

PLANNING APPLICATIONS COMMITTEE

Tuesday, 17th February, 2009

10.00 am

Council Chamber, Sessions House, County Hall,
Maidstone





AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 17th February, 2009, at 10.00 am Ask for: **Andrew Tait**
Council Chamber, Sessions House, County Telephone: **01622 694342**
Hall, Maidstone

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 - 22 January 2009 (Pages 1 - 4)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application TM/08/3715 - Variation of Condition 6 of Permission TM/06/2171 to allow additional vehicle (HGV) movements to and from the site (an increase from 110 to 182 movements per day) at Borough Green Quarry, Wrotham Road, Borough Green; Cemex UK Materials Ltd (Pages 5 - 16)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal TH/08/1366 - First floor extension to provide accommodation at St Crispin's Primary School, St Crispin's Road, Westgate-on-Sea; Governors of St Crispin's Primary School and KCC Children, Families and Education (Pages 17 - 30)
2. Proposal MA/08/2186 - Demolition of existing school buildings, erection of new Academy, re-provision of outdoor playing pitches, new four court multi-use games area, car parking spaces, bicycle spaces, strategic landscaping works and associated circulatory access roads at Cornwallis Academy, Hubbards Lane, Maidstone; KCC Children, Families and Education (Pages 31 - 70)
3. Proposal TM/08/3656 - Demolition of a conservatory and construction of a single storey extension and sun canopy at Ditton Infant School, Pear Tree Avenue, Ditton, Aylesford; Governors of Ditton Infant School and KCC Children, Families and Education (Pages 71 - 80)

4. Proposal SW/08/733 - Four classroom extension block, additional parking at the front of the school, repositioning of two temporary classrooms onto the playing field during construction works and internal remodelling and roof adaptations within the existing school building to provide pre-school facilities within the main school at Bapchild and Tonge Primary School, School Lane, Bapchild, Sittingbourne; Governors of Bapchild and Tonge Primary School and KCC Children, Families and Education (Pages 81 - 98)
5. Proposal SW/08/1323 - Renewal of planning consent for existing two classroom mobile unit at Tunstall CE (Aided) Primary School, Tunstall, Sittingbourne; Rochester Diocesan Board of Education and KCC Children, Families and Education (Pages 99 - 110)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. 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, 9 February 2009

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of A meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Thursday, 22 January 2009.

PRESENT: Mr R E King (Chairman), Mr A R Bassam (Vice-Chairman), Mrs V J Dagger, Mr T Gates, Mrs E Green, Mr W A Hayton, Mrs S V Hohler, Mr S J G Koowaree, Mr J F London, Mr T A Maddison, Mr J I Muckle, Mr W V Newman, DL, Mr R J Parry (Substitute for Mr G A Horne MBE), Mrs P A V Stockell and Mr F Wood-Brignall

ALSO PRESENT: Mr M J Fittock

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer), Mr J Wooldridge (Principal Planning Officer), Mr A Ash (Local Transport And Development Manager(Sevenoaks And Tunbridge Wells)) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Minutes - 9 December 2008
(Item A3)

(1) The Head of Planning Applications Group reported in respect of Minute 88 (2) that the Environment Agency had now withdrawn its objection to the Queenborough Children's Centre application and a temporary 25 year Permission had been issued. This had been granted under Delegated Powers in line with the decision of the Committee on 4 November 2008 (Minute 86).

(2) RESOLVED that the Minutes of the meeting held on 9 December 2009 are correctly recorded and that they be signed by the Chairman.

2. Applications TM/08/3350, TM/08/3351 and TM/08/3353 - Removal or variation of Condition 12 of Permission TM/06/762 at Blaise Farm Quarry Composting Facility, Kings Hill, West Malling; New Earth Solutions Ltd.
(Item C1- Report by Head of Planning Applications Group)

(1) The Head of Planning Applications Group informed the Committee that Application TM/08/3351 had been withdrawn. As a result, the recommendations contained in Paragraph 54 of the report were amended through the deletion of sub paragraphs (i) and (iv).

(2) Additional correspondence from Tonbridge and Malling Borough Council was tabled.

(3) The Head of Planning Applications Group reported correspondence from Mrs T Dean in opposition to the applications.

(4) Mrs C Innes from Offham Parish Council addressed the Committee in opposition to the applications. Mr T Bleszynski from New Earth Solutions spoke in reply.

(5) RESOLVED that:-

(a) Permission be refused in respect of Application TM/08/3350 for the following reasons:-

(i) The importation of waste from other sources would be contrary to the principles of Best Practicable Environmental Option (BPEO) and contrary to paragraph 3.2 of PPG2 and Policies SS2 and WM2 of the Kent and Medway Structure Plan (2006). It would also undermine the County Council's previous decision and lead to reduced capacity for waste arisings from within Kent or Medway (i.e. more proximate waste sources) resulting in such wastes either being transported greater distances with resultant disbenefits or pressure for additional new facilities in the Green Belt which could further undermine National Green Belt policy; and

(ii) The applicant has not demonstrated the very special circumstances necessary to overcome the presumption against inappropriate development in the Green Belt contrary to PPG2 and Policy SS2 of the Kent and Medway Structure Plan (2006); and

(b) Permission be refused in respect of Application TM/08/3353 for the following reasons:-

(i). The importation of waste from other sources would be contrary to the principles of Best Practicable Environmental Option (BPEO) and contrary to paragraph 3.2 of PPG2 and Policies SS2 and WM2 of the Kent and Medway Structure Plan (2006). It would also undermine the County Council's previous decision and lead to reduced capacity for waste arisings from more proximate waste sources within Kent or Medway resulting in such wastes either being transported greater distances with resultant disbenefits or pressure for additional new facilities in the Green Belt which could further undermine National Green Belt policy; and

(ii) The applicant has not demonstrated the very special circumstances necessary to overcome the presumption against inappropriate development in the Green Belt contrary to PPG2 and Policy SS2 of the Kent and Medway Structure Plan (2006).

3. Proposal SE/08/1602 - Construction of a part two-storey modular building on existing school playground for use as a Children's Centre, including canopied entrance with buggy storage, weldmesh fencing and tarmac play area, marking out of existing parking bays for use by the centre at The Willows, Hilda May Avenue, Swanley; KCC Children, Families and Education
(Item D1- Report by Head of Planning Applications Group)

(1) Mr M J Fittock was present for this item pursuant to Committee Procedure Rule 2.24 and spoke.

(2) The Head of Planning Applications Group reported the views of the Divisional Transportation Manager raising no objection to the proposal.

(3) The Committee asked the Head of Planning Applications Group to hold further discussions with the applicant in respect of providing compensatory tree planting and of improving the design with brick cladding.

(4) RESOLVED that permission be granted to the Proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; a surface water drainage scheme being submitted to and approved by the County Planning Authority prior to any development commencing on site; details of materials of the canopy being submitted to and approved by the County Planning Authority prior to any development commencing on site; and trees shown for retention being afforded protection during construction in accordance with the current British Standard.

4. Proposal AS/08/1506 - Two mobile classrooms at Norton Knatchbull School, Hythe Road, Ashford; Governors of Norton Knatchbull School and KCC Children, Families and Education
(Item D2- Report by Head of Planning Applications Group)

RESOLVED that subject to the receipt of amended plans to show the rotation of the mobile classrooms through 180 degrees, together with their associated ramp system, Permission be granted to the Proposal for a temporary period of 3 years from the date of this Permission subject to conditions, including conditions covering the removal of classroom units from the site at the expiration of the 3 year period and the subsequent restoration of the site thereafter; obscured glazing being installed and maintained on all windows facing residential properties for the duration that the units are on site; and the development being carried out in accordance with the permitted details.

5. Proposal DO/08/1176 - Installation of two temporary classroom units (housing 4 classrooms) together with associated service connections and drainage (retrospective) at Portal House School, Sea Street, St Margarets-at-Cliffe, Dover; Governors of Portal House School
(Item D3- Report by Head of Planning Applications Group)

RESOLVED that permission be granted to the Proposal subject to conditions, including conditions requiring the removal of the buildings and the restoration of the site within 3 years of the Permission; the submission of a landscape scheme to enhance the existing arrangements within 3 months of the Permission; and the School Travel Plan being updated within 6 months of the Permission.

6. Matters dealt with under delegated powers

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

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

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

SECTION C
MINERALS AND WASTE DISPOSAL

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

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Variation of condition 6 of planning permission TM/06/2171 to allow additional vehicle (HGV) movements to/from the site (an increase from 110 to 182 movements per day) at Borough Green Quarry, Wrotham Road, Borough Green, Sevenoaks – TM/08/3715.

A report by Head of Planning Applications Group to Planning Applications Committee on 17 February 2009.

Application by Cemex UK Materials Limited for variation of condition 6 of planning permission TM/06/2171 to allow additional vehicle (HGV) movements to/from the site (an increase from 110 to 182 movements per day based on vehicles associated with both landfill and recycling operations handling 500,000 tonnes instead of 300,000 tonnes per year) at Borough Green Quarry, Wrotham Road, Borough Green, Sevenoaks.

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mrs V. Dagger

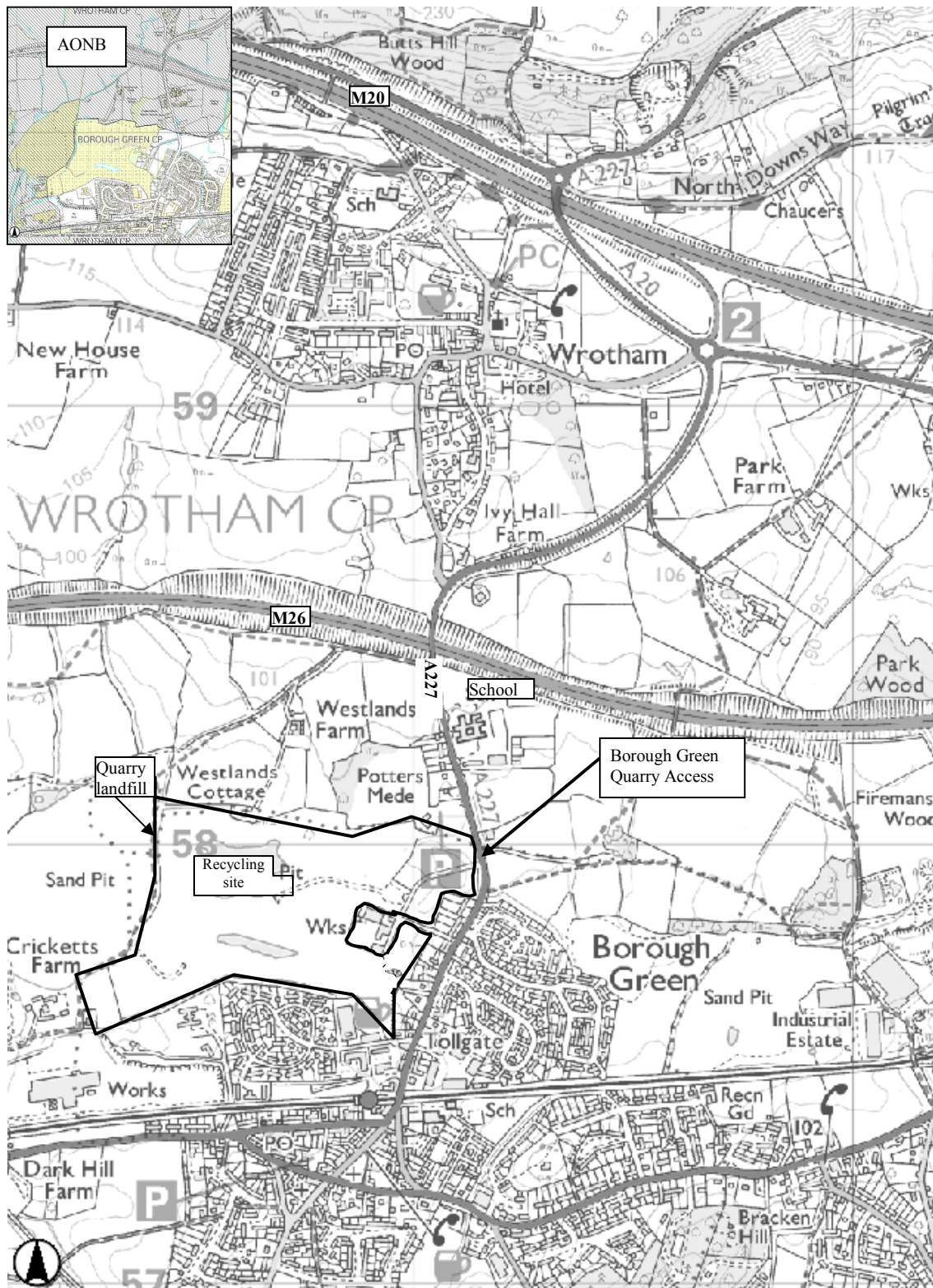
Classification: Unrestricted

Site description and background

1. Borough Green Quarry (landfill site) is situated north of Borough Green village. The site is bounded to the north by open farmland, beyond which lies the M26. To the north-east there is a small woodland and sports ground. To the east is the A227 Wrotham Road from which access is obtained. The southern edge of the quarry abuts a residential area (Fairfield Road), an industrial unit and a nursing home. There are also a number of residential properties fronting the A227 and Wrotham School, which lies to the east of the A227 and some 270m north of the site access. The site lies within the Metropolitan Green Belt and adjoins the Kent Downs Area of Outstanding Natural Beauty (AONB) on its northern and western sides. As a result, HGVs leaving the site travel through the AONB.
2. The site is operated by Cemex under mineral planning permissions TM/93/305 and TM/01/1205/MR86, as amended by TM/08/2981 and TM/08/3175 (which provide for amendments to the access arrangements). Extraction has ceased and the permissions provide for restoration by landfill using inert waste. None of the permissions have any restrictions on numbers of vehicle movements. In October 2006 planning permission was granted for inert waste recycling at the site (TM/06/2171). This recycling permission, which has yet to be implemented (*and does not therefore yet apply*), includes a condition (6), which would restrict HGV movements for both the quarry restoration and the recycling operations to no more than 110 (55 in and 55 out) per day. Condition (6) states that:

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Variation of condition 6 of planning permission TM/06/2171 to allow additional vehicle (HGV) movements to/from the site at Borough Green Quarry, Wrotham Road, Borough Green, Sevenoaks – TM/08/3715

“The overall vehicle movements for both the quarry restoration permitted under TM/93/305 and the recycling option hereby permitted shall, together, not exceed 110 movements per day (55 loads in, 55 loads out). These movements are based on the vehicles not handling not more than 300,000 tonnes of materials per annum and not more than 3,000 tonnes per day, as set out in section 6 (f) of the Statement in Support of the Application dated 16 June 2006;”

3. Planning permission TM/06/2171 also includes a condition (5) which restricts HGV movements in term time during school morning and afternoon peak times (08.15 to 09.00 and 15.00 to 15.45). Condition (5) refers to a letter in which RMC (now Cemex) confirmed that it would use its “best endeavours” to restrict HGV movements and would prevent HGVs exiting the site during these times. The same condition is also contained in planning permissions TM/93/305 and TM/01/1205/MR86 by virtue of similar conditions being applied to approvals given for restoration and aftercare schemes under the terms of these permissions in 2003 and 2008.
4. It should be noted that a number of complaints were received from local residents and the local Parish Councils about the site during 2008. The concerns related primarily to mud being deposited on the A227, lorries queuing on the road and the road sweeper obstructing the free flow of the traffic. In response to these concerns and following discussions between officers and the operator, Cemex sought approval from the County Council for the installation of an additional wheel-wash, water tank, rumble bars, HGV holding area, widening of the internal access road and associated infrastructure. This was addressed by the submission of two parallel applications to vary conditions (2) of the 1993 and 2002 mineral permissions relating to the access arrangement to the site (TM/08/2981 and TM/08/3175 respectively) and amendments to site infrastructure pursuant to condition 17 of planning permission TM/93/305. These were permitted / approved in November 2008. Some of the improvements were implemented by the time of the Quarry Liaison Group meeting on 24 October 2008. By the time of the 27 January 2009 Quarry Liaison Group meeting, most of the improvements were in place although not all were fully operational. Specifically, a new mains water supply had yet to be provided for the additional wheel-wash (*although on the day of the meeting South East Water was in the process of installing this*) and the HGV holding area had yet to be completed. Cemex also advised the Liaison Group that it was in discussion with Kent Highways on possible further improvements to the site access and adjoining kerb line.

Proposal

5. The application has been submitted under section 73 of the Town and Country Planning Act 1990 to vary condition (6) of the recycling permission (TM/06/2171) to amend the vehicle movement restriction to allow up to 182 HGV movements (91 in and 91 out) per day associated with the quarry restoration (landfilling) and recycling operations.
6. The recycling permission was granted based on an assumption that there would be up to 300,000 tonnes per annum (tpa) brought for landfilling, of which about 100,000tpa would be capable of being recycled, and hence the calculation that the vehicle restrictions of 110 HGV movements (55 in and 55 out) would be appropriate. However, since the time of that application, there has been a much greater demand for inert waste disposal such that the restriction of 110 HGV movements is no longer practical. The applicant advises that in 2005 80,913 tonnes of inert material was imported to the site. The figure rose to 433,713 tonnes in 2006, 260,274 tonnes in

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2007 and 459,382 tonnes in the eleven months to November 2008. On this basis, the applicant is reluctant to implement the recycling permission and continues to operate under the restoration permissions (TM/93/305 and TM/01/1205/MR86), which do not restrict the number of vehicle movements at all.

7. Consequently, the applicant has applied to amend the number of HGV movements from 110 to 182 to allow restoration of the quarry to be maintained at its current level of operation and allow recycling to take place at the site. The need for 182 HGV movements per day is based on maximum of 500,000tpa of inert material being brought to the site for both operations.
8. In support of the application, the applicant advises that implementation of the permitted recycling operation would provide recycled aggregates to supply the local construction industry, soil-forming material to supplement soils in the land reclamation process at the quarry and residual inert waste (e.g. clay waste and fines) to infill the quarry void. It also states that allowing more HGV movements than currently permitted under the recycling permission would ensure that restoration operations are not unnecessarily delayed and that there would be no material change in the number of HGV movements actually using the site (based on figures for the last few years). It further states that recent improvements will (when completed) avoid any problems of vehicles queuing on the public highway or depositing mud.

Planning Policy Context

9. **National Planning Policies** – The most relevant National Planning Policies are set out in PPG2 (Green Belts), PPS10 (Planning for Sustainable Waste Management), PPS23 (Planning and Pollution Control) and Waste Strategy for England 2007.
10. **Regional Planning Policies** – These include Policies E3 (Green Belts), W3 and W4 (regional and sub-regional self-sufficiency), W5 (targets for diversions from landfilling), W6 (recycling and composting facilities), W7 (capacity requirements) and W17 (location of waste management facilities) of the adopted Regional Spatial Strategy (RPG9) and Policies SP5 (Green belts), W3 and W4 (regional and sub-regional self-sufficiency), W5 (targets for diversion from landfill), W6 (recycling and composting), W7 (capacity requirements), W17 (location of waste management facilities), M2 (recycled and secondary aggregates) and M3 (primary aggregates) of the emerging South East Plan.
11. **Kent and Medway Structure Plan (2006)** – These include Policies SP1 (conserving and enhancing Kent's environment and ensuring a sustainable pattern of development), SS2 (extent of the Metropolitan Green Belt), EN1 (protecting Kent's countryside), NR5 (pollution impacts), TP12 (development traffic & access to the primary/secondary road network), TP15 (development traffic & HGVs), WM2 (assessment criteria for waste proposals), MN2 (use of recycled materials) and MN3 (assessment of criteria for mineral proposals).
12. **Kent Minerals Local Plan Construction Aggregates (1993)**: These include Policies CA16 (traffic considerations) and CA18 (noise, vibration and dust).
13. **Kent Waste Local Plan (1998)**: These include Policies W6 (consideration of need and harm), W18 (noise, dust and odour) and W22 (road traffic and access).

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14. **Tunbridge and Malling Borough Local Plan (1999):** Identifies that the application site lies in the Green Belt.
15. **Tunbridge and Malling Borough Council Local Development Framework Core Strategy (2007):** These include Policies CP1 (sustainable development) and CP3 (Metropolitan Green Belt).

Consultations

16. **Tonbridge and Malling Borough Council:** No comments received at the time of writing this report.
17. **Borough Green Parish Council:** No objections in principle. However, it has drawn attention to the issues relating to the site entrance/exit, wheel-washing arrangements and rumble strips discussed during the Quarry Liaison Group meeting on 24 October 2008 and stated that these should be satisfactorily addressed before any further planning permission is granted. Additionally, it has questioned whether the holding area currently being prepared for up to 40 vehicles (part of the approval given by the County Council in November 2008) would be adequate for the proposed increase in vehicles.

It also states that whilst it is generally encouraged by Cemex's responsiveness to problems as they arose it strongly considers that any new permission should be conditional on more frequent and stringent monitoring of the site.

18. **Platt Parish Council:** Objects to the application until the approved improvements to the HGV handling at the site have been implemented and are demonstrated to be effective.

It also refutes some of the statements within the application documents in which Cemex states that the current operation is unproblematic as these seem to contradict statements included in the September 2008 application where it admitted to problems having occurred on the on the A227 Wrotham Road involving queuing lorries and contamination of the highway.

Additionally, in response to the applicant's comment that the relaxation of the restriction on the volumes of materials would speed up the landfill of the old quarry, it considers that it is far better to have a low level of HGV movements for a long period with no highway problems than to have a high level of HGV movements for a shorter period but with possible associated highway dangers.

19. **Wrotham Parish Council:** Objects to the proposal.

It states that Cemex has a very poor record of managing the backfilling operation which has resulted in constant breaches of planning conditions over several years. It states that:-

- HGVs are inadequately cleaned and deposit large quantities of mud onto the public highway;
- HGVs are inadequately sheeted and shed mud and rubble along the A227 (resulting in the Parish Council receiving many complaints from parishioners who live along Borough Green Road who have large collections of rocks in their front gardens, shed from passing HGVs);

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- HGVs queue on public roads (particularly Wrotham Road and the Whitehill slips) causing a traffic hazard in both places and damage to pavements;
- The slow moving road-cleansing vehicles that the company uses to remove some of the mud, which shouldn't have been deposited in the first place, are a traffic hazard; and
- The company fails to enforce traffic routing, which results in many HGVs driving through Borough Green.

It also states that the proposal would increase the noise levels both to local residents and the Wrotham School and would increase the danger to pedestrians and in particular to school children during their arrival and departure from school.

It further states that it is aware of the applicant's recent investment in more effective washing equipment and an internal roadway (which it understands is not yet operational) and that although these measures may bring the current operation up to acceptable standards, if properly implemented and managed, this should have been installed before the backfilling operation commenced.

20. **Divisional Transportation Manager:** No objection to the proposal subject to all existing conditions regarding restrictions during term time to restrict HGV movements during the morning and afternoon school peak times, wheel washing and lorry routing being upheld. Has also raised no objection to the proposed amendment to the morning peak restrictions suggested by Wrotham School (see paragraph 27 below).
21. **Environment Agency:** No objections but states that the Pollution Prevention Control permit may need to be amended to reflect the changes.
22. **South East England Development Agency:** No comments to make.
23. **South East England Regional Assembly:** No comments received at the time of writing this report.

Local Member

24. The local Member Mrs V. Dagger was notified of the application on 18 December 2008.

Publicity

25. The application was publicised by the posting of a site notice on the gate to the site, a newspaper advert and individual notification of 81 nearby properties.

Representations

26. Eight letters of representation have been received in response to the proposal, seven of which were objections. The main issues raised can be summarised as follows:
 - Objection to any increase in vehicular movements to the levels granted with the original planning consent as residents of the village suffer from the current volumes of heavy transport;
 - The HGV route is mainly past Wrotham Secondary School, but a great number also travel through Borough Green Village centre despite a ban on this route;

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- The inefficiency of the road sweepers to combat the mud left by the HGVs on public roads;
 - The road sweepers pose a constant traffic hazard, especially as their use should only be occasional;
 - HGVs are entering/leaving the site every few minutes already alongside other cars - a 50-60% increase in vehicle movements is unacceptable due to the increase in noise, vibrations, dirt and dust caused by the HGVs. It is noted that KCC has recently permitted a Special Needs School on the Wrotham School Site for children who are very sensitive to noise;
 - HGVs do not have regard to speed limits and have been arriving as early as 5am causing the houses to shake and plaster to crack;
 - HGVs often queue on Wrotham Road pavements causing a severe traffic hazard for other road users, cause obstruction to pedestrians and damage to the village gas mains;
 - KCC are to some extent to blame for this appalling state of affairs because of lack of monitoring and action;
 - The permission for landfill was granted based on the assumption that the Borough Green and Platt Bypass would provide access for the vehicles. The bypass collapsed in September 2007 as KCC were unable to protect the original bypass approval granted in 1991. Without that bypass it would not be excusable to allow an increase of daily HGV movements into the Cemex landfill;
 - Cemex pay little attention to planning conditions and traffic law. Until Cemex have proved over at least a couple of years that they are capable of operating a safe and clean landfill site, they should not be allowed an increase in vehicle movements. Indeed, it could be said that their demonstrable ineptitude should warrant either a shutdown or severe curtailment of their current operation.
27. Additionally, whilst the Headteacher of Wrotham School does not raise objection to the expansion of a local business, he requests that consideration be given to amending the morning peak restrictions on the grounds of health and safety of students and parents in cars who use Borough Green and Wrotham Road between the hours of 08.00 – 08.40 and 15.00 – 15.40. On this basis, the Headteacher has suggested that the morning peak restriction be amended to stop HGV movements between 08.00 and 08.45 hours.

Discussion

28. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the context of this application, the policies outlined in paragraphs 9 to 15 are of greatest relevance.
29. Prior to the publication of PPS10, Government advice required planning authorities to consider whether waste planning applications constituted the Best Practicable Environmental Option (BPEO). Case law established that consideration of BPEO to individual applications should be afforded substantial weight in the decision making process. PPS10 moved the consideration of BPEO principles to the Plan making stage where it is to be considered as part of the Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) process applied to the Plan. However, where planning authorities' current waste policies have not been subject to the SA / SEA process (as is the case with the Kent Waste Local Plan) it is still appropriate to consider planning applications against the principles of BPEO. Until such time as the Kent Minerals and Waste Development Framework (MWDF) reaches a more

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advanced stage, applications will be considered against Policy WM2 of the Kent & Medway Structure Plan to ensure that they deliver facilities that are “of the right type, in the right place and at the right time” in accordance with paragraph 2 of PPS10. This approach is also consistent with the underlying principles of the adopted and emerging Regional Spatial Strategy for the South East (i.e. RPG9 and the draft SE Plan).

30. The main issues in this case are whether the proposed variation to condition 6 would be acceptable in terms of its impact on traffic (in terms of highway capacity and safety), the local environment (including the Green Belt and AONB) and local amenity (in terms of impacts on local residents and other road users). The issue of whether a recycling operation at the site is acceptable in principle at the site is not an issue as it has already been addressed in granting planning permission TM/06/2171. However, the question of whether the recycling permission is likely to be implemented if the current application is not approved is relevant. In considering potential impacts, consideration should also be given to the improvements to the site infrastructure and access permitted / approved in 2008 which have been partially implemented.
31. National and Regional minerals and waste policies seek to encourage recycling in order to reduce demand for primary aggregates and landfill and provide support for applications which are acceptable in other respects. This is reflected in Policy MN2 of the Kent and Medway Structure Plan which seeks to maximise the use of recycled materials through permitting recycling proposals at appropriate locations. Policies MN3 and WM2 of the Kent and Medway Structure Plan set out the criteria against which such applications should be assessed. If the proposed variation of condition 6 is acceptable in terms of the above impacts, these and related policies indicate that permission should be granted.
32. As explained in paragraphs 2 and 6, current landfill operations are not subject to any restrictions on HGV numbers. Figures provided by the applicant for 2006 and 2008 illustrate that the volume of imported materials for these years were significantly higher than the 300,000tpa used to arrive at a combined figure of 110 vehicle movements per day (55 in / 55 out) provided for by condition 6 of the recycling permission (TM/06/2171). It is worth noting that vehicle movements are intended to mean HGV movements in this instance. It should also be noted that the applicant is unwilling to implement the recycling permission until condition 6 has been varied because the condition (as currently worded) would impact unacceptably on its landfill operations at the site. It should also be noted that the proposed increase to 182 HGV movements per day (91 in / 91 out) is no greater than has been experienced in recent years and on this basis it is fair to say that actual HGV movements would not in practice increase as a result of the proposed change. What would actually change is that a proportion of the materials imported to the site would be recycled instead of landfilled. Since there would be no material change in HGV numbers there would not be any additional impacts on the Green Belt or AONB. A number of respondents have suggested that it would be better to retain the current HGV movement restriction and simply require restoration operations to take place more slowly over a longer period of time. As the applicant has indicated that it will not implement the recycling permission with the current restriction in place this scenario seems unlikely.
33. A number of respondents have criticised the applicant for making incorrect statements within the application. Specifically that there have been “*no discernible problems as a result of the higher traffic flows involved*” and that “*the increase in volume of material brought to the site currently registered had no significant effects on the environment and on the safety of the highway*”. Respondents have also referred to serious

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problems with mud on the road and that if the applicant's statements were true, then there would have been no need for the road sweeper to be used on a regular basis, which is in itself a nuisance for other road users. I agree that there have been problems such as those described by respondents and that, to some extent, these have been as a result of HGV movements being higher than originally envisaged prior to adequate site infrastructure being installed. Indeed, it was problems such as these which led to discussions between officers and the applicant and Cemex submitting proposals for improvements to site infrastructure and access in 2008. However, I do not accept the assertion that the proposed variation of condition 6 would lead to additional problems since there would be no discernable increase in HGV movements and because the recently permitted / approved improvements should significantly reduce the likelihood of mud being tracked onto the highway (with resultant benefits in terms of reduced use of road sweepers) and of HGVs queuing on Wrotham Road.

34. The local Parish Councils have requested that the current proposal should not be permitted until Cemex demonstrates that it can operate the site with no detriment to the amenity of residents and highway safety after all of the new infrastructure permitted under TM/08/2981 and TM/08/3175 (including the establishment of the new water supply and HGV holding area) has been fully implemented. As outlined in paragraph 4 above, it was evident during the Quarry Liaison Group meeting on 27 January 2009 that most of the improvements are close to completion. Although Borough Green Parish Council has questioned whether the size of the HGV holding area is sufficient for the proposed increase in HGV movements, it should both be noted that no actual increase would occur in practice and that further space is available elsewhere in the site should this prove necessary (e.g. on the haul road and on the improved site access). The adequacy of the improvements permitted and approved in 2008 will be monitored and further improvements required if necessary. Since there would be no discernable increase in HGV movements and the applicant has demonstrated its commitment to improve matters, I see no reason to withhold planning permission on these grounds or for any new permission to be conditional on the completion of all the improvements permitted / approved in 2008. Should further problems arise, the existing permissions already provide conditions that would enable action to be taken should the need arise. The matter is also further complicated by the fact that the applicant is dependent on South East Water completing all necessary water works and providing the new supply and it would be unreasonable in this case to make this a pre-condition of permission.
35. A number of respondents have expressed concerns about insufficient site monitoring by the County Council. Although, I accept that more regular monitoring would be advantageous, it should be noted that officers have visited the site on a number of occasions since the problems described above were brought to their attention in 2008 and now attend the Quarry Liaison Group meetings on a regular basis. It should also be noted that officers were instrumental in encouraging Cemex to submit the proposals for the additional facilities to deal with the existing highway problems during 2008.
36. Concerns have been raised about noise, dust and vibration associated with HGV movements. Again, it should be noted that the permissions that have been implemented contain no restrictions on the number of HGV movements and that such a restriction can only be imposed via the recycling permission. As the applicant is unlikely to implement the permission with the current wording of condition 6 in place, it is only by granting permission for an increased number that any planning control can be exercised. The existing mineral permissions already require measures designed to minimise noise and dust impacts (e.g. the sheeting of HGVs and use of the new site

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infrastructure facilities – including additional wheel cleaning equipment) and these would continue to have effect regardless of the outcome of the current application. The existing recycling permission includes a condition (10) that requires a modified dust control scheme to be submitted and approved. This has yet to be submitted but would need to be discharged before any recycling operations take place. All conditions included on the recycling permission should be repeated (suitably amended as necessary) if permission is granted.

