

PLANNING APPLICATIONS COMMITTEE

Tuesday, 12th October, 2010

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 12th October, 2010, at 10.00 am
Council Chamber, Sessions House, County
Hall, Maidstone

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

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

Membership (18)

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

Liberal Democrat (1): Mr M Robertson

Independent (1) Mr R J Lees

UNRESTRICTED ITEMS

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

A. COMMITTEE BUSINESS

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

B. GENERAL MATTERS

1. Revised and updated Validation requirements for Planning Applications (Pages 7 - 74)

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal MA/10/1209 - Refurbishment of existing school house and conversion into a self-contained Children's Centre, with parking to the front and fire escape to the rear at Marden Primary School, Goudhurst Road, Marden; KCC Children, Families and Education (Pages 75 - 92)

2. Proposal SW/10/1003 - Cycle track along the "Canal Bank" (Queensborough Lines) at Halfway Road, Sheerness; KCC Chief Executive's Department Regeneration and Economy Division (Pages 93 - 116)
3. Proposal TM/10/345 - Floodlit synthetic turf pitch, including fencing on School playing fields at Tonbridge Grammar School, Deakin Leas, Tonbridge; Governors of Tonbridge Grammar School and KCC Children, Families and Education (Pages 117 - 138)
4. Proposal DA/10/627 - Extension of the main school building for additional learning space at The Gateway Primary School, Milestone Road, Dartford; Governors of The Gateway Primary School (Pages 139 - 148)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

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

F. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

EXEMPT ITEMS

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

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

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

Monday, 4 October 2010

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 Tuesday, 7 September 2010.

PRESENT: Mr J F London (Vice-Chairman, in the Chair), Mr R Brookbank, Mr I S Chittenden (Substitute for Mr M Robertson), Mr A R Chell, Mrs P T Cole (Substitute for Mr T Gates), Mrs V J Dagger, Mr J A Davies, Mr C Hibberd, Mr G A Horne MBE, Mr J D Kirby, Mr R J Lees, Mr S Manion (Substitute for Mr R F Manning), Mr C P Smith, Mr K Smith and Mr A T Willicombe

ALSO PRESENT: Mr J N Wedgbury

IN ATTENDANCE: Mr P Crick (Director Integrated Strategy & Planning), Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Team Leader - Waste Developments), Mr J Crossley (Team Leader - County Council Development), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

58. Minutes - 27 July 2010

(Item A3)

RESOLVED that, subject to Minute 54 being amended to specify that it refers to the conversion of an existing air raid shelter, the Minutes of the meeting held on 27 July 2010 are correctly recorded and that they be signed by the Chairman.

59. Site Meetings and Other Meetings

(Item A4)

The Committee agreed to hold a training session on the Minerals and Waste Development Framework on 12 October 2010 and that there would be a site visit and public meeting in connection with the Hermitage Quarry application in Maidstone on 7 December 2010. A tour of permitted development sites would be held in November 2010.

60. Application GR/10/412 - Change of use to a waste transfer station with the demolition of the existing portacabin at Unit 4, Apex Business Park, Queens Farm Road, Shorne, Gravesend; R S Skips

(Item C1)

(1) Correspondence from Shorne Parish Council maintaining its objections to the application were tabled.

(2) The Head of Planning Applications Group reported the comments of the Local Member, Mr M V Snelling supporting the objections raised by Shorne Parish Council.

- (3) The Committee unanimously agreed the recommendations of the Head of Planning Applications Group subject to a clarification that vehicle movements would be limited to 12 in and 12 out and to a condition preventing crushing on site.
- (4) RESOLVED that permission be granted to the application subject to conditions including the standard time condition, hours of use and operation; a limit on vehicle movements to 12 in and 12 out; the implementation and maintenance of a dust suppression system; restrictive limits on open storage, stock pile, skip, container and machinery heights; drainage conditions; no crushing taking place on site; and other operational conditions.

61. Proposal MA/10/123 - New Archbishop Courtenay CEP School including demolition of existing buildings and construction of two-storey school building, single-storey nursery building, vehicular access, drop-off zone, car parking, separate service and pedestrian access, sports pitches and play areas at Archbishop Courtenay CEP School, Beaconsfield Road, Maidstone; Diocesan Board of Education and KCC Children, Families and Education
(Item D1)

