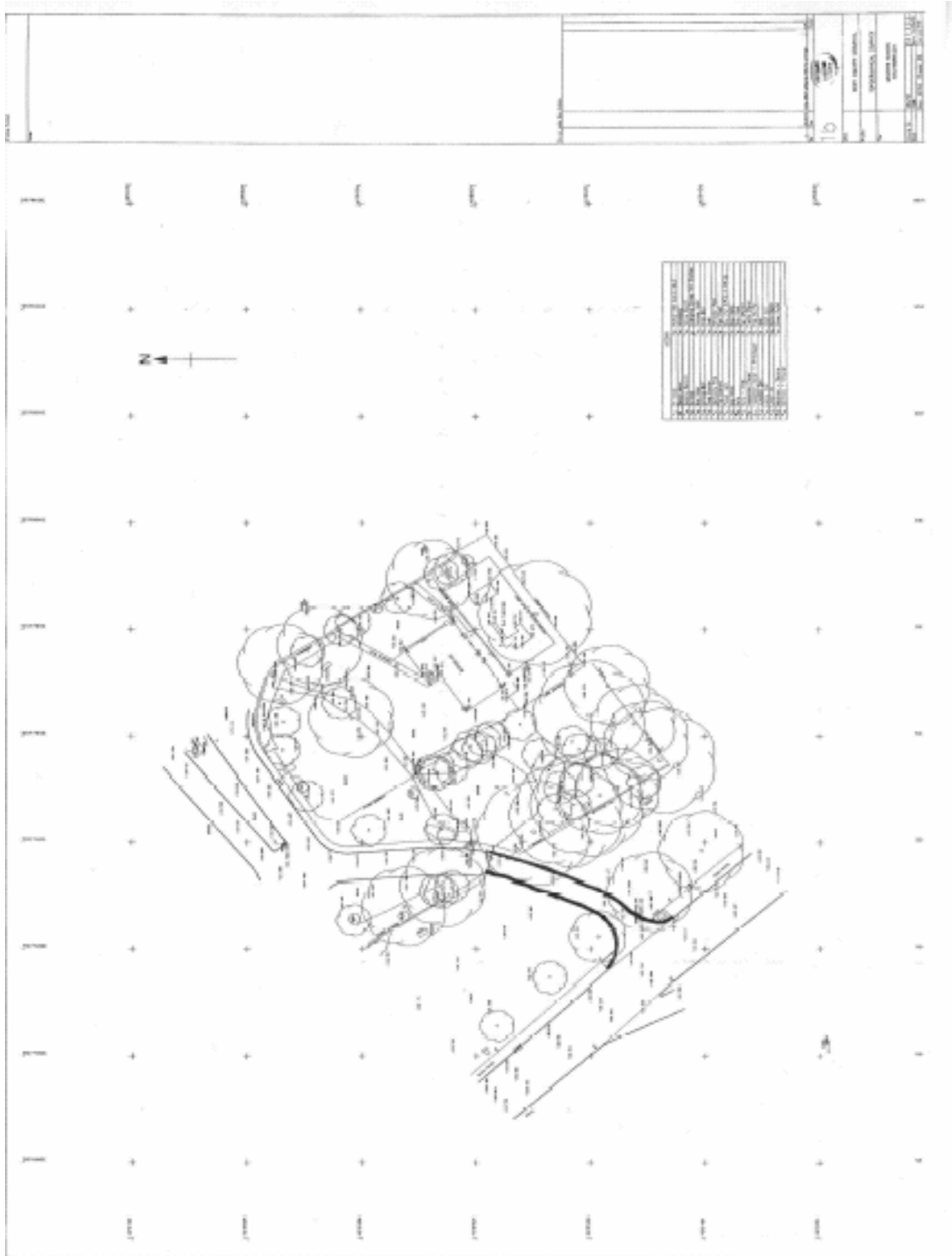
Site Location Plan



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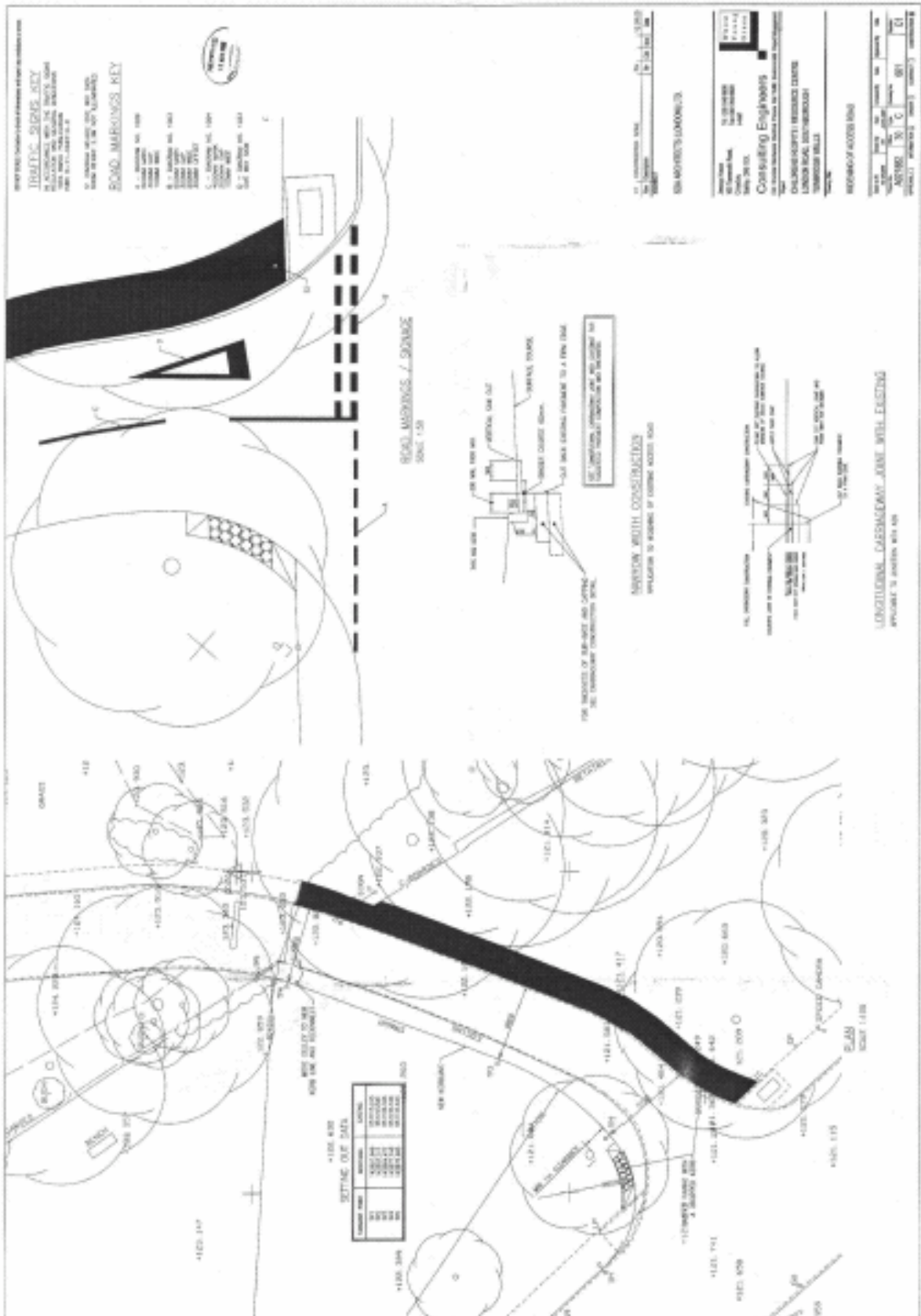
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**Retrospective – Widening of access road and addition of footpath,
Meadows School, Southborough TW/06/3473**



Site layout prior to development

Retrospective – Widening of access road and addition of footpath, Meadows School, Southborough TW/06/3473



Site layout post development

Retrospective – Widening of access road and addition of footpath, Meadows School, Southborough TW/06/3473

Background and Proposal

2. In March 2005 under reference TW/05/35 the Sunrise Children's Centre was permitted on this site. The existing access road services both the Sunrise Children's Centre and the Meadows School. As a consequence of the increased use of the access road from London Road the decision was taken to widen it and add a pedestrian footpath. There followed a mis-communication within the project team, which meant that it was not included in the original application, which has resulted in this retrospective application. The project team did however communicate all designs and drawings to both Southborough Town Council and Kent Highway Services who gave their necessary approvals.

Planning Policy

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

(i) Kent & Medway Structure Plan: 2006

Policy SP1 Conserving and enhancing Kent's environment and ensuring a sustainable pattern of development. 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 Development should be well designed and respect its setting. Development that would be detrimental to the amenity of settlements will not be permitted

Policy QL6 Development within conservation areas should preserve or enhance their character or appearance. Development, which would harm the character or appearance of a conservation area, will not be permitted.

Policy QL11 Protection and enhancement of existing community services.

(ii) Tunbridge Wells Borough Local Plan Adopted 1996

Policy EN1 The nature and intensity of the proposed use would be compatible with neighbouring uses and would not cause significant harm to the character or amenities of the area. There would be no significant adverse impact on highway safety.

Policy EN5 The proposal would preserve or enhance the buildings, the scale, massing, use of materials, detailing, boundary treatment, and landscaping would preserve or enhance the character of that part of the conservation area, it would not result in the loss of trees, shrubs, hedges that are important to the character and appearance.

**Retrospective – Widening of access road and addition of footpath,
Meadows School, Southborough TW/06/3473**

Policy EN20 Proposals affecting the important landscape approaches to Southborough will only be permitted where no significant harm would be caused to the appearance and character of the approaches and the development would not materially detract from the contribution which that approach makes to the locality.

Policy EN21 Proposals for development which affect the character or appearance of an Arcadian area will only be permitted if landscaping dominates within the site and access widths are narrow.

(iii) Tunbridge Wells Borough Local Plan Review Second Deposit 2002

Policies EN1, EN5, EN22 and EN23 reflect the adopted policies of the Tunbridge Wells Borough Local Plan as stated above.

Consultations

4. **Tunbridge Wells Borough Council** – Raises objections on the grounds that the widened access road and footpath, by reason of its size, alignment and materials is harmful to the character and appearance of the conservation area and the street scene, which is an important landscape approach to Southborough and an Area of Important Open Space.

Southborough Town Council – Southborough Town Council state that they are unable to comment as its interest is prejudicial.

Divisional Transport Manager – Raises no objection to the proposal.

Area Public Rights of Way Officer – Raises no objection to the proposal.

Natural England – Raises no objection to the proposal.

Conservation Officer – Raises no objection but suggests that new trees are planted around three metres in from the pavement.

Jacobs Landscaping - Raises no objections but suggests an Arborist examines the trees closest to the construction areas to assess whether any damage has occurred as a result of the development or whether the trees have degenerated through natural ageing process.

Local Members

5. The local County Member Mr R. Bullock was notified on 21 November 2006 and has responded that he is disappointed that it took the Southborough Society to raise this as an omission from the original application. He recognises that the access may have needed to be widened but there should have been full consultation a long time ago.

Retrospective – Widening of access road and addition of footpath, Meadows School, Southborough TW/06/3473

There are precedents where this type of unauthorised construction activity has been refused retrospectively.

Publicity

6. The application was advertised in the Tunbridge Wells Extra, the posting of a site notice and the individual notification of twenty-five neighbouring residential properties.

Representations

7. One letter of representation has been received from a local resident. The main points included the following:
 - The visual appearance of the access road on the Common.
 - The issue of getting people in vehicles and on foot to the school and respite centre and whether the scale of the development is necessary to service this demand.
 - The retrospective application submitted does not contain any vehicle or pedestrian figures that provide evidence of the need for the widening of the access road.
 - No concern over existing access until the Respite Centre was built – knee jerk reaction designed to retrospectively satisfy the access problems caused by construction traffic.
 - The removal of visual clutter from the green common sward (Give Way sign).
 - There only needs to be room for two cars to pass side by side.

Discussion

8. The main issues arise as a result of the sites location within the Southborough Conservation Area and as part of an important landscape approach, the proposal must be considered against the relevant Development Plan Policies outlined in paragraph 3 above. These policies, as well as presuming against inappropriate development within a Conservation Area require development to preserve and enhance the Conservation Area affording long-term protection to the landscape over other considerations. Authorisation was obtained by the applicant for works to be carried out on land owned by Southborough Town Council, owners of the land the access road is built on and the stretch of Common Land used.