37. Concerns have also been expressed about HGVs speeding or failing to obey traffic laws, Cemex failing to enforce traffic routing (i.e. away from Borough Green village) and local residents being woken up at 05.00 hours. Concerns about speed and traffic law are matters for the appropriate authorities and they should take action as appropriate. In this context it is worth noting that Kent Police were involved in discussions and correspondence with Cemex and HGV operators during 2008 following complaints about parking on verges and footpaths on Wrotham Road and driver behaviour more generally. Although there are informatives on two of the planning permissions asking the operator to use its best endeavours to route vehicles leaving the site away from Borough Green there is no requirement for it to do so. However, there is a sign at the site entrance directing HGVs to turn left (i.e. north). It should additionally be noted that with the exception of a weight restriction on Borough Green High Street, there are no restrictions to prevent HGVs travelling through Borough Green on the A227 Western Road to the A25. It should also be noted that there are a number of other mineral and waste sites in the area, that many other HGVs travel through Borough Green and that these roads are part of the primary route network. Hours of operation are already restricted on all permissions at the site to between 07.00 and 18.00 Monday to Friday and 07.00 and 13.00 on Saturdays.
38. The suggestion by the Headteacher of Wrotham School that the morning peak hour restriction be amended to between 08.00 and 08.45 hours rather than between 08.15 and 09.00 hours to better reflect current practices is supported by the Divisional Transportation Manager. The applicant has agreed that it would be willing to change its operational practices to meet this request and the matter can be addressed by amending condition 5 of planning permission TM/06/2171. As this would be different from the similar restrictions placed on the mineral permissions, it would be appropriate for the applicant to be invited to seek formal amendments to the relevant conditions attached to those permissions. Notwithstanding this, the applicant has made it clear that it would be happy to operate on the basis of the new restriction. Although this change did not form part of the current application, the local Parish Councils have been informed. Any additional comments on this issue will be reported verbally to the Committee.
39. It has also been suggested by respondents that the recent landfill and recycling permissions were granted on the assumption that the Borough Green bypass would be constructed and would provide an alternative access for HGVs accessing the site. Having reviewed the various application and permission details and the relevant committee papers, I am satisfied that this was not the case and that all the decisions were made on the basis of access remaining as currently onto Wrotham Road.
40. It is important to note that the Divisional Transportation Manager has raised no objection to the application subject to existing conditions relating to HGV movement restrictions in term time during the morning and afternoon school peak times (*amended as noted above*), wheel washing and lorry routing being upheld. I consider

Variation of condition 6 of planning permission TM/06/2171 to allow additional vehicle (HGV) movements to/from the site at Borough Green Quarry, Wrotham Road, Borough Green, Sevenoaks – TM/08/3715

that any new permission should reflect these requirements although HGV routing should more appropriately continue to be addressed by an informative.

Conclusion

41. Borough Green Quarry is an old established mineral site which is being restored by the deposit of inert waste without any restrictions on the number of HGV movements per day and where the suitability of the site for the recycling of inert materials was established in 2006. The recycling permission was granted based on the assumption that there would be no more than 300,000tpa of inert waste delivered to the site and that this would give rise to no more than 110 HGV movements per day. After three years, it is clear that the amount of waste that the site would attract was greatly underestimated. The proposed 182 HGV movements per day would reflect the current level of use and not, in reality, lead to an increase in HGV numbers actually using the site. As a result, no objections have been received from the Divisional Transportation Manager and there would be no material additional impacts on the Green Belt and AONB. It is important that the County Council supports sustainable waste management in accordance with the national and regional policies and targets by permitting recycling facilities where these comply with development plan policies. As the proposed amendment to condition 6 would accord with the policies set out in paragraphs 9 to 15, subject to the re-imposition of the other conditions and informatives set out in planning permission TM/06/2171 (*amended as explained above*), I recommend accordingly.

Recommendation

42. I RECOMMEND that:

(i) PLANNING PERMISSION BE GRANTED SUBJECT to all other conditions and informatives attached to planning permission TM/06/2171 being repeated (with minor amendments as necessary) and conditions (5) and (6) of planning permission TM/06/2171 being reworded as follows:-

- (5) Unless otherwise agreed beforehand in writing by the County Planning Authority, HGVs associated with the quarry restoration, landfill and recycling operations shall not leave the site during school term time at Wrotham School between the hours of 08.00 and 08.45 and 15.00 and 15.45 Monday to Friday. In addition, the operator shall use its best endeavours to prevent HGVs arriving at the site during these periods. For the purposes of this condition “best endeavours” shall include the operator informing its customers of the above restrictions, requesting that they comply with them and only allowing HGVs to exceptionally enter the site during these hours when not to do so would lead to HGVs parking or queuing on Wrotham Road whilst waiting to enter the site.

Reason: In the interests of highway safety and local amenity and to avoid unnecessary conflict with other road users at the start and end of the school day.

- (6) HGV movements associated with the quarry restoration, landfill and recycling operations shall, together, not exceed 182 HGV movements per day (91 in / 91 out).

Reason: To limit the total number of HGV movements associated with operations at the site, in the interests of highway safety and local amenity

Item C1

Variation of condition 6 of planning permission TM/06/2171 to allow additional vehicle (HGV) movements to/from the site at Borough Green Quarry, Wrotham Road, Borough Green, Sevenoaks – TM/08/3715

and pursuant to Kent and Medway Structure Plan Policies TP15, WM2 and MN2 and Kent Waste Local Plan Policies W18 and W22.

- (ii) The applicant be invited to submit further applications to amend the requirements of conditions attached to planning permissions TM/93/305 and TM/01/1205/MR86, as amended by TM/08/2981 and TM/08/3175, to provide consistency with the restrictions set out in condition (5) above.

Case Officer: Anna Michalska-Dober

Tel. no. 01622 696979

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

**First floor extension at St Crispin's Primary School,
Westgate-on-Sea – TH/08/1366**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 February 2009.

Application by The Governors of St Crispin's Primary School & KCC Children, Families & Education for a first floor extension to provide additional staff accommodation at St. Crispin's Primary School, St. Crispin's Road, Westgate-on-Sea - TH/08/1366.

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mr R. Burgess

Classification: Unrestricted

Site

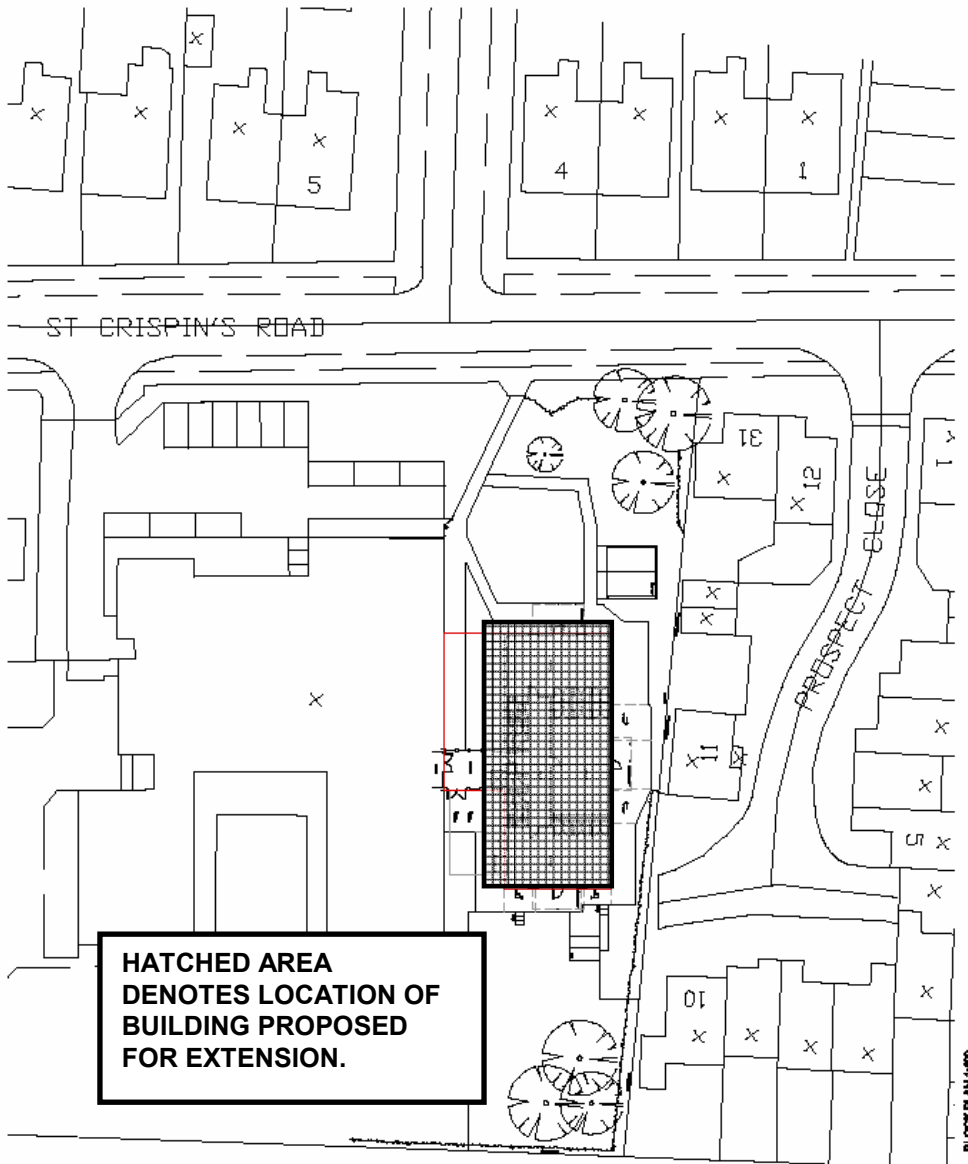
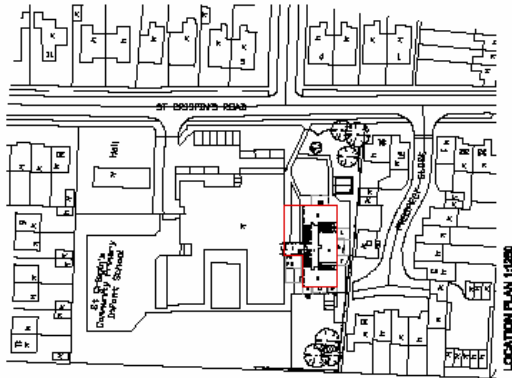
1. St. Crispin's Primary School is located to the south of the centre of Westgate-on-Sea and is accessed by both vehicles and pedestrians from its main entrance on St. Crispin's Road. The school is bounded to the north, south and east by residential properties and by a recreation ground to the west. The existing building for which it is proposed to create a first floor extension is located to the south of the school site adjacent to the boundary with 11 Prospect Close. There is an existing fence along the boundary between the development site and Prospect Close which measures approximately 1.8m with some vegetation topping it, and there are well established mature trees to the east. The school is not situated within any environmental or historically designated/protected areas. *A location plan is attached.*

Proposal

2. The proposal seeks to extend an existing single storey pitched roof building (see plan on page D1.3) by adding a first floor. The design chosen for the proposal would see the existing double pitched roof changed to a monopitch. A first floor would also be added to the existing ground floor link to the main school building which would be accessed from a foyer area at the top of a proposed new staircase. The existing roof slope would be continued up to a ridge directly above the existing flank wall that faces the main school building and would slope away from the site boundary shared with the adjacent residential properties. The proposal would provide first floor accommodation that would be equal to 50 per cent of the existing ground floor area, the only additional footprint created would be the staircase that would provide direct access to the first floor. The first floor accommodation would provide a large meeting/activity room, 2 small staff meeting/work rooms, a foyer space, small kitchen area and toilets.

First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

Site Location Plan

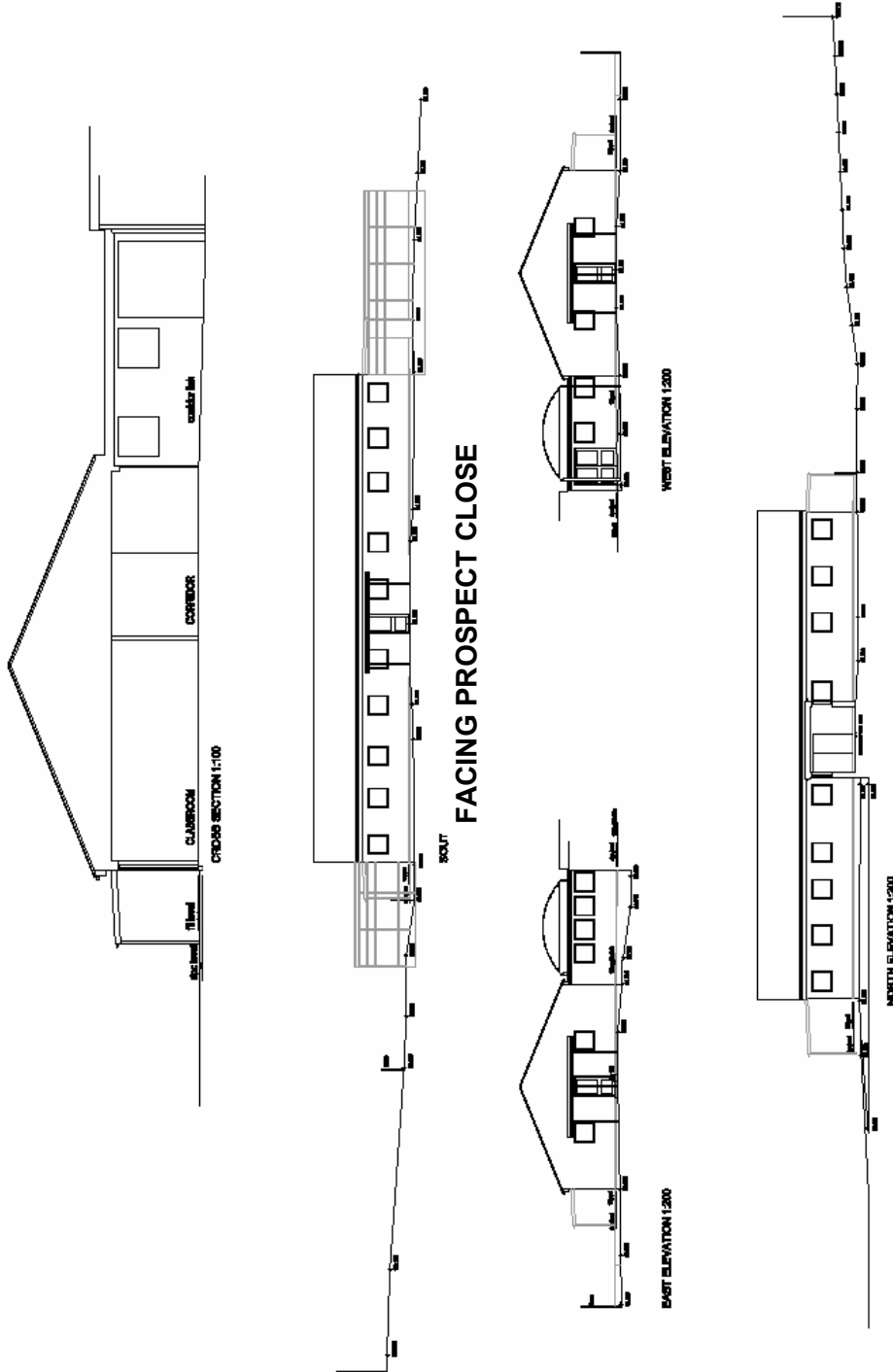


<p>csdp ltd Chartered Architects E-mail: office@csdparchitecture.com The Studio, 15 Tulse Road, Canterbury, Kent CT1 1JY</p> <p>csdp architecture</p>	<p>Project title : PROPOSAL FOR ST CRISPINS SCHOOL</p> <p>Drawing title : EXISTING &/REMOVED BLOCK AND LOCATION PL</p> <p>Scale : AS INDICATED</p> <p>Date : 28.03.08</p> <p>Drawing Number : 2008P1.001</p> <p>Rev :</p>
	<p>Date</p> <p>Rev</p> <p>Revisions Made</p>

A3 print

First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

Existing Elevations

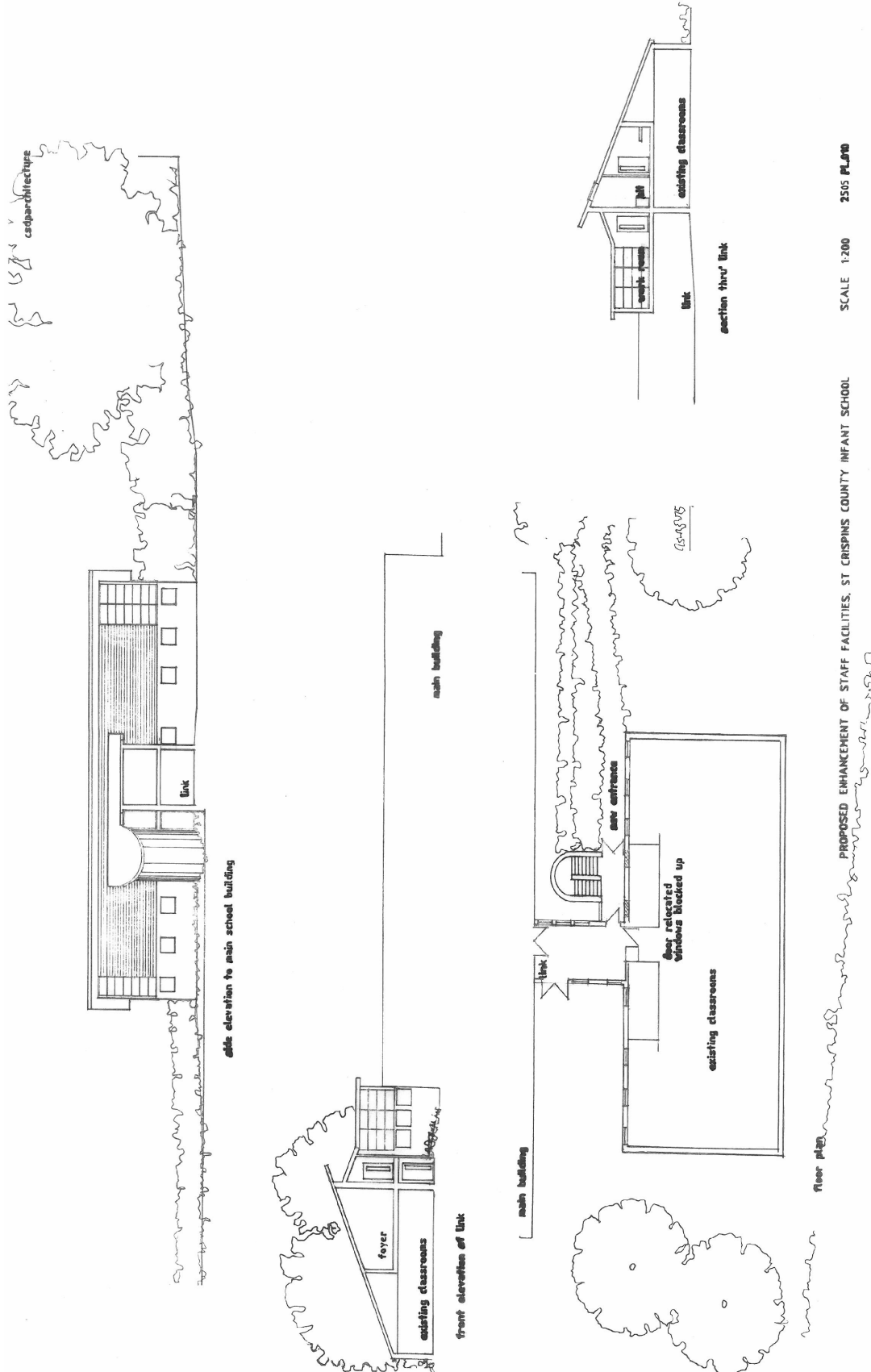


<p>cspd archi tecture</p>	<p>cspd ltd Chartered Architects E-mail: office@cspdarchitecture.com The Studio, 15 Tudor Road, Canterbury, Kent CT1 1BT Tel 01227 462296 Fax 01227 741811</p>	<p>Project title : PROPOSALS FOR ST CRISPIN'S SCHOOL Drawing title : EXISTING SECTION AND ELEVATIONS Scale: AS INDICATED Date: 23.09.08 Drawing Number: 2008PL004</p>	<p>Rev</p>
	<p>Date</p>	<p>Rev</p>	<p>Rev</p>

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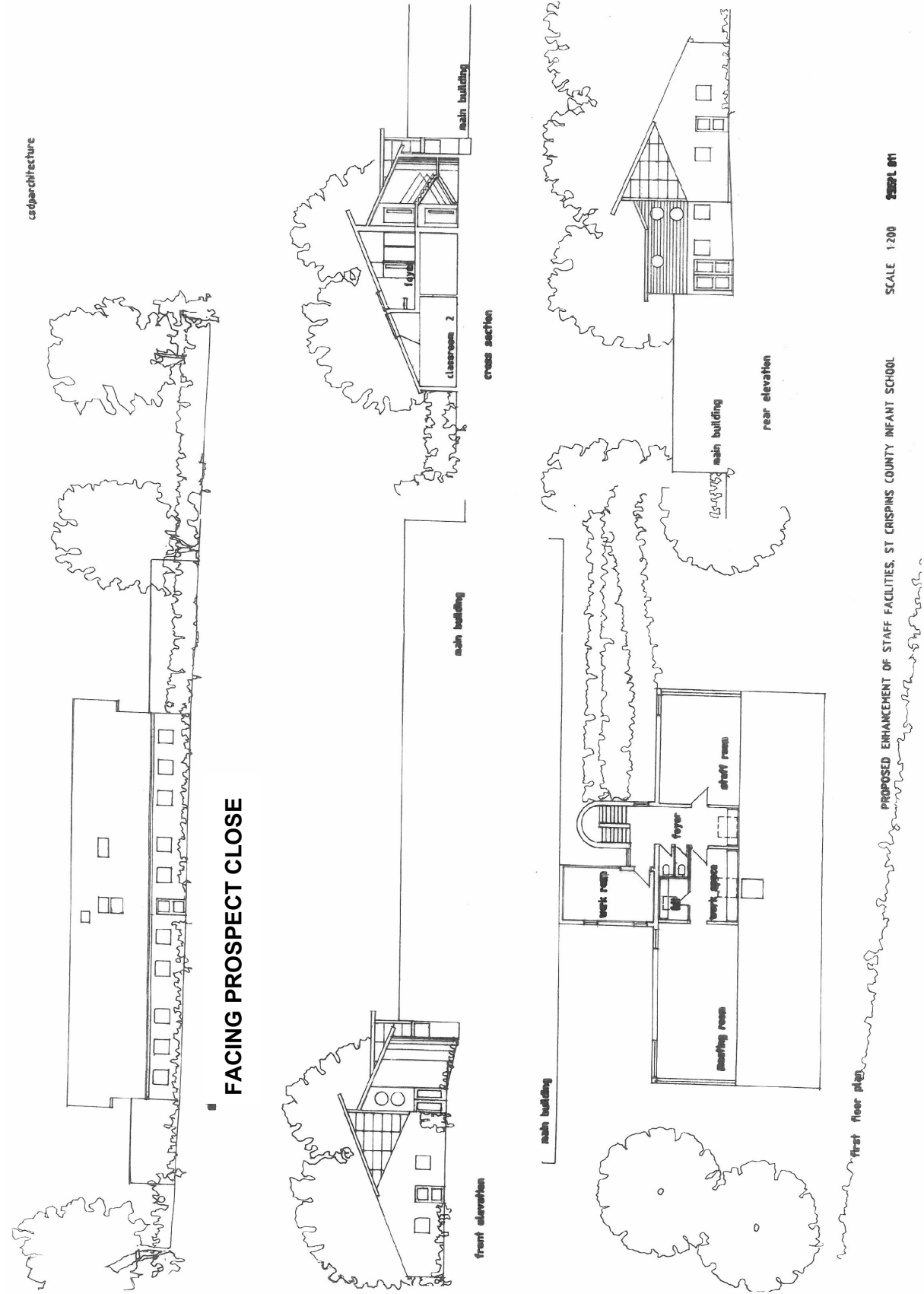
First floor extension at St Crispin's Primary School, Westgate-on-Sea - TH/08/1366

Proposed Elevations



First floor extension at St Crispin's Primary School, Westgate-on-Sea - TH/08/1366

Proposed Elevations



First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366



PROPOSED ENHANCEMENTS OF SCHOOL FACILITIES AT ST. CRISPIN'S CP INFANT SCHOOL,
WESTGATE-ON-SEA

Aerial view from St. Crispin's Road
2505/SK001 | 21 October 2008

First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

Planning Policy

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

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

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

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

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

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

(ii) The adopted 2006 **Thanet District Council Local Plan**

Policy D1 - all new development is required to provide high quality and inclusive design, sustainability, layout and materials.

A new development proposal will only be permitted if it:

- respects or enhances the character or appearance of the surrounding area, particularly in scale, massing, rhythm, and use of materials appropriate to the locality;
- is compatible with neighbouring buildings and spaces and does not lead to unacceptable loss of amenity through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light, or sense of enclosure;
- incorporates where practicable a high degree of permeability for pedestrians and cyclists and also considers access for public transport;
- incorporates provision for disabled access;
- incorporates new landscaping as an integral part of the proposal;

First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

- provide safe and satisfactory means of pedestrian and, where provided, vehicle access.

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

Consultations

4. **Thanet District Council:** Raises no objection.

Divisional Transportation Manager: Raises no objection.

Local Member

5. The local County Member, Mr. R. Burgess was notified of the application on the 13 November 2008.

Publicity

6. The application was publicised by posting of a site notice at the school entrance on St. Crispin's Road, and the individual notification of 22 neighbouring residential properties.

Representations

7. I have received four letters and one email of representation in respect of this application, two of the letters received were objecting to pre-existing localised parking and congestion problems, which raised issues that are not material to the determination of this planning application. The other two letters and email were received from the same resident in Prospect Close. The main planning reasons for objection to the current proposals can be summarised as follows:
 - The roof of the new building would be much higher than the school and therefore tower over everything that surrounds it.
 - From where they live in Prospect Close all they will be able to see from their kitchen window would be the roof stretching high into the sky above them and they feel that it would be very oppressive.
 - The design chosen is far too different to what already exists and the contrast in design is too great.
 - This school has always been a single storey building and they consider that to make one part of it two storey would be completely out of keeping with the surrounds.
 - They state that they would be more sympathetic if the new construction was to benefit the pupils attending the school by providing extra teaching facilities but they do not consider that a larger staff room would really merit the scale of construction.
 - Questions why this new extension could not be built elsewhere within the grounds of the school if it is really so essential. Also questions whether or not the school really need a car park as big as the one it now enjoys and suggests that it would be a lot easier and cheaper to build the new construction there.

First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

- The hedge that did provide substantial screening from their property has now been cut back to an unacceptable height and would offer no screening whatsoever from the new building. A photograph of the view from the resident's property can be found in Appendix 1, the red line highlights the approximate height of the hedge prior to it being cut back.

DiscussionIntroduction

8. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Whilst the provision for educational and community needs are acknowledged by Structure Plan Policy QL11 and Local Plan Policy CF1 the proposal must also be considered against the other relevant Development Plan Policies, outlined in paragraph 3 above, policy guidance and any other material planning considerations arising from consultation and publicity.
9. The application proposes a first floor extension to an existing single storey pitched roof building in order to enhance the existing staff facilities, namely to provide a large meeting/activity room, two small staff meeting/work rooms, foyer space, small kitchenette area and toilets. The application is being reported to the Planning Applications Committee due to objections received from one neighbouring resident. The main issues for Members to consider in the determination of this application are the location of the proposed extension, its design and proposed use.

Location

10. The constricted nature of the school site prevents there being many viable options for expansion of the school facilities. Coupled with this, the original school building is of a lightweight frame construction with lightweight cladding panels. As such, the existing foundations are not considered sufficient to support additional first floor loadings. Furthermore, the applicant has stated that the existing frame and cladding are working to their stability limit.
11. The building which it is proposed to extend was permitted under planning permission TH/01/1026 and was completed in late 2002. It is to the south of the main school site and buildings and ranges from about 3.6m to 6m from the boundary (see plan on page D1.2). The building ranges from about 5.4m to 6.2m in distance from the façade of the nearest residential property, 11 Prospect Close. Although the building proposed to be extended is in close proximity to a residential property, this is mitigated by the fact that it is the side façade of the residential property that adjoins the school boundary, and which has no windows. The building currently comprises 3 classrooms, toilets and a link corridor to the main school building; there are also three external canopies.
12. Although the site for development is in close proximity to residential properties, it is noteworthy that there is existing landscaping screening in the vicinity. To the east of the development site fronting the boundary with St. Crispin's Road there are a number of mature and well established trees that would aid the screening of the proposed development from that aspect. Until recently there was a hedge that extended almost from the boundary of 11 Prospect Close all the way along the school boundary to the west, which would have aided the screening of views from Prospect Close of the

First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

proposed extension. However, it was recently cut back in accordance with recommended good horticultural practices, and as a consequence it would, in its current condition, provide little screening of the proposed extension, (as can be seen by the photograph in Appendix 1). The School has informed me that the hedge is classified as a 'field' hedge and is not a species that is recommended for school sites due to its rapid growth. It is however acknowledged, that due to the speed with which the hedge grows, it could provide again a significant level of screening potential within a relatively short period of time. I do accept though, that the screening potential is lessened during the winter months. I am currently discussing with the applicant, the potential for allowing the hedge to grow back to its former height to provide screening of the development site.

13. Members will note the objections received that have suggested that the proposed extension be sited on the school car park. The immediate vicinity of the school, as with most schools, suffers from a significant degree of localised congestion at drop-off and pick-up times, and the loss of car parking spaces would, in my view, exacerbate the situation considerably.
14. I consider, based on the evidence above, that the proposed site in terms of its location is acceptable in planning terms. Given the degree of natural vegetation screening to the east and that approximately half of the building to be extended is screened from view of properties in Prospect Close by number 11 Prospect Close, I do not consider the proposal to be contrary to Structure Plan Policies SP1 and QL11 and Local Plan Policy D1, in terms of its proposed location and would not be detrimental to the built environment, amenity, functioning and character of the locality. Under the circumstances, I would not object to the proposal on the grounds of its location.