- (1) Mr I S Chittenden informed the Committee that he had lobbied in support of the proposal in his capacity as the local Borough Councillor. He took no part in the decision-making process for this item.
- (2) Mr C P Smith made a declaration of personal interest as a friend of one of the School Governors.
- (3) Mr A R Chell informed the Committee that he had been lobbied on the proposal as the Local Member. He confirmed that he had no pre-determined view on the proposal.
- (4) The Head of Planning Applications Group agreed to the incorporation of a condition in consultation with the applicants on the hours of use.
- (5) The Committee agreed by 7 votes to 5 that it would require the conversion of the zebra crossing to a puffin crossing.
- (6) The Committee unanimously agreed the recommendations of the Head of Planning Applications Group subject to additional conditions requiring the prevention and suppression of dust during the construction phase and requiring the parking of construction vehicles on site instead of in the adjacent roads.
- (7) RESOLVED that planning 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; control on hours of construction and demolition; control on hours of community use; a report/assessment on the bat roost potential of the trees being prepared (including recommendations on the timing of shrub/tree removal); a junction improvement scheme being progressed for the Church Road/Tovil Road junction; the prevention and suppression of dust during the construction phase; a Traffic Regulation Order being progressed and advertised for the

“School Keep Clear” road markings in Eccleston Road and Beaconsfield Road and for parking restrictions around the school service access in Eccleston Road; the regularisation of the signing on the approach to the existing zebra crossing; the conversion of the zebra crossing to a puffin crossing; no mud being deposited on the public highway; construction vehicles parking on site instead of in the adjacent roads; an archaeological watching brief on groundwork on the upper terrace of the site; the proposed hedgerow extension being included in the Planting Plan for the site; an arboricultural condition to be determined in subsequent discussions with the applicant and the County’s Landscape Architect; and a street lighting condition to be determined in the subsequent discussions with the applicant and the County’s Street Lighting Engineer.

62. Proposal AS/10/380 - Extension of Wyvern Special School to form a new primary school wing, construction of a Multi-Agency Specialist Hub (MASH) for disabled children and the construction of a specialist early years centre nursery, together with associated access roads and car parking at The Wyvern School, Great Chart Bypass, Ashford; KCC Property Group
(Item D2)

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

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee specified that there should be arrangements for wheel washing on site during the construction period.

(3) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; the development being carried out in accordance with submitted Flood Risk Assessment; the provision of compensatory flood storage capacity on site to a 100 year (20% climate change) standard; the finished floor level within both the MASH and Specialist Nursery being set no lower than 40.42m AOD; a Community Use Agreement including the hours of community use of the new playing fields; an assessment of the ground conditions of land proposed for replacement playing fields; a scheme to ensure that new playing fields are provided to an acceptable quality (including appropriate drainage where necessary); the playing field ground level to be agreed in discussions with the Environment Agency; details of external materials; the submission of a detailed landscaping scheme and its implementation within the first planting season following construction activities; measures to prevent mud and debris being tracked out onto the public highway, including arrangements for wheelwashing on site during the construction period; parking being on site for construction operatives and construction vehicles during the construction works period; vehicle and cycle parking (as proposed in the application) being provided prior to the first occupation of the building and being permanently retained on site thereafter; the submission of a site Travel Plan within six months of the first occupation of either and/or both the two buildings (whichever date occurs

first), and on-going monitoring and review thereafter; the submission of badger and bat surveys, with any necessary mitigation measures being provided prior to commencement and during construction activities; the erection of newt and reptile fencing around the construction site prior to and during all construction activities; the submission of biodiversity enhancement measures to be incorporated on site; details of external lighting being agreed; a limit on the hours of construction; further archaeological works and mitigation being agreed by the Planning Authority following findings from pre-determination trial trenching; and surface water drainage measures being agreed; and

- (b) the applicant be reminded by Informative of the requirement to sign up to the Environment Agency's Flood Warning System; the requirement for vehicles to observe the left hand turn in and out of the site entrance/exit slip road with the A28 Great Chart Bypass at all times; and the requirement to ensure that the electricity pole is relocated at a suitable location

63. Proposal MA/10/1209 - Refurbishment of schoolhouse into a proposed children's centre at Marden Primary School, Goudhurst Road, Marden; KCC Children, Families and Education

(Item D3)

- (1) Mrs C Pavey, a local resident spoke in opposition to the proposal. Mr S Flook from AECOM spoke in reply on behalf of the applicants.
- (2) The Committee unanimously agreed to defer consideration of this matter pending a Members' site visit.
- (3) RESOLVED that consideration of this proposal be deferred pending a Members' site visit.