Impact on the Southborough Conservation Area

9. The whole of the development site is within the Southborough Conservation Area and in the context of the relevant Development Plan Policies that apply, the development can be considered inappropriate. As shown by the photograph on page D1.1 the new access road does not look overly large in scale, however, it is important to assess the impact of the development on the street scene with the situation prior to the development. The widening of the access road is minimal ranging from 1m at the narrowest point to 1.5m at the junction with London Road and was only widened along the north-western edge. However, it is when coupled with the newly created pedestrian footpath that the full affect on the Conservation Area is realised. It is also this section of the development that is part of the Southborough Common. The new pedestrian footpath ranges in width from 2m at the junction with London Road to around 1.5m at the entrance to the Sunrise Centre. The overall width at the entrance to the access road

Retrospective – Widening of access road and addition of footpath, Meadows School, Southborough TW/06/3473

from London Road has increased by 3m from 7.5m to 10.5m. The increase in width of the access road is at its maximum at the slight curve in the road shortly after leaving London Road where the overall increase has been 3.4m. It is unfortunate that the sections of the road that have been widened the most have been at the point that is most visible to the wider community having the greatest impact on the Conservation Area.

10. Whilst considering the application against the relevant Development Plan Policies it is evident in my view that the development is contrary to Structure Plan Policy QL6 and TWBC Local Plan Policy EN5 as it neither preserves nor enhances the character or appearance of the Conservation Area. There appears to have been little consideration during the design process into the choice of materials used, the scale, or landscaping that would help to preserve or enhance the Conservation Area as stated by TWBC Local Plan Policy EN5, all of which are indicative of a retrospective development that has not benefited from a full consultation process. The development is also contrary to Structure Plan Policies SP1 and QL1 failing to achieve a high quality of design that sensitively respects its setting.

Impact on the Important Landscape Approach to Southborough

11. TWBC Local Plan Policy EN20 aims to protect important landscape approaches and does not permit development, which would materially detract from the contribution that the approach makes to the locality. A key feature of the pedestrian footpaths in Southborough is that they are constructed using traditional brick paving to maintain the high quality of character and appearance of the locality. If Members are minded to permit the application, I would consider it necessary for the black asphalt pedestrian path to the Sunrise Centre, that is in stark contrast to the surrounding area, be replaced with traditional brick paving that is used on Southborough' existing footpaths in order to minimise the obtrusive nature of the development. This is also especially relevant, as the pathway section of the development forms part of the Southborough Common.
12. TWBC have raised objections to the development on the grounds of the width of the access road and that it is out of keeping with other access roads leading off London Road. I am of the opinion that the new road is visibly larger than it was prior to widening. However, I consider it difficult to compare it to the cases of other access roads further to the south, as these tend to be for use by one or two residential properties. Whereas this development services the needs of the Meadows School and the new Sunrise Centre for which use is at much a higher level.
13. Prior to the widening of the access road, there was no pedestrian footpath and there was not sufficient space for vehicles to pass side by side without driving on the grass verge and Southborough Common Land. I consider that there is some strong justification for widening of the access road, as continued damage to Southborough Common is not acceptable, coupled with the fact that there was no permanent pedestrian footpath leading from London Road. Objections received stated that there is no justifiable need for a footpath to the Sunrise Centre on grounds of necessity and detriment to the landscape, I do not share these views. There is already a pedestrian footpath along the length of London Road and prior to this development it ceased at the bottom of the access road resulting in pedestrians and wheelchair users having to be pushed along a narrow access road sharing it at busy times with two way traffic.
14. I do not consider the principle of a pedestrian footpath adjoining the access road as being in conflict with Development Plan Policy; however, I do consider the current

**Retrospective – Widening of access road and addition of footpath,
Meadows School, Southborough TW/06/3473**

pedestrian footpath to be contrary to Development Plan Policy on account of the materials used and its inconsistent width. The construction of the widened access road has resulted in uneven verges and any level imbalance between the kerb and grassed areas should be infilled with topsoil and re-seeded to reproduce the same gradients that were evident prior to the development. On balance, I therefore consider that there is a justifiable requirement for an improved access road but I do not consider the development in its current form is acceptable.

Conclusion

15. In conclusion, I consider that there is justifiable need for an improved access road and pedestrian footpath but the current development is not acceptable and is in contravention of Structure Plan Policies SP1, QL1, QL6 and Policies EN1, EN5, EN20 and EN21 of the adopted Tunbridge Wells Borough Local Plan 1996. I am of the opinion that the development significantly detracts from the character and appearance of the locality and that the materials used do not enhance or preserve the Southborough Conservation Area. The actual widening of the access road is not considered excessive and out of character with the Conservation Area and street scene but the addition of the pedestrian footpath in its current form is deemed to be detrimental. The pedestrian footpath on the rest of the site measures around 1.2m whereas in parts along the new access road it measures up to 2m, a width of around 1.2-1.5m would be considered more acceptable as would the visual appearance if traditional brick paving was used in place of black asphalt.

Recommendation

I RECOMMEND that PLANNING PERMISSION BE REFUSED ON THE FOLLOWING GROUNDS

- i. The development is contrary to Structure Plan Policies SP1, QL1 and QL6 and Tunbridge Wells Borough Local Plan Policies EN1, EN5, EN20 and EN21 given the scale, materials used and poor landscaping of the development and the effect that it has upon the Southborough Conservation Area and the Important Landscape Approach to Southborough.
- ii. Due to the retrospective nature of the application the applicant be advised to take urgent steps to regularise the breach of planning control and that the matter be referred to the Council’s Regulation Committee.

Case officer – Adam Tomaszewski	01622 696923
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Background documents - See section heading
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Item D2**Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170**

A report by Head of Planning Applications Group to Planning Applications Committee on 16 January 2007.

Application submitted by Kent County Council Adult Services and Housing 21 for the demolition of existing buildings and erection of a detached part two/part three storey block of 40 extra care apartments for the elderly, together with communal facilities, car parking and landscaping at Appleton Lodge, Rumfields Road, Broadstairs (Ref: TH/06/1170)

Recommendation: Permission be GRANTED subject to conditions.

Local Member(s): Mr B Hayton & Mr J Fullerton

Classification: Unrestricted

Site

1. The existing Appleton Lodge site comprises a vacant single storey building on a plot of land just under 0.5 hectares in area, that is located off Rumfields Road, near its junction with Pysons Road, in the western part of Broadstairs. The site is adjacent to Bromstone Primary School and the school's playing fields lie to the south-east and south-west. To the north, north east and west of the site is a primarily two storey residential area, with properties in Yew Tree Close nearest to the application site. The site contains a number of mature trees near to the Rumfields Road boundary. A site location plan is attached.
2. The site is within the built confines of Broadstairs, and is not identified for any particular use in the local plan.

Background

3. The existing Appleton Lodge was formerly used as an elderly residential care centre. Until early April 2005, it provided a home for 32 older adults with 54 full and part time staff providing 24 hour care. This single storey building is to be demolished and replaced by the development proposed. Outline planning permission was granted, following determination at Planning Applications Committee in November 2005, for a similar development (ref: TH/05/709). However, it was concluded within the Committee report that development at the site should not exceed two storeys, and this was reflected in the planning decision by the following condition:

(5) The details submitted in pursuance to condition (1) above shall include a building of not more than two storeys in height.

The outline permission for the site has approved the principle of redevelopment with a part one and part two storey building, for use as 31 extra care flats. The scheme presented for outline approval originally included 4 storey elements, and was firstly reduced to a part 1, 2 and 3 storey building in a U shape, and finally (following a reduction in the number of apartments proposed) to a part 1 and part 2 storey block. However, it is important to note that this application is not a reserved matter application related to the outline approval. It is a separate planning application which must be considered and determined on its own merits.

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

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Item D2

**Part two/part three storey block of 40 extra care apartments for the elderly at
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Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

4. When originally submitted, this latest application proposed the erection of a 3 storey 'L' shaped block of 40 extra care flats for the elderly. This met with objection from Thanet District Council and a number of local residents. Following this, the design of the scheme was amended and it is the amended design that will be discussed throughout this report.

Proposal

5. This application has been submitted by Kent County Council Adult Services and Housing 21 and proposes the erection of a part 2 and part 3 storey 'L' shaped block of 40 extra care apartments for the elderly. In addition to the apartments, enhanced communal facilities such as a hairdresser, small kiosk/shop and a restaurant and tea bar for residents and visitors are proposed. These additional facilities add to the quality of life for residents, but also require a quantum of development to make them viable. A suitably sized garden is also proposed, which is of benefit to all residents, offering them a safe and beneficial external space.
6. The layout of development on the site is constrained by the need to reuse the existing access to Appleton Lodge, and by surrounding residential development. In order to accommodate the number of units required to make the scheme viable (40) together with the appropriate communal facilities, whilst maintaining a landscaped setting for the buildings on the site and suitable amenity space, it has been necessary to propose a building of both 2 and 3 storeys. The inclusion of a third storey reduces the footprint of the proposed development, facilitating the retention of trees along the Rumfields Road frontage, the creation of a larger garden and a reduction in the amount of built development adjacent to the boundary with properties in Yew Tree Close.
7. The 'L' shaped layout of the block on the site proposes the narrowest elevation, and the two storey section of the building, to extend towards Yew Tree Close. The three storey element of the scheme is proposed to run parallel to the boundary with Yew Tree Close, separated from this boundary by the facilities gardens. The end elevation of the two storey 'wing' would be the closest point of the development to adjacent residential properties. However, the applicant states that there would be no windows on this facing elevation.
8. The two storey element of the proposed building fronts onto Rumfields Road, where it would be screened behind an existing line of mature trees. The three storey element of the building would be located close to the entrance of the site, set back 24 metres from Rumfields Road. The roof of the proposed development would be at a pitch of 22.5 degrees which, it is suggested, would reduce both its prominence and its visibility from surrounding roads. From the three storey element of the building, the two storey section is designed to provide a transition in building form to the two storey housing to the north west.
9. The site is located in a residential area and the applicant states that the design of the proposed building has been influenced by the need to provide a building which complements adjoining properties, whilst providing an appropriate appearance to the street scene. The building would have long principal elevations with a strong horizontal emphasis. In order to add interest, the front and rear elevations would be broken into modules with projecting bays. The horizontal emphasis would also be delineated by differing materials, with the third floor proposed to be finished in a contrasting white render, and lower floors marked by fair faced brick. The projecting bays would be

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

distinguished by horizontal cedar cladding, and windows and doors constructed of powder coated metal frames.

10. Given the site constraints and the layout of surrounding development, the existing site access would be re-used. The applicant advises that the site is well located in relation to main routes into the town, and is easily accessible from the surrounding road network. The car parking would be located to the front of the site, similar to the existing situation. The applicant advises that the proposed development would attract less traffic than the former use of the site, with 25 less staff being employed at the site. A total of 14 car parking spaces are proposed, including 4 spaces for use by disabled persons.
11. Given the client group for the proposed development, the building has been designed with full disabled access to all parts of the site. The entrance to the building would be prominently located and well marked and provided with ambulance drop off points as close as possible to the front doors. Full access for refuge and emergency vehicles would be retained.

Reduced copies of the submitted drawings showing the site layout, elevations, and access are attached. Photomontages showing how the proposed development would appear on site are also attached.

Planning Policy

12. 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.
 - Policy QL7** - Where important or potentially important archaeological remains may exist, developers will be required to arrange for archaeological assessment and/or field evaluation to be carried out in advance of the determination of planning applications. Where the case for development affecting an archaeological site is accepted, the archaeological remains should be preserved in situ. Where preservation in situ is not possible or justified, appropriate provision for preservation by record will be required.
 - Policy QL12** -Community Services will be provided as long as there is a demonstrable need for them. Provision will be made for the development and improvement of local services in existing residential areas and in town and district centers, particularly where services are deficient.

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

Policy TP11 - Facilities for pedestrians and cyclists will be provided and their use promoted. Local authorities should ensure that these are included in the design of all transport projects and other developments.

Policy TP19 - Development proposals must comply with the respective vehicle parking policies and standards adopted by Kent County Council.

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.

(ii) **Thanet local Plan: Adopted June 2006:**

Policy D1 – All new development is required to provide high quality and inclusive design, sustainability, layout and materials. New development proposal will only be permitted if it:

1) respects or enhances the character or appearance of the surrounding area, particularly in scale, massing, rhythm and using materials appropriate to the locality;

2) is compatible with neighbouring buildings and spaces and do not lead to the loss of amenity through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light or unacceptable sense of enclosure;

[.....]

9) provides safe and satisfactory means of pedestrian and, where appropriate, vehicle access;

[.....]

Policy D2 - The following elements will be required as part of landscaping proposals for any new development:

1) the enhancement of the development site in its setting;

2) the retention (and protection during site works) of as many of the existing trees, hedges and other habitat features on site as possible.;

[.....]

Policy CF1 - Proposals for new community facilities will be supported and permission given if the proposals are not contrary to other local plan policies and the community use and location are demonstrated as appropriate.

Policy TR17 -Proposals for development will be required to make satisfactory provision for the parking of vehicles in accordance with Kent County Council's Vehicle Parking Standards.

Policy HE12 -Archaeological sites will be preserved and protected. On those sites where permanent preservation is not warranted, planning permission will only be granted if arrangements have been made by the developer to ensure that time and resources are

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

available to all satisfactory archaeological investigation and recording by an approved archaeological body [.....]