Design

15. The design for the extension can be seen from the plans on pages D1.4-1.6. Members will note that the extension takes the form of a monopitch method of roof construction, with the roofline continuing, from the existing ridge, away from the boundary. One of the benefits of this method of construction is that the highest point of the roof would be further away from the boundary than it currently is. The overall increase in roof height would be approximately 2m above the existing pitched roof ridge, to a new height of about 7m, but it would be about 6m further away from the boundary than the current roof ridge. Whilst the protection of individual/private views is not a material planning consideration, the photograph in Appendix 1 shows the view of the development site from a property on the south side of Prospect Close. Nevertheless, I do not consider that the proposed extension in roof height would tower 'oppressively' over, and impact detrimentally on residential amenity as argued by the objectors. The school building is located about 26 metres from properties on the south side of Prospect Close and No.11 Prospect Close sits between (see site plan on page D1.2) being only about 5 metres away, and obscures part of the school building in any case. I understand from the applicant that the height of 11 Prospect Close is approximately 8.765m, some 1.7 m taller than the school building would be with the proposed extension.
16. The palette of materials that would be used in the construction would include: the reuse of existing tile roof covering for the extended monopitch roof slope; the existing brickwork gables retained and the extended height of the walls over constructed from powder coated aluminium windows with cedar cladding infill; and the flat roof to the workroom over the link and the sloping roof to the stair core finished with a lead coloured roofing material. I do not consider the fact that the existing school buildings

First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

are all single storey to preclude any first floor expansion, providing that a sympathetic and appropriate design solution could be achieved. Moreover, I am of the opinion that the design approach undertaken is an innovative and creative solution, that would provide much needed facilities, on a site that has minimal available space for expansion.

17. I would therefore consider the proposed development to be in accordance with the Development Plan, in particular Policy QL1 of the Kent and Medway Structure Plan and Policy D1 of the Thanet Local Plan 2006. In addition, I consider that the external materials should be secured by planning condition to match those of the existing building, and accordingly recommend that planning permission be granted on this basis.

Use of the Building

18. The applicant has clarified that the additional floorspace would not be for the creation of a larger staffroom, as the letters of representation suggest, but rather for a number of meeting and activity rooms, toilet facilities and a small kitchen area. Currently meetings and other activities are undertaken in areas of the school that could otherwise be used for the teaching of pupils. Therefore the proposal would free up valuable space within the existing school buildings to enhance the educational provision for the pupils of the school.

Conclusion

19. Overall, I believe that the School would benefit greatly from having the facility and consider that the design solution proposed by the applicant is innovative and creative. The available locations for a suitable extension or new building are extremely limited, and in light of this, I consider the proposed development site to be the most acceptable solution in planning terms. The decision to implement a monopitch roof over a more conventional pitched roof design not only enables the highest part of the roof line to now be some 6m further way from the boundary than the existing ridge but would create a valuable amount of new floorspace in a sustainable manner without increasing the school's overall footprint, by only increasing the overall building height by 2m. Furthermore, in my view, the first floor extension on the proposed site would not unacceptably compromise the amenity of local residents. However should Members be minded to permit, I would recommend that conditions controlling the external materials and the protection of existing landscaping be imposed on any planning consent. Consequently, I consider that the proposed development would be in accordance with the aims and objectives of the relevant Development Plan Policies and recommend that planning permission be granted.

Recommendation

20. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO CONDITIONS, including conditions to cover the following aspects:
 - The standard time limit;
 - The development to be carried out in accordance with the permitted details;
 - Prior to the development being commenced, details and samples of the external materials in accordance with those indicated in the application shall be submitted to

First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

and approved by the County Planning Authority, and the development shall be subsequently carried out using the approved materials;

- No trees, shrubs and hedges shall be lopped, topped or removed as a result of the development and all necessary measures to ensure their protection before, during and after construction must be undertaken;
- Control over the hours of construction.

Case officer – Adam Tomaszewski	01622 696923
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Background documents - See section heading
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First floor extension at St Crispin's Primary School, Westgate-on-Sea – TH/08/1366

Appendix 1

View of development site from first floor window of 5 Prospect Close - line indicates approximate height of hedge recently removed.



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Item D2**Demolition of existing school buildings and erection of a new academy at Cornwallis Academy, Hubbards Lane, Maidstone – MA/08/2186**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 February 2009.

Demolition of existing school buildings, erection of a new academy, re-provision of outdoor playing pitches, new 4 court MUGA, 220 car parking spaces, 13 disabled spaces, 150 bicycle spaces, strategic landscaping works and associated circulatory access roads at the Cornwallis Academy, Hubbards Lane, Maidstone - MA/08/2186

Recommendation: permission be granted subject to conditions.

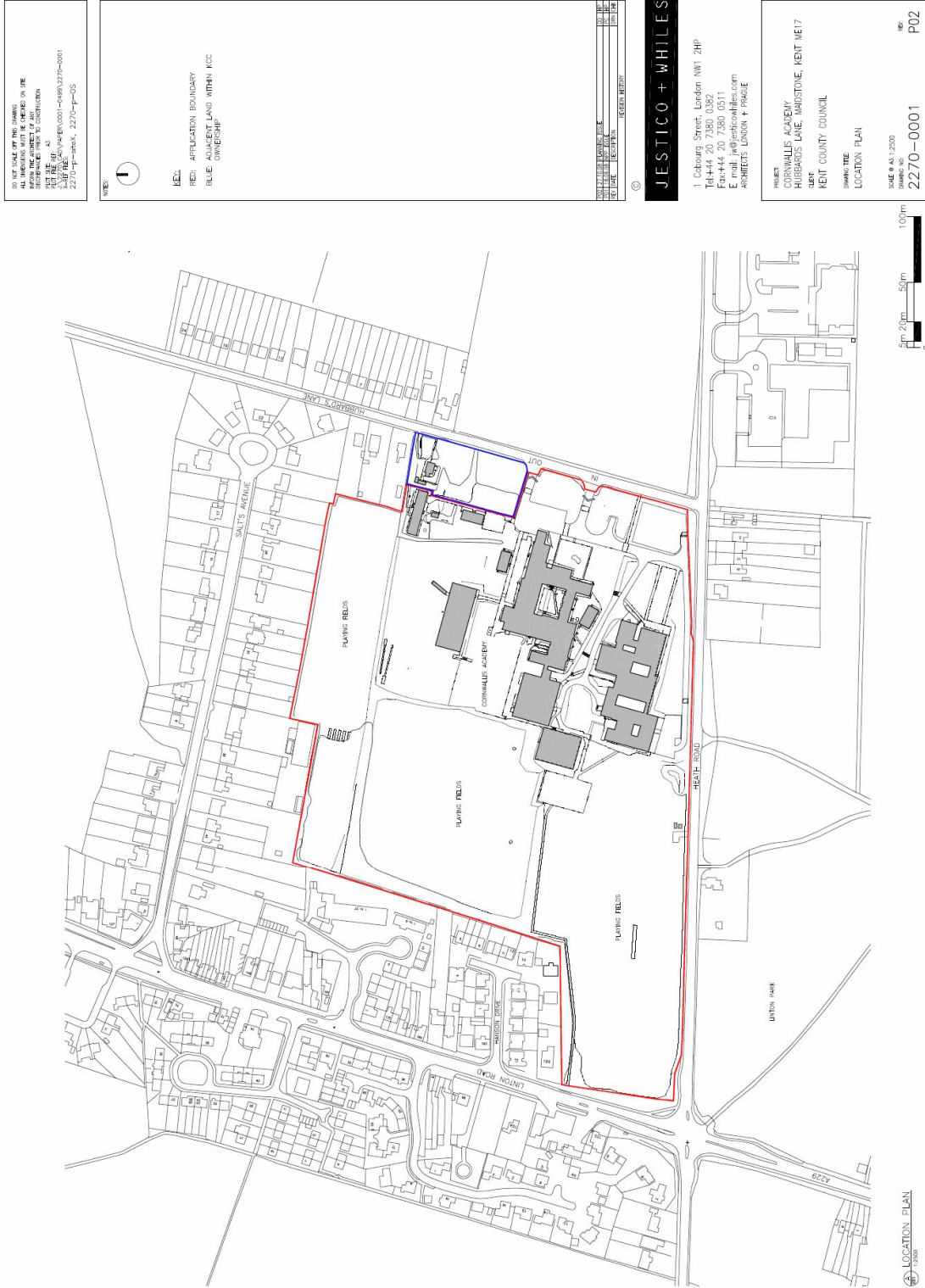
Local Members: Mr E Hotson

Classification: Unrestricted

Site

1. The Cornwallis Academy, formerly Cornwallis School, is located approximately 4.2km to the south/south-east of Maidstone Town Centre. The site actually falls outside of the Urban Area of Maidstone and, as such, is located within the rural fringes of Maidstone and within the 'southern anti-coalescence belt,' a designation that seeks to maintain the separation of the rural settlements around Maidstone with the urban area and with each other. The surrounding area is characterised by low density suburban residential development. It falls very much within the green rural landscape beyond the urban area of Maidstone. Linton Road (A229) forms the western boundary of the site, and Heath Road (B2163) forms the southern boundary, beyond which lies the Linton Park Estate, a Grade II* Listed Historic Park & Garden, and a Special Landscape Area. In addition, the gate house to the park is Grade II Listed, and is located on the Heath Road frontage of the Historic Park & Garden. A minor road, Hubbards Lane, forms the eastern boundary to the site and the vehicular access to the site is via this lane. Beyond Hubbards Lane lies a large orchard, and extensive open farmland. The northern boundary is formed by residential back gardens from properties in Salts Avenue. Residential properties in Hubbards Lane, Holmesdale Close and Hanson Drive also bound part of the site's eastern and western boundaries. *A site location plan is attached.*
2. Vehicular access to the school is from Hubbards Lane, which connects onto Heath Road. This access to the site is laid out with a separate entrance and exit for vehicles. There is a separate pedestrian access via a gate at the south western corner of the site from Linton Road.
3. The school site is partly rural in character and the existing buildings are located approximately 250m from Linton Road. The site is approximately 10.75 hectares in area and is mainly amenity grassland, with a mixture of mature deciduous and coniferous trees around the site's periphery. The school site accommodates a variety of buildings in terms of scale, design and age. The existing buildings vary in height from one to three storeys and are located in the south eastern section of the site, with the western and northern areas of the site accommodating playing fields and amenity grassland. There are also several tarmac playground areas, mostly marked out as tennis courts. Some existing buildings extend to three storeys, with the highest building approximately 15m above ground level. The school was first occupied in 1958 and the school currently occupies a cluster of buildings constructed in the 1950's and 70's, which are characteristic of the period and similarly characteristic in terms of their state of disrepair and dilapidation.

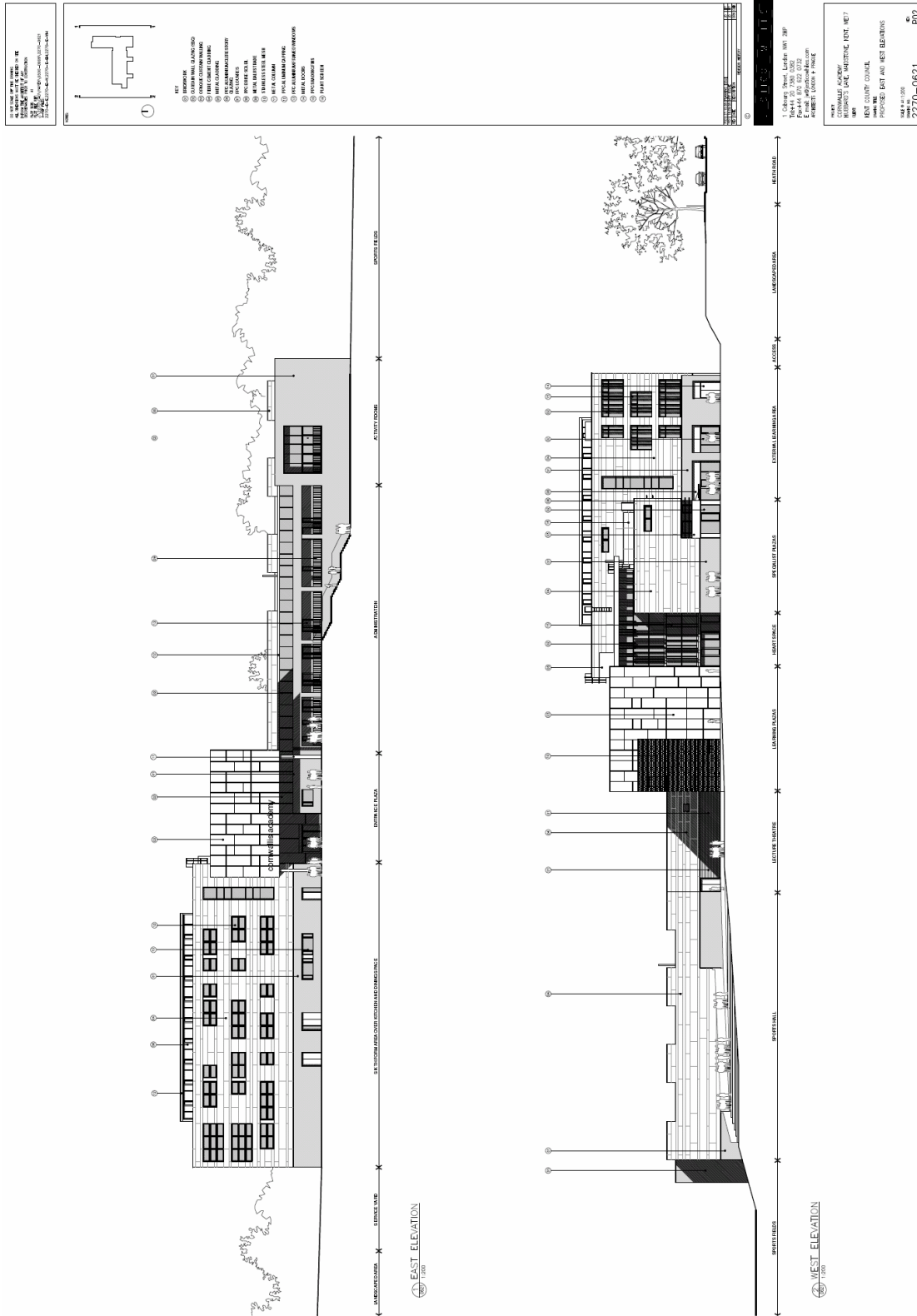
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Background

4. KCC Children, Families and Education were granted planning permission to construct a new Academy on the Oldborough Manor Community School site in November 2008, following the granting of outline permission in 2007. This formed part of DfES proposals to make Oldborough Manor Community School/Senacre Technology College and Cornwallis School sites a 'double academy' post July 2007. The designs for the two academies are intended to be similar and complementary so that students, parents, staff and visitors moving between the two would feel they are both part of the same family. Each Academy's design would, however, reflect and reinforce their respective specialism's and site context.
5. The Cornwallis Academy building would cater for 1,765 students aged 11-19 and would provide circa 14,000m² of accommodation. It is intended that Cornwallis Academy, alongside its sister academy at the Oldborough site, would share a sixth form (up to 550 students), of which the majority would be located at Cornwallis. The federated nature of the relationship between the Cornwallis Academy and the New Line Learning Academy means that one governing body would oversee the commitments to raising standards on both sites. Cornwallis Academy has been operating as an Academy since September 2007 in the buildings of the former Cornwallis School, and they will continue to occupy and use these buildings until new Academy buildings are completed. The Cornwallis Academy's specialism is Technology and Science.
6. The New Line Learning Academy, at the Oldborough Manor Community School site, is currently being constructed by Carillion, who are the preferred bidder for Kent County Council's New Line Learning Academy and the Kent Batched Academies Programme. Carillion is a framework contractor for the Government's Academies programme, which forms part of the wider Building Schools for the Future Programme (BSF). It is intended that the new Academy buildings would be constructed by Autumn 2010, with the demolition of the existing buildings and associated external works to follow on after the new buildings are occupied.
7. Members of the Planning Applications Committee visited the site on the 9 December 2008 (minutes appended). Following the site visit, and in response to consultee responses and neighbour objections, the applicant has submitted further information in support of the application and has amended the proposal. The number of car parking spaces proposed was reduced from 247 to 220 to provide additional space in the south east corner of the site for landscaping and screening. In addition, following a further review of the construction logistics and required safety zones, the applicant has moved the building 1 metre further east, away from the closest residential properties in Hanson Drive. *The following section of this report will detail the proposal as currently submitted.*

Proposal

8. This application has been submitted by Kent County Council Children, Families, Health and Education, and proposes the demolition of the existing school buildings and the erection of a new academy and associated facilities. The new school proposals comprise:
 - Demolition of the existing school;

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- A new academy of 14,013 sq m (gross internal area) for up to 1,765 pupils;
 - A new 4 court Multi Use Games Area (MUGA) – the application does not include floodlighting;
 - New grass playing pitch provision to meet DfES and Sport England Standards, including community use;
 - New car parking provision, circulatory access and pedestrian access points;
 - New strategic landscaping;
9. The main objective of this project is to provide a transformed education experience for the young people of South Maidstone through the provision of completely new facilities. The applicant seeks to integrate buildings with service delivery, a new Information and Communication Technology infrastructure, a new model of learning, and more efficient and effective use of public resources. The principal component of the Design Brief is to create Learning Plazas, which are intended to ‘deliver the innovative and highly personalised curriculum on offer...which will promote and enhance the ethos and culture of learning, and also facilitate pastoral engagement.’ These spaces are learning environments for up to 128 students in 8.5FE year groups. For most non-practical subjects such as English, Maths, and Humanities, learning would take place in these year based learning plazas, where students would spend around 60-70% of their time. The plazas need to be large flexible spaces, having large, small and individual work spaces, areas where staff can work with small groups and prepare lessons, and would serve as a ‘home base’ for each year group of 255 students. The plazas are designed to act as learning areas during lesson time and social areas at break times. The intention is that the learning Plazas, food court and adjoining interaction zones should not look or feel institutional, nor like a traditional school.
10. A key characteristic of the site’s development masterplan is the requirement to work around the existing school buildings and to maintain operation of the Academy within the entirety of these premises. No transitional or temporary accommodation arrangements are proposed as part of this application. The need to work around the existing school, and the residential nature of the boundaries to the northern portion of the site, has influenced the location of the proposed built development, to the south west of the site. The applicant advises that the proposed buildings have, however, been located as close as possible to the existing school buildings and Heath Road (whilst maintaining suitable construction zones) in order to maintain suitable distances to the residential properties in Hanson Drive and Holmesdale Close. In this location, the applicant considers that the new Academy buildings would be separated from the majority of properties by the proposed sports facilities and playing fields, as is the current situation. The applicant advises that many of the residential properties to the west and north of the site are also screened by an existing row of sizeable trees, which would be retained. However, the applicant is proposing additional planting along the site boundary to reinforce the existing.
11. There is a significant fall across the site from the South to North, and this has been formalised into 3 large plateau as part of this application. This has affected car parking layouts, pitch location and orientation, and the siting of the building (the majority of the new Academy buildings would be located upon the highest plateau). The sports accommodation within the building has been located at a lower level internally to facilitate a positive relationship with external sports facilities and, at the same time, reducing its bulk.

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Access

12. The masterplan for the site has been developed to accommodate two potential pedestrian entrances into the site, one from Hubbards Lane and the other from Linton Road, as existing. A central spine would run across the site from east to west to bring the two pedestrian flows together at the Academy's main entrance. A large proportion of students would arrive from the east, either by coach, car or on foot, and car parking and the primary pedestrian access would remain from Hubbards Lane. With the Academy building pushed towards the western side of the site, an avenue is proposed to bring pedestrians from the parking area into a forecourt area at the entrance. This forecourt has the potential to become a civic style entrance plaza. The avenue would be continued on the west side of the building where the play plaza provides a gathering area outside of the secondary entrance, linking the building with Linton Road.
13. Vehicular access to the site would remain as existing, via Hubbards Lane, which connects with Heath Road to the south. The existing 'in and out' one way system would be retained, and a new internal access road would be provided, which would serve the coach & car parking, and accommodate service and emergency vehicles. It is proposed to provide 220 car parking spaces, 13 car disabled car parking spaces and a school bus drop off and pick up zone designed to accommodate a minimum of 12 buses. A dedicated bus entrance point from Heath Road has been included on the plans, which would half the number of bus movements on Hubbards Lane, and the Hubbards Lane/Heath Road junction. Pedestrians would enter and exit the site from the Hubbards Lane main entrance and the pedestrian only access gate to the west of the site, via Linton Road. Bicycles entering the school site would be directed to one of two cycle storage areas, accommodating 150 bicycles at the eastern entrance and 100 bicycles at the western entrance. In addition 8 motorbike parking spaces would be provided, and 3 spaces would be designated for minibuses.

Accommodation

14. It is proposed to construct the Academy on the existing playing field, to the west of the current school building, extending towards Linton Road and running parallel to Heath Road. The 'L' shaped building would project to the north at its eastern end, beyond which would lie car parking and the sites vehicular access points, via Hubbards Lane. The eastern limits of the proposed development site are dictated by the location of the existing school buildings, which must be retained until the new building is completed. Once the new building is complete, the students would relocate into the new Academy, and the old buildings would be demolished. With the proposed building pushed to the west, more central to the site, the forecourt area in front of the new building would become important in landscaping terms and has the potential to become a civic style entrance plaza.
15. In addition to the building, the other principal components of the masterplan are the requirements for 220 car parking spaces, storage for 250 bicycles, the 4 court multi-use games area, play/social areas and natural turf pitches. The masterplan seeks to match the existing sports provision on site, and following consultation between the school, Sport England and the applicant, the proposal also includes a number of additional pitches requested by the school. Hard and soft informal play spaces would be provided around the new building to allow opportunities for informal play. Habitat areas have been included within the masterplan, taking advantage of the existing high value

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ecological areas to the north of the site. The habitat area would be accessed by pupils via footpaths from the surrounding amenity grassland.

16. The schedule of accommodation based on the DfES Building Bulletin 98 (BB98) guidelines generates a gross internal building area of 14,013 sq m for the 1,765 students. The site is approximately 10.5ha in area which is very slightly under the BB98 guideline for site area of 105,551 sq m. This application integrates the new school and sports facilities into a single building, including a range of teaching facilities, including: 10 Learning Plazas; 5 science laboratories, 4 multi-material laboratories, a food technology area, 5 art studios, a music suite with practice rooms; a Food Court; a Dance/Activity Studio, 4 court Sports Hall and associated changing accommodation; a Lecture Theatre; administration areas and a central atrium known as the 'heartspace'.
17. The 10 Learning Plazas have been designed as double-height volumes to promote natural lighting and ventilation, and accommodate a more intimate teaching environment in mezzanine areas. The 'heartspace' would run the full length of the building, from the entrance point to the east, and would act as a central circulation spine. All teaching spaces, including the plazas would be arranged around the 'Heartspace' and accessed from it. The 'heartspace' is seen as the learning 'street', accommodating breakout activities from the teaching areas and communal activities such as performance and dining. In addition, fingers of accommodation would project south of the main building line, allowing larger break out spaces within the building.
18. The entrance to the school is proposed on the east side of the building, and would be signified by a 'floating' plaza, which would hover over the entrance lobby. The entrance would be adjacent to the central plaza, which would act as a collecting point for pedestrians arriving from the west, as well as vehicle passengers and pedestrians from the east. Pupils, staff and visitors would all share the Academy entrance, which would also provide evening and weekend access to facilities (e.g. the sports hall, MUGA, lecture theatre) by the local community. To the south of the entrance and opposing the sports/administration wing, would lie the sixth form accommodation. This component of the accommodation would be separated from the remainder of the teaching spaces to address the specific requirements of the smaller teaching spaces for the older age groups and to create separate areas for social interaction and self-study. The sixth form accommodation would be provided over 3 storeys at the eastern end of the building, above the dining court.
19. Immediately to the north of the car parking area to the east of the site, a four court Multi Use Games Area (MUGA) is proposed. The open playing field area has been laid out to accommodate the School's requisite requirement for playing pitch provision, including summer time track and field provision and cricket pitch provision. The applicant advises that the proposals have been designed to allow increased use of the indoor and outdoor sports facilities by local community groups. It is intended that that new Academy would support the wider social, environmental and economic regeneration of the area. This would be achieved through community learning and access to the new facilities. The Academy would offer a range of extended school facilities, including access to the sports hall and pitches, and lettings (e.g. the performance or lecture space) by community groups, and adult education classes. In order to maximise extended and community use of the building and its site, including the sports pitches and MUGA, all areas would be accessible from the front entrance plaza, via the main Academy entrance. Hours of community use have not been provided by the applicant.

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Amenity Considerations

20. The applicant advises that the proposed building has been designed to minimise the impact on surrounding residential areas. In particular, the siting of the new school building means that it maintains the maximum possible distances from the residential properties to the west and north of the site. The tallest element of the proposed building is the sixth form component, at a full four storeys in height. This element is located to the south east of the proposed building, where the applicant considers it would have least impact on neighbouring properties, but where it would also act as a landmark to Heath Road. The significant bulk of the sports hall would be mitigated by its setting at a lower level to that of the remainder of the accommodation. In addition, the applicant advises that the Learning Plaza block is proposed to be broadly equivalent to four storeys in height, whereas the Specialist Plaza, extending to the south, would be only two storeys in height. However, the lower floor of the Specialist Plaza would be double-height so that the floor levels align for ease of access from the Learning Plaza block.
21. The western corner of the proposed building would be a minimum of 20 metres from the site boundary and 31m from the rear elevation of the closest residential property in Hanson Drive. The southern elevation of the building would be 25 metres from the site's boundary with Heath Road, and 35 metres (at the closest point) from the Grade II Listed Gate House to Linton Park, located on Heath Road.

Materials

22. The elevations of the sixth form block and sports complex would form the frontage to the main pedestrian and vehicular entrance points. This eastern facing elevation is, therefore, seen as the more public side to the building and the applicant proposes to use a light coloured masonry to reflect its civic nature. The masonry is proposed to reflect the hues and textures from the local historical and geological context of ragstone, originally quarried in the locality. The Learning Plaza component of the building has been developed to take reference from the green landscape of the playing fields to the north. A proprietary framed curtain walling system is proposed to create a random pattern of solid and void, to reflect natural field patterns and the dappled colour variation viewed through mature foliage. The specialist plazas, to the south of the building, would be mainly viewed from Heath Road and would be constructed of curtain walling and cladding materials. Projecting brise-soleil (projecting fins which deflect direct sunlight from windows) would protect the internal learning environment from excessive solar gain. The buildings, branding, signage and logos would have the look and feel of a business environment, expressing the specialism of science and technology.

Landscape and Ecology Considerations

23. The applicant advises that local character and historical landscape elements such as hedgerows, shelterbelts and orchards, as well as the landscape structure of Linton Park, have informed the landscape proposals for the site. Existing semi-mature and mature boundary trees would be retained as a valuable screening of the site. The green spaces within the site would be retained and enhanced to increase their flexible use for sports activities. In the north west corner of the site, an existing area of scrubland has been identified as being of significant value as a habitat for nesting birds and other wildlife. In response to this, it is proposed to develop an ecological garden in this corner

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of the site. A pavilion is proposed to the top of the bank, between the ecological garden and the sports pitches, which would serve as a key point for access and management of the ecological garden area, and includes an external classroom and store for maintenance and sports equipment. The existing tree line which runs along the bank to the south of the ecological garden would be thinned out to create views between the terraces and to ensure that the space would be adequately surveyed. The proposals for the ecological garden provide accessibility through footpaths, as well as educational garden spaces for classes to carry out experiments.

24. The proposals seek to retain the most significant trees on the site which are those located near to, or on, the site boundary. A significant number of new trees are proposed within the landscape scheme for the site, to both strengthen the boundary planting and soften the appearance of the development.

Sustainability

25. The applicant advises that the project would achieve a minimum 'Very Good' rating under BREEAM for schools. It is proposed that the building would include a number of sustainable features including a ground source heat pump, solar water heating panels, photovoltaics and would use insulation to secure a thermal performance 15% beyond current standards.

Construction Management Strategy

26. When this application was submitted an indicative location of the site compound was provided. Following the Members Site Visit, the applicant has submitted a Construction Management Strategy, which includes details of the construction access, site compound, car parking for site personnel, site set up and phasing of the development. This document was sent to consultation with Maidstone Borough Council, Boughton Monchelsea, Coxheath, Linton & Loose Parish Councils and Kent Highway Services on the 28 January 2009. In addition, 21 local residents were sent a copy of the document for their information and were invited to comment on the details. Four site notices advertising the submission of the Construction Management Strategy were posted around the site boundary. The closing date for comments is Thursday 12 February, and any comments received prior to the Committee Meeting will be presented to Members.
27. The Construction Management Strategy proposes that the construction access would be via Heath Road, approximately 100 metres from the Heath Road/A229 crossroads. The site offices would be located to the west of this access, parallel to Heath Road, with the site parking area extending to the north, occupying the western area of the site which currently separates properties in Hanson Drive from Heath Road. In order to mitigate the visual and noise impacts of the car parking and site offices, the applicant is proposing that a topsoil storage area run parallel to the boundary with properties in Hanson Drive. This topsoil storage area would be in the form of a bund, to a maximum height of 2metres, and constructed in accordance with British Standards. The existing pedestrian access to the north of this area would be maintained, located outside of the site compound, as would the small group of trees adjacent to the playing field. The document shows the phasing of the development, and the changing uses of areas of the site as elements of the new build are completed, and demolition of the existing buildings commences. For example, the parking area for site personnel in Phase 1

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would be used for temporary staff car parking and pupil drop-off/pick-up in Phase 2 & 3 before being restored to playing field in Phase 4.

The application is supported by a Design and Access Statement, Biodiversity Statement, Contaminated Land Investigation, Renewable Energy Assessment, Statement of Community Involvement, Transport and Travel Plans, Arboricultural Survey, Archaeology Statement, Sports Strategy Statement, Drainage Assessment and Flood Risk Assessment.

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

Development Plan Policies

28. 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, including 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.
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 QL8 | Listed buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced. |
| Policy QL9 | Historic landscape features and the settings and views into, and out of, historic landscapes, parks and gardens will be protected and where possible enhanced. |
| Policy QL11 | Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged. |
| Policy EN1 | Development in the countryside should seek to maintain or enhance it. Development which would adversely affect the countryside will not be permitted unless there is an overriding need for it which |

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- outweighs the requirements to protect the countryside. Development so permitted should include appropriate mitigation and/or compensation.
- Policy EN5 The primary objective of designating Special Landscape Areas is the protection, conservation and enhancement of the quality of their landscapes, whilst having regards to the need to facilitate the social and economic well being of the communities situated within them.
- Policy EN8 Wildlife habitats will be protected, conserved and enhanced. Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitat species will not be permitted unless there is an overriding need for the development and/or the adverse impact 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.
- 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 significantly 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 Maidstone Borough Wide Local Plan 2000:

- Policy ENV6 In appropriate cases the Borough Council will require a landscape scheme, including surfacing and boundary treatments, to be carried out as part of development proposals.
- Policy ENV22 In dealing with applications to develop existing open areas within the urban areas and village settlements, the Borough Council will have regard to:
- (1) The visual contribution which the existing site and the proposed development will make to the urban or village landscape; and
 - (2) The need to uphold and improve the appearance of the locality, with particular emphasis in more densely developed areas; and
 - (3) The need to conserve wildlife habitats.
- Policy ENV28 In the Countryside planning permission will not be given for development which harms the character and appearance of the area, or the amenity of surrounding occupiers, and development will be confined to:
- [.....]
- 4) The provision of public or institutional uses for which a rural location is justified;
- [.....]
- Proposals should include measures for habitat restoration and creation.

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- Policy ENV32 Within the Southern Anti-Coalescence Belt as defined on the proposals map, development which significantly extends the defined urban area or the built up extent of any settlement, or which, as a result of infilling, consolidates existing areas of development, will not be permitted.
- Policy ENV34 Particular attention will be given to the protection and conservation of the scenic quality and distinctive character of the Special Landscape Area and priority will be given to the landscape over other planning considerations.
- Policy CF9 The Borough Council will seek to ensure, where appropriate, the providers of educational facilities to make provision for dual use of facilities in the design of new schools and will encourage the dual use of educational facilities (new and existing) for recreation and other purposes. Development proposals which incorporate dual use will be permitted except where the increased level or duration of activities is incompatible with local residential amenity.
- Policy T13 Car parking provision.