64. Proposal TH/10/227 - Multi-Agency Specialist Hub (MASH) for disabled children, together with associated access roads and car parking at land annexed from Garlinge Primary School and Nursery, Westfield Road, Margate; KCC Property Group

(Item D4)

- (1) Mr J D Kirby informed the Committee that the local Member, Mr R B Burgess fully supported the proposal.
- (2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the permitted details; Sport England's compensatory measures including: *(i) provision of replacement U14 junior football pitch within Garlinge Recreation Ground to an agreed specification; (ii) upgrading and refurbishment of the Garlinge Primary School swimming pool and it being made available for community use; (iii) provision of community access to Garlinge Primary School's existing U14 junior football pitch; and (iv) provision of a new pedestrian link between Garlinge Primary School and Garlinge Recreation Ground, being in place prior to the first occupation of the building; a Community Use Agreement covering the usage of the refurbished swimming pool and Garlinge Primary School junior football pitch; a scheme to*

ensure that new playing fields are provided to an acceptable quality (including appropriate drainage where necessary); details of external materials being agreed; the submission of a landscaping scheme and its implementation within the first planting season following construction activities; measures to prevent mud and debris being tracked out onto the public highway; parking being made available on site for construction operatives and construction vehicles during the period of construction works; vehicle and cycle parking (as proposed in the application) being provided prior to the first occupation of the building and permanently retained on site thereafter; the completion of the new vehicular access prior to first occupation of the building and full removal of the existing vehicle crossing and re-instatement of the pedestrian footway; the submission of a Travel Plan (including an implementation programme) prior to the first occupation of the building and on-going monitoring and review thereafter; the implementation of biodiversity enhancement measures; details of external lighting being agreed; a limitation on the hours of construction; a programme of archaeological evaluation prior to commencement of the development and the implementation of any appropriate safeguarding measures (if required); a land contamination study being undertaken together with a verification report; and details of surface water drainage measures being agreed.

65. Proposal DO/10/637 - Detached single storey building for use as a children's centre and nursery at The Downs CEP School, Downs Road, Walmer, Deal; KCC Children, Families and Education
(Item D5)

RESOLVED that, in the light of Sport England's objection, the proposal be referred to the Secretary of State for Communities and Local Government and that, subject to his decision, permission be granted to the proposal subject to conditions, including the standard time condition; the development being carried out in accordance with the submitted details and plans; the hours of use being limited to between 0800 and 1800 hours during the term time; the provision and maintenance of designated vehicle turning and drop off areas and vehicle and cycle parking arrangements at the site prior to occupation of the building; the provision and maintenance of the cycle and footpath to Walmer Science College; precautions to guard against the transfer of mud to the highway during construction; the submission of further details regarding native species to be planted as part of the landscaping scheme; and the submission of the findings of the assessment of the potential for roosting bats at the site prior to the removal of any trees at the site.

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

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

- (a) County matter applications;
- (b) consultations on applications submitted by District Councils and Government Departments;

- (c) County Council developments;
- (d) Screening opinions under Environmental Impact Assessment Regulations 1999; and
- (e) Scoping opinions under Environmental Impact Assessment Regulations 1999.

Revised and Updated Validation Requirements for Planning Applications

A report by Head of Planning Applications Group to Planning Applications Committee on 12 October 2010.

To advise Members of the revised and updated version of the **Validation of Planning Applications** documents (incorporating the local validation requirements for planning applications submitted to the County Planning Authority), in compliance with 2010 Government requirements, and to seek authority for public consultation before adoption.

Recommendation: Members note the revised contents and format of the Validation of Planning Applications documents and authorise the necessary public consultation on the contents.

Local Member(s): All

Classification: Unrestricted

Background

1. Members of the Committee in 2008 will recall that all Planning Authorities were required by Government at the time to adopt validation documents, to streamline the planning application process by providing guidance on the necessary information to accompany planning applications. The objective was to introduce greater clarity and certainty for applicants, as well as some improvement in the quality and consistency of the information available to Planning Authorities. The County Planning Authority's current version of the *Validation of Planning Applications* document was approved by the Planning Applications Committee in June 2008 and was subsequently published on the Council's website.
2. Validation is the process by which the Planning Authority decides whether it has sufficient and correct information with which to commence the processing of a planning application. To minimise uncertainty for planning applicants and potential delays in the processing, all Planning Authorities were required to adopt new national validation criteria, comprising the following:
 - completed application form
 - correct application fee
 - ownership certificate
 - agricultural holdings certificate
 - Design and Access Statement
 - site location plan
 - other plans and drawings necessary to describe the application
 - Environmental Statement where applicable.
3. Failure to supply the above information results in the application being declared invalid, but Planning Authorities are unable to treat applications as invalid if they meet these statutory minimum requirements, until they have adopted a local list of further information requirements. As well as setting out the national list of statutory information requirements, Government guidance made provision for each Planning Authority to agree its own local list of further information requirements to reflect the particular local circumstances and planning policy requirements operating in their area.