Consultations

13. **Thanet District Council:** continues to raise objection to the amended proposal, and comments as follows:

“Whilst it is appreciated that the amended proposal is an improvement to that previously submitted, the proposed development still incorporates a dominating 3 storey element, which would be out of character with the predominately 2 storey building form in the area. It is recommended that the plans be further amended with either the whole development reduced in height to 2 storey, which is the preferable option; or the majority of the development be reduced in height to 2 storey, with only the central section of the elevation facing Rumfields Road raising to 3 storey, which should help to improve the design of the development by staggering the height; or the development be reduced in height to 2 storey, with a second floor provided within the roof space.”

“Furthermore, an occupant of a neighbouring property has raised strong concerns over the proximity of the development to their rear boundary. From the plans it would appear that there is a distance of 2 metres between the development and the boundary, and while under the Kent Design Guide this measure is considered acceptable, the scale and dominance of the development is such that an increased distance to the boundary would be encouraged in order to improve the outlook for neighbouring properties.”

In addition, following receipt of the photomontages, Thanet District Council commented as follows:

“What the images show is that the height and scale of the proposed buildings are definitely out of keeping with the height and scale of surrounding development. Whilst the applicant has commented on the advice contained within the letter sent previously by Thanet District Council, it does not appear from the plans and photomontages submitted that the suggestions have been carried out.”

Broadstairs Town Council: No comments received to date.

The Divisional Transport Manager: raises no objection to this application subject to there being no loss of parking to Bromstone School as a result of the development, and the proposed layout of the development being in accordance with drawing no. 1003 Rev A. The provision of cycle parking is suggested.

Jacobs Babbie Landscaping: comments as follows:

“We do not have any objection to the proposals, although the development would cause a slight adverse impact both on the landscape and visually due to the scale of development in comparison with the existing apartments. The development would have minimal impact on existing vegetation, provided that a tree protection plan to BS5837:2005 ‘Trees in Relation to Construction’ is submitted. This should ensure the protection of the three trees on the school site identified as being of high amenity value within the Arboricultural Walkover. We recommend that full landscaping details, which will be submitted for discharge under conditions, include a native boundary hedgerow

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

along Rumfields Road for screening of the car parking and several native trees within the site boundary where appropriate.”

The Environment Agency: raises no objection but makes a number of detailed comments regarding protection of Source Protection Zones, water conservation and site investigation.

County Archaeologist: requests that a condition be placed on any grant of planning permission requiring the securing of the implementation of a watching brief, to be carried out in accordance with a written specification and timetable.

Representations were also received from:

The Broadstairs Society: states that despite the amendments, they remain concerned at the bulk of the proposed building, considering that:

- it would dominate and present a poor relationship with adjacent buildings and consequently have severe impact on the established character of the area;
- the close elevation alongside the boundary of Yew Tree Close would have an undesirable impact on the occupants of particular properties;
- it fails to provide a sufficiency of space around the building to permit landscaping or tree planting;

Local Member

14. The local County Members, Mr J Fullerton & Mr B Hayton, were notified of the application on the 2 October 2006.

Publicity

15. The application was publicised by advertisement in a local newspaper, the posting of two site notices and the individual notification of 83 nearby properties. The amended proposal was publicised by the individual notification of 83 nearby properties.

Representations

16. To date 4 letters of representation have been received regarding the initial proposal, and a further 4 letters received regarding the amended proposal. The main comments/points of concern and objection can be summarised as follows:
- When determining the previous outline application it was considered that only 2 storey development would be acceptable on site. Cannot understand why 3 storey development is proposed.
 - Surrounding development is 2 storey, and the existing Appleton Lodge is single storey. 3 storeys would dominate and would be completely out of keeping with the local environment. The height of the existing building and adjacent properties should set the precedence for development at the site.
 - The proposed building is too close to the boundary with Yew Tree Close. The existing building is 6 metres away, and sunk into the ground to prevent it having too great an effect on the residents. The new plan shows the two storey structure to be almost on the boundary of several houses.
 - The footprint of the development should be increased to allow the height to be reduced.

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

- The garden for the new Appleton Lodge should extend along the whole of the boundary with Yew Tree Close, resulting in all residents being treated equally.
- Residents have only ever had single storey development at the rear of their properties, and have enjoyed the quality of life that this has brought. Views should be considered.
- A three storey building would overshadow neighbouring properties and result in a loss of sunlight. In addition, privacy would be lost.
- Objections should not be ignored due to pressures from the applicant about the financial viability of the scheme.
- Concern is expressed that inadequate car parking is proposed on site, especially as the neighbouring school already generates parking problems. In addition, concerns are raised over the generation of additional traffic.
- No more trees should be felled/removed.
- Concern is expressed over who the development would be catering for i.e. elderly, those with mental health difficulties.
- Kent County Council appears to be selling off many of its properties/land to the private sector.
- Demolition and construction noise would be disruptive.

Discussion

17. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (12) 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 impact upon residential and local amenity and visual impacts of the proposed development.

Siting and Design

18. Several local residents, Thanet District Council and The Broadstairs Society have raised objection to this application on the grounds that the three storey element of the building would be out of character with the surrounding area, and that the two storey element of the scheme is too close to the boundary of the site, and properties in Yew Tree Close. Government Planning Policy currently requires the optimum use to be made of land within urban areas to meet housing land requirements, in order to minimise the spread of urban development into the open countryside and areas of special protection. Planning Policy Guidance Note 3 advocates the development of residential sites at higher densities than previously envisaged, with particular emphasis on the redevelopment of existing sites, subject to reasonable safeguards to protect amenity interests. In this regard, Policy QL1 of the Kent and Medway Structure Plan and Policy D1 of the Thanet Local Plan require new developments to be of high quality and well designed, to respect or enhance the character/appearance of the surrounding area and, amongst other matters, to be compatible with neighbouring buildings and spaces and not lead to the loss of amenity through overlooking, noise, overshadowing, loss of natural light or an unacceptable sense of enclosure. In conjunction with other relevant landscape protection and design policies, these issues need to be considered in the determination of this application and will be discussed below.

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

19. This application proposes the erection of a part three storey and part two storey 'L' shaped building, which would accommodate 40 extra care apartments for the elderly. As outlined in paragraph 2 of this report, when a similar application was submitted, at outline stage, both Officers and Members considered that no development at the site should exceed two storeys in height. Subsequently, a planning condition was attached to the outline consent to ensure that when detailed applications were submitted pursuant to that approval, that the building should be no more than two storeys in height. However, this application is not a reserved matter application related to the outline approval, but a separate application which must be determined on its own merits. The inclusion of a three storey element is, however, a cause of concern and needs to be addressed and discussed.
20. The three storey element of the proposal is proposed to run parallel to properties in Yew Tree Close, but on the far side of the site, with the two storey element extending at right angles to this, parallel to Rumfields Road. The applicant advises that in order to accommodate the number of units required to make the scheme viable, together with appropriate communal facilities, whilst maintaining a landscaped setting and suitable amenity space, it has been necessary to propose a building with a three storey element. The applicant has given consideration to reducing the height of the proposal to solely two storeys, and an indicative site plan was submitted to show this. By reducing the height the footprint would have to be significantly increased, and the applicant suggests that the only way to accommodate the 40 apartments on site would be to construct a square building running around all perimeters of the site, with a central fully enclosed courtyard. This would dramatically reduce the amount of amenity space available to residents, and arguably would have a greater detrimental impact upon properties in Yew Tree Close. A two storey building would run the entire length of, and very close to, the site boundaries. However, by maintaining a three storey element, the amount of development within close proximity to the boundary with properties in Yew Tree Close is greatly reduced. The two storey element, as proposed, would be the closest part of the building to the boundary, and the impact of this will be discussed later in this report. However, the three storey element would be over 30 metres from the boundary with properties in Yew Tree Close, and over 46 metres from the rear of the closest property. A landscaped garden would lie between the development and the boundary. Therefore, I do not consider that the three storey element of the proposal would have a detrimental impact upon the amenity of neighbouring residents in terms of overshadowing, loss of light, overlooking or creating an unacceptable sense of enclosure. However, the visual impact of a three storey development upon the street scene, and character of the local area, also needs to be addressed.
21. Thanet District Council continues to raise objection to the proposed development on the grounds that three storey development on site would be over dominating and out of character with the surrounding area. However, they also suggest alternative options for the development of the site, one of which would involve a reduction in most of the development to two storey, with only the central section of the elevation facing Rumfields Road raising to three storey. As currently proposed, most of the three storey development would extend to the southwest, behind the central core of the building. The frontage of the building onto Rumfields Road would be predominately two storey, with the three storey section joining at the eastern corner of the building. The remainder of the three storey development extends to the rear of this, and therefore would not be visible from a number of view points of Rumfields Road. By reducing most of the three storey development to two storey, and including a central three storey core (as suggested by Thanet District Council), I consider that the view from Rumfields Road would not be significantly different. The key elevation in terms of both the impact on the

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

street scene, and the amenity of neighbouring properties, is the north eastern elevation fronting Rumfields Road. This has been reduced, in the most part, to two storeys. The applicant suggests that the southeastern elevation, facing Bromstone School, is of secondary importance when viewed from Rumfields Road, and is generally much less visible in the street scene. The fact the Thanet District Council would accept a three storey central core, in effect accepts the elevation fronting Rumfields Road as it is currently proposed. Although the three storey element extending to the rear of the frontage would be visible from certain view points on Rumfields Road, I do not consider that the visual impact would be significantly adverse. This is a view supported by Jacobs, who state that the development would cause only a slight adverse impact. Existing trees to the frontage of the site would be retained, and the photomontages submitted demonstrate that these trees would provide good screening of the proposed building, aiding in breaking up the mass of the building.

22. Although two storey development on site would be preferable, the applicant has successfully demonstrated that by reducing the height of the proposal to two storeys the impact upon neighbouring residential amenity could be more adverse than as proposed. In addition, the three storey element of the proposal extends away from Rumfields Road. Its impact upon the street scene would not be vastly different than if the applicant was to amend to proposal in accordance with one of the District Council's suggested alternatives. Although surrounding development is predominately two storey residential development, there is no specific prohibition in planning policy for partially three storey building in this area and developments of residential flats typically rise beyond 2 storeys. The three storey element of the proposal would not have a significantly detrimental impact upon the amenity of neighbouring residents, given its positioning within the site, and I consider that the applicant has taken all practicable measures to minimise the impact of the development upon the street scene and character of the local area. Therefore, in light of Government Policy Guidance, I consider that the three storey element of the proposal, as now amended, is acceptable in this instance.
23. However, objection is also raised regarding the proximity of the two storey element of the proposal to the boundary with properties in Yew Tree Close, and the properties themselves. The main end elevation wall of the block is located 4 metres from the boundary. However, an enclosed internal stairwell extends beyond this, bringing the development to 1 metre from the boundary. The closest residential property would be 18 metres from this end elevation. This close proximity has met with objection from neighbouring properties, Thanet District Council and The Broadstairs Society, and is something which I consider could adversely effect the amenity of neighbouring residents. Although the applicant proposes that there would not be any windows in the end elevation, which means that the development would conform with the window to wall guidance distance of 11 metres specified in the Kent Design Guide, this guidance relates more to privacy and overlooking than overbearing development.
24. Due to the concerns and objection raised, and my own concerns, the applicant was requested to move the building further away from the boundary. The applicant responded as follows:

“The development is located close to the boundary with properties in Yew Tree Close. However, in this location, the height of the building has been reduced to 2 storeys, and as the District Council say in their letter, complies with the guidance in Kent Design. In urban areas it must be expected that new development may be located close to boundaries, and closer to homes, than may have been experienced in the past. However, the fact that the

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

development complies with Kent County Council's adopted guidance is surely confirmation that the proposal is acceptable in design terms, especially given the comparable height to buildings in this location"

"With regards to the distance between the boundary and the flank wall of the building, you will note from the submitted plans that it is not possible to move the building any further south. The building already sits very close to the south-eastern boundary of the site. The nearest part of the building to the boundary is a fire escape stair which has to be located in this position to comply with building regulations. However, this element of the building is narrower and lower than the majority of the two storey wing, and affects only a small proportion of the boundary. We will also put in place a new boundary fence to a height of 1.8 metres which will also physically separate the development from adjoining properties and provide another screening to the building at ground floor level."

25. Whilst I have concern over the proximity of this part of the building to the neighbouring property, I accept that the Kent Design guidance is not compromised in terms of privacy or overlooking. Whether the juxtaposition of buildings involves an overbearing impact is a subjective matter, but it has to be borne in mind that existing housing in Rumfields Road is similarly closely spaced. Given that this part of the building is the two storey element, I do not consider that this aspect alone would warrant refusal of the application. However, the applicants will need to separately satisfy the Building Regulation requirements with regard to the available space for the fire escape egress.
26. As outlined in paragraph 8 of this report, the design of the building has been influenced by the need to provide a building which complements adjoining properties, whilst providing an appropriate appearance to the street scene. The design of the building is considered appropriate for the use and nature of the development, and the external materials suggested are in keeping with the character of the area. However, should Members be minded to permit, details and samples of all materials to be used externally would be required to be submitted prior to commencement of development on site.