Consultations

29. The following have been consulted on the planning application:

Maidstone Borough Council raises no objection subject to the imposition of conditions regarding external materials, external lighting, landscaping, an Arboricultural method statement, hours of community use, a Travel Plan, slab and site levels, disposal of foul and surface waters, provision of parking, access and turning areas, bicycle storage, a construction management scheme and biodiversity enhancement. In addition, a number of informatives are requested by the Borough Council with regards to construction activities.

Boughton Monchelsea Parish Council makes the following comments on the application:

- 1) The junction between Hubbards Lane and Heath Road needs to be significantly improved. A roundabout should be seriously considered.
- 2) The new bus entry point from Heath Road should have adequate visibility splays.
- 3) A drop-off bay should be provided adjacent to the pedestrian access point on the A229.
- 4) Careful consideration should be given to providing drop-off/pick-up points within the site.
- 5) Confirmation of contractors access points and measures to minimise disruption to the road network during the construction phase are required.
- 6) A 'Community Access Plan' should be drawn up and community use of the facility should be encouraged.
- 7) A Travel Plan should be prepared to reduce the reliance on the car.
- 8) The school interior spaces should be able to be easily converted into traditional classroom spaces should the new approach to teaching proposed not be successful.
- 9) The number of students will be increased, with resultant increase in pressure on the road network. However, the percentage increase in traffic is likely to be negligible.
- 10) The impact on local residential amenity should be carefully considered.

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11) The location of the new school building does not relate in any way to the surrounding context, with its position appearing to arbitrarily relate solely to avoiding the existing school buildings.

12) Part of the existing school site (former car park) appears to have been omitted from the new school grounds. What use is proposed for this?

13) Are any works or financial contributions proposed to the Linton cross road junction?

Coxheath Parish Council suggests that the design is not very 'Kentish', although recognises the design constraints and considers that, as far as possible, materials that are sympathetic to the local character should be used. The Parish Council's main concerns centre on the wider impact of the proposed development in terms of traffic congestion, safe cycle routes/safe access and community use. A number of comments are made, which are summarised below:

1) The proposal would severely exacerbate congestion in the locality and local highway improvements should be required under planning condition.

2) The School Travel Plan target to double the number of pupils travelling to school by cycle, to 18 trips per day, is far too low and is inconsistent with the number of cycle parking spaces proposed. The target should be substantially increased and, in order to achieve this, safe cycle routes to the school should be required under planning condition.

3) Safe pedestrian and cycle crossing points should be provided, as should an onsite drop-off/pick-up point for students. The onsite drop-off/pick-up point proposed only has 4 spaces, which is unlikely to be sufficient.

4) The issue of parents dropping off/picking up pupils on the A229 by the pedestrian access point should be addressed.

5) Community Use of the facilities is welcomed, and both outdoor and indoor facilities should be made available.

6) The Multi Use Games Area should be floodlit to maximise its use, and this should be required by planning condition.

Linton Parish Council makes a number of comments and observations on the application, which are summarised below:

1) The overall design is modern and functional and no doubt can be modified as educational requirements change over the years. However, the large angular buildings do not blend easily into the countryside and would be much improved if they were clad in timber and built of brick.

2) The footprint of the new building and associated works indicate a reduction in the number of playing pitches and hard play areas. This is regretted.

3) If floodlighting is to be introduced it must be high quality, low level, and subject to conditions restricting hours of use.

4) A new School Travel Plan needs to be produced as a matter of urgency recognising more realistically the wide catchment area for the Academy, and the lack of public transport serving the area. There will be an increase in the number of vehicles accessing and parking on the site and the space required for car parking has been well underestimated.

5) As the academy would be used out of hours for school and community use, high quality, low level lighting should be installed in the car parks for safety reasons.

6) Concern is expressed as to whether the expected increase in the school roll could be sustained in the long term.

7) There will be an increase in the traffic volumes along Heath Road, and a large proportion of the additional traffic would use the Heath Road/A229 crossroads. None of

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this is seriously recognised in the proposals for this development. Conditional on this development must be a total redesign of the Hubbards Lane/Heath Road Junction. The Heath Road/A229 crossroads must also be redesigned. These works should be undertaken as a matter of urgency, either funded by the developer of Kent Highway Services.

8) A 'Community Plan' should be drawn up to agree how local communities and the Academy can work together and benefit from the development.

9) Given the present financial climate, it should be ensured that sufficient funds would remain available to complete the project.

Loose Parish Council has no objections to the design of the proposals per se, but has strong concerns that the applicant has not seen fit to address the traffic movements associated with the new school, and the impact that future traffic would have on the neighbouring villages. A number of comments are made on the application, which are summarised below:

1) The Parish Council is amazed that no changes are proposed to the Hubbards Lane/Heath Road junction. This should be widened and/or visibility improved.

2) The crossroad junction with the A229 and Heath Road is a prime concern. Some major improvement provisions need to be made to aid traffic flow and a pedestrian crossing should be provided.

3) Safe cycle lanes to the site should be provided, especially due to the amount of cycle parking proposed.

4) Adequate turning circles should be provided for buses entering and exiting the site.

5) If extra traffic creates congestion it would encourage road users to drive through neighbouring villages, which the infrastructure could not tolerate.

6) The maximum provision of community use should be put into place.

A joint letter of representation from all four of the Parish Councils has also been received, which summarises their individual letters into one.

The South East England Development Agency supports the application.

The South East England Regional Assembly considers that the proposed development would not materially conflict with or prejudice the implementation of the Regional Spatial Strategy (RPG9 and Alterations) or the Secretary of State's Proposed Changes to the Draft South East Plan (July 2008). It is suggested that the County Council impose conditions covering transport and a travel plan, sustainable construction, design, noise and air pollution, and biodiversity.

The Commission for Architecture and the Built Environment no comments received to date.

The Campaign to Protect Rural England (CPRE) – Kent Branch raises no objection to the application subject to certain issues being addressed by the imposition of conditions, including external materials, sustainability, community use and preservation and use of 'green spaces' within the site.

The Divisional Transportation Manager raises no objection to the proposal in respect of highway matters, subject to conditions including conditions regarding the provision of bus access, adequate visibility splays, adequate parking on site for vehicles associated with the development, disposal of surface water, prevention of the deposit of mud on

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the highway, and the provision of vehicle and cycle parking, turning areas, loading and off-loading areas in accordance with the permitted drawings and prior to occupation of the development.

In addition, the applicant is required to provide a contribution of £2000 towards the cost of a Traffic Regulation Order to provide waiting restrictions along Hubbards Lane between its junction with the school vehicular egress and the junction with Heath Road.

The County Council's Landscape Adviser comments as follows:

“With regard to the freestanding and retaining walls, we query whether a fair faced concrete finish would be most appropriate visually and whether any other surfaces might be better placed to provide seating elements within the retaining wall structures.

Our previous comments, suggested that it may be beneficial for the applicant to propose a native hedgerow, along the southern boundary of the northern sports pitches linking the ecology garden with the eastern site boundary. However, the applicant considers that such a hedge would be inappropriate because it would restrict surveillance. Whilst we accept this security issue, we suggest that a row of individual native trees would provide an alternative to the hedgerow and would provide an element of visual filtering for residential properties to the north along Salts Avenue, whilst allowing views of the northern pitches by staff. We are pleased to acknowledge the proposed reinstatement of the Linton Road hedgerow as a visual screen and as a reconnection with the Heath Road boundary hedgerow.”

The County Council's Noise Advisor considers that the issue of noise break-in should be addressed by the relevant Building Control Authority, although through careful logistical planning and/or acoustic treatment of the building envelope, noise break-in could be managed sufficiently.

A condition should be imposed to ensure that the Rating Noise Level from plant associated with the school would not exceed the existing LA90 when measured at the nearest residential property. In addition, should the MUGA be floodlit at a later date, an assessment of the potential noise impacts associated with the MUGAs extended hours of use must be undertaken. On the basis that the MUGA is not currently proposed to be used outside the hours of use of the existing playing fields, the Noise Advisor has no concerns over the proposal.

The County Archaeologist: raises no objection subject to a condition requiring archaeological field evaluation works and subsequent safeguarding measures to preserve/record archaeological remains.

The County Council's Conservation & Design Architect raises no objection subject to a condition requiring the details of boundary fencing, hedge and tree planting along the Heath Road frontage to be submitted for approval. It is recommended that a hedge is incorporated into the boundary treatment using native hedgerow specimens and estate fencing. Likewise, further tree planting should be native species to complement those in the park land on the opposite side of the road to the application site.

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English Heritage considers that the development would affect the setting of the Grade II Listed gate house, North Lodge. English Heritage recommends that the impact of this proposal on the setting of the lodge and park should be fully explained by the applicant, with sections through the site to show their relationship to the proposed academy buildings. Further works to alleviate the impact of the proposed buildings on the setting of the lodge and park should be considered, including re-positioning the buildings further to the north to allow enhanced tree planting along the southern boundary of the site. The current proposals for new trees on this boundary may not be acceptable given their proximity to the buildings and existing trees, so a more detailed plan is required to ensure that an appropriately dense landscape buffer between the proposed Academy and the gate house is achieved.

However, English Heritage did not wish to be consulted on the planning application again and recommended that the application be determined in accordance with national and local policy guidance, and on the basis of our specialist conservation advice.

The Garden History Society: no comments received to date.

The County Council's Biodiversity Officer raises no objection to the proposal subject to conditions concerning the need for bat surveys if the buildings are not demolished within 1 year of the surveys already undertaken, further examination by an ecologist of all trees for bats to be carried out prior to any trees being felled, protection of nesting birds and the submission of a mitigation and enhancement strategy for the entire site. Further advice is provided on the contents of the strategy.

Environment Agency has no objections to the application but has made comments and requested conditions be imposed covering surface water drainage and contamination of previously developed land.

Sport England raises no objection subject to conditions regarding community use, the design of sporting facilities to accord with Sport England design guidance, the development of sufficient quality replacement playing pitches, adequate reinstatement of playing pitches upon completion of construction and appropriate phasing of development to minimise adverse effects on sporting facilities.

Kent Police Architectural Liaison Officer raises no objection subject to the applicant adhering to Secured by Design principles.

The County Fire Officer no comments received to date.

Local Member

30. The local County Members, Mr Hotson and Mrs Stockell, have been notified of the application.

Publicity

31. The application was publicised by the posting of 5 site notices and the individual notification of 142 neighbouring properties.

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Representations

32. To date, I have received 15 individual letters of representation from local residents. A summary of the main issues raised/points made is set out below:

Highway related

- There is a need to improve the junction between Heath Road and Hubbards Lane. For example, it could be made into a bell mouth;
- There is a need to improve the Heath Road/A229 crossroad;
- The Transport Assessment and Travel Plan submitted with the planning application is inaccurate, out of date and open to criticism. In addition, it does not address other highway surveys undertaken in the local area, or future developments in the region, including housing development and the Kent International Gateway;
- Cornwallis Academy is not an insignificant contributor to traffic in its own right. Account must now be taken of extra activity due to the proposed increase in pupils, including 70 additional pupils of driving age;
- Marginal consents without regard to an overall traffic strategy, such as is sought here, contributes to the traffic paralysis forecast for Maidstone early in the next decade;
- Ample visitor parking, and a drop off/pick up facility, should be provided in the school grounds;
- The amount of car parking proposed seems considerable. Could the number of car parking spaces not be reduced, in turn allowing the building to be moved eastwards?
- Too much cycle parking is proposed and will therefore be unused. This could potentially be converted into additional car parking areas in the future which is not acceptable;
- Access for fire engines maybe impeded and, should their be a fire at the school, this would be very dangerous for local properties, which would be within a few metres of the school building;

Site layout and design

- By moving the building closer to Linton Road/Hanson Drive, more pupils would be dropped off here causing congestion, blocking of drives and residential streets, and safety issues as sight lines are blocked by parked cars;
- The pedestrian access gate on Linton Road should be closed and a replacement one provided on Heath Road;
- The development is too close to the boundary with neighbouring properties;
- The design of the building is not sympathetic to the area, and would be a monstrosity;
- The building would create unacceptable levels of air and noise pollution (including that from the play plazas) and, due to its height, overlooking, loss of privacy and loss of light to properties in Hanson Drive;
- Can the school not be located elsewhere within the school grounds?
- Why does the school have to be re-built rather than refurbished?
- Can the section of the school building closest to properties in Hanson Drive not be lowered in height? Or cut into the ground to reduce its impact? Or tiered?

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Amenity

- The car park is to be expanded towards the boundary of the site and closer to residential properties. It is requested that careful consideration be given to the lighting of this area;
- External lighting should be carefully considered and hours of operation restricted;
- In an effort to reduce noise from the car park, fencing or screening should be provided along Heath Road and into Hubbards Lane;
- The development will ruin people's enjoyment of the natural beauty of the locality, reducing the amount of people coming to walk in the area, subsequently impacting upon local businesses;
- The development is too close to the boundary with neighbouring properties;
- Adjacent properties in Hanson Drive are at a lower level than the school building, compounding its overbearing nature;
- The building is of a considerable bulk, and is imposing upon the rural landscape;
- Significant landscaping should be provided to the boundary with properties on Hanson Drive, including evergreen planting;
- The proposed cycle shelters near Hanson Drive would increase noise pollution, and encourage smoking to the rear of them, creating a substantial fire risk;
- At present pupils gather to smoke on the pavements outside the school, producing lots of litter. Could provision be made in the school grounds for a smoking facility?
- Support for improved school facilities is expressed, but the amenity of neighbouring residents needs to be given careful consideration;

Construction

- The proposed site offices are too close to residential properties, creating visual, noise and air pollution, and potential overlooking issues;
- Contractors will park on Loose Road and in Hanson Drive, blocking drives and making the movement of vehicles very difficult;
- Lorries delivering to the site must not wait on surrounding roads to enter the site;
- Any damage to local roads as a result of construction vehicles should be made good;

Nature Conservation

- Badgers and other wildlife occupy the site, and the development may have an unacceptable impact upon them.

DiscussionIntroduction

33. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (28) 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 siting & design, impact upon heritage interests, sustainable construction, landscaping and biodiversity, community use and sports provision, drainage and transport and access issues.

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34. Policy QL1 of the Kent and Medway Structure Plan requires new developments to be of a high quality and well designed, and not to lead to a loss of residential amenity. Policies ENV22 and ENV32 of Maidstone Borough Local Plan seek to protect existing open areas and protect the functioning of the southern anti-coalescence belt in terms of preventing the significant extension of the defined urban areas or the built up extent of any settlement. Further, consideration should be given to the Kent and Medway Structure Plan Policy QL11 and the Maidstone Borough Local Plan Policy CF9 that encourage decision makers to make provision for community facilities. In conjunction with these and other relevant policies, these issues are considered and discussed below. In principle, I see no overriding objection on land use planning grounds, on the basis that the site is already well established for the accommodation of educational services.

Siting and design issues

35. This proposal would relocate the built development from the south east of the site to the south west. Although an area of land to the west of the proposed school building would be retained as a playing field, due to the shape of the site boundary, the school building would be significantly closer to residential properties, particularly those in Hanson Close and on Linton Road. This has met with concern and objection from neighbouring residents and consultees and, therefore, needs to be addressed. In addition, the proposed siting needs to be considered in the context of the setting of Linton Park, a Grade II* Listed Historic Park and Garden, and its Grade II Listed Gate House. The implications of the siting on the setting of these important historical features will be discussed later in this report. The following section will address the general issues associated with the proposed siting of the development, its massing and design.
36. The Cornwallis site has extensive playing fields to the north and west, with most of the built and hard development associated with the school located in the south eastern area of the site. The playing fields and open green spaces all make a significant contribution to the setting of the school and to the local area, including the southern anti-coalescence belt, as well as their use for education, recreation and sport. The protection afforded to the anti-coalescence belt by the Borough Wide Plan Policy ENV32, Development Plan Policies that seek to protect, conserve and enhance the environment, and the protection afforded to playing fields, have all been major influences in the masterplan that has evolved now forming the basis for this application. However, to provide continuous and efficient educational use of the Academy site throughout the proposed development, it would be necessary to build upon an existing area of open grassland/playing field.
37. It should be noted that whilst this proposal is for a single large building, with a footprint of 6800 sq metres, the total footprint of the existing buildings is 9800 sq metres. This development would, therefore, substantially reduce and rationalise the landtake associated with the Academy's built development. Although car parking and hard play would occupy a larger proportion of the remaining site than at present, a similar amount of the site would be open grassland and/or playing fields. On that basis, Sport England has not raised an objection to the proposed development.
38. In my view, the site layout proposed establishes an acceptable pattern of development within the site so that there is no conflict with objectives of the anti-coalescence belt designation subject of Local Plan Policy ENV32. Indeed the proposal would not result

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in a significant change to the extent of the built development within the site. It retains an appropriate balance of green spaces, provides for enhanced landscaping of the site and maintains the integrity of the main playing field to the north. In these respects, I also consider that it would accord with the other Development Plan Policies that seek to protect, conserve and enhance the environment, and ensure that developments respect their setting and relate sympathetically to their site context. The site as a whole would therefore continue to contribute to the visual character and quality of the area, as well as to the physical separation of local villages.

39. Whilst the gross floor space of the building would increase, the area of land take would be minimised with a building, in part, the equivalent of 4 storeys in height compared to the existing single, two & three storey buildings. However, whereas existing buildings are a considerable distance from properties in Hanson Drive, the western corner of the proposed school would be a minimum of 20 metres from the site boundary, and 31m from the rear elevation of the closest residential property in Hanson Drive. That has met with objection from residents in Hanson Drive who are concerned that the building is too close to the boundary, and of a scale and massing which would affect their amenity.
40. The physical and design constraints of the proposal and the site, and the requirements to maintain an operational school during the construction phase, have led to the building being located in the western part of the site. The applicant has sought to minimise the impact of the development on properties in Hanson Drive and has, following a further review of the construction logistics and required safety zones, moved the building a metre further eastwards than originally proposed. As a result, the proposed development would now be just 7 metres from the existing school buildings, allowing the smallest possible construction/safety zone. The revised positioning of the building ensures that the north west corner of the building is approximately 5 metres further east than the easterly boundary of gardens in Hanson Drive. Furthermore, the proposed building would be a minimum of 31 metres from the closest residential property, and 21 metres from the site boundary. These distances are well over those specified within the Kent Design Guide, which suggests that window to window distances should be over 21 metres. It should also be noted that the rear elevation of properties in Hanson Drive would not directly face the development and, therefore, window to window views would be at oblique angles.
41. The bulk of the building has also met with objection from neighbouring properties, and this needs to be considered in conjunction with the siting of the building. At the equivalent to four residential storeys in height the building would be slightly taller than the existing tallest building on site. However, all built development would be included within one building, and an increase in height results in a smaller footprint and, therefore, less landtake. Despite the height of the building, I consider that the distances detailed above are sufficient to ensure that there is no significant overlooking, or the creation of a sense of enclosure. The building has been carefully designed to ensure that the tallest element, the sixth form block, would be furthest away from residential properties, reducing the impact of the development and ensuring that it is not overbearing. In addition, the elevational treatment of the school would aid in breaking up its bulk by adding interest and relief to the building.
42. It should also be noted that the boundary between properties in Hanson Drive and the school site is heavily screened with existing trees and hedging. Additional tree planting along this boundary was proposed by the applicant from the outset and, in response to

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the concerns of neighbouring residents, further tree planting to the corner of the site adjacent to Hanson Drive has been proposed. 50% of this additional tree planting would be evergreen to maintain screening throughout the year, and would also serve to mitigate noise from the play ground (plaza), a further concern raised by local residents. The County Council's Noise Advisor raises no objection to the scheme and would only have concerns over negative noise impacts upon neighbouring residents should floodlighting be introduced to the MUGA, extending its hours of use. The floodlighting of the MUGA is not included within this application and would, therefore, need to be subject to a separate planning application should the Academy require it at a later date. That application would have to be considered on its own merits at that time, and a noise assessment would be required. However, at this time it is not considered that the proposed development would have an unacceptable impact on the amenity of neighbouring residents with regards to noise subject to a condition controlling the level of noise emitted from plant associated with the school. Although the arrangement of the site would change, the overall noise levels would not be significantly altered from those currently related to use of the site.

43. In addition to concerns over the siting of the building, concern was raised by residents in Wykeham Cottages over the proximity of the car park (at the corner of Hubbards Lane and Heath Road) to their properties on the opposite side of Heath Road. Concerns over lighting and noise associated with use of the car park have been raised and, as a result, the applicant has altered the car parking layout to enable higher levels of screening and planting to be provided to the south-east corner of the site. The reduction in the number of car parking spaces will be discussed later in this report, as will the issue of external lighting. However, it should be noted that the County Council's Noise Advisor does not have any concerns with regards to noise associated with the development having a detrimental impact upon the amenities of the locality. In addition, the amendments made would serve to lessen any light pollution, although it should be noted that this area of the site is already used for car parking, and any lighting proposed would be designed to minimise light spill to adjoining properties in accordance with the relevant environmental standards. In light of the above, I consider the car parking layout to be acceptable to terms of residential amenity (highway implications will be discussed later in this report).
44. Local residents also expressed concern that the layout of the site would restrict access for fire engines. As a result of this concern the County Fire Officer was consulted on the application. No comments have been received to date, however, the applicant has confirmed that fire brigade access would be provided to in excess of 50% of the building's perimeter. That would include access to the play plaza via the service route to the south west of the proposed building. In addition, the development would have to accord to national requirements for the safety of educational establishments. In light of this, I do not consider that the development would provide restrictive access for the fire brigade.
45. In light of the information given above, and the mitigation provided by the applicant, I do not consider that the siting and massing of the development would have a significantly detrimental impact on the amenity of neighbouring residents. Taking account of the above factors, I would not object to the scale or massing of the proposed buildings, or the siting/layout of the development as a whole. Although the building would be the equivalent of up to 4 storeys in height, I consider that there are benefits to keeping the footprint of the buildings as compact as possible and to reducing land take. In addition, I

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consider the provision of a single building to accommodate the Academy to be a considerable improvement over the dated piecemeal development which currently houses the school, which, in my view, is not aesthetically pleasing. However, although considered to be acceptable in terms of massing and scale, a high quality of design and detailing is essential.

46. Paragraph 22 of this report outlines the applicant's intentions with regards to design and external materials. Masonry, glazing, curtain walling, brise-soleil and cladding are some of the elements proposed by the applicant, which would be used to identify various characteristics of the building, whilst being sympathetic to the surrounding landscape. The building's branding, signage and logos would have the look and feel of a business environment, intending to express the specialism in science and technology. This is, in my view, appropriate for the site and reflects the aspirations of the applicants in terms of the environment they wish to create.
47. Representations from local residents and consultee responses have commented on the design of the building, which some accept, and praise, whilst others consider it to be unsympathetic to the locality. Although some concerns relate to the massing of the building, the majority of the concerns relate to the materials and visual appearance of the building. The applicant advises that the strategy for use of materials reflects the three main components of the building. Whilst this strategy has led to several material types, colour and texture would be used to unify elements of the three components. For example, the greens of the northern façade translate to the southern, and the cladding board proposed above the plinth levels in the sixth form block would similarly be used for the specialist plazas and sports hall facades. Although a large building, I do not have concerns over the general design as proposed, which is appropriate for the innovative uses of the internal space and the range of activities proposed. However, the final selection of external materials, including colour finishes and details of window/door reveals, should be submitted for approval pursuant to planning conditions. Subject to the imposition of these conditions, I do not consider that the design, massing, or scale of the building would have a significantly detrimental impact upon the amenity of the locality and, therefore, would be acceptable.

Listed Building/Historic Park & Garden

48. In considering applications which may affect the setting of a Listed Building and/or Historic Park and Garden, a key consideration is whether or not the proposed development would maintain and/or enhance the character of their settings. The County Council's Conservation and Design Architect and English Heritage initially expressed concern over the impact of the proposed development on the setting of the Grade II* Listed Historic Park & Garden, Linton Park, and North Lodge, the gardens Grade II Listed gatehouse. Both of these historical features are located to the south of Heath Road and, unlike the school site, lie within a Special Landscape Area. English Heritage considered that further works to alleviate the impact of the proposed buildings on the setting of North Lodge and Linton Park should be considered, including re-positioning the school building further to the north to allow enhanced tree planting along the southern boundary of the site. It should be noted, however, that English Heritage did not wish to be consulted on the planning application again and recommended that the application be determined in accordance with policy guidance, and our specialist conservation advice. In light of this, further information submitted by the applicant in response to the initial concerns of the County Council's Conservation & Design

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Architect and English Heritage was only sent to consultation with the County Council's Architect.

49. The County Councils Conservation & Design Architect initially considered that the development would unduly impact upon the setting of the Listed Gate House, and that mitigation would need to be considered. It was recognised that re-siting of the building would not appear to be practical and, therefore, the applicant was requested to consider increasing the area between the proposed school and the Listed Building to allow for further tree planting. This request was in general accordance with the views of English Heritage.
50. The heritage concerns were discussed with the applicant who has advised that North Lodge, the single storey 19th Century gate house, is set within a belt of considerable tree cover and the immediate environment to the south of Heath Road is of more relevance to the setting of the building than the school site to the north of the road. The applicant considers Heath Road to be a major physical feature that separates the Listed Building and Park & Garden from the school site, and states that the character of the areas either side of the road are quite different. Although I agree with these comments, and also consider the character of land to the north and south of Heath Road to be quite different, the setting of the Listed Building and Park & Garden needs to be carefully considered in the determination of this application.
51. The school building has been designed in an attempt to mitigate any potential impact on the listed property/Park & Garden by reducing the building in scale towards the southern site boundary. The main body of the academy building would be approximately 50metres from North Lodge at the closest point. However, two 'fingers' encroach into this 50m zone, but these are single storey and of a domestic scale, whilst still being approximately 36metres from the Listed Building/Park & Garden. The requirement to maintain the operation of the existing school means that the proposed building cannot be moved any further east than it already has. In addition, the proximity of residential properties, as discussed above, prevents the building from being re-located further to the north. I am therefore satisfied that the proposed building cannot reasonably be moved further from the road frontage, a fact already recognised by the County Council's Conservation & Design Architect. Focus therefore turns to mitigating the impact of the development, screening the proposed building in order to maintain and enhance the setting of the Listed Building and the Historic Park and Garden.
52. The proposed development is at a lower level than Heath Road and, of more importance, the upper levels of the proposed building would be screened by the canopies of existing trees along the school boundary. The applicant advises that future landscaping of the site would introduce screening of the lower levels with the introduction of shrub and low level planting, and small ornamental trees. The applicant has amended the masterplan of the site to further reinforce the planting within the area of the Academy site immediately adjacent to the Listed Building. However, following the submission of this additional information from the applicant, the Conservation & Design Architect considers that there is an opportunity to further mitigate the impact of the new school by increasing the density of tree and boundary planting. It is recommended that some form of hedge is incorporated into the boundary treatment using native hedgerow specimens and estate fencing. Likewise, further tree planting should be native species to complement those in the park land on the opposite side of the road to the application site. The Conservation & Design Architect now raises no objection to the application

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subject to the imposition of a condition requiring the submission of a landscaping scheme which incorporates the suggestions made above.

53. Whilst views from North Lodge itself, and the exit from Linton Park, would obviously change as a result of the proposed development, I consider that the mitigation offered by the applicant, and the consideration of these issues in the design of the building, have resulted in a proposal which would not have a significantly detrimental impact on the setting of the Listed Building or the Historic Park & Garden. Subject to the submission of a substantial landscaping scheme, which addresses the issues raised by the Conservation & Design Architect, I do not consider that this application should be refused on the grounds of its impact on the setting of North Lodge or Linton Park.

Landscaping and Biodiversity

54. As referred to above, the landscaping of this site is vital in mitigating the impact of the development on neighbouring residents and also the setting of Linton Park and North Lodge. It is imperative the mature and high quality trees are retained where possible, and protected throughout construction works, and that a scheme of substantial tree and shrub planting is provided should the application be permitted. Some trees in the central part of the site would have to be removed as a result of the proposed development. However the intention is to retain trees within the site as far as possible, and to retain boundary planting. Furthermore the landscape strategy put forward aims to reinforce and strengthen the existing boundary planting where that is necessary, to create a campus style setting. The new planting would be of significant benefit to the site and locality, as well as helping to absorb the new development into its surroundings.
55. The County Council's Landscape Advisor does not raise objection to this application, but does require further details to be submitted pursuant to condition, should permission be granted. It is suggested that a row of individual native trees should be provided along the southern boundary of the northern sports pitches linking the ecology garden with the eastern site boundary. Should permission be granted, a detailed scheme of landscaping and tree planting would be required pursuant to condition. This could ensure that the required trees were included. The Landscape Advisor's concerns with regards to the location of the construction site offices have been addressed within the submitted Construction Management Strategy, and the site offices have been moved accordingly.
56. The proposals include a 10m wide ecological boundary buffer strip to the western edge of the playing fields. This, in conjunction with tree protection fencing, would ensure that the trees and ecological habitat to the western boundary of the site were protected. Maidstone Borough Council and the County Council's Biodiversity Officer have requested the submission of a Habitat/Biodiversity enhancement strategy to cover the site as a whole, and I consider that this should form a condition of consent. That would ensure that existing habitats were retained in addition to securing the future enhancement of the ecological value of the site, which would improve the local educational and recreational environment.
57. Subject to conditions ensuring that trees to be retained are protected in accordance with BS5827: Trees in relation to construction, the submission of a Habitat/Biodiversity enhancement strategy, and a scheme of landscaping and tree planting, I see no reason to refuse this application on the grounds of tree related matters. In addition, Maidstone Borough Council has requested that an Arboricultural Method Statement be submitted

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pursuant to condition, which should include details of any works or operations in the vicinity of retained trees, detailing construction or installation methods to avoid damage to trees, including their roots. Given the fact that a number of mature trees are found within the site, I consider that an Arboricultural Method Statement should also be submitted pursuant to planning condition.

58. With regards to Biodiversity issues, a number of ecological reports have been submitted with the application that indicate that survey work for protected species has been carried out, in particular for bats, badgers and reptiles. The County Council's Biodiversity Officer is satisfied with the information submitted and has not raised any objections to the proposed development. However, the Biodiversity Officer has requested a number of conditions of consent with regards to bats, trees, badgers, reptiles, birds, biodiversity enhancement monitoring and management. The imposition of the required conditions would protect wildlife and mitigate against any negative impacts of the development, minimising any disturbance and/or risk to protected species as far as practicably possible. I therefore consider that these should form the basis of conditions of consent should permission be granted.

Transport and access issues

59. As outlined in paragraphs 12 & 13 of this report, it is proposed to retain the two existing pedestrian access points from Hubbards Lane and Linton Road, and vehicular access would remain via Hubbards Lane. In addition, a separate bus only entrance would be provided from Heath Lane, which would directly access a dedicated bus/coach drop-off and pick-up facility designed to accommodate a minimum of 12 buses. Given the wide catchment area that the school serves, many of the pupils are bussed to school. Buses and coaches would then exit the site via the Hubbards Lane site exit, facilitating an on site one way system. This proposed facility would half the number of buses using the Hubbards Lane/Heath Road junction, and would remove the need for any bus to turn into Hubbards Lane. The existing on-site car parking arrangement would be extended and formalised, to provide 220 car parking spaces, and a dedicated 9 bay pupil drop-off/pick-up facility would be provided. In addition, 8 motorbike parking spaces are proposed, 3 spaces for minibuses and 2 storage facilities for bicycles capable of accommodating a total of 250 bicycles.
60. This application has met with objection and concern on the grounds of highway matters from the four Parish Councils and local residents. In addition, off-site highway works have been requested, including improvements to the Hubbards Lane/Heath Road junction and works to the Heath Road/A229 crossroads. These works are seen by some consultees/local residents as fundamental, and consider that this application should not be approved without the undertaking of such works. However, Kent Highway Services have been asked to consider the need for off-site highway works and, upon the consideration of the information submitted, have determined that works to the two junctions are not required. The reasons for this will be discussed below. However, a contribution of £2000 is required towards a Traffic Regulation Order to provide waiting restrictions along Hubbards Lane between its junction with the school vehicular egress and the junction with Heath Road. I have received a written undertaking from the applicant agreeing to provide such a contribution, and a plan showing an indicative layout of the works that would be undertaken. Should permission be granted the provision of the required contribution would be required pursuant to planning condition. In addition, the applicant has confirmed that the remaining conditions required by Kent

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Highway Services are acceptable, although the phasing of the development would not enable all car parking to be available prior to occupation of the proposed building. However, all will be provided and subsequently maintained following demolition of the existing buildings and upon completion of the scheme.

61. This application would essentially provide replacement accommodation for existing poor quality buildings on site. However, the proposed pupil numbers under this application are 1765, of which 490 would be in years 12 & 13. There are currently 287 pupils in years 12 & 13, so this application would increase the sixth form numbers by about 200. However, the applicant considers that the increase in sixth form numbers would equate to approximately 70 additional pupils of driving age. It should be noted, however, that there would be a decrease in the pupil numbers in the lower years than existing. This application would increase and formalise car parking on site to provide 220 spaces, a number which Kent Highway Services deem to be acceptable, and would provide 9 dedicated pick-up/drop-off bays. However, the visibility splays at the existing exit are currently restricted by fencing and vegetation. As this application would provide additional onsite car parking, and a dedicated pick-up/drop-off facility, the use of this exit would be intensified. Therefore, improvements to the visibility splays at this exit are required by Kent Highway Services, and should permission be granted, this would form a condition on consent. In addition, should permission be granted, a revised School Travel Plan would be required pursuant to planning condition, which would determine the likely number of sixth form pupils that would actually drive to school, and aim to reduce reliance on the car. The Travel Plan would need to be approved in consultation with Kent Highway Services and be subject to ongoing monitoring and review.
62. Furthermore, planning permission has previously been granted under reference MA/02/1892 for the erection of a new two and three storey sixth form centre on the site. Permission has since been granted under reference MA/06/0369 to extend the time within which an application for reserved matters relating to the sixth form centre must be made. This consent is not due to expire until the 22 May 2009. No conditions were imposed on either of these permissions to restrict the number of pupils attending the school or was there a requirement to undertake highway works or increase car parking. In addition, the school is currently under capacity, and could increase to full capacity without the need for any further permission. This current application would increase car parking on site, and improve the current access arrangements, in addition to providing a dedicated bus entrance and on site pupil pick-up/drop-off facilities.
63. The masterplan for the site provides for 12 dedicated bus/coach parking bays, accessed via a separate bus only site entrance from Heath Road. Should permission be granted, the provision of this entrance, and the associated onsite facilities, would be required by planning condition. In addition, the applicant has successfully demonstrated that adequate visibility splays and turning areas can be achieved, and Kent Highway Services has accepted these details. The provision of the bus entrance would remove the need for buses to turn into Hubbards Lane from Heath Road, halving the number of bus movements at this junction, alleviating existing congestion and safety concerns. The 12 dedicated parking bays would adequately cater for the total number of buses on site at one time, and would enable the Academy to manage the pupils using the buses in a controlled and safe manner. In addition, the dedicated facility would enable the remainder of the site parking and car drop-off/pick-up facility to operate freely and without the hindrance of buses.

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64. A significant amount of cycle parking is proposed by the applicant, 150 spaces by the eastern site entrance (Hubbards Lane) and 100 spaces at the western entrance (the A229 pedestrian entrance). This amount of cycle parking has met with objection, some suggesting that it is too much and concern is expressed that it would eventually be converted into additional car parking. As a result of these concerns, the applicant and Kent Highway Services have agreed to a phased introduction of the cycle parking, initially providing 100 spaces, 50 at the Hubbards Lane entrance and 50 towards the pedestrian entrance from the A229. 100 cycle parking spaces would adequately cater for existing demand, and future review and monitoring of the School Travel Plan would inform the decision as to when/whether to provide the remaining 150 spaces. Details of the design of the cycle parking would be required pursuant to condition to ensure that it is of an appropriate design standard. In addition, the cycle parking to the western side of the site could not be converted to car parking as vehicular access to this area of the site is not available. In addition, a condition of consent would ensure that the cycle parking is provided, maintained, and not built upon without the written approval of the County Planning Authority. Subject to these conditions, I do not consider that the provision of cycle storage is a cause of concern. In addition, the Academy would actively encourage pupils to cycle to school through Travel Plan targets.
65. The retention of the pedestrian access on the A229 (Linton Road) has met with objection from local residents and concerns have been raised over pedestrian safety by consultees. This is an existing entrance, and although some local residents experience problems with parents dropping of pupils and inconsiderate/illegal parking, this is an existing issue which would not be exacerbated by this planning application. As already outlined, the increase in pupils numbers would be in the sixth form, lower year groups would reduce in size. Older age groups generally make their own way to school, using private cars or buses, all of which access the site via Hubbards Lane/Heath Road. This secondary pedestrian entrance is, however, an important access for pupils arriving on public transport along Linton Road, and the Academy have asked the Police to tackle the illegal parking in the past, and will continue to do so. In addition, the provision of an on site dedicated pick-up/drop-off facility should discourage parents from dropping off pupils on the A229. I consider that this pedestrian access is an important facility for pupils of the Academy, and can see no reason why it should not be retained. Although I appreciate the existing problems experienced by local residents, this is a school management issue and I do not consider that this application would significantly exacerbate those or be a detriment to the safety of pupils.
66. In my view this application cannot be expected to solve/rectify existing highway problems. However, the proposed development must address any additional highway pressures brought about by the proposed works. I consider that the applicant has made adequate provision for the additional pupils that the school would cater for. In addition, the provision of a bus entrance, further on-site car parking, a dedicated bus and pupil pick-up and drop-off facility, and a contribution to a Traffic Regulation Order would help ease existing congestion and help alleviate existing highway problems. All of these matters would be covered by planning condition and would be provided by the applicant prior to the completion of the development, as phasing would allow. The Divisional Transportation Manager and Maidstone Borough Council also consider that an updated Travel Plan should be submitted for approval and thereafter be implemented as approved, and be subject to ongoing monitoring and review. Subject to the conditions outlined above, I do not consider that the proposed development would have a

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significantly unacceptable impact upon the local highway network. I therefore see no reason to refuse the application on highway grounds.

External lighting

67. No details have been provided on external lighting for the development. This can often be a cause for concern raised by neighbouring residents and, in this instance, local residents have expressed concern over not only the lighting of the building but the associated car parking areas. If permission is granted, it would therefore be appropriate to reserve details by condition so that the type and position of any external lighting can be controlled to ensure any potential nuisance from light pollution can be minimised and to accord with Structure Plan Policy NR5. In addition, for the avoidance of doubt, it would be conditioned that no floodlighting shall be installed on site without the submission and determination of a full planning application.

Secured by Design

68. The applicant has undertaken discussions with the Kent Police Architectural Liaison Officer and it has been agreed that they would adhere to Secured by Design requirements and in consultation with Kent Police. Some of these matters, such as perimeter fencing and security lighting, would need careful consideration to ensure they were applied in a balanced way so that, for example, the visual appearance of the site was not compromised by inappropriate fencing. They would otherwise accord with Structure Plan Policy QL1 in respect of a safe and secure environment. If planning permission is granted these matters would be dealt with in the drawing up of the detailed design drawings and, in part, by planning condition i.e. details of lighting and fencing.

Sustainable construction

69. The applicant advises that the project would achieve a minimum 'Very Good' rating under BREEAM for schools. As outlined in paragraph 25, the building would include a number of sustainable features. Maidstone Borough Council request that a condition of consent be that the development achieve at least a 'Very Good' rating, and have requested details of the final rating to be submitted for approval prior to commencement. However, I consider that the applicant has given sufficient information within the planning application to demonstrate how the rating of 'Very Good' would be achieved. I therefore consider it sufficient and acceptable to condition that the development achieve at least a 'Very Good' rating, but not to request the submission of details. In particular, the developers are already tasked with meeting the exacting design standards demanded of them by the Academy funding process.

Community use and sport provision

70. It is proposed that there would be community use of the school buildings and the associated sports facilities, a principle which is supported by Kent & Medway Structure Plan Policy QL12 and wider Government aspirations for extended school use and community activities. However, at this stage there are few details against which to assess the potential impact. Maidstone Borough Council has suggested that a condition of consent be that the buildings/pitches are not used for community use before 08.00am or after 10.00pm. However, this could be too restrictive for events such as theatrical

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plays/shows, which may take place in the evening, albeit not on a regular basis. However, the amenity of neighbouring residents must be protected and community use controlled to ensure minimal disturbance to neighbours.

71. In light of this, and in order to protect the amenities of nearby residential properties, it would be appropriate for details of community use to be submitted for approval pursuant to planning condition. These details would need to include proposed hours of use for indoor and external facilities, the types of uses proposed and the frequency of use, as well as detailing how use of the facilities by the local community would be managed. The submitted details would be subject to consultation with relevant consultees to ensure that the proposed community use would not have a detrimental impact on the amenities of the locality. Once considered acceptable and approved, the community use of the facilities would be required to strictly adhere to the hours of use and details given. Subject to the imposition of such a condition, I consider that community use of the development would not have a significantly detrimental impact upon the amenities of the locality.

Drainage, protection of water resources and contaminated land

72. The Environment Agency and the Borough Council have both requested that details of drainage be submitted pursuant to condition. The Environment Agency initially objected to this application on the grounds that the submitted Flood Risk Assessment had not adequately dealt with the issue of drainage, and requested a Drainage Assessment be submitted in accordance with PPS25. The applicant submitted this information and the Environment Agency subsequently withdrew its objection, stating that they have no objection in principle to the surface water drainage system proposed. However, it is recommended that a detailed scheme for the provision of surface water drainage be submitted. It is considered that this is required to prevent the increased risk of flooding by ensuring a satisfactory means of surface water disposal. The Environment Agency also requires the imposition of a condition regarding the submission of further survey work concerning land contamination. Therefore, I consider that subject to the imposition of a condition requiring the submission of a scheme to deal with the risks associated with contamination of the site within 3 months of the date of the permission, the development could be controlled to ensure that it would not result in unacceptable pollution levels.
73. In addition to the Environment Agency, Maidstone Borough Council has raised no objection to the proposed development subject to the imposition of conditions, three of which concern drainage. A scheme for the disposal of foul waters is required, in addition to surface waters, and it should be ensured that there would be no discharge of foul or contaminated drainage from the site into ground water or any surface waters. Therefore, should permission be granted, conditions would be imposed covering the matters raised above. This would ensure that the development would not result in an unacceptable level of pollution, in accordance with the principles of Policy NR5 of the Kent & Medway Structure Plan. In addition, the Environment Agency's advice regarding foul and surface water drainage, and contaminated land would be covered by an informative.

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Archaeology

74. An Archaeological Statement accompanied this planning application. The County Archaeologist has concluded that in order to secure the appropriate level of evaluation and mitigation of archaeological potential at the site, a condition of consent be imposed. It is requested that no development takes place until the applicant has secured the implementation of archaeological field evaluation works, and following on from the evaluation, the submission of measures to ensure the preservation in situ of important archaeological remains and/or further archaeological investigation and recording. Therefore, subject to the imposition of the required condition, I do not consider that this proposal would have a detrimental impact on archaeological remains.

Construction

75. Given that there are neighbouring residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction and demolition in order to protect residential amenity. I would suggest that works should be undertaken only 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 the school day.
76. Maidstone Borough Council and the Divisional Transportation Manager have requested that details of a Construction Management Strategy be submitted for approval prior to the commencement of development. The Borough Council considers that this should include details of the methods and hours of working, location of site compounds and operative/visitors parking, and details of site security and safety measures. In light of this request, the applicant has submitted a Construction Management Strategy, which, as detailed in paragraph 26 of this report, has been sent to consultation with statutory consultees, some local residents, and advertised by way of site notices. Paragraph 27 of this report outlines the details included within the submitted Construction Management Strategy, which appear to be logical given the constraints of the site and the complicated nature of the development.
77. To date no comments have been received, but the consultation period expires prior to the Planning Applications Committee Meeting on the 17 February 2009. A summary of consultee comments and any representations received will be prepared reported to the Committee. Should the details submitted be deemed to be acceptable by Members, then the Construction Management Strategy would not be required pursuant to planning condition.
78. In addition to the above, should permission be granted conditions of consent would ensure that dust, noise, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

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Conclusion

79. The application proposes new Academy buildings on a well-established education site. In principle, I therefore see no overriding objection to the proposed development. The proposal would provide a welcome improvement in the provision of new and modern education & community facilities together with a building of a high standard of design in terms of external appearance and finishes. Subject to any further views received before the Planning Applications Committee Meeting, particularly with regards to the Construction Management Strategy, I am satisfied that subject to the imposition of conditions, this proposal would not have a significantly detrimental effect on the amenity of local residents, the character of the local landscape, heritage issues or the local highway network. In my view it would not give rise to significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies. There are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that various conditions be placed on any planning permission, including those outlined below.

Recommendation

80. SUBJECT TO any further views received before the Committee Meeting with regards to the Construction Management Strategy, I RECOMMEND that 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;
 - the submission of details of all materials to be used externally including the submission of details of door and window reveals;
 - details of all external lighting;
 - rating noise level from plant not to exceed to existing LA90 when measured at the nearest residential property;
 - a scheme of landscaping, including hard surfacing, its implementation and maintenance;
 - measures to protect trees to be retained;
 - an Arboricultural Method Statement;
 - the need for a bat survey to be undertaken prior to demolition of the existing school buildings;
 - habitat/biodiversity enhancement strategy, including monitoring and management;
 - protection of badgers from construction activities;
 - no tree removal during the bird breeding season;
 - development to accord with the recommendations of the ecological survey;
 - details of fencing, gates and means of enclosure, including colour finishes;
 - archaeological works;
 - Secured by Design principles to be adopted;
 - a BREEAM rating of 'Very Good' to be achieved;
 - the playing field provided and marked out as shown on the proposed site plan;
 - a community use agreement relating to use of the indoor and outdoor facilities, including hours of use and nature of use;
 - the provision of car parking, cycle parking, access and turning areas;
 - details of cycle parking design and phased implementation;
 - promotion of a Traffic Regulation Order and a contribution of £2000 if successful;
 - preparation, submission for approval, implementation and ongoing review of a revised School Travel Plan;

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- provision of visibility splays, including improvements to the visibility splays at the sites exit;
- details of foul and surface water drainage;
- control of discharge of foul/contaminated drainage;
- survey work regarding land contamination;
- no flood lighting shall be erected on the multi-use games area, or elsewhere on the site, without the written permission of the County Planning Authority;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- development to be carried out in accordance with the submitted construction management plan;
- measures to prevent mud and debris being taken onto the public highway.

81. I FURTHER RECOMMEND that the applicants BE ADVISED of the following informatives:

- Sport England be consulted by the applicant to ensure that the proposed sporting facilities are designed to satisfactory technical standards. Attention is also drawn to the relevant Sport England Guidance Notes providing technical advice on the appropriate standards for the sports facilities.
- Account should be taken of the comments made by the Environment Agency relating to drainage, contamination, and storage of fuel, oil & chemicals.
- Account should be taken to the informatives made by Maidstone Borough Council.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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Appendix 1

APPLICATION MA/08/TEMP/0052 – DEMOLITION OF EXISTING SCHOOL BUILDINGS AND ERECTION OF NEW ACADEMY. RE-PROVISION OF OUTDOOR PLAYING PITCHES, MUGA, PARKING SPACES, STRATEGIC LANDSCAPE WORKS AND ASSOCIATED CIRCULATORY ACCESS ROUTE AT THE CORNWALLIS ACADEMY, HUBBARDS LANE, MAIDSTONE

NOTES of a Planning Applications Committee site visit to the Cornwallis Academy, Maidstone on Tuesday, 9 December 2008.

MEMBERS PRESENT: Mr R E King (Chairman), Mrs V J Dagger, Mrs S V Hohler, Mr J F London, Mr T A Maddison, Mr J I Muckle, Mr W V Newman, Mr A R Poole and Mr F Wood-Brignall.

OFFICERS: Mrs S Thompson, Mr J Crossley and Miss M Green (Planning); and Mr A Tait (Legal and Democratic Services).

PARISH COUNCILS: Mr R Fuller (Boughton Monchelsea), Mrs J Sawyer (Linton), Mr J Andrew (Loose).

THE APPLICANTS: Cornwallis Academy (Mr R Harris – Chairman of Governors, Mr D Simmons – Head, Ms G Luscombe and Mr McGregor). Mr H Pye of Jestico and Whiles.

(1) The Chairman opened the meeting. He explained that its purpose was for the Committee Members to familiarise themselves with the site and to listen to the views of interested parties.

(2) Miss Green opened her presentation by explaining that permission had been granted in November 2008 for the construction of a new Academy on the site of the Oldborough Manor Community School. This formed part of the proposals to make the Oldborough Manor Community School, Senacre Technology College and Cornwallis School sites a 'double academy' from July 2007. It was intended that both of the Academies would be constructed by autumn 2010, with the demolition of the existing buildings and associated external works following once the new buildings were occupied.

(3) Miss Green said that this particular proposal was for a new building to house the second of the Academies, catering for 1765 pupils and providing over 14000 square metres of accommodation.

(4) Miss Green then said that the Cornwallis Academy (formerly Cornwallis School) was located approximately 4.2km to the south/south-east of Maidstone Town Centre. The site was located within the rural fringes of Maidstone and within the 'southern anti-coalescence belt'. Beyond Heath Road to the South lay the Linton Park Estate. This was a Grade II* Listed Historic Park & Garden, and a Special Landscape Area. The gate house to the park was also Grade II Listed.

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(5) Miss Green then gave a detailed description of the application. She said that it was proposed that the existing buildings would be demolished, with a new school building being constructed on the existing playing field and informal grass areas. By locating the proposed school on the existing playing field, the new school could be completed whilst the existing buildings remained fully operational. Upon completion of the new build, the existing school would be demolished and the land remodelled to provide informal and formal external play areas, sports facilities, and car parking.

(6) Miss Green then distributed two plans. The first of these showed the existing school buildings (in orange) and the new proposed Academy building (in grey). Miss Green pointed out the parameters of the main “L shaped” building, which would be built on the point where the meeting was taking place. The western corner of the building would be approximately 20 metres from the site boundary and 30 metres from the rear elevation of the closest residential property in Hanson Drive (the most southerly of the new roads between the current playing fields and Linton Road). The southern elevation of the proposed building would be approximately 25 metres from the boundary with Heath Road and 35 metres from the Grade II Listed Gate House to Linton Park.

(7) Miss Green continued by referring Members to Page 6 of the briefing note for a summary of the accommodation and associated external facilities that the applicant proposed to provide. Access to the site would remain from Hubbards Lane, and the existing car parking would be extended to provide 247 car parking spaces. Storage for 250 bicycles would also be provided, as would a bus-only entrance to the site from Heath Road. A four-court multi use games area (MUGA) would be provided to the north of the car parking. Playing fields and sports pitches would occupy the northern area of the site. Pedestrian access would be via the existing Hubbards Lane entrance and from Linton Road, using an existing pedestrian access gate, south of Hanson Drive.

(8) Miss Green referred to the second of the two plans which showed the layout and relative heights of various elements of the main Academy building. The building itself would provide 10 learning plazas, 5 science laboratories, 4 multi material laboratories, a food technology area, 5 art studios, a music suite, food court, dance/activity studio, a 4-court sports hall, lecture theatre, admin areas and a central atrium known as the ‘Heartspace’. The highest element of the building would be the proposed 6th form accommodation, which would be located in its south eastern corner.

(9) Miss Green went on to say that existing semi-mature and mature boundary planting and trees would be retained and protected throughout construction works, and would be enhanced as part of the site’s wider landscaping scheme. An existing area of scrubland in the North West corner of the site had been identified as being of significant value as a habitat for nesting birds and other wildlife. The applicant was therefore proposing to develop an ecological garden in this corner of the site. A sports pavilion building was proposed at the top of the bank at the northern boundary of the site. This would also provide a classroom facility and storage area.

(10) Miss Green told the meeting that the applicant had advised that the project would achieve a minimum ‘Very Good’ rating under BREEAM (BRE Environmental Assessment Method) for schools. It was proposed that the building would include a number of sustainable features, including a ground source heat pump, solar water heating panels and photovoltaics (tiles or slates containing solar cells).

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(11) Miss Green then reported the views of Statutory Consultees. The County Council's Conservation & Design Architect, Landscape Consultant, Noise Consultant and Biodiversity Officer all require additional information to be submitted before the application was determined. So too did English Heritage. The Environment Agency had raised objection to the proposal on the grounds that the submitted Flood Risk Assessment was unacceptable and did not comply with the requirements of PPS25. Boughton Monchelsea and Linton Parish Councils had commented on the proposed development primarily expressing concern over the access to the site. They had requested improvements to local road junctions. In addition, 13 letters of representation had been received from neighbouring properties, primarily located in Hanson Drive and Heath Road.

(12) Miss Green concluded her presentation by summarising the points of objection raised by local residents. These related to the siting, height and massing of the proposed building, design, proximity to the boundary and neighbouring properties, overshadowing, loss of light, noise and light pollution, and highway implications. These points are summarised on pages 15 and 16 of the briefing note.

(13) Members then inspected the Hubbards Lane/Heath Road junction in order to witness the current traffic congestion issues associated with school start and finishing times. Mrs Luscombe (Cornwallis Academy) informed Members that the buses arrived at 3pm and left at 3.10 pm. Staff and Sixth Formers left after the buses had gone. She estimated that some 80% of pupils came to school by bus as they lived in the outlying villages. This resulted in 12 buses per day coming on site. She then said that 50% of Year 13 Sixth Form students owned their own cars. Curiously, there were no more than half a dozen pupils who travelled in by motor cycle. There were currently 270 sixth form pupils at Cornwallis. This number would eventually increase to 490.

(14) Mrs Luscombe agreed with Mrs Hohler's suggestion that a car-sharing scheme could be developed for sixth form pupils.

(15) The remainder of the meeting was conducted indoors. Mrs Dagger asked whether any objections had been received from the owners of Linton Park. Miss Green replied that a response was expected.

(16) In response to a question, Mrs Luscombe said that the application did not contain a floodlighting element. Miss Green added that community use would take place indoors during the evenings and weekends and outdoors during out-of-school hours.

(17) Mr Pye (Jestico and Whiles) said that the applicants only had a remit to deal with traffic issues on site as they had no budget to deal with traffic issues off-site. Consequently, they could not propose such external measures as road widening, lay-bys and cycle paths outside the school. The proposal therefore contained parking bays for 12 buses as well as 250 cycle racks (in compliance with KCC's Vehicle Parking Standards.) The applicants were currently holding discussions with KCC Highways over the details of the new bus access point in Heath Road.

(18) Mr Andrew (Loose PC) asked about the public drop-off point by the crossroads opposite the Linton Road entrance. He asked whether this was considered to be the right place. Miss Green replied that this entrance was already in existence and therefore was not

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(in itself) a part of the application. She added that the residents of Hanson Drive had raised the concern that the proposed increased use of that entrance by visitors would lead to parking congestion if visitors parked in their road before using that entrance.

(19) Mr Andrew said that there had been a number of occasions where children who used the Linton Road entrance had run across the road despite the pedestrian lights being red. Mr Harris (Chairman of Governors) said that this was a practice that the School did everything it could to discourage.

(20) In response to a question from Mrs Hohler, Mr Pye said that a 20% increase in student parking had been planned for. Mrs Luscombe said that careful consideration would be given to the Travel Plan that supplemented the application.

(21) Mrs Luscombe informed the meeting that there was no railway station in the vicinity of the School. The nearest stations were in Maidstone itself. This meant that the bus was the only means of public transport available. Of the 12 buses that carried children to and from the School, 3 were provided by Arriva and the rest were contracted by the School to provide the service.

(22) Mrs Luscombe replied to a question from Mr Muckle by describing the School's current mechanisms for managing parking and travel onto the site. The sixth form timetables varied from those of other pupils in that they did not necessarily have to come in for the normal hours of 8.30 am to 3 pm. They might, for example only be at school from 10 to 2. On the other hand, they might stay behind after the others had gone home. The School encouraged greater use of free time in order to prepare the sixth formers for University life. Car sharing was encouraged. A number of sixth formers still used the buses.

(23) Mrs Luscombe explained that the sixth form would not reach full capacity until 2013 when the School Leaving Age rose to 18.

(24) The Chairman explained that the Planning Applications Committee would need to assume maximum capacity when it determined the application.

(25) Mr Harris informed the meeting that the School had been built in the 1960s to accommodate 800 pupils. Since then, the number of pupils had doubled within the same accommodation.

(26) Members were shown larger elevations of the proposal.

(27) Mr Muckle asked why the Environment Agency had declared the Flood Risk Assessment to be unacceptable. The site appeared to be on higher ground than the rest of Maidstone. Mrs Thompson explained that every application had to conform to the requirements of PPS25. The applicants had not yet done so, and would need to fulfil all these requirements before the Environment Agency could withdraw its objection. However, flood risk issues also related to surface run-off, rather than just marine or river flooding.

(28) Mr Andrew said that there were a number of underground springs in the area. It could be that some of the drainage aspects of the proposal were currently a flood risk to other sites.

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(29) Mrs Sawyer (Linton PC) asked what the playing surfaces would consist of. Mr Pye said that these would all be natural turf except for the MUGA. He added that water run-off from the hard areas would be drained away and contained in a water tank.

(30) Mr Fuller commented that the surfacing which would best suit this particular soft clay site would be permeable paving. He added that this was a very exciting project, which could become a landmark.

(31) The Chairman thanked everyone for attending. The notes of the visit would be appended to the Head of Planning Applications Group's report to the determining Committee.

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Item D3**Demolition of conservatory and construction of a single storey extension and canopy at Ditton Infant School, Aylesford – TM/08/3656**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 February 2009.

Application by the Governors of Ditton Infant School and Kent County Council Children, Families & Education Directorate for the demolition of a conservatory and construction of a single storey extension and sun canopy at Ditton Infant School, Pear Tree Avenue, Ditton, Aylesford

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mr. G. Rowe

Classification: Unrestricted

Site

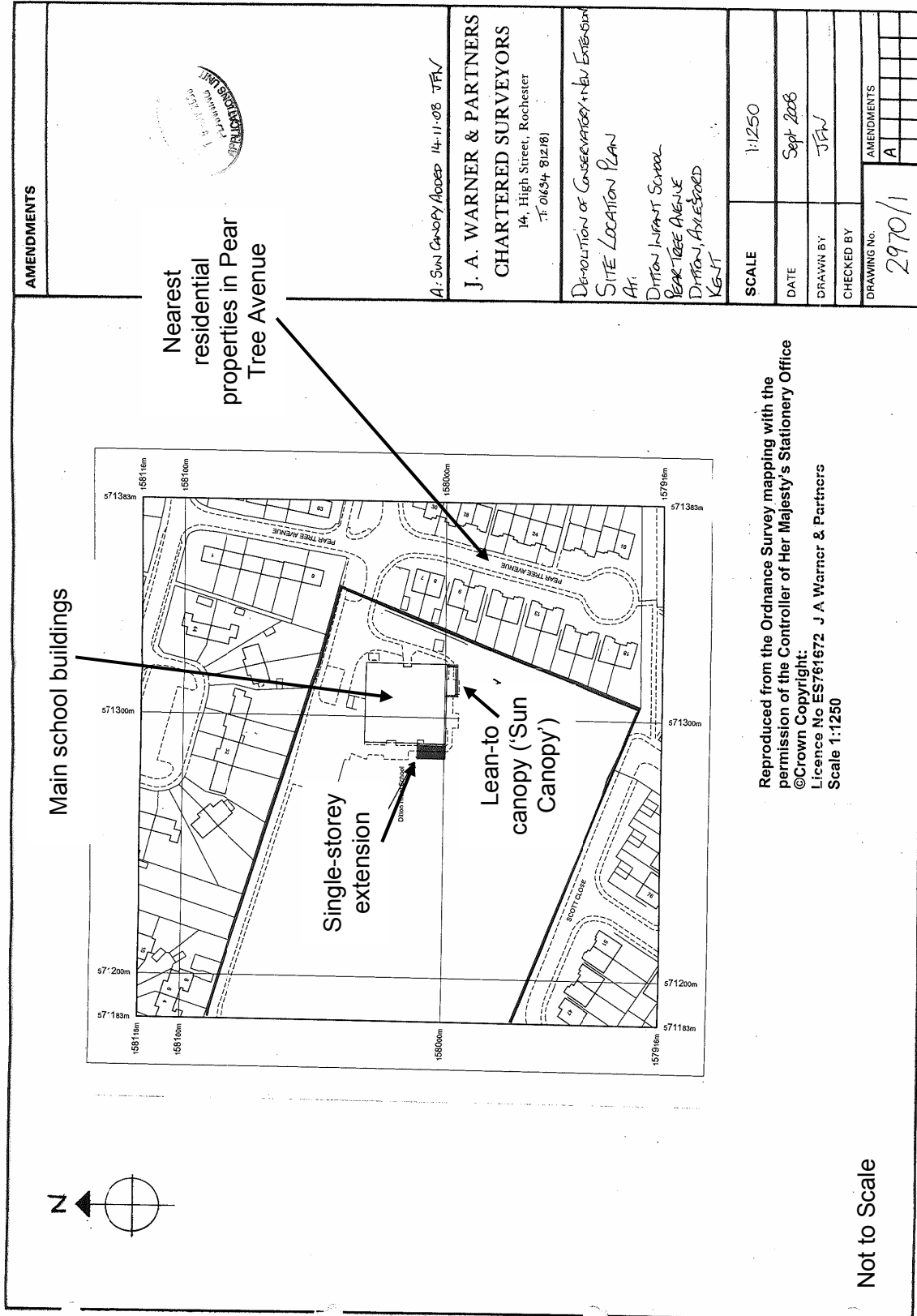
1. Ditton Infant School is located south of the main village of Ditton. The site is accessed from London Road (A20) via New Road and Pear Tree Avenue to the south of the school campus. The school occupies a shared site, split between Ditton Infant School to the east, and Ditton Junior School to the west. Playing fields are located between both school buildings. Ditton Infant School dates from the mid-to-late 1960s and comprises of low level brick and glazed walls with a felt flat roof construction. There has been little change to the original school building in terms of additions/extensions since it was built. The application site is located within the built up area of Ditton, and is bordered to the north, east and south by residential properties. The nearest residential properties are located directly east of the Infant School buildings fronting Pear Tree Avenue. Other than being located within the Urban Area Confines, the application site is not covered by any other specific land use designations as defined in the Local Plan. *A site location plan is attached on page D3.2*

Proposal

2. The application has been submitted on behalf of the Governors of Ditton Infant School and KCC Children, Families & Education Directorate and proposes the demolition of an existing uPVC 'lean-to' style conservatory which is currently used as a joint ICT and teaching area and the construction (in the same location) of a purpose built single storey extension of approximately 63 sq. metres. The applicants have stated that the current conservatory is not an adequate standard teaching facility, given the limited available floorspace and the vast extremes of temperatures experienced within the conservatory during summer and winter seasons as a result of the extent of the glazed panelling. The proposed extension would provide an enlarged school Library area and a new purpose built ICT area, and would be constructed from traditional insulated cavity brick and blockwork with glazing above and a felt flat roof, similar to that of the main school building.
3. The application also proposes the erection of a lean-to canopy (referred to within the application description as a 'sun canopy') to the exterior of the southeast classroom. The canopy comprises of an open sided structure which is intended to provide a sheltered play area for Early Years (Reception) pupils who currently occupy a classroom on the south-eastern corner of the school building. It is proposed to be constructed of a galvanised and powder-coated steel frame and a polyester roof covering.