Landscaping

27. The applicant confirms that 5 trees along the frontage with Rumfields Road would be removed due to their poor condition. However, Jacobs state that the development would have minimal impact on existing vegetation, provided that a tree protection plan to BS5837:2005 'Trees in Relation to Construction' is submitted. Should Members be minded to permit, a landscaping scheme would be required under planning condition. This would need to include tree protection measures to ensure that trees to be retained would not be affected by development on site. In addition, the landscaping scheme would also be required to include a native boundary hedgerow along Rumfields Road for screening of the car parking, the provision of several native trees within the site boundary where appropriate, details of the hard and soft landscaping of all amenity space, and additional boundary planting.
28. I have no objection to the removal of the 5 trees to the road frontage, and consider that additional tree and shrub planting would compensate for this. I consider that a detailed landscaping and tree planting scheme would help to mitigate the visual impacts of the development, whilst improving the overall appearance of the site.

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

Highways

29. Traffic generation and impact upon the local highway network are further concerns expressed by local residents. The applicant advises that given the site constraints, and the layout of surrounding development, the existing site access would be re-used. The car parking would be located to the front of the site, similar to the existing situation. The applicant advises that the proposed development would attract less traffic than the former use of the site, with 25 less staff being employed at the site. A total of 14 car parking spaces are proposed, including 4 spaces for use by disabled persons. Although Kent Vehicle Parking Standards for sheltered housing require one space per resident warden and one space per two units, which would bring the total to 21 spaces, it should be borne in mind that the residents of extra care housing are frail elderly and car ownership levels are usually very low. Therefore, the Divisional Transport Manager has raised no objection to this application subject to no loss of parking to Bromstone School, and the proposed layout of the development being in accordance with drawing no. 1003 Rev A. I consider that providing the car parking is completed, and fully operational on site prior to the occupation of the development, that this proposal would not have a detrimental impact upon the local highway network. The Divisional Transport Manager has also requested a condition for the inclusion of cycle parking on site, and I would advise that this could be incorporated into any consent.

Demolition and Construction

30. It is proposed to demolish the existing Appleton Lodge, which has the potential to have an impact upon local residential amenity. In order to minimise the impact of the development, during demolition and construction, especially in terms of noise and dust, a condition should limit the use of any plant, machinery and other equipment which is audible at the application site boundary to between the hours of 0800 and 1800 Mondays to Fridays and 0900 and 1300 Saturdays, with no works on Sundays or Bank Holidays. Construction hours would be limited to the same. Conditions should also require best practice measures to be taken to minimise dust and to ensure mud and other debris is not deposited on the local highway network.

Conclusion

31. In summary, I consider that the siting and design of the proposed extension would not have a significantly detrimental effect on the amenity of local residents, and that siting, mass and design of the proposed development is appropriate for the context of the site. 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 relevant Development Plan Policies. Therefore, I recommend that permission be granted subject to the imposition of appropriate conditions.

Recommendation

31. 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,
 - external materials to be submitted for approval,
 - a scheme of landscaping, its implementation and maintenance,
 - protection of nesting birds,

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Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

- archaeological watching brief,
- parking to be completed in accordance with approved plans prior to occupation,
- the provision of cycle parking,
- hours of working during construction,
- prevention of access for construction vehicles at peak school times,
- prevention of mud being deposited on the highway,
- measures to suppress dust.

Case officer – Mary Green	01622 221066
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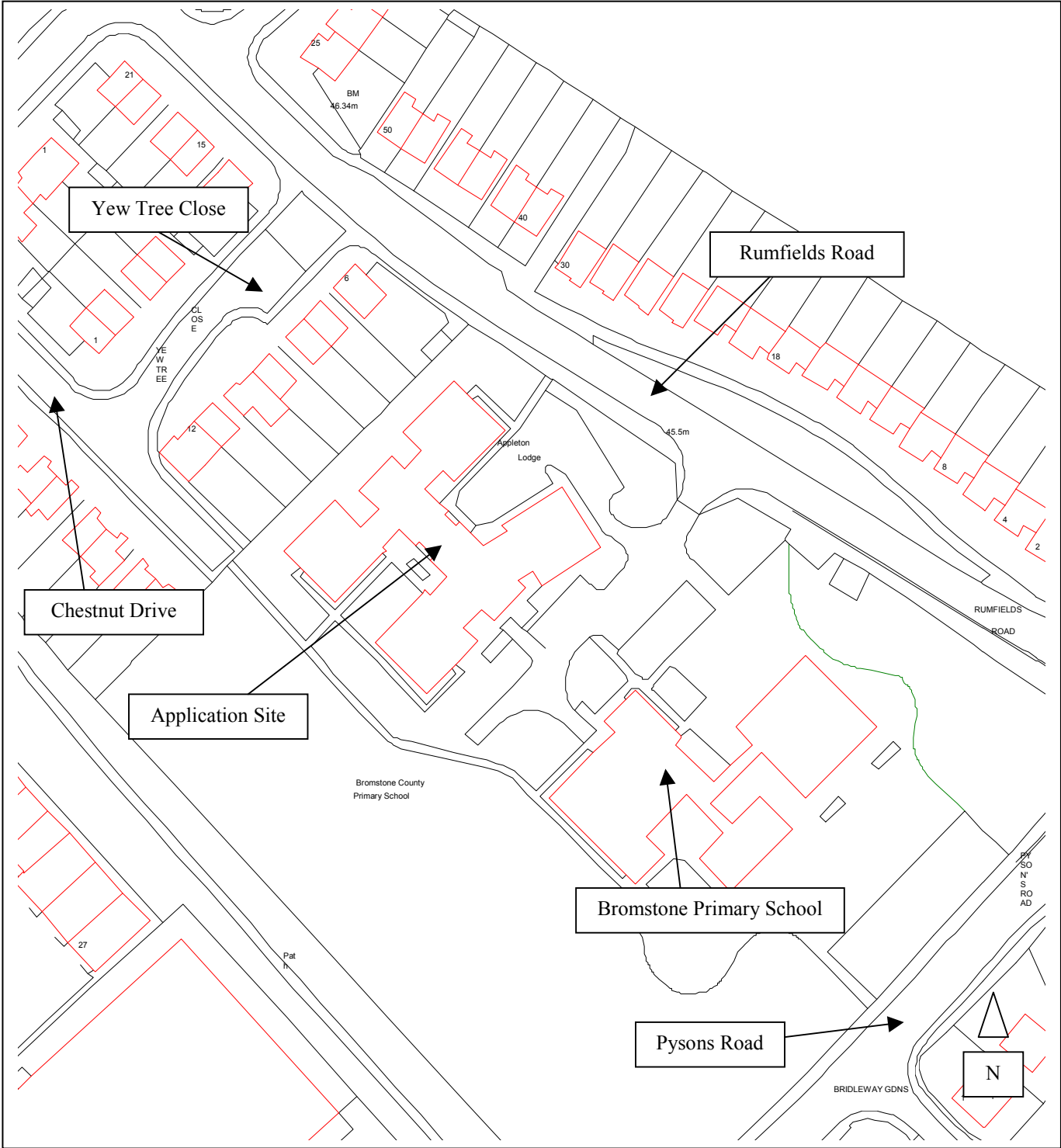
Background documents - See section heading
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Item D2

Part two/part three storey block of 40 extra care apartments for the elderly at Appleton Lodge, Broadstairs– TH/06/1170

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Site Location Plan



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Item D3**7 supported apartments at land at the former Mill Stream School, East Malling – TM/06/3385**

A report by Head of Planning Applications Group to Planning Applications Committee on 16 January 2006.

Application submitted by Kent County Council Adult Services and Housing 21 for the erection of a two storey detached building comprising 7 supported apartments for people with learning difficulties with communal space together with access, car parking and landscaping.
(Ref: TM/06/3385)

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

Local Member(s): Mrs T Dean

Classification: Unrestricted

Site

1. The application site is located to the north of Mill Street in East Malling village and forms part of the site of the former Millstream School, which is now demolished. The site lies on the eastern boundary of the former school and is bounded by a substantial hedge to the east, beyond which lies a sports ground. The northern boundary of the site is currently marked by a line of chestnut paling fencing, which has been installed to provide protection to a mature Norway Maple beyond the northern boundary. This tree, and a group further to the north, are protected by a Tree Preservation Order.
2. An entrance has been formed in the southern boundary of the school site in order to create an access to the development site to the north, upon which the new Malling School is currently being constructed. The slabs from the now demolished school remain on site, and the application site is almost entirely covered with asphalt and was previously used as the school playground. The remainder of the Millstream School site, to the west of the application site, is to be made available for housing development in the future. The Mill Street, East Malling, Conservation Area lies to the southwestern boundary of the site, and the boundary of the rural settlement confines, as identified in the adopted Tonbridge and Malling Borough Local Plan, lies to the south. The Local Plan (1998) identifies that the whole of the application site is located within an Area of Local Landscape Importance and a Green Wedge. A site plan is attached.

Background

3. It should be noted that this proposal has been amended in response to concerns and objections raised by local residents, Tonbridge and Malling Borough Council, East Malling Conservation Group and East Malling & Larkfield Parish Council, with regards to the design of the proposed building. Amendments have been made to the proposed external materials and the design of the roof in an effort to overcome these concerns. Minor alterations to the site layout have also been made in order to facilitate access for refuse and emergency vehicles. It is the revised submission that will be discussed throughout this report.

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Proposal

4. This application has been submitted by Kent County Council Adult Services and Housing 21 and proposes the erection of a 2 storey detached building comprising 7 supported apartments for people with learning difficulties, with communal space together with access, car parking and landscaping. The proposals form part of a Private Finance Initiative (PFI) to redevelop a number of sites in Kent with both extra care accommodation for the elderly, and supported flats for people with learning difficulties.
5. The amount of development proposed has been identified as the minimum required to create a viable development in terms of the care needs of the residents. The accommodation would be contained within a 2 storey detached with amenity space to the rear. A forecourt would be provided to the front of the building, which would accommodate a total of 8 car parking spaces, including 2 disabled spaces. The layout of the development on the site seeks to re-use the existing access to the site from the south, and to orientate the building to take advantage of the private amenity space at the rear. However, the access road would need to be improved, and the location of the entrance point moved eastwards along Mill Street to provide adequate visibility in both directions. The positioning of the car parking, between the access road and the front elevation would give direct access to the front door of the development. The private garden to the rear would ensure that that the trees covered by TPO's to the north would not be impacted upon by the development.
6. The development has been designed to comply with Secured by Design principles, and would provide good natural surveillance over the car parking areas, a secure and well maintained access from Mill Street and private amenity space for residents, which would be overlooked from the north facing units within the building. The proposed building would be 2 storeys in height, which the applicant suggests is of a scale and massing similar to other buildings in the area.
7. The proposed building would have a roof pitch of 22.5 degrees, which the applicant states is comparable to other properties in the village, and would be finished in a red clay tile. Balconies for each apartment would be located on the north and south elevations. The applicant has given consideration to the materials advice contained within the East Malling Village Design Statement, and proposes that the ground and first floor be distinguished by differing materials, with a red brick to the ground floor elevations, and to most of the west and east elevations, and red plain tile hanging to the first floor which wraps around part of the west and east elevations. The east and west elevations would be detailed with a blue brick soldier course at the first floor level, which the applicant suggests is characteristic of other properties in the village and is recommended in the Village Design Statement.
8. Existing trees on the northern and eastern boundaries are outside of the development site and would not be affected by the proposed development. This existing vegetation would provide a framework for additional planting, and the applicant proposes that new shrub planting on all boundaries would comprise a mix of low to medium height evergreen and deciduous shrubs to create a sense of privacy within the garden, especially from the west.

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

7 supported apartments at land at the Former Mill Stream School, East Malling – TM/06/3385

Planning Policy

9. 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 EN3 - Kent's landscape and wildlife (flora and fauna) habitats will be conserved and enhanced.

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 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.

Policy QL6 - Development within Conservation Areas should preserve and enhance the character of the Conservation Area. Development which would harm the character or appearance of a Conservation Area will not be permitted.

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

(ii) The adopted (1998) **Tonbridge and Malling Borough Local Plan:**

Policy P2/19 - In Green Wedges, development will not be permitted which significantly extends the built confines of rural settlements or urban areas, or has a significant adverse effect on the function of the Green Wedge in ensuring the separation of these areas.

Policy P3/7 - In Areas of Local Landscape Importance, development which would materially harm the landscape character of the area will not be permitted. (Character here defined as an area of mainly

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open uses which provides an attractive rural setting to the built up areas of West Malling, East Malling & the Medway gap).

Policy P3/8 - In considering development proposals where existing trees are the subject of Tree Preservation Orders, the Borough Council will seek to ensure that buildings, gardens and roads are located so as to avoid subsequent applications for the felling of those trees while they remain healthy.