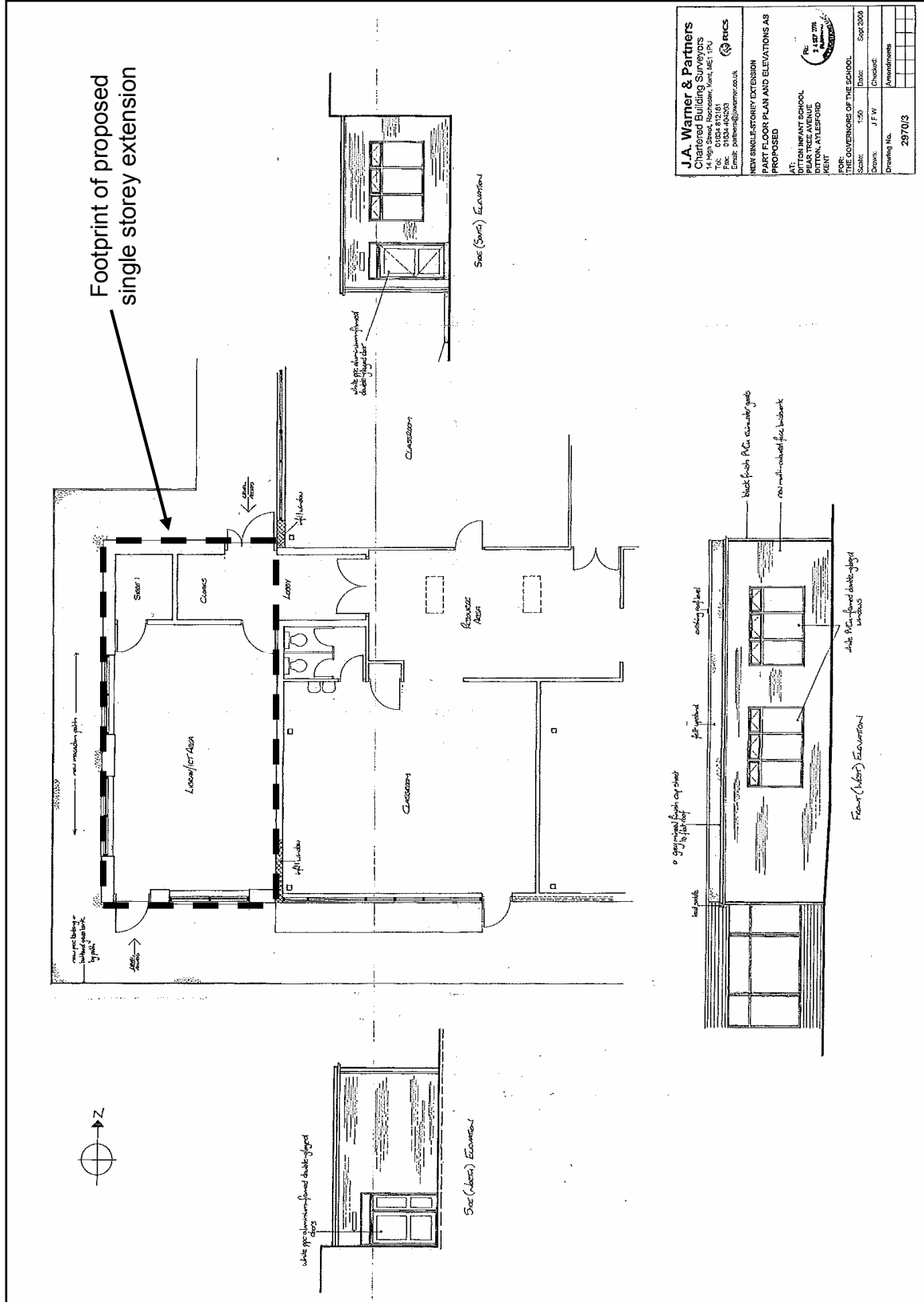
Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Site Location Plan



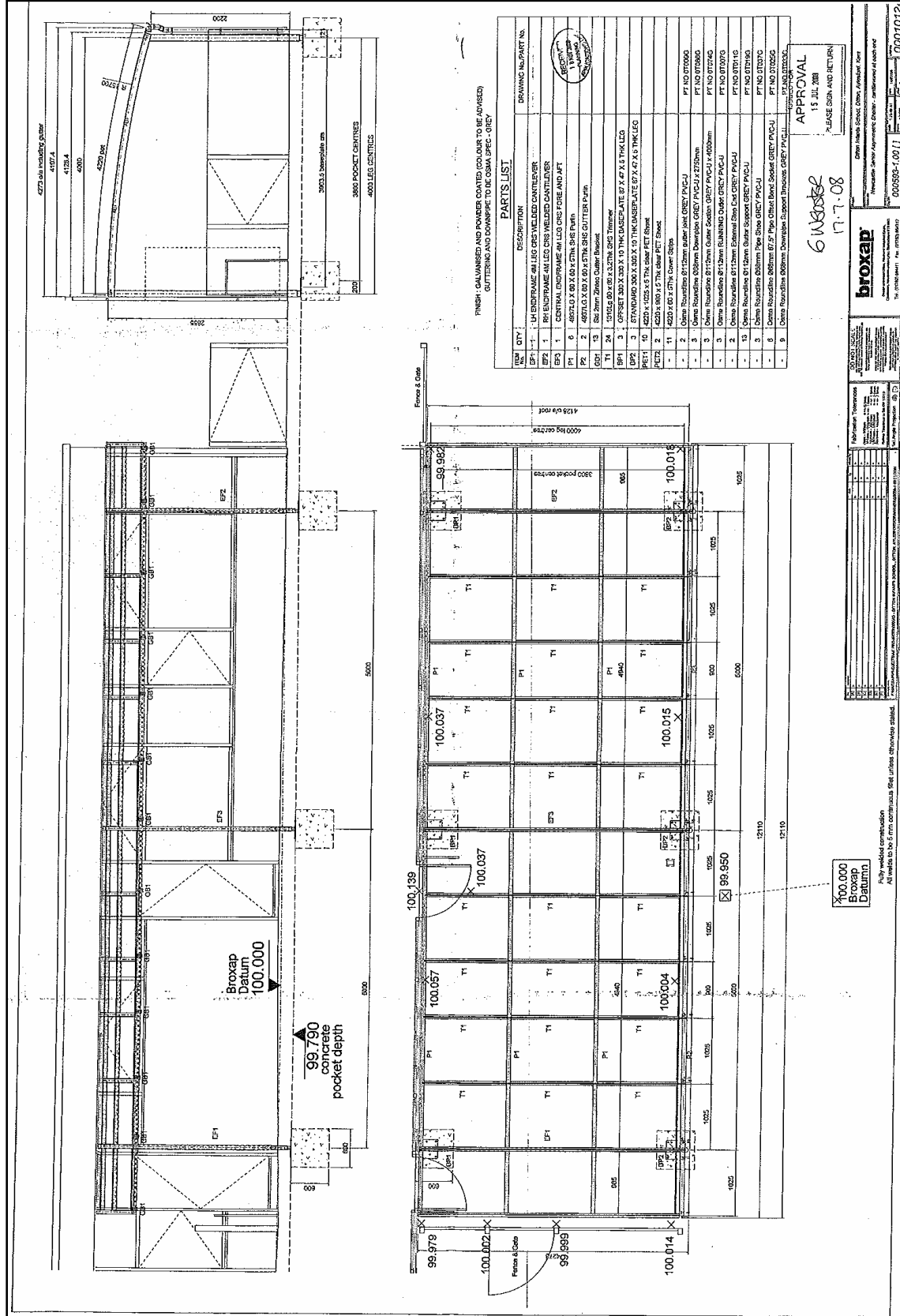
Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Proposed Extension



Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Proposed 'Sun Canopy'



Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Planning History

4. The County Planning Authority granted planning permission for the erection of a timber storage shed for PE equipment in December 2002 under application reference TM/02/1256.

Planning Policy

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

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

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

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

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

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

Policy NR5 – The quality of Kent's environment will be conserved and enhanced. This includes, amongst other matters, visual, noise and levels of tranquillity. Development should be planned and designed to avoid, or adequately mitigate, pollution impacts.

(ii) The adopted **Tonbridge & Malling Borough Local Plan (Saved Policies) 1998**:

No specific saved policies relevant to the consideration of this application.

(iii) The adopted **Tonbridge & Malling Borough Council Local Development Framework – Core Strategy (2007)**:

Policy CP1 – All proposals for new development must result in a high quality sustainable environment.

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Policy CP24 - All development must be well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings.

Consultations

6. **Tonbridge & Malling Borough Council:** no objection.

Ditton Parish Council: no objection.

Environment Agency: has no objection to the application but would advise that the site lies within a Major Aquifer and within a Source Protection Zone for the public water supply. As such, all precautions should be taken during construction to avoid any potentially polluting spillages to ground and any soakaways should be sealed to ensure they only accept clean water.

KCC Noise Consultant (Jacobs): raises no objection and comments as follows:

“The construction of the new single storey extension would not move the school footprint closer to the nearby residential properties in Pear Tree Avenue. The extension would not result in an increase in the number of pupils or traffic movements to and from the site, an increase in noise nuisance at these properties is therefore considered negligible. From the information provided, the brick and block-work extension would have double-glazed windows and doors with double-glazed panels which would provide sufficient attenuation to keep the noise generated within the proposed facility to a low level. It is not proposed that the extension would accommodate any music or dance classes which would generate additional noise, but would rather be used as a library and computer room which are in themselves inherently quiet.

The canopy would be open sided and is intended to provide a sheltered play area which might be expected to lead to a congregation of a number of pupils during very sunny or inclement periods; this however is not particularly different from the current situation and as a consequence the aural environment in the vicinity of the school would not be expected to change”.

Local Members

7. The local County Member, Mr. G. Rowe was notified of the application on the 4 December 2008.

Publicity

8. The application was publicised by the posting of a site notice at the main school entrance with Pear Tree Avenue and the individual notification of 8 neighbouring residential properties.

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

Representations

9. I have received a letter of objection from a nearby resident in connection with this application. The main points of objection are as follows:
- They are not against the construction of the single storey extension per se, but suggest exit points are restricted to the west and/or north facing aspects of the extension. They state that they already have several doors opening from the classrooms on the south side of the school, along with two fenced off playing areas which already bring considerable noise to this area. They consider additional openings onto this area would increase the noise pollution which they state is quite considerable at times and goes on from 9:30am until close of school. Also that if the school had been designed in a proper manner, these classrooms and play areas should have been located to the west side, out of the direct sunshine and not immediately against residential properties;
 - With regards to the sun canopy, they object to the erection of a permanent feature. However they suggest that if this is actually to be used in sunny conditions, then perhaps a retractable canopy could be used instead. They state that this area is already shaded by massive trees that knock out most of the sunshine anyway, including theirs, and they feel that the erection of a canopy would in fact concentrate the noise level in this area;
 - They seek clarification about when it would no longer qualify as a sun canopy? What happens in the winter? They see it as a sly means to then turning the canopy into an all-year-round dry play area when they would have no respite from the noise even in the Winter;
 - They consider they have suffered enough and consider that no consideration is really given to residents who have supported the school for many years and that it is about time this changed.

I have received further comments from the nearby resident referred to above. The main points of further objection are as follows:

- They consider that the schools' initial planning application was for a fixed sun canopy and not for a shelter to provide an all seasons external dry play area;
- They question whether, due to the change of use of the canopy, this element of the planning application will be deferred until a later date, so that residents of Pear Tree Avenue can be correctly notified of the true use of the canopy;
- They note that as the Planning Officer had to get clarification as to the use of the canopy, they would wish to have to opportunity of lodging any objections based on the correct usage, which was not made available to residents at the time when the planning application was first made;
- They note that the time for residents to comment was extended over the Christmas period, but other residents were not informed by the Planning Authority and therefore did not respond as they were unaware of this new deadline.

DiscussionIntroduction

10. The application seeks planning permission for the demolition of an existing lean-to style conservatory extension and the construction of a single storey extension to create a library and ICT area, together with the erection of a new lean-to canopy to provide an outdoor sheltered play area for Early Years pupils at Ditton Infant School. The

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

application is being reported to the Planning Applications Committee as a result of the views expressed by a local resident, as identified in paragraph (9) above, mainly in terms of the potential for the proposed developments to cause a detrimental harm to residential amenity in terms of noise pollution.

11. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (5) above. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In this particular case, I consider that the key considerations are: -
 - siting and design issues; and
 - potential for the development to cause a detrimental impact on nearby residential amenity in terms of noise pollution;

Siting and Design

12. With regard to the single storey extension, it will be noted that it has been designed in such a way to reflect that of the main school building which it would be physically attached to. This comprises low level brickwork with glazed panels above and a felt flat roof. Concerns have been expressed regarding the location of an external entrance/exit door which is proposed to be located on the southern elevation of the extension. However, given that the separation distance between the proposed extension and the nearest residential property boundary is 40 metres, and the fact that the extension would be located on the opposite side of the school to the property which has raised the concerns, I do not consider that the proposed extension would increase ambient background noise levels at, or within nearby residential properties. Furthermore, it will be noted that the County Council's Noise Consultant concurs with this view and has raised no objection to the proposed single storey extension. Accordingly, I am satisfied that the proposed extension accords with the provisions of Policy QL1 of the Kent and Medway Structure Plan both in terms of its design, siting and in so far as it would not be detrimental to residential amenity.
13. Members will note that the second part of the proposal relates to the erection of a lean-to style canopy which would be physically attached to the southern façade of the existing school building. The proposed canopy is of a typical design similar to those found on many other educational facilities around the County, as required by Government initiative to ensure that pupils have the facilities to play outdoors, whilst being sheltered from the weather elements throughout the year.
14. Concerns have been raised regarding this particular element's description within the application as a proposed 'sun canopy'. The name has been provided by the applicants at the time of making their application and refers to a manufacturer's description as opposed to any wider meaning relating to its proposed use (i.e. only being used during sunny periods). In order to seek clarification on this point, the applicants have confirmed that the structure would be used throughout the year as opposed to solely being used during summer months.
15. The local resident who has made representations has suggested that an alternative design of canopy be chosen for this particular location, notably a retractable style

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

canopy which could be erected as and when required. However, given that the applicants are seeking a permanent canopy structure to provide sheltered outdoor play space throughout the year, I do not consider that it would be appropriate to insist on a semi-permanent 'retractable' style canopy that would be neither practical nor viable for the applicants in this particular case.

16. The proposed canopy would be located on an area of existing Early Years (Reception class) outdoor play area which is already heavily used by the Infant School during playtime periods. It is my understanding that this area has been used for such activity since the school was originally built. The proposed canopy would be located approximately 10 metres from the boundary of the nearest residential property in Pear Tree Avenue, and 17 metres from the nearest properties façade, separated by large tree screening and an existing boundary fence.
17. The option of re-locating the proposed canopy elsewhere on the school building has been considered, but has been ruled out as a viable option by the applicants on the basis that the main purpose of the canopy is to provide a covered play area for Early Years pupils, as required by Government initiative. Therefore, the applicants have considered that the best location for the proposed canopy is a location which directly leads off the existing Early Years classroom accommodation.
18. In design terms, the style of the canopy proposed is typical to that found on many other educational sites across the County, comprising a polycarbonate roof and metal supporting frame. In this particular location, I do not consider that this style of canopy would be out of place or overbearing on the existing school building. Accordingly, I consider that the proposal is in general conformity with Policy QL1 of the Kent and Medway Structure Plan and CP24 of the Tonbridge & Malling Borough Council Local Development Framework Core Strategy. I would therefore not raise an objection in design terms to this element of the proposal.

Noise

19. Members will note that concern has been raised regarding the potential for the proposed developments (both separately and cumulatively) to increase ambient background noise levels at nearby residential properties. Whilst I note the concerns expressed in this particular case, the School is not increasing its roll as a result of either element of the proposals, nor is it building significantly closer to any residential boundary than currently exists. As previously noted, the proposed canopy would be located on the south-eastern corner of the existing Infant School building and would be approximately 10 metres from the nearest residential boundary. The location for the construction of the canopy is currently used by an outdoor playground for Early Years pupils and therefore the noise emanating from this play area already exists. The proposed canopy would simply provide a means of covering this space with a semi-open structure, in order to provide pupils shelter from weather elements. Whilst it could be considered that the construction of the canopy could allow for an increase in outdoor activities (i.e. at times when adverse weather previously would have precluded pupils from going outdoors), there are currently no controls over the use of the outdoor playing space of the school. It is therefore considered that the imposition of a restrictive condition only allowing the use of the canopy during set-periods of the day would be unreasonable and would in any case be difficult for the County Planning Authority to retain control over. As previously discussed, given the distances involved between the

Demolition of conservatory and construction of single storey extension and canopy at Ditton Infant School – TM/08/3656

proposed single-storey extension and the nearest residential properties, it is considered that an objection on noise grounds cannot be sustained in this particular case.

20. It is noted that the core school hours are between 09:00 and 15:00 Monday to Friday, between which background noise levels from school pupils is expected in the locality. In this particular case, I do not feel that the proposed development would cause a significant noise increase at nearby noise sensitive residential properties, over and above the background noise levels which are currently experienced through the day-to-day operational activities of the school. For these reasons I do not consider it necessary to impose any requirements on the applicants to provide additional means of noise attenuation measures, such as the erection of acoustic fencing, given the scale of the development proposed in this particular case.
21. In addition, as previously noted the County Council's Noise Consultant has not raised an objection to this application. Accordingly, I consider that the proposed development is in conformity with the provisions of Policy NR5 of the Kent and Medway Structure Plan.

Conclusion

22. In conclusion, whilst I recognise the concerns of the local resident, I do not consider that an objection on noise grounds can be sustained in this particular case. I am mindful of the fact that the School has residential properties in close proximity to the eastern boundary (Pear Tree Avenue), but do not consider that the construction of a single-storey extension and/or the erection of a lean-to 'sun canopy', would significantly increase the current background noise level experienced at nearby noise-sensitive residential properties over and above the levels currently experienced as a result of the day-to-day operational activities of the School.
23. Taking into account the provisions of the Development Plan and material considerations raised from both consultees and a local resident, as outlined in paragraphs (6) and (9) above, I consider that the proposal is in general conformity with the Development Plan. I therefore recommend that planning permission be granted, subject to the recommendation set out in paragraph (24) below.

Recommendation

24. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- development be commenced within 3 years from date of permission;
 - the development be carried out in accordance with the permitted details.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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Item D4**Four Classroom extension, additional parking and remodelling of existing school building, Bapchild & Tonge Primary School, Bapchild – SW/08/733**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 February 2009.

SW/08/733 – Application by the Governors of Bapchild & Tonge Primary School and Kent County Council Children, Families and Education for the construction of a four classroom extension block, construction of additional parking at the front of the school, repositioning of two temporary classrooms onto the playing field during construction works and internal remodelling and roof adaptations within the existing school building to provide pre-school facilities within the main school at Bapchild & Tonge CEP School, School Lane, Bapchild, Sittingbourne.

Recommendation: Planning permission be granted subject to conditions.

Local Member: Mr K. Ferrin

Classification: Unrestricted

Site

1. The application site forms part of the Bapchild & Tonge Primary School complex. The school grounds are within the confines of the village of Bapchild, approximately 0.5-km east of Sittingbourne. The School is located on a plot of land that fronts onto School Lane, to the south of the junction with London Road (A2). The Primary School has a dedicated vehicle and pedestrian access point off School Lane and a pedestrian access off Ashtead Drive. *A site location plan is attached on page D4.2.*
2. The application site comprises the existing school buildings, an area of land to the south between the school and residential properties on School Lane and Ashtead Drive, and part of the school playing field to the east. Two mobile classrooms currently occupy the area of land to the south of the site where the main classroom extension is proposed. The closest residential properties are located immediately to the south and east and front School Lane and Ashtead Drive.
3. The application site, together with the surrounding area, is located within a Groundwater Source Protection Area. There are no other site-specific policies set out in the Development Plan in connection with this site.

Background

4. The County Planning Authority granted temporary planning permission in November 2007 for the continued retention of two mobile classroom units, located to the south of the main school buildings, for a further 3 year period under reference SW/07/1303. Temporary planning permission was granted in February 2008 for an additional mobile classroom to the north of the site to provide accommodation for a children's pre-school nursery for a 3 year period under reference SW/07/1304.

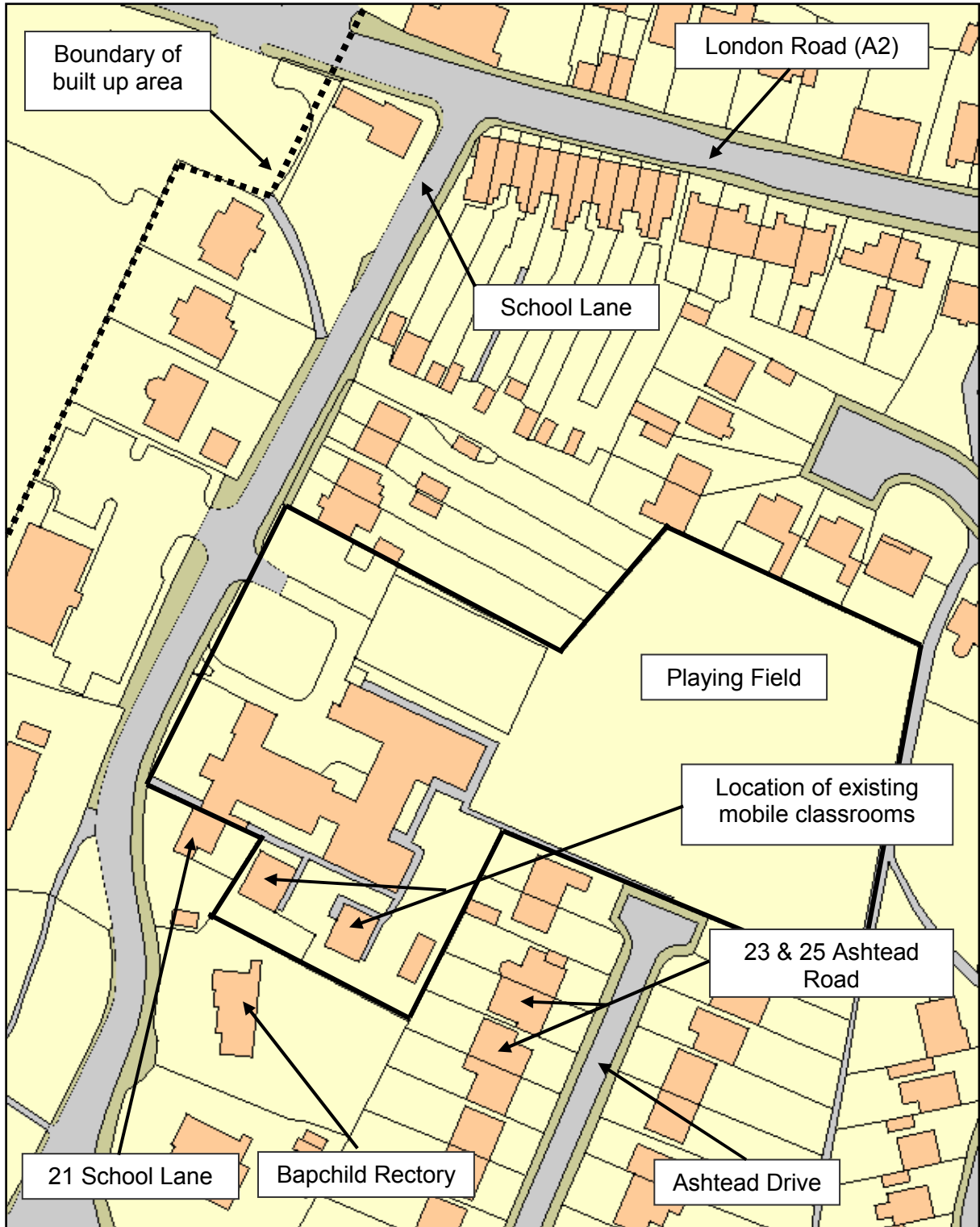
Proposal

5. The application has been submitted on behalf of the Governors of Bapchild & Tonge Primary School and KCC Children, Families & Education Directorate and proposes the construction of a four classroom extension, construction of additional parking at the front of the school, repositioning of two temporary classrooms onto the playing field during construction works and the internal remodelling and roof adaptations within the existing

Item D4

Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

Existing Site Location Plan

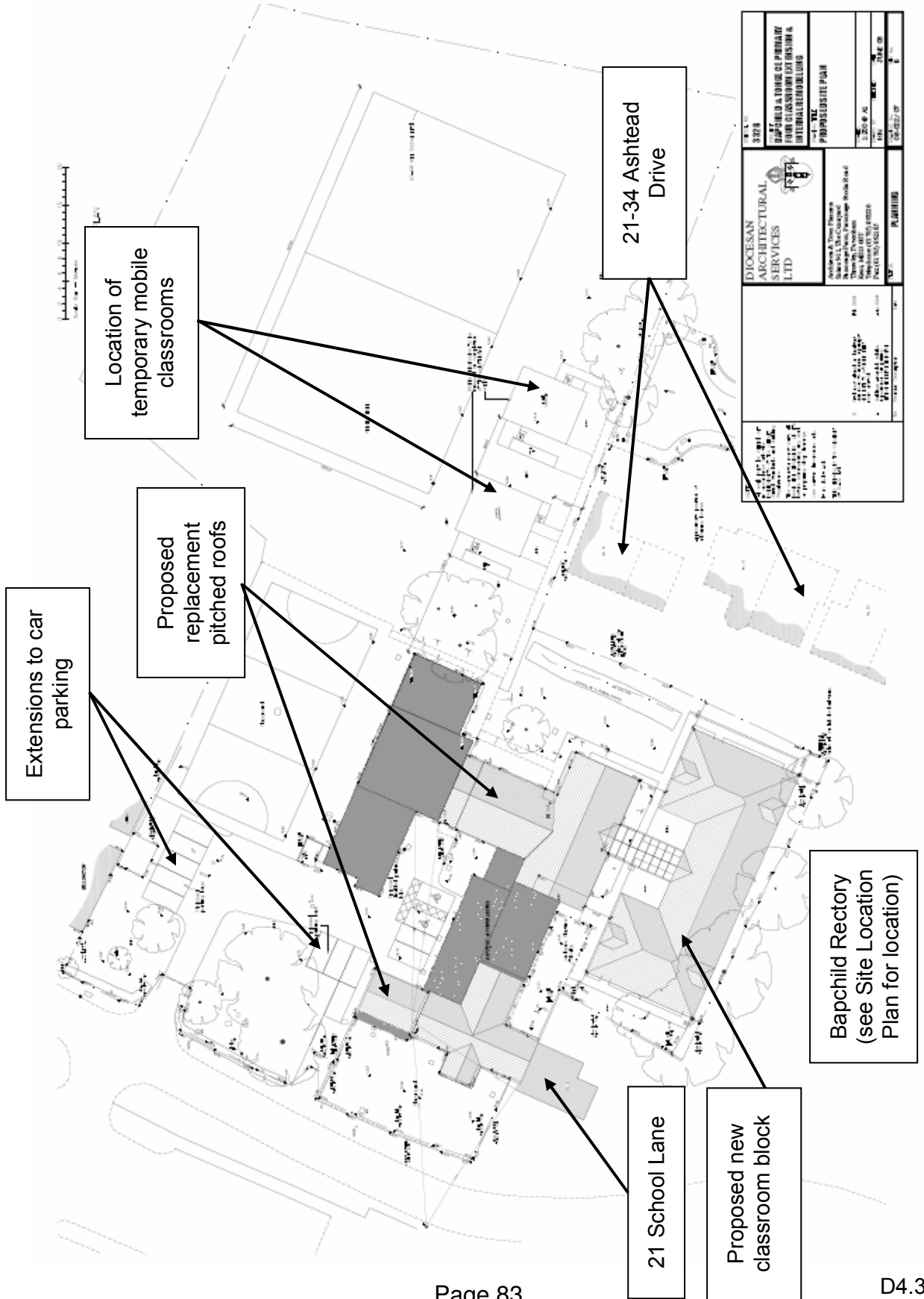


Site Location Plan – Bapchild & Tonge Primary School
Scale 1:1250

Item D4

Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

Proposed Site Plan



Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

Proposed New Classroom Block - Elevations

DETAILS
 External Walling: Brickwork
 Roofing: Asph/Flt Shingles
 Windows: UPVC
 Doors: UPVC
 Internal Walling: Plasterboard
 Floor: Concrete
 Ceilings: Gypsum Board
 Stairs: Timber
 Services: As per Building Regulations
 Materials and workmanship to be in accordance with the Building Regulations and the Building Control Authority's requirements.
 All work to be completed in accordance with the Building Regulations and the Building Control Authority's requirements.
 The Contractor shall be responsible for obtaining all necessary consents and permits.
 The Contractor shall be responsible for the removal and disposal of all waste materials.
 The Contractor shall be responsible for the protection of all existing services and structures.
 The Contractor shall be responsible for the completion of all work in accordance with the Building Regulations and the Building Control Authority's requirements.