Policy P4/4 – Within designated Conservation Areas the applicant will be required to demonstrate that a proposed development will preserve or enhance the character and appearance of the area. Any development which would prejudice the overall character and integrity of the area will not be permitted, and all development should be sympathetic in scale and character with the area generally. Proposals for land which adjoins a Conservation Area should respect the setting of the Conservation Area, and views into or out of it.

Policy P4/11- Development should be well designed and respect its setting. Development proposals must not harm the particular character and quality of the local environment, and wherever possible should make a positive contribution to the enhancement of the area.

Policy P5/6 - The provision for housing suited specifically to those with special housing needs will be permitted on sites either allocated or considered suitable in principle for residential use, or on larger housing sites as an element of the overall development, where such sites are well located to shops, community services and public transport facilities, and generally within an area of level ground, subject to compatibility with other policies of the plan.

Policy P7/18- Expects new development to make satisfactory provision for the off-street parking of vehicles in accordance with the adopted Vehicle Parking Standards.

Consultations

10.Tonbridge and Malling Borough Council: raises no objection subject to the following matters being addressed:

- The flank walls to be further articulated through the extended use of hanging tiles;
- The layout and access road is designed to meet the needs of refuse collection and emergency vehicles;
- An appropriate desk top study and walk over contamination report to be produced and verified;
- Ensuring the best possible access to the Public Right of Way and public highway network for disabled person;
- That TMBC are consulted on the detailed submission of external materials;
- The development needs to respect the East Malling Village Design Statement;

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East Malling and Larkfield Parish Council: states that the applicant describes the new building design as having a 'distinctive architectural language' - as translated it has no identity with East Malling. Should this design be accepted it could set the style for the remainder of the sites development.

It is considered that the east and west elevations portray a very plain building more suited to an industrial site. The applicant states that the east elevation would be screened by a significant hedge and a belt of trees, however, plants do not live forever so what they currently hide is important.

It is also stated that the chequer tree (subject of a TPO) is nationally rare, and is therefore of much wider importance than that stated.

East Malling Conservation Group: states that the proposed building sits in a sensitive green wedge between 2 Conservation Areas and, as such, should be well designed and of high quality. Whilst it is acknowledged that the architect has made a step forward in the proposed amendments, this is not considered a move far enough. The Group would like the residents of the home to be in a 'home' that blends in with the village structure and not be stigmatised. A number of changes and amendments are suggested by the Group, including further changes to the roof pitch and the east and west elevations, and removal of the balconies. A sketch of an alternative design is also provided (which was forwarded to the applicant).

In addition, it is stated that the ground levels at the whole of the Millstream School site vary considerably from front to back. Given this, the Group is of the firm belief that this application should not be determined until the layout and levels of the future residential development on the adjacent land are determined.

The re-use of the access road is supported, as any further entries punched through the ragstone wall at the front of the site would be contested. However, it is considered that a condition should be imposed to ensure that the building would not be occupied until the access road is reconstructed with a safe pedestrian access, lighting and acceptable sight lines into Mill Street.

It is hoped that the architect is prepared to reconsider the design and resubmit drawings. Approval should be subject to deferring the access, car parking and finished levels until the residential application is determined, or given as outline only.

The Divisional Transport Manager: comments as follows:

"The proposal utilises part of the former Millstream School and the proposal indicates the use of the former school access. As the proposed use is less than the existing use there are no objections to be raised for the use of the access or the traffic generation.

The layout shows parking provision for 8 vehicles, however it should be noted that end bays should be 2.7m wide and that the disabled spaces would be better located nearer the entrance.

In summary I raise no objections subject to the parking and turning being provided as shown prior to occupation and a layout incorporating refuse storage and collection points."

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The Environment Agency: raises no objection to the application and provides advice regarding Source Protection Zones and potential contamination. In addition, a desktop study to identify previous site uses, potential contaminants, and other relevant information, was required to be submitted prior to the determination of this application. Upon receipt of this study, the Environment Agency state that the recommendations and analysis of risks and liabilities detailed in the report are agreed in principle, and that the proposals for works at the site are generally acceptable. However, any relevant planning condition should not be discharged until all the works are complete and a closure report submitted.

Jacobs Landscaping: states that the development, located on the hard-surfaced area, would have minimal impact on the existing landscape. Existing vegetation should be protected during construction, particularly the established trees and scrub along the eastern periphery of the site.

The important existing trees on the northern and eastern boundaries are located outside the confines of the site but their canopies extend into the site. The guidance provided in BS 5837 'Trees in Relation to Construction' and NHBC Standards 'Building Near Trees' should be followed in order to minimise any negative impacts upon retained trees including those with Tree Preservation Orders. A tree protection drawing should be provided to illustrate how the trees can be protected during construction.

The retention of the existing trees on the northern and eastern boundaries together with the proposed additional planting will provide screening of the proposed apartments from the public recreation ground and the construction area of the new school complex. The site is not directly overlooked by residential properties. The proposed distinctive architectural language and external finishes will complement nearby properties and new shrub planting on all boundaries, comprising of a mix of low to medium height evergreen and deciduous shrubs, will provide additional screening.

Biodiversity Officer: comments as follows:

"I am reasonably satisfied with the ecological scoping undertaken for the application. From the Design and Access Statement it appears as if the boundary of trees with potential for foraging bats is to be retained, therefore negating the need for a bat survey.

I would agree that impact to breeding birds may be possible and would suggest a mitigation condition inline with the recommendations in Table 7.1 of the scoping report, and a requirement to compensate likely loss of breeding habitat with nest box provision and appropriate landscaping

Whilst it is unlikely that this application would result in significant impacts to biodiversity, PPS9 is clear that all applications should consider how they can enhance biodiversity. Given the potential for bats and the known populations of birds on the site, I would consider that opportunities for biodiversity enhancement should be included within the built and landscaped environment of this proposal, particularly the provision of bird and bat boxes and the use of indigenous species (preferably of local provenance) for landscaping works."

County Fire Officer: states that the amended site layout provides a means of access that is considered satisfactory.

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EDF Energy: raises no objection to this proposal, providing their rights regarding access and maintenance to any of their cables within the area are maintained at all times.

National Grid: states that based on the information provided the proposal would not affect National Grid's high voltage electricity transmission plant and equipment.

Health Protection Agency: no comments received to date.

Additional comments were received from:

Blacklands Scout Group: comment as follows:

"Access to our building is through the former Millstream school site in which the proposed development lies. We have been talking to surveyors appointed by KCC to discuss future access arrangements to our premises both during and after the whole site is developed. These discussions have been based on the Development Brief for the whole site produced by KCC. We do not know if this development brief has been presented to the County Planning Authority but we feel that it is relevant to the application.

We would like to raise our concerns about this proposal on the grounds that no details regarding access have been presented in the application other than to specify that vehicle access will be required. Mill Street is a narrow road, which bends where it passes the site. The current exit is opposite a junction, on a blind corner and is dangerous with the current limited use. This proposal will generate additional movements both from occupiers and service vehicles and that will be in addition to the proposed residential development scheme on the remainder of the site.

We feel that this proposal can therefore only be properly considered in conjunction with the Development Brief and when details for the remainder of the site are available, vehicle access and parking arrangements are specified and the Highways Authority are able to consider the implications of the scheme and consider safety aspects."

Local Member

11. The local County Member, Mrs T. Dean, was notified of the application on the 16 October 2006.

Publicity

12. This application has been publicised by advertisement in a local newspaper, the posting of a site notice and the individual notification of 18 nearby properties.

Representations

13. 1 letter of representation has been received regarding the revised proposal, following the receipt of 4 letters regarding the initial proposal. The main comments/points of concern and objection are summarised as follows:

- Concern is expressed that the development site is in close proximity to overhead powerlines, and the subsequent implications of this.

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- The former Millstream site is to be developed for housing in the future. The site should be treated as a whole with one overall development plan, not in a piecemeal fashion. There are a number of issues which are cross related, including site access, compatibility of design and changes in site levels.
- Object to the erection of 2 storey development as there is no precedent for this. The school (now demolished) was also single storey.
- Object to the erection of flats on site because flats are not compatible with the residential fabric of the village.
- Access does not appear to have been considered. Footways to and from the site are unsuitable for wheelchairs, local shops are nearly a mile away, links to public transport are poor and there is no doctors surgery in the village. 'Bussing' people in and out of the facility would not facilitate integration with the village.
- The building design is totally inappropriate and out of character with the location and the adjacent Conservation Areas.
- The character of East Malling is being systematically ruined by inappropriate development.
- The proposal is a cheap PFI solution and does not follow the guidance in the East Malling Village Design Statement. The building has the appearance of an institution.
- The roof pitch is too flat, the west and east elevations give a brick slab appearance and materials need to be given careful consideration.
- Concern is expressed that local residents have not been consulted properly on this application, and that more information should have been provided in the initial stages of the proposals development.

In addition 19 comment cards were received following a public exhibition held by the applicants. The main comments/points of concern and objection are summarised as follows:

- The site chosen is not appropriate. There are few facilities locally, and access to those that are available within the village is dangerous. The pavement is narrow and uneven and, therefore, not wheelchair friendly;
- The design is out of keeping with the village, which is in a conservation area. The Kent Design Guide and the Village Design Statement should be consulted and the design amended;
- Materials proposed are out of keeping with the local area;
- Residents were assured that no development on the site would exceed the footprint of the demolished school;
- Transport links are limited;
- Residents would prefer to see an overall plan for the development of the site;

Discussion

14. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (9) 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 impact upon residential and local amenity, visual impacts and design, and possible effects on the local environment, particularly the Green Wedge, Area of Local Landscape Importance and adjacent Conservation Areas.

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15. Policies SP1 and QL1 of the Kent and Medway Structure Plan, and Policy P4/11 of the Tonbridge and Malling 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 the Green Wedge and an Area of Local Landscape Importance, and adjacent to a Conservation Area.
16. As previously mentioned the application site is included within the Green Wedge and an Area of Local Landscape Importance, as designated in the Adopted Tonbridge and Malling Local Plan under Policies P2/19 and P3/7 respectively. These policies have a presumption against development and, therefore, this application has been advertised as a departure from the Development Plan and the matter would need to be referred to the Secretary of State for her consideration, should Members be minded to permit. In assessing the proposal the policies detailed above, particularly those concerning the Green Wedge, need to be considered more closely to establish whether or not there are special circumstances that would warrant setting aside the general presumption against development.

Siting and Design

17. Policy P2/19 of the Adopted Tonbridge and Malling Local Plan states that within the Green Wedge development will not be permitted which significantly extends the built confines of rural settlements or urban areas, or has a significant adverse effect on the function of the Green Wedge in ensuring the separation of these areas. This application site is adjacent to the boundary of the rural settlement confines and it is therefore necessary to consider whether this proposal would extend the built confines of the settlement, and/or have an adverse effect on the separation function of the Green Wedge. The application site also adjoins to boundary of a Conservation Area. Policy P4/4 of the Tonbridge and Malling Borough Local Plan, and Policy QL6 of the Kent and Medway Structure Plan require proposals for land adjacent to Conservation Areas to respect the setting of the Conservation Area, and views into and out of it. Development which would harm the character or appearance of a Conservation Area will not be permitted. In addition, the application site is within an area of Local Landscape Importance, and it is stated under Policy P3/7 of the Tonbridge and Malling Borough Local Plan that development which would materially harm the landscape character of the area will not be permitted. In conjunction with other relevant landscape protection and design policies, these issues need to be considered in the determination of this application and will be discussed below.
18. First, the siting of the proposed development must be considered in relation to the functioning of the Green Wedge. As previously stated, the application site forms part of the site of the former Mill Stream School, which is now demolished. The proposed building would be located upon an existing hard surfaced area, which was previously used as the school playground. A precedent for development on the site has therefore been set. The site is essentially brownfield in nature, and the proposed building would be located within the site boundaries of the former Mill Stream School, on a area of existing hard standing. In addition, the development would not lead to a significant outward expansion or consolidation of existing pockets of development and, therefore, I consider that this proposal would not have a detrimental effect on the functioning of the Green Wedge or be contrary to the initial principles of Policy P2/19 of the Adopted Local Plan.
19. However, the design and visual appearance of the building needs to be given further consideration. Concerns and objections have been raised by a number of parties with

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regards to the design of the development. In response, the applicant amended the proposal, referring to relevant design guidance, and it is this amended design that has been outlined throughout this report. However, the design of the building has continued to be a cause of concern, especially given the site's location adjacent to a Conservation Area and within an Area of Local Landscape Importance. Residents and consultees have suggested that the east and west elevations are bland, that balconies should be removed, the roof pitch changed and the use of hanging tiles extended. Concern is expressed that the building design has no identity with East Malling, and should it be accepted, that it could set a precedent for the development of the remainder of the site.