**ELEVATION F_F
FOUR CLASSROOM EXTENSION
FRONT ELEVATION**

**ELEVATION G_C
FOUR CLASSROOM EXTENSION
REAR ELEVATION**

**ELEVATION H_H
FOUR CLASSROOM EXTENSION
SIDE ELEVATION**

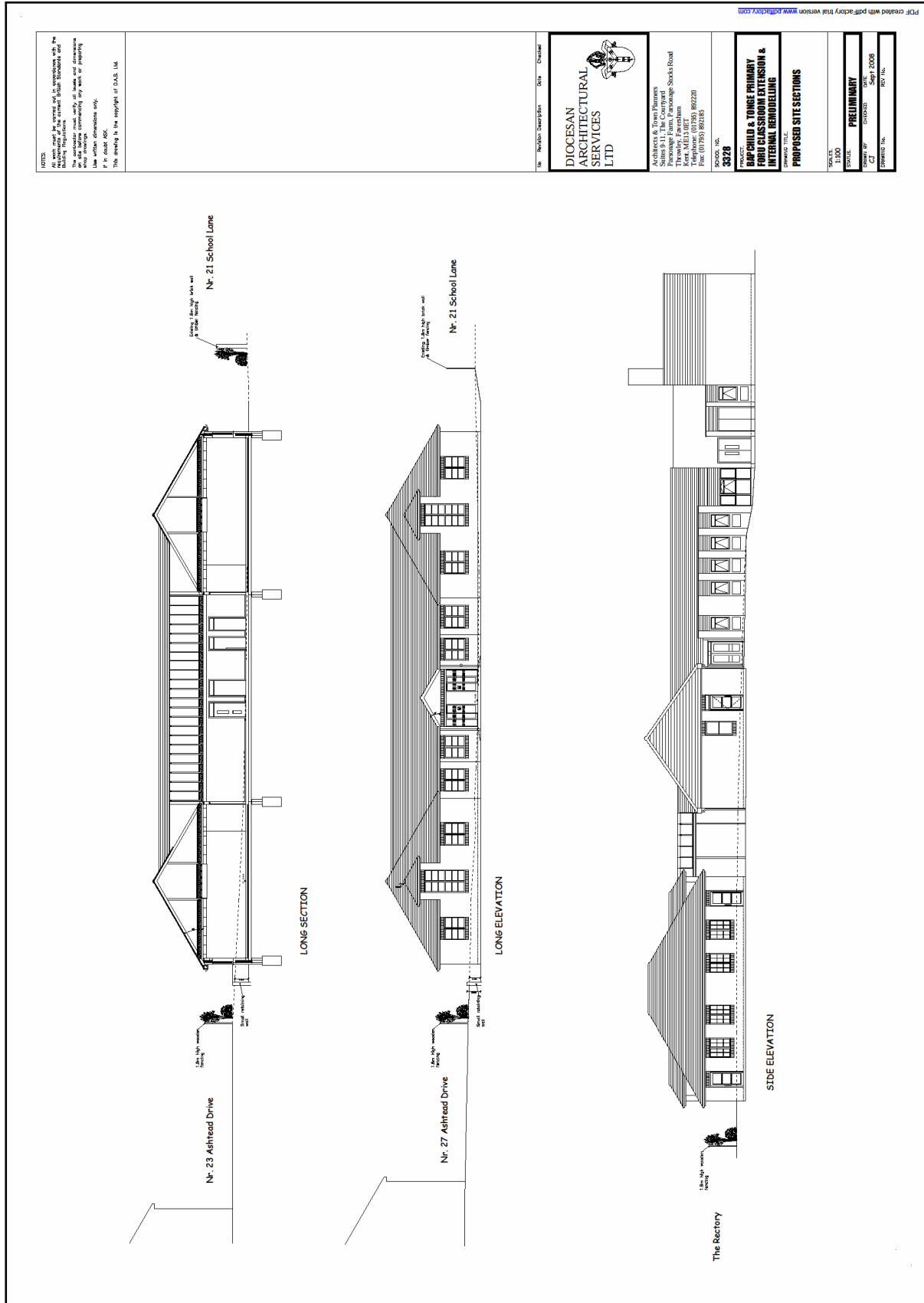
Metres

NOTES All work shall be signed out at the end of each day. Measurements of the ground shall be taken at the start of each day. The Contractor shall be responsible for the protection of all existing services and structures. Use metric dimensions only. It is a condition of use that all work shall be completed in accordance with the Building Regulations and the Building Control Authority's requirements.	No. Description Date A Pitch roof element 18/12/2008	PROJECT REF: 022 PROJECT: BAPCHILD & TONGE PRIMARY FOUR CLASSROOM EXTENSION & INTERNAL REMODELING PROPOSED ELEVATIONS 3 OF 3	 DIOCESAN ARCHITECTURAL SERVICES LTD Architects & Town Planners Suites 1.1, The Courtyard The Courtyard, Stonehouse Road Thornaby, Easington Kent, ME11 0BT Tel: (01795) 892320 Fax: (01795) 892315	ISSUED TITLE: PROPOSED ELEVATIONS 3 OF 3
				Scale: 1:50 @ A1 DATE: 18/12/08 DRAWN BY: AJ CHECKED BY: AJ SCALE: 13 DRAWN BY: A
Title: Revision description Date		STATUS: PLANNING		SCALE: 13

Item D4

Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

Proposed New Classroom Block - Site Sections



Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

school building to provide pre-school facilities within the main school.

6. Bapchild & Tonge Primary School currently has six teaching bases, two of which are located in mobile classrooms and a pre-school which is also located within a mobile unit at the front of the school [granted temporary planning permission by the County Planning Authority in February 2008]. The pre-school function has been operational since September 2008, transferring from an off-site location within Bapchild Village Hall. The addition of the pre-school involved the transferring of 25 pre-school pupils together with an additional 8 teaching members of staff to the site. The current application involves the addition of one further member of staff for administration purposes, but does not propose an increase in either pupil numbers or additional teaching staff at the site.
7. The purpose of the application is to remove all temporary mobile accommodation from the site, which is nearing the end of its useful life, and replace it with permanent purpose-built classroom and pre-school accommodation. The additional accommodation would provide facilities for a higher provision in music, drama and art for all pupils at the school as well as to allow all four key stage two classes to be located together in one building instead of three separate ones. The new facilities are also proposed to benefit the local community by providing a venue for adult education classes, as and when required.
8. The proposed four classroom building has been designed as a single storey stand-alone structure with the materials palette chosen to provide the school with a low maintenance building, as well as blending in with the surrounding built environment. The building would be physically detached from the existing school buildings, but would be accessed via a glazed walkway canopy leading from the main school. The proposed building has been designed to be environmentally friendly, and includes the use of natural ventilation, rainwater harvesting and photovoltaic cells within the design.
9. The application has been accompanied by a Tree Survey which indicates three mature trees would need to be removed in order to facilitate the proposed development. It is noted that two of these trees are located on the southern boundary of the proposed new classroom site, and comprise an Elder (5 metres high) and an Ash (11 metres high). In addition, the removal of a mix of smaller shrubs and trees (with a stem diameter below 150mm) would also be required along the southern boundary to facilitate the new classroom block. The third tree for removal is identified as an Ash (14 metres high) and is situated within a raised planter adjacent to the main entrance of the school. It has been considered that this particular tree has outgrown its location and the proximity of the tree to the school entrance now presents an unacceptable risk. The accompanying tree survey identifies other trees within the site which should be afforded protection, in accordance with the current British Standard, during construction operations.
10. The application proposes an increase and formalisation in the number and layout of on-site parking spaces for staff to 13 bays, including two disabled parking spaces. At present there is space on-site for between 7-10 cars, but this is on an informal basis with no marked out parking bays. As a result of the current informal layout, staff often double park where there is available space. As part of the temporary works to provide sufficient classroom accommodation during the construction phase, the application seeks permission to re-site two mobile classrooms on the southern boundary of the school's playing field. On completion of the construction works, all mobile classrooms would be removed from the site (two currently in school use and one occupied by the pre-school

Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

facility).

11. In addition, the application proposes the remodelling of the existing school building to provide a breakfast club, disabled toilet, two classrooms, group room, and pre-school facility within the main school, which would consequently lead to the removal of the temporary pre-school mobile unit from the front of the site. The existing flat roofs above the proposed breakfast club and main admin area are proposed to be changed to pitched roofs to provide a more aesthetically pleasing elevation as well as to reduce the future roof maintenance requirements.

Amended Proposal

12. The applicants have amended the proposal to take account of the concerns raised relating to the 'bulk' of the new classroom block being proposed within its chosen location, and the proximity of the building to nearby residential properties. The main changes to the proposal are summarised below and form the basis of the discussion contained within this report. All residents who originally expressed views, together with any relevant consultees were notified of the changes, and further views are considered in the report below.
 - Reduction in the roof pitch of the proposed classroom block from 35 degrees to 30 degrees to reduce the bulk of the roof; and
 - Lowering the building to below ground level to reduce the building's overall height. This has been achieved by excavating the classroom block approximately 750mm into the eastern end of an existing gentle incline across the site (west to east).

Development Plan Policies

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

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

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

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

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

Policy QL11 – Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly

Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

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

Policy NR1 – Seeks development to incorporate sustainable construction techniques and prudent use of natural resources.

Policy NR3 – Provision of renewable and sustainable energy production as an integral component of new development and in small-scale and community projects will be supported.

Policy NR8 – Seeks to protect the quality and yield of Kent's groundwater resources.

(ii) The adopted **Swale Borough Local Plan (2008)**:

Policy SP1 – In meeting the development needs of the Borough, proposals should accord with principles of Sustainable Development.

Policy SP2 – Development proposals will protect and enhance the special features of the visual, aural, ecological, historical, atmospheric and hydrological environments of the Borough and promote good design in its widest sense.

Policy SP5 – Within the Borough's rural communities and countryside, development proposals will seek to increase local self-sufficiency and satisfy local needs, whilst protecting, and where possible, enhancing the quality and character of the wider countryside.

Policy SP7 – To satisfy the social needs of the Borough's communities, development proposals will promote safe environments and a sense of community providing new community services and facilities, increased use of local facilities or innovative ways of providing or continuing existing services, including improving access to them;

Policy SH1 – Development proposals within the minor development settlement of Bapchild, will be limited to infill or redevelopment proposals within the defined built-up areas, or, exceptionally, for other development considered essential to meet the needs of the local community that cannot be located elsewhere. Development proposals should maintain or enhance the character of the village.

Policy E1 – Development proposals should, amongst others, respond positively by reflecting the positive characteristics of the features of the site and locality; protect and enhance the natural and built environments; well sited and of a scale, design and appearance that is appropriate to its location; cause no demonstratable harm to residential amenity and other sensitive uses.

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

Policy C1 – The Borough Council will permit proposals for new or improved

Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

community facilities.

Consultations

14. **Swale Borough Council:** raises no objection, subject to conditions covering a temporary time limit for the relocated mobile classrooms, the recommendations set out in the Tree Impact Assessment Report to be adhered to, and a landscaping scheme to be agreed.

Bapchild Parish Council: raises no objection to the application. Following receipt of a tree survey the Parish Council request that the school considers regular maintenance to the large trees on site and the hedgerow to eastern boundary of the playing field.

The Divisional Transportation Manager: raises no objections to the proposals in respect of highway matters subject to a condition seeking a Travel Plan be prepared prior to the development being brought into use.

The Environment Agency: has no objection to the proposal, however offers the following advice. The site lies within a Source Protection Zone II (SPZ) of a public water supply abstraction. SPZs are designated by the Environment Agency and are delineated to protect potable water supplies against the polluting effects of human activity. The Agency recommends appropriate groundwater protection measures including all precautions should be taken to avoid discharges and spillages to ground both during construction and subsequent operations.

Sport England: raises no objection to the application subject to a condition requiring the removal of all temporary buildings once any development work is completed and the land reinstated as part of the school playing field.

The County Council's Landscape Advisers: comments that the proposed building would be in close proximity to residential properties along Ashtead Drive (approximately 13 m), which would appear slightly imposing within views from windows overlooking the school site. They note that the reduced roof pitch together with the lowering of the building to below ground level would lessen the visual impacts on nearby residential properties. They recommend that landscape proposals, including proposed planting, species, number and sizes be submitted. They also recommend that a tree protection plan to BS5837:2005 is submitted, to ensure the protection of retained vegetation within the site.

Kent Police Architectural Liaison Officer: strongly recommends the use of Home Office Secured by Design award scheme. The comments received note the Police and Justice Bill 2006 and section 17 of the Crime and Disorder Act 1998 which states that it is the duty of all authorities to exercise its various functions with due regard to the likely effect on, and the need to do all that it reasonably can to prevent crime and disorder. The comments offer recommendations to improve the resilience of the proposed extension.

Local Member

15. The Local County Member for Swale West, Mr. K. Ferrin was notified of the application on 30 June 2008. He was notified of the amended proposal, as outlined in paragraph

Four classroom extension, parking and remodelling of school building, Bapchild & Tonge Primary School, Bapchild, Sittingbourne – SW/08/733.

(11), on 8 January 2009.

Publicity

16. The application was publicised by the posting of several site notices on School Road and Ashtead Drive and the individual notification of 39 neighbouring residential properties.

Representations

17. I have received 3 letters of representation objecting to the original application. The main observations and objections raised to the proposal can be summarised as follows:

- Objection to the siting of the building, 3 metres from residential property, on the grounds of loss of amenity through potential overshadowing, loss of sunlight and sense of enclosure;
- Concerns that nearby residential properties have been omitted from the proposed site plan;
- Concerns that the construction of additional classrooms would result in an expansion of the school impacting on traffic levels;
- Concerns about highway safety at peak school travel times associated with existing school travel pattern, particularly on Ashtead Drive which is a narrow residential road;
- Considers that as a result of the increase in parking proposed the vehicle access arrangements to the site should be improved; and
- Raises concern that the application could not be viewed online.

The residents who originally expressed concerns were individually notified of the amended proposal, as set out in paragraph (12) on 19 January 2009. No further views have been expressed to date, but any views received ahead of the Committee Meeting will be reported verbally to Members.

Discussion

18. The application seeks planning permission for the construction of a four classroom extension, construction of additional parking at the front of the school, repositioning of two temporary classrooms onto the playing field and the internal remodelling and roof adaptations within the existing school building to provide pre-school facilities within the main school at Bapchild & Tonge Primary School. The application is being reported to the Planning Applications Committee as a result of the representations received, as summarised in paragraph (17) above.

19. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are 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. In considering this proposal the Development Plan Policies outlined in paragraph (13) above are particularly relevant.

20. In my opinion, the main determining issues relate to the following points:

- the siting, design and appearance of the proposed buildings;
- local amenity impacts;

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- the potential highway impacts;
- tree removal and landscaping issues;
- impact on playing fields;
- the need for the development; and
- other material considerations.

Siting, Design and Appearance

21. The proposed four classroom teaching block has been designed to complement the existing built development within the school site through the use of yellow stock bricks to match the main school building and an artificial slate pitch roof. I consider that the appearance of the proposed classroom block is appropriate in this location. As discussed in paragraph (12) above, the applicants have amended the proposal to reduce the proposed classroom block's roof pitch to 30 degrees (from the original 35 degrees) in an attempt to address some of the residential concerns relating to overshadowing and the 'bulk' of the proposed new building. The classroom block has been designed as a stand-alone building as opposed to a physically connected extension in an attempt to minimise the loss of light within the existing school and to keep any construction related disruption to a minimum level on the continued functioning of the school. The new block would provide purpose-built accommodation for Key Stage 2 pupils and would be accessed from the existing school building via a glazed walkway canopy leading directly off a corridor within the main school.
22. The location of the new classroom block is proposed on a relatively small plot of land to the south of the school site, measuring approximately 42m by 20 metres. The land is currently a grassed area with most of its space being occupied by two temporary mobile classrooms, which would be temporarily relocated onto the edge of the playing field during construction operations. The site is bordered by residential properties to the east (23 & 25 Ashtead Drive), south (Bapchild Rectory), and the west (21 School Lane). The site boundary between these residential properties is currently delineated by an existing close boarded wooden fence (varying in height from 1 to 1.8m in parts) and several mature trees and hedge vegetation. Photographs of the existing classroom block proposed site can be identified in Appendix 1.
23. The proposed new classroom block would be approximately 35 metres by 15 metres and would form a 'U' shape around a central courtyard facing towards the main school buildings, as can be identified on page (D4.3). From the courtyard a glazed canopy would connect the new building to the main school. It is noted that the proposed building would be located close to the boundary of the nearest residential properties, notably Bapchild Rectory (1 metre at the closest point), 23 & 25 Ashtead Drive (3.5 metres) and 21 School Road (3.9 metres). As a result of the proximity of the proposed building to residential properties, Members will note that concerns have been expressed by local residents with regard to the scale of the building being proposed in this particular location, as summarised in paragraph (17) above.
24. In order to fit the proposed new classroom block into the available space, several trees would need to be removed from the southern boundary of the site with Bapchild Rectory. The issues surrounding landscaping, tree removal and tree retention are discussed in paragraphs (38) to (39) below. The application proposes the replacement of the existing boundary fence around the proposed new classroom block site with 1.8m high wooden close-boarded fence.

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25. As set out in paragraph (12), Members will note that the applicants have amended their proposal to excavate the proposed new classroom block into below-ground level by approximately 750mm at the eastern end. In effect, the proposed building would be cut into an existing incline in the site level, which currently rises gently from west to east. The current change of level across the site (west to east) is approximately a 1 metre increase. When considering the implications of the proposed building being lowered into below ground level, it is noted that the eaves height of the proposed new classroom block would be approximately at the same level as the proposed 1.8m high replacement boundary fence at the eastern end of the site (nearest to 23 & 25 Ashtead Drive) and approximately 0.5m higher than the fence height at the western end of the site (nearest to 21 School Lane).
26. From a visual perspective, the proposed classroom's roof would be visible from surrounding residential properties, and would range from approximately 5.5 metres above ground level in the east (nearest 23 & 25 Ashtead Drive) to approximately 6 metres above ground level in the west (nearest 21 School Road and Bapchild Rectory). As a result of the proposed classroom's reduction in its roof pitch to 30 degrees (from 35 degrees) the overall height of the roof (from eaves to maximum ridge height) has been reduced by approximately 400 mm. This, and the reductions in ground levels (referred to above), would certainly be of benefit in addressing local amenity impacts on surrounding residential properties which are discussed more particularly in paragraphs (33) to (34) below.
27. The proposed new classroom block has been designed in such a way to incorporate sustainable construction methods and environmentally friendly design features including the use of natural ventilation and rainwater harvesting, and the use of renewable energy technology with the addition of photovoltaic cells on the south-facing roof slope. Members will note that the use of sustainable construction techniques is supported by Policy NR1 of the Kent & Medway Structure Plan, whilst the use of renewable energy technology within new community projects is supported by Policy NR3 of the Structure Plan. I therefore support these particular elements of the proposal. I further consider that design of the proposed classroom block is acceptable, and consider that it accords with the aims of Policy QL1 of the Structure Plan and E1 of the Local Plan.
28. Members will note that part of the proposal involves the remodelling of the existing school building to include the transformation of two felt flat roofs to pitched roof alternatives. The upgrade of two existing flat roofs is encouraged in design terms, particularly through Policy QL1 of the Kent and Medway Structure Plan and E19 of the Swale Borough Local Plan which both seek to encourage design proposals that reflect the pattern and character of existing built development. In this case, the main school building comprises an original Victorian school building (fronting the principle elevation with School Lane) which has been considerably extended in the 1960s with several flat roof extensions to the rear. In my opinion, the upgrade of several of the existing flat roofs within the site would be beneficial from a good design perspective.
29. The proposal also involves the creation of additional vehicle parking bays to the front of the school site. It is proposed that these parking bays would be surfaced with a 'GrassCrete' style system as they are within close proximity to the root protection area of a mature oak tree to the front of the site. I support the use of GrassCrete in this location, but in order to safeguard the nearby oak tree throughout construction operations, in accordance with the objectives of Policy EN9 of the Kent and Medway Structure Plan, I recommend that a condition be placed on any decision to ensure that the exact

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specification of the car parking surface, together with a construction method statement be agreed beforehand with the County Planning Authority. The issue of vehicle parking is discussed further in paragraphs (35) to (37) below.

30. In conclusion, I consider that the siting, design and external appearance of the proposed classroom block is acceptable and is in general conformity with the Development Plan. I consider that the remodelling works to the existing school are acceptable, and support the upgrade of existing flat roofs to pitched roofs in design terms. I also consider that subject to the protection of the existing oak tree to the front of the site, and additional landscaping measures, the proposed formalised parking arrangements are acceptable in Policy terms. I further support the applicants desire to incorporate environmentally friendly technology within the proposed scheme.

Local Amenity Impacts

31. Members will note from the concerns received, as summarised in paragraph (17) above, together with the discussions in paragraph (21) to (30) above, that there is the potential for the proposed new classroom block to have a detrimental impact on surrounding residential amenity. Concerns have been expressed that the building is too big for its proposed site and that it would lead to the overshadowing and loss of sunlight on nearby properties due to the proximity to residential boundaries (1 metre at the closest point with Bapchild Rectory). It has been further stated that the proposed classroom block would create a sense of enclosure on nearby properties.
32. I note that the distance from the proposed classroom block to the nearest residential property façade (Bapchild Rectory) would be 4 metres. However, it is located on an oblique angle to the south of the proposed classroom block and is separated through existing boundary vegetation and several mature trees. The distance to the closest façade of 21 School Lane would be approximately 10 metres, and approximately 14 metres to the closest façade of properties in Ashtead Drive. I consider that the overall impact on 21 School Lane and properties in Ashtead Drive would not be significant on the basis that any views experienced would be those of the shortest eastern and western 'end' elevations, as opposed to the longer north and south 'side' elevations. I further note that the proposed classroom block comprises a single storey extension, whilst the closest residential properties (Bapchild Rectory, 23/25 Ashtead Drive & 21 School Lane) are all two storey dwellings. I do not therefore consider that the proposed development would have a significant detrimental impact on the nearest residential dwelling (Bapchild Rectory) or those dwellings located in School Lane and Ashtead Drive.
33. Furthermore, as discussed in paragraphs (25) and (26) above, whilst the classroom block would be visible from the ground level within adjacent residential properties, I note that the visible part of the building above the proposed fence height would be the pitched roof. It is noted that the eaves height of the classroom block would be on a level similar to that of the proposed 1.8m high boundary fence height, and therefore I do not consider overlooking from within the school site to surrounding properties would be an issue in this instance. Similarly, whilst the building would be visible from the upper storeys of surrounding residential properties, I do not consider that there would be an overlooking issue from out of the proposed new classroom building on the basis that the extension would be single storey and sight-lines out of the windows would not allow for direct views across to nearby properties.

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34. Whilst I recognise the concerns which have been raised with regards to a loss of amenity, having carefully considered the issues, I am of the opinion that the proposed building would not cause a significant detrimental impact on surrounding amenity through the loss of sunlight or through potential overlooking. I therefore consider that the proposal would broadly accord with the objectives of Policy QL1 of the Kent and Medway Structure Plan and Policy E1 of the Swale Borough Local Plan.

Highway Impacts

35. Members will note that concerns have been expressed by local residents, as set out in paragraph (17) above, relating to highway matters, particularly in the event of any increase in the school roll. I can confirm that as part of this proposal, there would be no proposed increase in pupil numbers and only the addition of one further member of the school staff administration team. Whilst I note that the number of pupils and staff have recently increased at the site, in connection with the recent move of the pre-school facilities to within the school grounds, the proposal seeks to provide accommodation for this function as opposed to increasing either the school or pre-school rolls further.
36. Concerns have been raised relating to the provision of additional car parking at the site, in particular with the need to improve vehicle access arrangements to the site. Whilst I note these views, the school currently operates parking facilities for staff and disabled users, but like many other country schools, does not have a dedicated drop-off or pick-up zone for parents due to the lack of space within the available grounds. I am of the opinion that the increased number of vehicle parking spaces would provide essential parking for staff vehicles, in line with Policy TP19 of the Kent and Medway Structure Plan, but consider that new facilities for parents collecting or dropping-off pupils would not be possible in this location, as is often the case with small village schools with limited space.
37. I note that the Divisional Transportation Manager has raised no objection to this proposal in relation to highway matters, but instead has requested that the school prepare and submit a School Travel Plan prior to the classroom block being brought into first occupation. I support this view and would not seek to raise an objection to the current proposal in relation to highway matters.

Tree Removal and Landscaping

38. As noted in paragraph (9) above, the proposal involves the loss of two trees and a group of small shrubs/trees along the southern boundary of the site in order to facilitate the construction of the proposed classroom block. Whilst the loss of trees in this location is unfortunate, particularly given that they provide a visual means of screening between Bapchild Rectory and the School, I consider that the imposition of a condition requiring the prior approval and subsequent implementation of a landscaping scheme within the first planting season following the completion of the classroom block would go some way towards off-setting the impact of such tree loss. Whilst it is noted that the distances between the proposed classroom block and the boundary fence would be tight, I consider that there would be scope for small-scale tree and hedge planting along parts of this boundary where space allows.
39. I note that there is the potential for further landscaping to take place at the front of the school site, most notably through additional hedge planting along the front boundary with School Lane. I consider that such measures could be required through the imposition of

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an appropriately worded landscaping condition. I consider that this approach would be consistent with the objectives of Policy EN9 of the Kent and Medway Structure Plan.

Impact on Playing Fields

40. Part of the proposals involves the temporary stationing of two mobile classrooms on the southern boundary of the existing school playing field during the construction phase in order to maintain essential teaching facilities for the school. During this period, the mobile units would be located on part of the school playing field which ordinarily would be presumed against in planning policy terms. However, given the lack of alternative available space within the site, this location has been chosen as the only suitable location for the short-term stationing of these mobile classrooms.
41. Members will note that Sport England, a statutory consultee on planning applications which affect playing field provision, has raised no objection to the short-term stationing of these mobiles on the edge of the playing field. They have requested that a condition be placed on any decision requiring the removal of the mobiles at the end of the construction phase, and the restoration of the land back to playing field specification. I support this approach, and recommend that a condition be placed on any decision requiring the removal of all three mobile classrooms from the site prior to the first occupation of the new classroom block.

Need

42. The main objectives behind the proposed development are to provide purpose-built accommodation for pupils of Bapchild and Tonge Primary School and the on-site pre school facility, with a view to removing all mobile classroom accommodation from the site. In my opinion, the overall objectives for the scheme are have the support of Policies QL1 of the Kent and Medway Structure Plan and E1 of the Swale Local Plan in design terms and Policy QL11 of the Structure Plan and C1 of the Local Plan which seek to permit proposals for new and/or improved community facilities. I consider that the need for the proposals have clearly been demonstrated in this particular case, and consider that the scheme offers an opportunity to remove all temporary accommodation which is nearing the end of its useful life.

Other Issues

43. The County Council has a responsibility to consider crime prevention as part of development proposals, and to do all that it reasonably can to prevent crime and disorder under Section 17 of the Crime & Disorder Act 1998. It is noted that the Police Architectural Liaison Officer has raised various issues relating to design measures to prevent crime with regards to this particular proposal. Accordingly, I have passed the details of the suggested crime prevention details onto the applicants as a large number of the suggestions relate to specific building design issues as opposed to planning matters which could be controlled through planning conditions.
44. It is noted that residents have expressed concerns that adjacent residential properties have been omitted from the proposed plans. Whilst this has been an error on the applicant's part, the exact location of nearby residential properties has been carefully considered as part of the assessment of the proposal, and in any case were included on the general location plan contained within the application documents.

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Conclusion

45. In conclusion, I consider that the proposals would bring a significant improvement to local community facilities at Bapchild & Tonge Primary School for both primary and pre-school pupils. The removal of three mobile classrooms and the construction of purpose-built accommodation is widely supported by the Development Plan. Whilst I note the concerns expressed by local residents in this case, particularly with regards to amenity issues, I consider that on balance the reduction of the roof pitch and the lowering of the building into below-ground level, together with the imposition of the conditions as set out in paragraph (46) below, would be sufficient to outweigh the objections in this particular case. Accordingly, I recommend that planning permission be granted, subject to the recommendation set out in paragraph (46) below.

Recommendation

46. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- groundwater protection condition;
- removal of all mobile classrooms prior to the first occupation of the development;
- the recommendations set out in the Tree Impact Assessment Report to be adhered to;
- foundation design
- external materials;
- landscaping scheme;
- tree protection measures;
- details of car parking surface treatment and construction method statement;
- details of construction access and temporary accommodation;
- School Travel Plan prior to first occupation of new classroom block

Case officer – Julian Moat

01622 696978

Background documents - See section heading
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Appendix 1 – Photographs of Site



View looking east along rear of proposed classroom block site towards 23 & 25 Ashtead Drive



View looking west along proposed classroom block site towards 21 School Lane

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View looking south from rear of proposed classroom block site towards Bapchild Rectory

Item D5**Renewal of planning consent for existing two classroom mobile unit at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 February 2009.

Application by the Diocesan Board of Education and Kent County Council Children, Families & Education Directorate for the renewal of planning consent for existing two classroom mobile unit at Tunstall Church of England (Aided) Primary School, Tunstall, Sittingbourne.

Recommendation: Temporary planning permission be granted subject to conditions.

Local Member(s): Mrs. B Simpson & Mr R. Truelove

Classification: Unrestricted

Site

1. Tunstall Church of England Primary School is situated alongside the main road (B2163), which runs through Tunstall village. The mobile classroom to which this application relates is located to the north of the school site and lies adjacent to a Public Right of Way. The teaching accommodation at the site currently uses three mobile classrooms (two in addition to the one for which renewal of planning permission is sought) as the main school building is under-sized for the current school roll. The main school building is a Grade II Listed Building and the site adjoins a further Grade II Listed Building, 'The Oast', to the southern boundary. Behind the school, to the west is the Tunstall Memorial Village Hall and associated car park. The application site is located outside the built up area boundary defined in the adopted Local Plan, and the whole site is within the Tunstall Conservation Area. *A site location plan is attached on page D5.2.*

Proposal

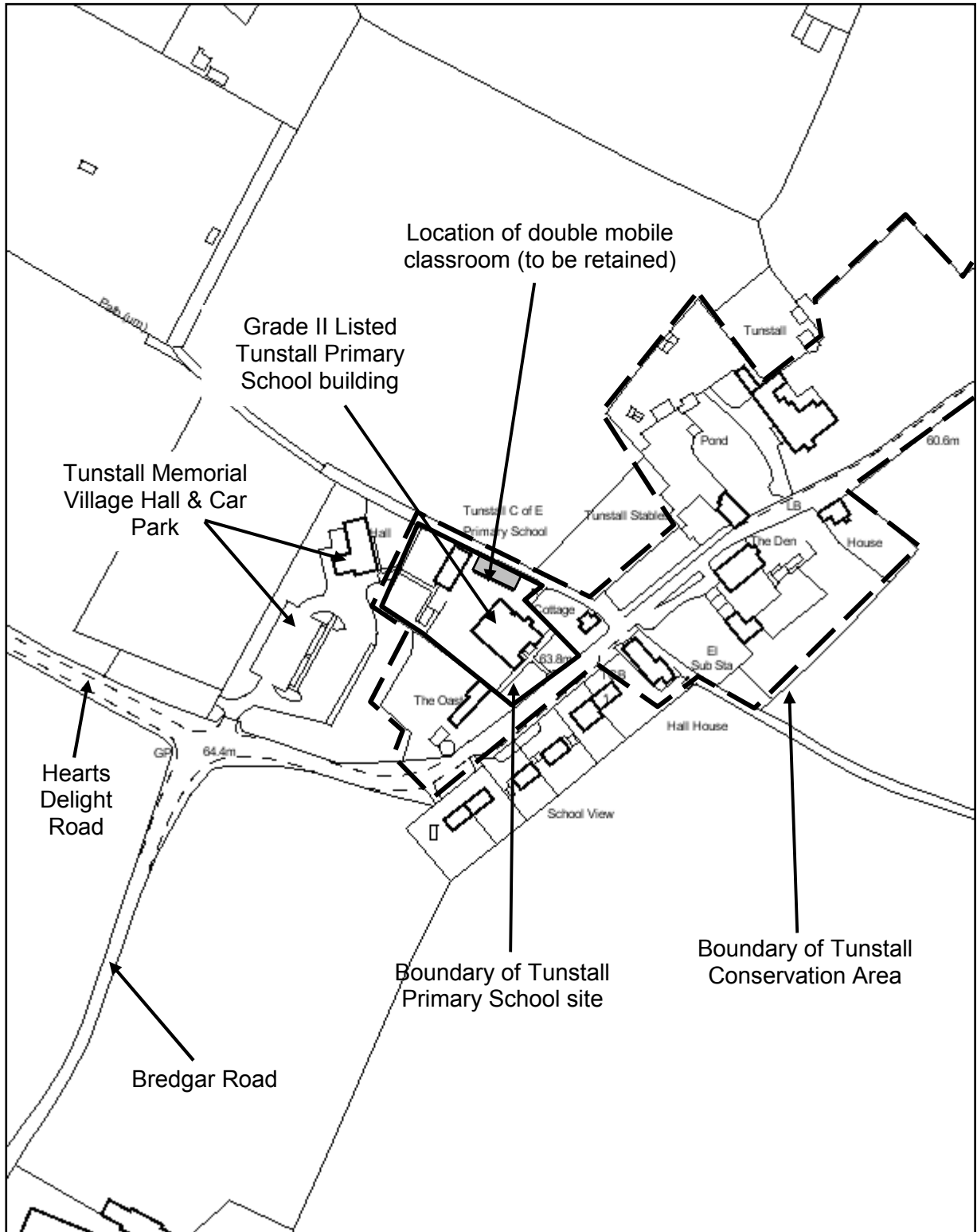
2. The application has been submitted on behalf of the Diocesan Board of Education and KCC Children, Families & Education Directorate and proposes the retention of an existing double (two-classroom) mobile classroom for a further three year temporary period on site. The applicants have provided the following information in support of their application:

"The current school roll is 211, structured in seven classes. The Governors of the school are seeking permission to renew planning consent as the mobile unit needs to be retained to enable efficient delivery of the Curriculum to children in their appropriate age groups.