20. The amended scheme incorporates a number of changes, which the applicant believes improves the design and takes into account advice and guidance given in the Kent Design Guide and East Malling Village Design Statement. In particular, the height of the roof was raised by increasing the pitch to 22.5 degrees, a pitch deemed to be comparable with other properties in the village, as illustrated in the Village Design Statement. The applicant is conscious that any further increase in pitch would result in increase in ridge height. In addition, the angle of the roof slopes over the balconies on the front elevation has been reversed, which has removed the effect of mono pitches to the side elevation, and resulted in a more traditional eaves treatment. Although further changes to the roof pitch would be welcomed, the applicant has offered a solution which is considered to be acceptable in this instance.
21. Objection has been raised to the erection of a two storey building on site. However, the new Malling School, under construction at the rear of this site, is predominately two storey, and neighbouring residential properties are a mix of both single and two storey development. In addition, the applicant suggests that it is more than likely that the remainder of the site would be developed with two storey housing. I consider that two storey development is compatible with the surrounding area, and that the scale and massing of the proposed building would not have a detrimental impact upon the character of the local area.
22. The applicant also gave further consideration to the proposed external materials when submitting the revised drawings, taking advice from the Village Design Statement. It is proposed that the ground and first floors would be distinguished by differing materials, with a red brick to the ground floor elevations and to most of the side elevations, and red plain clay tile hanging to the first floor, which would wrap around part of the side elevation. The side elevation would also feature a blue brick soldier course at first floor level, which the applicant suggests is characteristic of other properties in the village, and is recommended in the Village Design Statement. The roof would be finished with red clay tiles. The applicant suggests that the use of large format aluminium windows, something that was questioned by the East Malling Conservation Group, is appropriate in this location as the building would be isolated from other properties. However, the applicant advises that it would be possible to break up the large panes of glass with transoms and mullions, and requests that details of the window design be submitted under planning condition. I am of the opinion that the proposed materials are acceptable for the location, and adhere to relevant design advice. Should Members be minded to permit, details and samples of all materials to be used externally, and details of the window design, would be required to be submitted for approval prior to the commencement of development on site.
23. Although the proposed development is not within a Conservation Area, it is within close proximity to the boundary and, therefore, its impact on the character and appearance of the Conservation Area needs to be considered. The boundary of the Conservation Area

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is located to the west of the site, at the edge of the former Millstream School playing fields. The site is currently visible from the Conservation Area, but following development of the remainder of the site, it is likely that the proposed supported apartments may be screened by new housing. However, regardless of this, I consider that the amendments made to the proposed design of the building are sufficient, and that the applicant has demonstrated that they have considered, and reasonable translated, relevant design guidance. The scale, massing and design of the development are considered to be appropriate to the local landscape and take into account the sites sensitive location. I therefore consider that the development would not have a significantly detrimental impact upon the landscape character of the area, and subsequently the Area of Local Landscape Importance and the Mill Street Conservation Area. In my opinion, the development is in accordance with the general principles of relevant Development Plan Policies and, therefore, would not have a significantly detrimental effect on the Green Wedge, Area of Local Landscape Importance or adjacent Conservation Area.

Location and Access

24. Local objectors have suggested that the proposed site is inappropriate, as it is not centrally located to the village. It is suggested that access does not appear to have been considered. Footways to and from the site are unsuitable for wheelchairs, local shops are nearly a mile away, links to public transport are poor and there is no doctor's surgery in the village. 'Bussing' people in and out of the facility would not facilitate integration with the village. However, the applicant suggests that although transport links are limited in the village, it is likely that the occupiers of the building would be reliant on either the private car, or by vehicles associated with the providers of the healthcare for their travel. The applicant considers that the surrounding road network is adequate to serve the needs of the development, as are the local facilities.
25. Given the site constraints, and the layout of surrounding development, access would be provided along an improved access road from Mill Street. The location of the access road, currently a construction access for the Malling School development, would be moved westwards slightly to enable the provision of adequate visibility splays. The County Fire Officer is satisfied that access for fire and refuse vehicles is acceptable, and Kent Highways Services raise no objection to this proposal subject to the parking and turning area shown on the submitted drawings being provided prior to the occupation of the development. In addition, refuse storage and collection points need to be provided, although details of this could be required under planning condition. The access road is likely to be lit, with low level bollard lighting, enabling safe pedestrian access for residents. The applicant requests that final access details be submitted under planning condition. Therefore, should Members be minded to permit, a condition would be imposed on the planning decision to ensure that final details of the access road would be submitted for approval prior to the commencement of development on site.

Landscaping

26. This proposal would not involve the felling of any trees, and existing trees and vegetation on the northern and eastern boundaries, outside of the application site boundary, would be unaffected. Existing vegetation would provide a framework for additional planting, and the applicant proposes that new shrub planting on all boundaries would comprise a mix of low to medium height evergreen and deciduous shrubs. The important, and TPO'd, existing trees on the northern and eastern boundaries, although outside of the

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development site, would be protected by tree protection fencing throughout construction, and tree protection plans (in accordance with BS 5837: Trees in Relation to Construction) would be required under planning condition. In addition, a full scheme of landscaping would need to be submitted and approved prior to the commencement of development on site, and would need to include the provision of a proportion of native, locally sourced species, and biodiversity enhancement measures such as the provision of bird and bat boxes. As a precautionary measure, I consider that a condition should be imposed to ensure that any vegetation clearance occurs outside of the bird breeding season, and that the recommendations of the ecological scoping survey are adhered to.

Remainder of the Site

27. It is intended that the remainder of the site is to be developed as housing. An application for general housing would have to be submitted to, and determined by, Tonbridge and Malling Borough Council. This current proposal seeks to provide a facility as part of the County Council's Adult Care Service, and as such must be determined by the County Planning Authority. This makes it impossible for the whole of the site to be subject to one planning application. The development of the remainder of the site is out of the remit of this planning application and cannot be considered in this instance. However, the applicant advises that the proposals have been developed in full knowledge that the remainder of the site may be used for housing. It is also of note that the programme for the development of the County Council's initiative to provide care apartments is much further advanced than the potential residential development on the remainder of the site. Accordingly, it would be unreasonable to delay this proposal by waiting for an adjoining proposal which is still at an early stage and would be subject to a separate planning process by another planning authority.

Powerlines

28. Concern was expressed that the development would be within close proximity of high voltage overhead power lines. As a result, EDF Energy, National Grid and the Health Protection Agency were consulted on this application. Both National Grid and EDF Energy have raised no objection to the proposal, providing access to cables within the area is maintained at all times. As a result of Health and Safety concerns the Health Protection Agency was consulted and views from them are awaited.

Conclusion

29. In summary, I consider that there are special circumstances to justify the proposed development within the Green Wedge. Subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general principles of the relevant Development Plan Policies. Therefore, I recommend that the application be referred to the First Secretary of State as a departure from the Development Plan, and that subject to her decision, permission be granted subject to appropriate conditions.

Recommendation

30. I RECOMMEND that the application BE REFERRED to the Secretary of State for Communities and Local Government as a departure from the Development Plan, and that subject to her decision, PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:

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- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- external materials to be submitted;
- details of windows design to be submitted;
- a scheme of landscaping, its implementation and maintenance;
- recommendations of ecological scoping survey to be adhered to;
- details of external lighting;
- details of access, turning and car parking;
- details of refuse storage and collection points;
- hours of working during construction;
- measures to prevent mud and debris being taken onto the public highway;

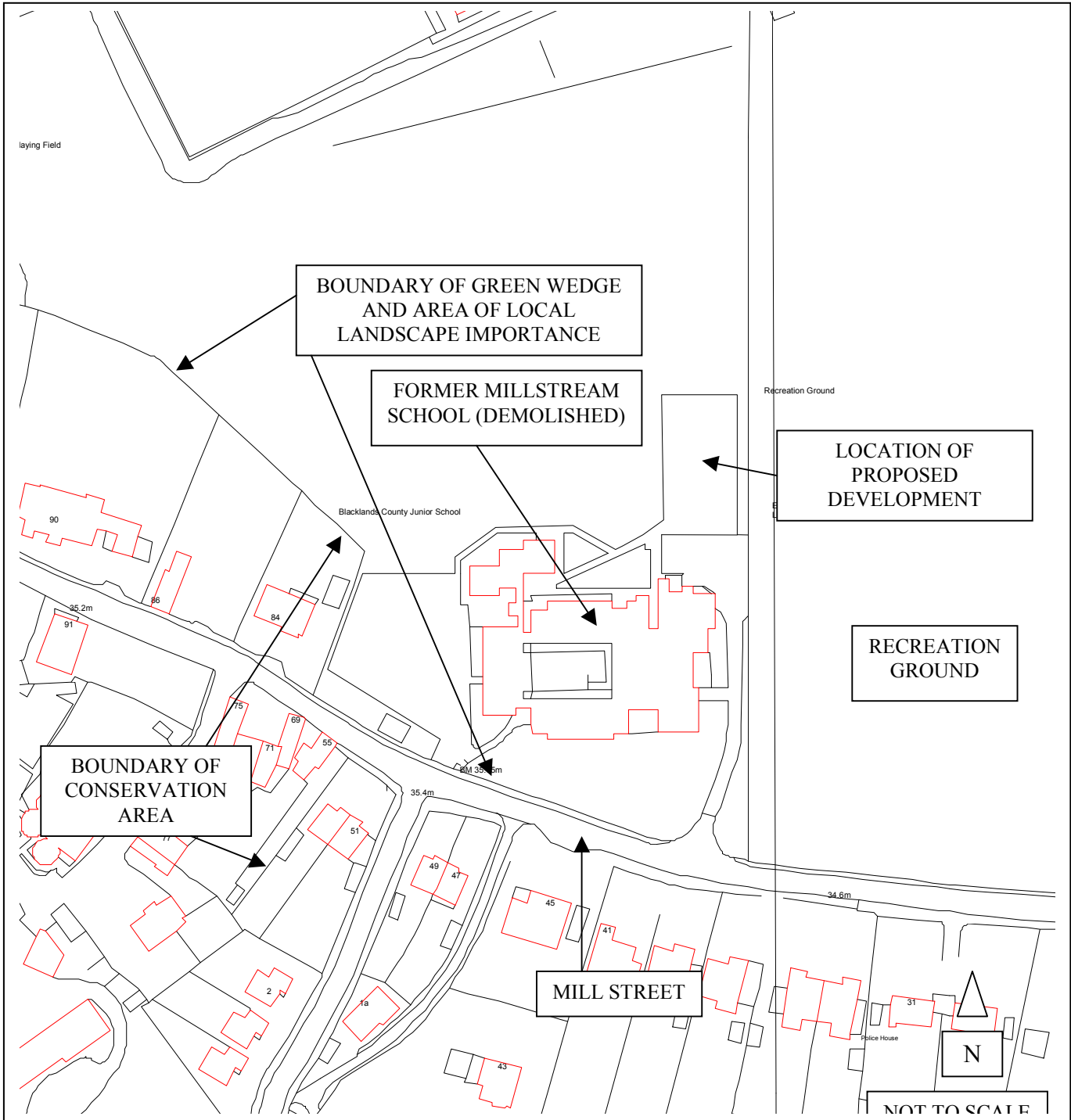
Case officer – Mary Green	01622 221066
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Background documents - See section heading
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7 supported apartments at land at the Former Mill Stream School, East Malling – TM/06/3385

SITE LOCATION PLAN

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Item D4**40 Extra Care apartments for the elderly with associated communal facilities, supported apartments, replacement bungalows, car parking and landscaping at Roly Eckhoff House, Dover – DO/06/1247**

A report by Head of Planning Applications Unit to Planning Applications Committee on 16 January 2007.

Application by Kent County Council Adult Services and Housing 21 for the demolition of existing buildings and erection of a detached three storey block of 40 extra care apartments for the elderly with associated communal facilities, a two-storey block of 7 supported apartments for people with learning difficulties and two replacement bungalows for the elderly, together with access, car parking and landscaping at Roly Eckhoff House, Roosevelt Road, Dover.

Recommendation: Subject to the views of Dover District Council, permission be granted subject to conditions.

Local Member(s): K. Sansum, W. Newman and B. Cope

Classification: Unrestricted

Site

1. Roly Eckhoff House is located along Roosevelt Road in Dover and is within the Buckland Ward and close to the designated Whitfield and Buckland Downs Site of Nature Conservation Interest. Residential properties surround the site to the northeast and south. The Recreational Ground and Community Centre are situated to the west of the site. The site is situated on a hillside, which slopes down to the west. A plan is attached.

Background

2. The application is one of a number of applications, which have been submitted on behalf of Kent County Council Adult Services and Housing 21. The proposals form part of a Private Finance Initiative (PFI) to redevelop a number of sites in Kent with new extra care accommodation for the elderly and supported flats for people with learning disabilities.
3. Outline Planning permission was granted (ref: DO/05/716) by the Planning Application Committee on 13 September 2005 for a similar development. That outline planning permission for the site approved the principle of development, with a part single and part 3 storey building for use as 40 extra care flats, using a site layout that differs from the current application.
4. Following the submission of a new full planning application, Housing 21 has held an exhibition for local residents regarding the proposed development of the site, which coincided with the submission of the planning application. Responses submitted in response to the exhibition have been conveyed to myself and are incorporated in representations received in response to the planning application.