We understand that the Local Authority, the Diocesan Board of Education and the Governors of Tunstall CE Primary School want to see a replacement school on a new site rather sooner than later. This is, however, dependent on the Government to provide the necessary funding to achieve this. Under current policies this may be likely to be some time. The Government's 'Primary Capital Strategy Initiative' is currently set to target schools that are failing or schools in deprived areas, which Tunstall is not. The Diocese of Canterbury has repeatedly reiterated that Tunstall is a high priority, but unless Government policies change, the short-time start [of a new school on a separate site] within one year, unfortunately, is not achievable.

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

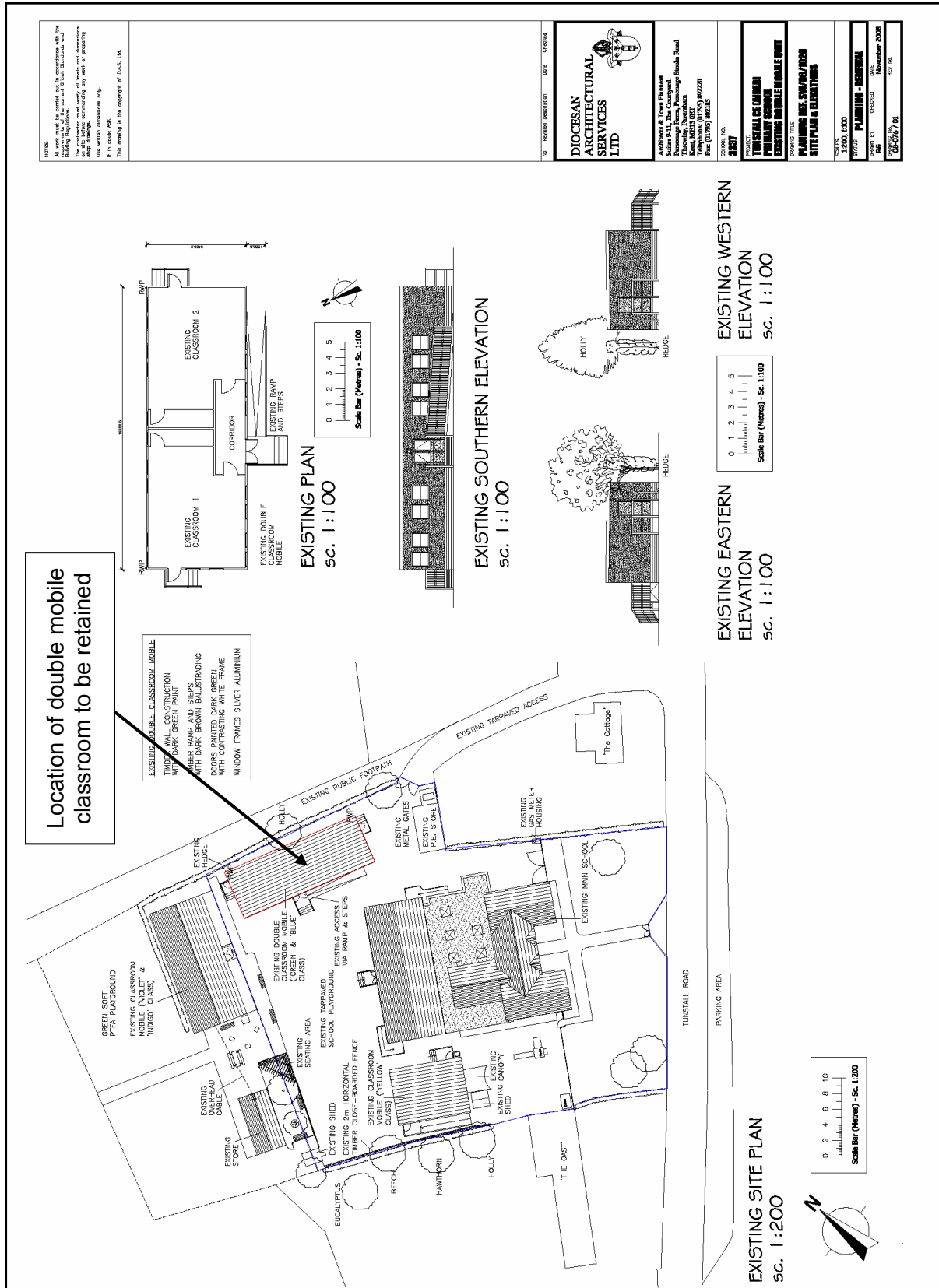
Site Location Plan



Site Location Plan – Tunstall Primary School
Scale 1:2500

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

Mobile Classroom Plans



Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

Tunstall is a successful school despite restrictions imposed on staff and the children. In order to ensure the continuation of the school's presence in Tunstall and in light of the aforementioned scenario, we wish to urge you to grant consent for at least three years."

3. The current mobile classroom is finished in dark green textured paint with aluminium windows, timber doors and a mineral felt flat roof. Over the years of the classroom's existence on site, it has been refurbished and upgraded to include the needs for those with disabilities, such as the installation of ramped access to the main entrance. The retention of the mobile unit within the site is not proposed to increase either staff or pupil numbers, but seeks to maintain a sufficient amount of teaching accommodation for existing pupils within the site.

Planning History

4. This application for the retention of the double mobile classroom relates to the previously granted temporary planning permission SW/06/1026 that was granted for a further two year period from October 2006 to October 2008.

Planning Policy

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

Policy 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 – 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.

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

Policy QL8 – Listed buildings will be preserved and their architectural and historic integrity and the character of their settings will be protected and enhanced. Development which would adversely affect them will not be permitted.

Policy QL11 – Existing community services will be protected and enhanced as long as there is a demonstratable need for them.

(ii) The adopted 2008 **Swale Borough Local Plan:**

Policy SP1 – In meeting the development needs of the Borough, proposals should accord with principles of Sustainable Development.

Policy E1 – Development proposals should, amongst others, respond positively by reflecting the positive characteristics of the features of the site and locality; protect and enhance the natural and built environments; well sited and of a scale, design and appearance that is appropriate to its location; cause no demonstratable harm to residential amenity and other sensitive uses.

Policy E6 – The quality, character and amenity value of the wider countryside of the Borough, will be protected and where possible enhanced.

Policy E14 – Proposals affecting the setting of a Listed Building(s), will only be permitted if the buildings special architectural or historic interest, and its setting, is preserved.

Policy E15 – Development within, affecting the setting of, 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 all development proposals to be of high quality design.

Policy C1 – The Borough Council will permit proposals for new or improved community facilities.

Consultations

6. **Swale Borough Council:** has raised no objection to the proposal, but notes that they are keen for a permanent solution to be found.

Tunstall Parish Council: makes the following comments, as set out below:

- “Parish Councillors have reviewed the application. Ideally they would like permission to be refused. However, Councillors appreciate that the school could not continue to function without these buildings and, therefore, have no option but to agree this application, but with one condition. We would like it to be for one year only pending positive action on the part of the Local Authority and the Diocese for a new school;
- Our reluctance is caused by the fact that these buildings are old, are not in a good state of repair and have outlived their usefulness. The School struggles to fulfil the demands of the National Curriculum on a very cramped site and it is to the credit of the School, led by the Headteacher, and working with her staff that it is so successful;

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

- Both the Local Authority and the Diocese accept that new buildings, probably on a new site are essential but nothing would appear to be happening. This application gives the Local Authority and Diocese another five years before anything has to be done and this is not acceptable. Under the new Department for Children, Schools and Families criteria, why should successful schools be penalised?
- Tunstall Parish Council would, therefore, like to request that the Local Authority and Diocese develop, with some urgency, a definite proposal for this school and that permission for this mobile classroom be given for one year only pending an outline plan for the new school”.

The County Conservation Architect: has raised no objection to the proposal.

Tunstall Memorial Hall Management Committee: makes the following comments, as set out below:

- “This application is for a temporary planning permission that was granted originally at least 20 years ago, i.e. potentially extending the life of this unit to at least 25 years. The building is an eyesore and would not be permitted as a permanent development in the Tunstall Conservation Area. This appears to be an abuse of the temporary planning provisions to ‘get around’ a permanent solution to the re-location of this school, as promised in the past;
- The school now has 210 pupils in 7 classes on a very restricted site requiring three mobile units each with a temporary planning permission, to provide 5 of these classrooms. Playground provision is not very limited since the third mobile classroom was installed 5 years ago and was criticised by Ofsted. The school has approximately 50-60 pupils from the Parish with the remaining 150-160 travelling considerable distances to the school with an undesirable environmental impact, plus attendant traffic problems, uncontrolled by the School. In summary, the School has outgrown the site and needs to be relocated to a larger purpose built development suitable for this millennium. Granting this application is confirming the acceptability of the status quo for another 5 years, which objectively cannot be a sound planning decision”.

Local Members

7. Mrs B. Simpson and Mr M. Truelove, the local County Members were notified of the application on the 15 December 2008.

Publicity

8. The application was publicised by an advertisement in a local newspaper, the posting of a site notice, the notification of one neighbouring residential property and the notification of the adjacent Village Hall.

Representations

9. I have received no letters of representations to date in connection to this application.

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

DiscussionIntroduction

10. The application seeks planning permission to retain an existing double (two classroom) mobile classroom to meet a current shortfall in permanent teaching accommodation at Tunstall Church of England Primary School. The application is being reported to the Planning Applications Committee as a result of the views expressed by Tunstall Parish Council and Tunstall Memorial Hall Management Committee, as identified in paragraph (6) above, mainly in terms of the temporary nature of the units to be retained and the length of time in which 'temporary' planning permission has been renewed over the years by the County Planning Authority.
11. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (5) above. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In this particular case, I consider that the key considerations are: -
 - siting and appearance issues with regards to the building's retention on the character and appearance of the wider Tunstall Conservation Area, and any potential impact on the setting of the Grade II Listed building(s);
 - the continued need for the mobile classroom within the existing site and the temporary nature of the proposal; and
 - the future re-development / relocation of the existing school;

Siting and Appearance

12. The mobile classroom which this application relates to is located to the north of, and within the setting of the Grade II Listed main school building. A further Grade II Listed Building (The Oast) is located adjacent to the school site to the south-west, but it is noted that the mobile classroom to which this application relates to is not within the curtilidge or setting of 'The Oast'. The mobile is located tightly against the boundary of the site with an existing Public Right of Way leading off Tunstall Road to the open countryside beyond. The entire school site is located within the Tunstall Conservation Area.
13. Members should note that there would be no change to the mobile classroom's location as a result of the renewal of temporary planning permission.
14. In considering the impact of the retention of the mobile unit on the setting of the Listed Building, it is noted that the mobile unit does little to preserve or enhance the special historic and architectural merits of the existing school building. Similarly, I note that this is the case with the other two mobile units current located on site which have previously been granted temporary planning permission by the County Planning Authority. However, from an assessment of the Grade II Listed school building I consider that whilst the whole of the building is Listed, I consider that the flint road-facing façade of the building is that which is of most historic and architectural importance. It is noted that the original school building has been extended to the rear over many years on an

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

incremental basis, comprising of a mix of flat roof and pitch roof extensions which are of no particular architectural merit and detract from the quality of the original building.

15. As noted above, I consider that the front façade of the main school building is the most important feature from a historic and architectural perspective, and that it provides an important feature on the local street-scene within the Tunstall Conservation Area. Accordingly, significant weight should be given to preserving the setting, character and appearance of the front façade of the building. However, given that the mobile classroom to be retained in this instance is located in a relatively discreet location to the rear of the main school building, and would not be widely visible from the street-scene, I do not consider that the setting of the Listed Building would be detrimentally affected through the mobile unit's retention for a further temporary period. I consider that whilst arguably the retention of the mobile classroom would not preserve or enhance the setting of the Listed Building, its retention for a further temporary period would only have a marginal impact on the overall setting of the Grade II Listed Building. Accordingly, I would not raise an objection to the retention of the mobile unit for a further temporary period when considering the proposal against the objectives of Policy QL8 of the Kent and Medway Structure Plan or Policy E14 of the Swale Borough Local Plan.
16. As noted above, the application site is located directly within the Tunstall Conservation Area. It is therefore important to consider the potential impact of the mobile classrooms retention for a further temporary period on the character and appearance of the wider Conservation Area. In this instance, I note that the mobile building would appear of a different scale, character and appearance to other buildings within the Tunstall Conservation Area which predominantly consist of a mix of pitched roof residential properties, some of which are Listed due to their special characteristics. I further note that the mobile unit to which this application relates is of typical mobile classroom type construction, similar to those found on many educational sites across the County. Given the buildings form, I accept that the mobile classroom would do little to preserve or enhance the character or appearance of the overall Conservation Area. The views of the Tunstall Memorial Hall Management Committee with regard to the building being 'an eyesore' and not otherwise suitable for locating within a Conservation Area are noted in this particular case.
17. However, as previously discussed it is considered that the mobile classroom is relatively well screened by established vegetation which runs along the boundary of the adjacent Public Right of Way. It is also well screened from the wider Conservation Area by the existing built-development of the school building and adjoining residential properties. Under the circumstances, I do not consider that the mobile classroom has a noticeable prominence in the Conservation Area, or indeed on the overall street-scene when viewed from outside of the site. That said, I do not consider it appropriate for the building to be retained in situ indefinitely despite its discreet location, and if permission is granted it should only be on a temporary basis only. On balance, whilst I consider that the retention of the mobile unit does little to preserve or enhance the character and appearance of the Conservation Area, I am satisfied that given the building is in a relatively discreet location, in this instance, I do not consider that the development would be contrary to Policy QL6 of the Kent and Medway Structure Plan and Policy E15 of the Swale Borough Local Plan.
18. As previously identified, the location of the mobile classroom directly adjoins the boundary of the school with an existing Public Right of Way. I am mindful of the need to

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

preserve views from Public Rights of Way across open countryside, but consider that the temporary retention of the classroom would not have a detrimental impact on the existing right of way, particularly given that the mobile unit would be located in an existing built up area on the edge of Tunstall which is currently occupied by various forms of built development. Similarly, I do not consider that the mobile unit's retention would have a significant impact on the open countryside, even though the site is defined as being outside of the limits of built development in the Local Plan. Accordingly, I would not raise an objection to this proposal and consider that it broadly meets the objectives of Policy EN1 of the Kent and Medway Structure Plan and Policy E6 of the Swale Borough Local Plan

19. In this instance, Members should note that there are no direct residential amenity issues to consider on the basis that the mobile classroom unit does not directly abut any residential boundaries and has been on site in its present location for a considerable period of time (circa. 20 years).

Continued Need for Mobile Classroom and Temporary Nature of Proposal

20. I am aware that there are long-term plans to re-locate the school off-site with new purpose built school, but due to Government funding arrangements such proposals have not come forward to date. Whilst it is unfortunate that the building to which this application relates, and indeed the other two mobile units, have been on site for a long period of time, I am mindful of the School's need for this particular mobile classroom to be retained in order to maintain essential teaching facilities for two of its seven year groups.
21. Members will note that Policy QL11 of the Kent and Medway Structure Plan supports the continued retention of existing community facilities. Without the guarantee of alternative teaching accommodation at the site to house two of the schools existing seven year groups, I am mindful of the acute need of the school to retain this current teaching facility. Accordingly, I consider significant weight should be given to this Policy in this instance.
22. The application is seeking the renewal of temporary planning permission for a further three year period in which the applicants are hopeful that the current situation can be resolved through the bringing forward of a new school site. Whilst I note that the Parish Council has expressed a desire for permission to be granted for a one year period only, I consider that such time would not be either sufficient or realistic for the applicants to bring forward development proposals and obtain the necessary consents for work to proceed. In particular, it is not feasible to acquire a site, obtain all the necessary consents and construct a new school within a one year timeframe. Moreover, I consider that such a strict timescale would in no way help to bring that process forward because the funding policy and availability of funds is beyond the direct control of the applicants in this case. Under the circumstances, I am mindful of the need to retain teaching facilities at the site, albeit on a temporary basis, and reluctantly agree the further retention of the mobile classroom for a period of up to three years would be appropriate.

Future re-development / re-location of School

23. As previously highlighted, both the Parish Council and Memorial Hall Management Committee have noted that the current school is operating on an extremely tight site with less than ideal teaching facilities. Members will note that the applicants have

Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

expressed the desire for the school function to be re-located to a new purpose built site, but in the absence of Government funding for this project, this has not been possible to date.

24. Members will also note that it is for the Planning Applications Committee to determine the current proposal as opposed to have a direct influence over the re-location of the school onto a new site, or the re-development of the existing site with permanent classroom accommodation. Accordingly, as discussed above, I recommend that temporary planning permission be granted for a further period, together with an informative to the applicants that the County Planning Authority would wish to see replacement permanent-build classroom accommodation built either at the current site, or on a new site at the earliest possible opportunity.

Conclusion

25. In conclusion, I consider that the retention of a previously permitted mobile classroom would not have a significant detrimental impact on the setting of a Grade II Listed Building, most notably the building's important front façade, neither would it have a significant detrimental impact on the character and/or appearance of the surrounding street-scene within the Tunstall Conservation Area. I further consider that the proposed mobile classroom retention would not have a significant detrimental impact on the adjacent Public Right of Way, nor would it have a significant impact on the open countryside. I consider that the applicants have been able to demonstrate a clear case of need for the building to be temporarily retained in order to maintain an essential community facility, for which I note that Structure Plan Policy supports. Taking into account the provisions of the Development Plan and material considerations raised from consultees as outlined in paragraph (6), I consider that the retention of the mobile classroom to be acceptable for a further temporary period of 3 years.
26. I further consider that the applicants should be made aware, by way of a suitable informative, of the urgent need to resolve the temporary classroom accommodation at Tunstall Primary School within this three-year time window.

Recommendation

27. I RECOMMEND that TEMPORARY PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- temporary consent for period of 3 years from date of permission;
 - removal of classroom unit from site at expiration of 3 year period and the subsequent restoration of the site thereafter;
 - the development be carried out in accordance with the permitted details.

AN INFORMATIVE be added to advise the applicants that the County Planning Authority would wish to see urgent action taken to resolve the temporary classroom accommodation at Tunstall Primary School during the three-year temporary consent timescale.




Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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Renewal of planning consent for existing mobile at Tunstall Church of England (Aided) Primary School, Tunstall – SW/08/1323

Appendix 1 – Photographs of Existing Mobile Classroom

(Supplied by the applicants in support of the mobile classroom retention application)

<p>NOTES</p> <p>All work must be carried out in accordance with the Building Regulations, current British Standards and any other applicable regulations.</p> <p>The contractor must verify all people and equipment are suitably trained and competent for the work of planning and construction.</p> <p>Use within dimensions only.</p> <p>If in doubt ASK.</p> <p>The drawing is the property of DAB Ltd.</p>	<table border="1"> <thead> <tr> <th>No.</th> <th>Revision</th> <th>Description</th> <th>Date</th> <th>Drawn/Checked</th> </tr> </thead> <tbody> <tr> <td colspan="5" style="text-align: center;">  <p>DIOCESAN ARCHITECTURAL SERVICES LTD</p> </td> </tr> <tr> <td colspan="5"> <p>Architects & Town & Country Planners Section D-11, The Courtyard Pennington Park, Yorkminster Church Road York YO13 1JH Telephone: (01753) 882220 Fax: (01753) 822116</p> </td> </tr> <tr> <td colspan="5"> <p>PROJECT: TUNSTALL OF CEJ MOB PLANNING CONSENT EXISTING MOBILE CLASSROOM RETIT</p> </td> </tr> <tr> <td colspan="5"> <p>DATE OF ISSUE: 08/04/2008 DRAWN BY: [Name] CHECKED BY: [Name]</p> </td> </tr> <tr> <td colspan="5"> <p>SCALE: 1:50</p> </td> </tr> <tr> <td colspan="5"> <p>DATE: 08/04/08</p> </td> </tr> <tr> <td colspan="5"> <p>PROJECT NO: [Number]</p> </td> </tr> <tr> <td colspan="5"> <p>DATE: 08/04/08</p> </td> </tr> <tr> <td colspan="5"> <p>SCALE: 1:50</p> </td> </tr> <tr> <td colspan="5"> <p>DATE: 08/04/08</p> </td> </tr> </tbody> </table>	No.	Revision	Description	Date	Drawn/Checked	 <p>DIOCESAN ARCHITECTURAL SERVICES LTD</p>					<p>Architects & Town & Country Planners Section D-11, The Courtyard Pennington Park, Yorkminster Church Road York YO13 1JH Telephone: (01753) 882220 Fax: (01753) 822116</p>					<p>PROJECT: TUNSTALL OF CEJ MOB PLANNING CONSENT EXISTING MOBILE CLASSROOM RETIT</p>					<p>DATE OF ISSUE: 08/04/2008 DRAWN BY: [Name] CHECKED BY: [Name]</p>					<p>SCALE: 1:50</p>					<p>DATE: 08/04/08</p>					<p>PROJECT NO: [Number]</p>					<p>DATE: 08/04/08</p>					<p>SCALE: 1:50</p>					<p>DATE: 08/04/08</p>				
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EXISTING DOUBLE CLASSROOM MOBILE WITH ACCESS RAMP AND STEPS

EXISTING SOUTHERN ELEVATION



EXISTING HOLLY WITHIN HEDGE
EXISTING PUBLIC FOOTPATH

EXISTING NORTH WESTERN ELEVATION



EXISTING EASTERN ELEVATION

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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED 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.

SW/07/754/R4&R11 Submission of proposed landscaping scheme pursuant to condition 11 and agreed program of archaeological works pursuant to condition 4 of planning permission SW/07/754.
Fairways, Faversham

SW/07/755/R4&R10 Submission of proposed landscaping scheme pursuant to condition 10 and agreed program of archaeological works pursuant to condition 4 of planning permission SW/07/755.
Tymans Mill, West Street, Faversham

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.

DA/08/970 Provision of 2 mini soccer pitches involving the erection of 5m high perimeter weldmesh fencing and 10m high steel floodlighting columns – 3570m2.
Princes Park Stadium, Princes Road, Grassbanks, Dartford

GR/08/932 Change of use of land to a permanent gypsy and traveller site for 8 pitches, together with construction of ancillary amenity facilities and laying out of internal road.
Land South of Brookvale Depot, off Springhead Road, Northfleet, Gravesend

MA/08/2292 Reinstatement of railings and brick piers, provision of new curved steps with handrails, laying of new paths around bandstand and upgrade public conveniences to include improved access.
Brenchley Gardens, Station Road, Maidstone

MA/08/2403 Refurbishment of public conveniences.
Public Conveniences, Penenden Heath, Maidstone

MA/09/17	Change of use of land to provide extension to existing Park & Ride Site and additional vehicle parking spaces for temporary 3 year period Park & Ride Site, Eclipse Park, Sittingbourne Road, Maidstone
SH/08/1262	Demolition of fire damaged toilet block to allow construction of replacement facilities with disabled, male and female toilets as well as separate store and service area. The general use of the facility will not change from the existing. Folkestone Invicta Football Club, Cheriton Road, Folkestone
SW/08/1179	To provide a self contained single toilet facility for use by allotment holder on the site North Preston Allotment Site, Broomfield Road, Faversham
TH/08/1297	Installation of a timber feature and planter to roundabout (symbolising a dragon). Manston Road, Haine Road Roundabout, Margate
TH/08/1442	Change of use and conversion of building from Public Convenience to café (A3) and use of the adjoining land for the siting of tables and chairs in association with café use. Public Convenience, Boundary Road, Ramsgate
TM/07/2437	Internal alterations to customer service and office areas and extension to provide new accessible entrance. Tonbridge Castle, Castle Street, Tonbridge
TW/08/2735	Provision of new facilities to include juniors and toddlers play area, BMX dirt track, mini skate area, multi use games area, footpaths and landscaping scheme. Recreation Ground, Southwood Road, Rusthall, Tunbridge Wells

E3 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.

AS/06/1046/R2D,R3 & R4A	Details of external materials to work shop building and addition of extraction fan to roof – Amendments to permitted details including addition of fencing around bin store, repositioning of school entrance gates and minor realignment of boundary fence. Goldwyn Community Special School, Godinton Lane, Great Chart, Ashford
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AS/06/2277/R3&R9	Landscaping details and surface treatment details of multi-use games area. Proposed floodlit all-weather pitch and extended multi-use games area, North School, Essella Road, Ashford
CA/08/1425	First floor extension to create an additional classroom. St Peters Methodist Primary School, St Peters Grove, Canterbury
CA/08/1461	Extension to form chill-out room Bridge & Patribourne Primary School, Conyngham Lane, Bridge, Canterbury
DA/07/1063/R3,5,6 10,18,22 & 26	Details of external materials, fencing, gates & means of enclosure, the wind turbine, location of refuse storage collection points, flood damage prevention measures, cycle parking, construction traffic management measures pursuant to conditions 3, 5, 6, 10, 18, 22 & 26 of planning permission DA/07/1063 and minor amendments to the approved scheme The Hub, The Bridge Development, Dartford
DO/08/1295	Extension to existing car park and access improvements to main entrance onto The Linces Green Park Community Primary School, The Linces, Buckland, Dover
DO/08/1368	External alterations to create a Gateway Centre at Ground Floor Ground Floor, 55 to 71 Castle Street, Dover
GR/08/1034	Demolition of hutted classroom building, construction of permanent replacement accommodation including 2 classrooms, associated ancillary accommodation and a minor extension to existing school car park. Holy Trinity C of E School, Trinity Road, Gravesend
MA/06/42/R4	Details of a scheme of landscaping and replacement tree planting – Erection of a single sports hall with associated changing, storage, fitness suite and classroom. The Maplesden Noakes School, Buckland Road, Maidstone
MA/06/118/R2&R3	Details of additional planting and programme of maintenance – All weather football pitch with associated fencing and floodlighting. Maplesden Noakes School, Buckland Road, Maidstone
MA/07/1165/R5	Details of a method statement detailing how existing windows would be removed and how timber sub-frames and/or tiled cills would be retained/repared pursuant to condition 5 of planning permission MA/07/1165 Sessions House, County Road, Maidstone
MA/08/1700/R3 & R4	Details of all materials to be used externally and details of external colouring and window/door reveals pursuant to conditions 3 & 4 of planning permission MA/08/1700 New Line Learning Academy, Boughton Lane, Maidstone

MA/08/1700/R7 R10 & R12	Details of a scheme of landscaping, an Arboricultural Method Statement and details of sprinkler tank, sub-station and recycling and waste area location pursuant to conditions 7, 10 & 12 of planning permission MA/08/1700 New Line Learning Academy, Boughton Lane, Maidstone
MA/08/1700/R28	Details of a specification and timetable for archaeological field evaluation works and any subsequent safeguarding measures to ensure preservation of archaeological remains and/or further investigation and recording pursuant to conditions 28 of planning permission MA/08/1700 New Line Learning Academy, Boughton Lane, Maidstone
MA/08/1700/R32	Details of a construction management strategy pursuant to condition 32 of planning permission MA/08/1700 New Line Learning Academy, Boughton Lane, Maidstone
MA/08/1700/R33	Details of a road condition survey detailing the condition of Boughton Lane between Loose Road and the sites construction access New Line Learning Academy, Boughton Lane, Maidstone
MA/08/2317	Erection of a canopy (49m ²) over seated waiting area Loose Infant School, Loose Road, Maidstone
MA/08/2337	Canopy and cycle shelter East Borough Primary School, Vinters Road, Maidstone
MA/08/2466	Application for a farm unit comprising of a cattle shed and small animal unit Valley Park Community School, Huntsman Lane, Maidstone
MA/08/2481	Dismantle existing maze in playground and the erection of a three-tower children's climbing frame and a wooden stage with tarmac and wetpour play surface. South Borough Primary School, Stagshaw Close, Postley Road
SE/07/1914/R4A	Amendments to approved landscaping scheme including details of surface treatment and alterations to paths around block 6, and addition of turning/reinforced grass area on top lawn for emergency use Valence School, Westerham Road, Westerham
SW/08/1335	Provision of temporary toilets required whilst existing sewage treatment system is replaced Eastling Primary School, Kettle Hill Road, Eastling, Faversham
SW/08/930/R6,12& 13	Minor amendment to external finish of temporary mobile classrooms and details pursuant to condition 6 (external colour of cycle store), 12 (CCTV) and 13 (drainage scheme) of planning permission SW/08/930 for remodelling of school. St. Georges C E Middle School, Chequers Road, Minster-on-Sea, Sheerness

TH/08/1311	An application to vary the terms of condition 10 of planning permission TH/05/1341 which would enable the permitted sports hall to be used by not only Ursuline College but other schools and groups outside of school hours, as well as during the school day, prior to the construction of a right turn lane into the school from the A28. Ursuline College, 225 Canterbury Road, Westgate-On-Sea
TH/08/1355	Erection of extension to existing school to form new entrance area. St. Gregorys Catholic Primary School, Nash Road, Margate
TH/08/1424	Proposed school and community function wing and ancillary facilities St. Saviours CE Junior School, Elm Grove, Westgate-On-Sea
TM/03/2958/R6A	Amendments to rain screen cladding to sports hall. Tonbridge Grammar School for Girls, Deakin Leas, Tonbridge
TM/08/2344	Approval of reserved matters relating to the siting, design & external appearance of the proposed building, means of access and landscaping - Replacement six class primary school together with nursery class, playing field, servicing, parking and new vehicular access. Land North of Maidstone Road, St Mary's Platt, Sevenoaks
TM/08/3576	Installation of an overlapping triangle shade sail structure on the school field Woodlands Junior School, Hunt Road, Tonbridge
TW/08/3925	Construction of fenced hard court to accommodate two netball courts (to match existing court on site). Cranbrook School, Scott House, The Hill, Cranbrook
TW/08/3990	Proposed two storey extension to provide improvements to the boarding facilities and housemasters accommodation to Cornwallis House, Cranbrook School (amended scheme to supersede planning permission TW/08/995). Cranbrook School, Cornwallis House, Waterloo Road, Cranbrook

E4 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:-

DA/08/TEMP/0062 40 bed extra care apartments for the elderly including 20 1-bed apartments, 20 2-bed apartments, residents communal areas and staff facilities at Manorbrooke Residential Home, Bevis Close, Dartford

TH/08/TEMP/0086 Outline application for 40 extra care apartments for the elderly to include 20 1-bed apartments, 20 2-bed apartments, resident's communal facilities, staff facilities, car parking and internal access arrangements.
Site of former Newington Primary School (infants), Melbourne Avenue, Ramsgate

TM/08/TEMP/0088 Application for an extension to an existing classroom to provide an increase in teaching space and toilet facilities.
Plaxtol Primary School, School Lane, Plaxtol, Sevenoaks

TW/08/TEMP/0048 Application for outline approval of 40 extra care apartments for older people including 20 1-bed apartments & 20 2-bed apartments, residents communal areas and staff facilities
Land off Quaker Lane, Cranbrook

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

None.

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

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

Background Documents -

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

None.