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40 Extra Care apartments for the elderly with associated communal facilities, 7 supported apartments for people with learning difficulties, car parking and landscaping at Roly Eckhoff House, Dover – DO/06/1247

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Proposal

5. Full planning permission is now sought for the demolition of the existing buildings and the erection of two new buildings on the site, together with the re-provision of the two existing bungalows; a 3-storey block of 40 extra care flats for the elderly and a 2-storey building of 7 supported apartments for those with learning difficulties. Associated communal facilities together with landscaping are also proposed. A total of 24 car-parking spaces would be provided on site, including 6 spaces for use by disabled persons.

Layout

6. The site slopes in a series of terraces and the proposed building works would be located on the flat site of the existing building and be both 3-storey and 2-storey in height. The two relocated bungalows are sited on the lowest terrace with direct access to the proposed car parking area.
7. The car park and main access would be immediately to the west of the new building to allow for direct and level access into the building. To the east of the building, a garden area would be provided and to the west new bungalows. The Learning Difficulties Unit would be situated close to the access point with the care home beyond. Access and parking would be arranged and directly related to the entrances into the buildings.
8. The development has been designed to comply with Secured by Design principles. The applicant has stated that an integrated approach to the development has been taken to ensure that a well designed environment is created with good natural surveillance over the car parking areas, a secure and well maintained access from Roosevelt Road and private amenity space for the residents, which is overlooked from each unit within the building and secure from intruders. It is also proposed to introduce low level lighting to the parking court and pedestrian access route.

Proposed Building

9. The design of the buildings has been influenced by its position on the hillside and its location adjacent to residential properties. The building has long principal elevations with a strong horizontal emphasis. In order to provide interest and activity in the elevations, the front and rear elevations have been broken into modules with projecting bays in contrasting materials in order to provide a more vertical rhythm.
10. The building would have a shallow pitched roof and the horizontal emphasis would also be delineated by differing materials. The ground floor would be clad in a fair faced brick with upper floors clad in horizontal cedar board cladding. The projecting bay windows are a key feature of the design, which provides residents with a safe and secure area for viewing the gardens around the building. The projecting bays would be framed with white render and are also distinguished by horizontal cedar cladding to provide a softer contrast to the other materials. In order to complement the other materials, windows and doors would be constructed of powder coated metal frames to provide a crisp, understated finish. The 2-storey supported apartments building would be constructed in a similar palette of materials.

40 Extra Care apartments for the elderly with associated communal facilities, 7 supported apartments for people with learning difficulties, car parking and landscaping at Roly Eckhoff House, Dover – DO/06/1247

11. The main entrance to the extra care building would be easily identified by the path leading to the front doors from the drop off point with shelter to be provided by a projecting canopy.
12. The bungalows would be re-provided in the form of a pair of semi-detached dwellings constructed in brick and tile on a pitched roof. Covered car parking for each property would be provided in the centre portion of the building, with access to each dwelling from the parking spaces.

Access

13. It is proposed to re-site the access westwards along Roosevelt Road to provide improved access. This would then run northwards into the site with car parking arranged along either side and with a drop-off area at the northern end close to the proposed entrance to the building. The building has been designed with full disabled access to all parts of the site. An ambulance drop off point would be provided.

Landscaping

14. The siting of the new elements allows for the retention of existing terraces and retaining walls along with existing plants where this contributes to the establishment of a mature garden area.
15. The supported living site frontage from the Roosevelt Road access would be planted to enhance the car park and entrance area. The garden areas for the care home and the unit are proposed narrow linear spaces sandwiched between the buildings and an existing retaining wall. The landscape design for the care home garden would be formed as a series of smaller interconnected spaces. Paved sitting areas would be linked by a path with planting each side.
16. Around the immediate edge of the Care Home block low to medium height flowering and scented shrubs would be planted to enhance the view from the windows. Maximum use would be made of the enclosure afforded by the eastern wall with wall plants, climbers and attractive foliage shrubs planted along its length. Emphasis would also be placed on scented and attractive flowers.
17. The rear garden of the unit would be laid to lawn with hedgerow as a division with the Care Home. A paved space would be located in the rear garden. The land around the two new bungalows would be turfed and used as private amenity space for the occupiers of the bungalows.

Planning Policy

18. 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.

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Policy QL1 – All development should be well designed and be of high quality.

Policy QL11 – Existing community services, will be protected as long as there is a demonstrable need for them.

Policy TP3 – Development sites should be well served by public transport, walking and cycling or will be made so as a result of the development. Requires travel plans to be established for larger developments that generate significant demand for travel. Developments likely to generate a larger number of trips should be located where there is either a good choice of transport already available or where a good choice can be provided in an acceptable manner.

Policy TP19 – Development proposals must comply with the adopted vehicle parking policies and standards.

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

(ii) **Dover District Local Plan, 2002:**

Policy DD1 – Proposals for development will not be permitted unless they are acceptable in terms of layout and function, siting and scale, spatial and visual character, etc.

Policy OS1 – Proposals for development which would result in the loss of open space will not be permitted unless there is no identified deficiency in public open space, including children's play space.

Consultations

19. **Dover District Council:** The proposal is being considered by the District Council's Planning Committee on 18 January 2007, the case officer is recommending no objection and the Council's formal views are expected shortly after.

Dover Town Council: No objections.

Divisional Transport Manager: "The car park layout and number of parking spaces are acceptable in highway terms. The parking spaces will need to be conditioned along with turning facilities. The vehicular access is new and although no sight lines are shown on it, I have no objections as the vehicular vision splay only extends over the existing public footpath. The gradient however will need to be conditioned and should not exceed 1:12 for the first 6m.

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“The applicant should also be advised that approval needs to be gained from Kent Highway Services before the access works or any other works within the highway commence”.

Jacobs (Landscaping): “Overall, the visual impact would be ‘slight adverse’ due to the size of the proposed building and the visual prominence of the proposed car parking. Due to the loss of trees, it is strongly recommended that native replacement tree planting elsewhere on site takes place in order to mitigate the impact. Full landscaping plans, including hard and soft detailing should be conditioned and full tree protection plan in accordance with BS5837:2005 ‘Trees in Relation to Construction’ shall be submitted prior to determination of the application”.

Jacobs (Noise): “The area surrounding Roly Eckhoff House is predominantly residential. I am of the opinion that noise from the site should not detrimentally impact on the amenity of the closest noise sensitive receivers. However, during construction there is potential for short term impacts although controls can be put in place such operating times for construction and associated operations”.

Natural England: No objection.

Environment Agency: No objection.

Kent County Council Biodiversity: “The survey report identifies no need for further survey work which seems reasonable considering the site and the habitats within. However there are a couple of issues to be addressed.

“As stated in the report all tree and scrub removal should be carried out outside of the bird breeding season (Mar-Aug inclusive) to avoid disturbing nesting birds. If any removal needs to be carried out during this season the trees and scrub should be inspected by a qualified, experienced ecologist and any nesting birds encountered should be left until their young have fledged. This also applies to demolition of, or work affecting, buildings where birds can nest, such as House Sparrows (a red listed bird of conservation concern).

“During the works on the buildings or trees if Bats are found work should cease immediately and the applicant’s ecologist and Natural England should be contacted for further instruction.

“Similarly, if any other protected species are found during development works, works should cease immediately in order to avoid committing an offence and the applicant’s ecologist and Natural England should be contacted for further instruction.

“Habitat enhancements as mentioned in the report and as commented on in my previous response should be included in the landscaping for this development. These enhancements include providing nesting or roosting boxes for birds and bats, pond or wetland creation and using wildlife friendly, native, local provenance planting throughout the landscaping.

“There are areas of Japanese Knotweed that have been identified on site in the report. This species is an invasive species that should be removed and can only be removed

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using specific, effective measures. The recommendation should be that the stands of this species are removed using approved methods in order to stop it spread on this site”.

Local Member

20. The local County Member(s), Mr K. Sansum, Mr. W. Newman and Mr. B. Cope were notified of the application on the 16 October 2006.

Publicity

21. The application was publicised by advertisement in a local paper, the posting of a site notice and the notification of 163 neighbouring properties.

Representations

22. 1 letter of representation has been received. The main concerns and objections are as follows:

- Concern that the green area around the site will not be protected.
- The mature trees within the green area should be preserved and incorporated into the development.

Discussion

23. This application needs to be determined with regard to the relevant Development Plan Policies and in the light of other material planning considerations, including relevant planning objections raised by the consultees, set against the need for the proposed development.

Policy

24. The key policies for consideration regarding the proposed development are SP1 (environment), QL1 (design) and QL11 (community) as set out in paragraph (18) above. The principle of the development accords with Policy SP1, although there are design and layout issues that need to be addressed.

25. Overall I consider that the proposed development is in general accordance with the relevant Development Plan Policies and I see no overriding objection on planning policy grounds. In particular the proposed development would be erected over the existing footprint of the existing care home facilities and is proposed to follow the terraced appearance of the hillside location with a 2 and 3 storey building.

Design and Layout

26. Although no objections have been raised with regards to the proposed design and layout, the physical constraints and configurations of the site make design difficult and a sensitive treatment is required, given its hillside location and proximity to predominantly two storey housing to the north, east and south.

27. The overall layout of the proposed development differs from that permitted at outline application stage, which consisted of buildings arranged on site in a “T” arrangement. The main care home building still remains 3-storey in height, with the learning difficulties

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centre proposed as 2-storey and the bungalows moved further away from the boundary of Green Lane and the residential properties close by. I consider that the design and layout proposed under this planning application to be a far better scheme and would be less intrusive to the amenities of the surrounding area. I consider that the building would represent an appropriate scale of development in the street scene, which can be softened in appearance through the implementation of appropriate landscaping and other detailed building treatment.

28. The building has been pulled further away from the east boundary of the site and its footprint is now more central within the site itself, meaning that the overall appearance of the development would be less intrusive and dominant on the street scene. The buildings on site are better situated and follow the slope of the hillside far better than they would have done if the layout permitted at outline stage had been adopted. The central location of the proposed care home facility and the overall layout of the car parking facilities means that access to the main building by visitors and residents has been made much easier, especially given the hillside location and the difficulty some users may have with steep slopes and distances. The entrances to the buildings are all central and access points are easily identified.
29. The applicant has stated that the scale of the development accords with the comments made by Dover District Council at outline stage. In this case, the communal space within the extra care building has been retained within the main footprint, which has reduced the total footprint of development on the site. This has resulted in larger open areas around the site for landscaping and amenity space and also allows the retention of the two bungalows to the west of the site.
30. In terms of appearance, all external materials proposed for use can be conditioned for submission prior to the commencement of operations on site. I do not consider the design to have a detrimental impact on the character of the site and consider that it would have a positive impact on the existing street scene, which is a mixture of relatively modern materials and detailing of no uniform or distinctive design. The proposed building would be an improvement to the run-down buildings existing on site and in my opinion provide a fresh contribution to the character of the area.

Residential Amenity

31. With regards to the amenities of neighbouring local residents, the new building's proposed siting has been chosen by the applicant in order to minimise its impact the residential amenities.
32. Due to the lay of the land and the hillside location, the proposed development, although 3-storey in height would appear less imposing with the illusion of reduced height from the east boundary and properties looking down hill to the west. The terraced slope of the site means that the development would not be built at the same ground level as existing residential properties, predominantly 2-storey in height, behind it. This will therefore give the impression that the building is in fact smaller than it actually is and views enjoyed by residents should not be detrimentally affected.
33. Overall, I consider that residential amenity would not be adversely affected by the proposed building, although some impact on views may be experienced. Views from the west, looking up hill would of course be impacted upon given the dominant appearance

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of a 3-storey building on the landscape. Materials and landscaping can be chosen carefully in order to mitigate against any unwanted impacts.

34. The proposed development, although 3-storeys in height, would be built over the footprint of the original building and the use of the site would not change. Increased amenity and garden areas have been created by the chosen layout of the proposed care home facility. A condition requesting further landscaping and planting, especially along the eastern boundary, in order to soften the appearance of the development further can be included on the planning permission should Members be minded to permit.

Parking and Access

35. The site would be accessed from a re-sited access along Roosevelt Road and the parking spaces would be provided off the access road. The Divisional Transport Officer considers the proposed parking and new access to be acceptable in highways terms, although the parking spaces would need to be conditioned along with turning facilities. The gradient of the new access would also need to be conditioned and should not exceed 1:12 for the first 6 metres.
36. There have been no concerns raised with regards to increased traffic and parking following the consultation process and I do not consider there to be an issue with regards to traffic as the site is proposed to be used for the same purpose as is currently taking place. I do not consider there to be a planning concern in terms of traffic and parking in and around the site. I consider the proposed access and parking facilities to be acceptable in planning terms.

Landscaping

37. The application site currently benefits from existing planting and landscaping, which forms an important amenity function both within the site and within the wider area. The proposed development would not affect the existing boundary vegetation, and further tree planting is proposed.
38. A neighbour of the site has expressed concern regarding the proposed number of trees to be removed on site as a result of the proposed development. The neighbour sought reassurance from the County Council that trees on site would not be lost but incorporated into the development. In response to these concerns, the applicant has submitted a revised site layout plan showing the retention of trees in the eastern section of the site and a single tree to the west of the proposed building (plan attached). Those trees located in the southern section of the site would be lost as a result of the development. This was a similar situation at outline planning application stage and I can confirm that a full landscaping scheme would be requested prior to commencement of operations on site, which would show the replacement planting scheme to replace those trees proposed to be lost.
39. Jacobs Landscaping has commented on the changes made by the applicant and express concern regarding the loss of those trees highlighted for removal as these trees are considered to add to the amenity of the area, softening the surrounding built structures into the landscape and providing seasonal interest. Jacobs have stated that the loss of these trees would cause a slight adverse impact and strongly recommend native replacement tree planting elsewhere on site in order to mitigate the impact.

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40. I have no objection to the removal of the trees identified in paragraph (38) or the proposed extra tree planting provided by the applicant. I consider that detailed and thorough landscaping on site would help mitigate any visual amenity and overlooking issues, which have been of particular concern for neighbouring residents of the site. I also consider that detailed landscaping would add character and attractiveness to the site and proposed building. A detailed 'Tree Protection Plan' has been submitted and is currently out to further consultation with Dover District Council and Jacobs Landscaping.

Biodiversity

41. Following grant of outline planning permission in September 2005, an extended phase 1 Habitat Survey was prepared to establish the presence of any habitats on the site and the potential for protected species. The report concluded that the site has a moderate potential to support nesting birds and a low potential to support bats.

42. The Biodiversity Officer has confirmed that no further survey work is required on site in terms of the potential for protected species although request that a number of issues be addressed via conditions on the planning permission should Members be minded to permit. These should include work on trees or near trees and shrubs being carried out outside of the bird breeding season, that if Bats are found during construction work should automatically cease on site and that habitat enhancements shall be included within the landscaping scheme, also to be conditioned.

43. Overall, I do not consider there to be a planning concern in terms of any potential impacts from the proposed development on biodiversity and wildlife on and around the site, and consider that any impacts on wildlife would be sufficiently mitigated by the imposition of the above suggested conditions.

Demolition and Construction

44. It is proposed to demolish the existing bungalows included within, and to the south east of, the development along with the existing care home building. This has the potential to have an impact on the closest residential properties. In order to minimise the impact of the development on local residents during demolition and construction, especially in terms of noise and dust, a condition should limit the use of any plant, machinery and other equipment which is audible at the application site boundary to 0800 to 1800 Mondays to Fridays and 0900 to 1300 Saturdays. Conditions should also require measures to be taken to minimise dust and to ensure mud and other debris is not deposited on the public highway.

Conclusion

45. The application has to be considered in the context of the Development Plan and in relation to the location of the proposed development set against the impact of the proposal and the need for the proposal. Whilst issues have been raised relating to the potential loss of amenity due mainly to the proposed removal of some trees on site, I consider that the location and design of the development to be acceptable and that any impacts on vegetation and landscaping can be suitably mitigated with the implementation of an approved landscaping scheme and screening plan. I do not therefore consider there to be any overriding planning objections to the proposal and recommend accordingly.

40 Extra Care apartments for the elderly with associated communal facilities, 7 supported apartments for people with learning difficulties, car parking and landscaping at Roly Eckhoff House, Dover – DO/06/1247

Recommendation

46. I RECOMMEND that SUBJECT TO Dover District Council's views and no adverse views on the submitted Tree Protection Plan, PERMISSION BE GRANTED, SUBJECT to conditions including:

- the standard time condition,
- submission of details of materials,
- submission of a detailed landscaping scheme, including habitat enhancement methods,
- hours of use for construction, including use of machinery and plant,
- measures to minimise dust disturbance
- measure to ensure mud is not deposited on the highway
- development to be constructed strictly in accordance with approved plans.

Case officer – Helena Woodcock	01622 221063
Background documents - See section heading	

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

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

Background Documents - The deposited documents.

- SH/05/53/R5/VAR Variation of code of construction practice scheme submitted in relation to Condition 5 of planning permission reference SH/05/53, including supplementary information covering impacts from use of the Dunes Road temporary construction compound, Greatstone.
New Romney & Greatstone on Sea Wastewater Treatment Scheme

- GR/06/685 Application for lawful development certificate for use for storage of vehicles, vehicle parts, breaking/dismantling of vehicles, sales of vehicles and vehicle parts.
Highview, Longfield Road, Longfield

- MA/06/1397 Remediation of the Decommissioned Syngenta Works, leaving the site contoured for future re-development (future re-development not part of this application).
Syngenta Works, Yalding

- AS/06/24/R4 Submission of Code of Construction Practice pursuant to condition (4) of planning permission AS/06/24 – Upgrade of Wastewater Treatment Works and Sludge Recycling Centre.
Ashford Wastewater Treatment Works, Canterbury Road, Ashford

- SH/05/53/R11A Reserved Matters – Scheme of external floodlighting and other illumination proposed at the treatment works and all temporary construction compounds.
New Romney and Greatstone on Sea Wastewater Treatment Scheme

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

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.

- | | |
|------------|--|
| GR/06/901 | Outline application for the erection of a single dwelling.
Land adjacent to 47 Huntley Avenue, Northfleet |
| TH/06/1407 | Erection of a single storey rear extension.
87 Prestedge Avenue, Ramsgate |
| TH/06/1330 | Relocation of main entrance, including construction of new level access, steps and canopy. New external signage partial change of use from Library to TDC service centre. General refurbishment of Library interior and new visitor accessible WC's.
Margate Library, Cecil Square, Margate |
| TH/06/1410 | Change of use of agricultural land to playing field.
Eurokent Business Park and Land Adjoining, New Haine Road, Ramsgate |

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

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

Background Documents – The deposited documents.

GR/06/688	Continued siting of 1 free standing rollalong 6 bay building. Kings Farm Family Centre, Windsor Road, Gravesend
TH/06/1309	Replacement of all timber centre pivot and sliding sash windows with white P.V.C.u units having matching fenestration with the existing. Salmestone Primary School, College Road, Margate
TW/05/2924/R3A	Details of plinth brickwork – New teaching block. Pembury School, Lower Green Road, Pembury, Tunbridge Wells
TW/06/1180/R4	Details of a scheme of landscaping – Sports Education Building. Angley School, Angley Road, Cranbrook
TH/05/963/R7(b)	Archaeological Evaluation Report – New Sports Hall. King Ethelbert School, Canterbury Road, Westgate
GR/05/563/R2A	Details of roof tile – School extension. Wrotham Road Junior School, Wrotham Road, Gravesend
GR/05/563/R2B	Details of external materials – School extension. Wrotham Road Junior School, Wrotham Road, Gravesend
CA/06/1498	Addition to extend the existing staff room. St Marys Catholic Primary School, Northwood Road, Tankerton, Whitstable
SW/06/1109/R3	Details of external paint treatment for storage container. Milton Court Primary School, Brewery Road, Sittingbourne
DO/06/1246	Erection of ball stop fencing. Sholden C.E. (Aided) Primary School, London Road, Sholden, Deal
TW/06/3338	Use of undercroft area to the hall/dining block to provide a disabled toilet, store and new entrance to the hall. Bidborough Primary School, Spring Lane, Bidborough, Tunbridge Wells
TM/06/1718	Extend pre-school building over existing foundations and exterior furniture under pitched roof. St Peters C of E Primary School, Mount Pleasant, Aylesford
SW/06/975	Two 2.4 metre high gates and 2.4 metre high security fencing. Davington Primary School, Priory Row, Davington, Faversham

TM/06/2401	New teaching block to accommodate sixth form, science, graphics and observation classrooms, to include alteration to existing car park and conversion of existing sixth form building to Autistic unit. Hayesbrook School, Brook Street, Tonbridge
SH/06/1375	6 new classrooms and associated WC and resource space including external landscaping. Park Farm Primary School, Park Farm Road, Folkestone
SE/06/1778	Erection of a covered area extension to nursery. Edenbridge Primary School, High Street, Edenbridge
TH/06/221/R10	Reserved matters – Details of a scheme of external lighting for the reconstruction of Ramsgate Library. Ramsgate Library, Guildford Lawn, Ramsgate
DA/05/450/R3	Details of landscape works for Children’s Centre. Oakfield Infants and Primary School, Oakfield Lane, Dartford
CA/05/1109/R2	Details of a landscape scheme – New build vocational centre. Herne Bay High School, Bullockstone Road, Herne Bay
GR/06/909	Erection of link corridor Raynehurst School, Cerne Road, Gravesend
AS/06/2102	Erection of a 3-piece canopy. Tenterden Primary School, Recreation Ground Road, Tenterden
TH/05/1234/R2	School Travel Plan. St. Peter-in-Thanel C of E Junior School, Grange Road, Broadstairs
TH/06/1171	Reserved matters application for external appearance, siting, design, means of access and landscaping, including details pursuant to conditions 1, 2, 4 and 5 of outline planning permission TH/05/963. King Ethelbert School, Canterbury Road, Birchington, Margate
TM/06/1325/R3	Details of landscaping on northern boundary. The Judd School, Brook Street, Tonbridge
SW/06/1299	Extension to existing toilet block. Queenborough First School, Edward Road, Queenborough
TH/06/1184	Demolition of existing buildings and erection of 2 linked two storey detached buildings comprising 7 supported apartments for people with learning difficulties with communal space and 4 respite care flats improved access and car parking. Crispe House, Minnis Road, Birchington
SW/06/1276	Placement of a steel storage container. Borden Grammar School, Avenue of Remembrance, Sittingbourne
AS/06/980/R	Amendment to temporary mobile classrooms. Phoenix Junior and Primary School, Belmont Road, Ashford

SW/05/1164/R6 & R7	Details of external joinery and fittings (pursuant to condition 6) and constructional details of brick arches, springing and key stones and stone sills (pursuant to condition 7) for single storey extension. Graveney Primary School, Seasalter Road, Graveney
TH/06/717/R	Amended details – Revised contour layout. Ursuline College Proposed Playing Field, Quex Estates Land, Birchington
TH/06/717/R5	Details of a scheme of landscaping. Ursuline College Proposed Playing Field, Quex Estates Land, Birchington
CA/06/1101/R5	Details of external materials for erection of food technology block and recladding of first floor gymnasium. Barton Court Grammar School, Longport, Canterbury
GR/06/525/R2	Reserved details of all materials to be used externally. School extension. Shorne C. E. Primary School, Cob Drive, Shorne, Gravesend
TH/06/1114	Provision of 2 new build classrooms and extension/adaptation of 5 existing classrooms and new build nursery to provide a 2 FE through primary school on the junior school site. Newington Junior School, Princess Margaret Avenue, Ramsgate
DA/06/332/R3	Details of all materials to be used externally. Dartford Adult Education Centre, Highfield Road, Dartford.
DA/06/332/R	Amendments to approved scheme (and details of an access ramp considered to be permitted development under part 12 of the Town and Country Planning (General Permitted Development) Order 1995). Dartford Adult Education Centre, Highfield Road, Dartford
SW/06/605/R	Minor amendments to the approved elevations of planning permission SW/06/605 detailing changes to the roofline – 2-storey classroom block. Highsted Grammar School, Highsted Road, Sittingbourne
SE/06/2992	Replacement portakabin to house two care suites with entrance area and storage space. Valence School, Westerham Road, Westerham
CA/06/1142/R	Amendment to Early Years play and resource area. Petham Primary School, Church Lane, Petham
DA/06/373/R3	Details of all materials to be used externally – Provision of new three storey teaching block and sports hall. Dartford Technology College, Heath Lane, Dartford
SH/04/1424/R11 & R13-R16	Details of landscaping, external lighting and external treatments. Proposed Folkestone Academy, Land comprising part of the Channel School, Park Farm Road, Broadmeadow Home, Lucy Avenue and part of Unit E, Kingsmead, Park Farm West, Folkestone.

SH/04/1424/R1, R5, R6, R8 & R17 Details of commencement, construction environmental management plan and construction access/compound, environmental mitigation works, herpetofauna surveys and timetable for external sports provision.
Proposed Folkestone Academy, Land comprising part of the Channel School, Park Farm Road, Broadmeadow Home, Lucy Avenue and part of Unit E, Kingsmead, Park Farm West, Folkestone

E4

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

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

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:-

DC29/06/AS/0001 – Modifications to the sludge recycling centre at Tenterden Wastewater Treatment Works, Off Rolvenden Hill, Tenterden.

MA/06/TEMP/0046 – Application for variation of conditions 1 and 2 of planning permission MA/04/1168/MR43 to renew the permission for a further period of 15 years at Babylon Tile Works, Babylon Lane, Hawkenbury, Tonbridge.

DC29/06/SW/0002 – Installation of Chemical Dosing Unit at Iwade and Sittingbourne Pumping Station, Ferry Road, Sittingbourne.

- (b) 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 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

- (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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