Revised Validation Requirements for Planning Applications

4. All Kent Planning Authorities have since adopted a list of local requirements to accompany the national minimum requirements. However, the local requirements had to be selected from a list already prepared and included in the Government guidance, except where the Planning Authority had some special local justification. To ensure further countywide consistency in the local requirements, the Development Control Forum of the Kent Planning Officers' Group jointly produced draft documentation for the *Validation of Planning Applications*, which most of Kent Authorities have used as a template for their own documents. The County Planning Authority's version is too large to append to this Report, but a copy of the full document is available on the County Council's website, and structured as follows:

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

Section 2 – lists of the national information requirements and of the local information requirements for validation, including the Planning Policy Statement and Development Plan Policy justifications for the selected documentation

Section 3 – *Validation Checklists* for the eight different types of application made to the County Planning Authority, including the mandatory national requirements and the discretionary local requirements.

Current Situation

5. There has been mixed experience since the adoption of validation documents, in that whilst benefits have been introduced for both applicants and Planning Authorities, the local information requirements have tended to be a 'double edged sword'. In particular, the more precise requirements have been less open to interpretation and have been equally responsible for delaying and complicating the submission of applications as well as speeding up and simplifying the process. This is partly because the Government guidance tended to view all applications as if of similar scale and impact, when there is clearly a great difference between applications for say house extensions and ones for say waste management operations. Faced with having to produce one-size-fits-all guidance, most Planning Authorities have understandably erred on the side of caution and inadvertently produced over elaborate lists of local information requirements. For major category applications that has clearly assisted the process, but for minor proposals the information requirements have often been unduly onerous and disproportionate.
6. In view of the unintended consequences of the new validation ground rules, the Government produced revised guidance in March 2010 (*Guidance on Information Requirements and Validation*) requiring planning authorities with published local lists to review them by the end of 2010. Such reviews should include revisiting the local lists, reporting any proposed changes to the Planning Authority, consulting relevant stakeholders on the proposed changes and then publishing a revised list. In revising their lists of local requirements, authorities are advised to consider the following principles:
- **necessity** – *driven by statutory requirements, adopted policies or published guidance*
 - **precision** – *clarity over which types of development require such information*
 - **proportionality** – *commensurate with the nature and scale of the proposal and sensitivity of its location*

Revised Validation Requirements for Planning Applications

- **fitness for purpose** – *clarity on the information required, being proportional and concise*
 - **assistance** – *guidance on where further information can be sought.*
7. Given the changing landscape of planning policy and guidance since the County Council's document was published, we have embarked upon a general revision of the entire documentation, to update the changing policy context and emerging guidance and sources of further information, as well as to review the local information requirements with regard to the above principles. Noteworthy since the document was first produced is the demise of the Kent and Medway Structure Plan and the dismantling of the South East Plan, which together provided much of the policy drivers for the requirements. It also needs to be borne in mind that relevant background information and guidance is evolving all the time, so any published document quickly becomes outdated; one advantage of publishing documentation on websites is that the detailed contents and references can be more regularly updated.
8. The latest guidance advises that local lists of information requirements should be presented clearly and precisely, and ideally in the form of a matrix of requirements (ie. in tabular form). One obvious way in which the County Council's documentation can be made more accessible and concise, is to separate out the requirements for County Council development proposals from those for waste developments since the requirements vary greatly. The County Council developments include many minor scale proposals as well as some major building proposals, whereas the major waste proposals tend to be more complex and are usually also subject to Environmental Impact Assessment. In the interests of proportionality and accessibility, we have therefore produced two separate but companion documents, with each adopting a similar format, style and language despite the differing contents and requirements. Given the size of the validation documents (including the matrices) they are not appended to the paper form of this report but will be available on the Planning Applications Committee web pages when the report is published. A copy will also be made available in the Members room.

The County Council Development Document

9. The revised version for the County Council development planning applications is now reduced from some 80 plus pages down to 25, and includes an abbreviated Section 1 (Introduction), an updated, abbreviated and clarified Section 2 (Information Requirements), and a streamlined Section 3 (Validation Checklist). In particular, the General Requirements in Section 2 contain some updated and clearer indications of when such information is mandatorily required and where it is not (eg. confirming that Design and Access Statements are not required for fences and oil tanks, etc.), whereas the Local Requirements have been substantially consolidated into a spreadsheet format, albeit with little alteration in their range and scope. The spreadsheet contains an extra information item which has arisen more recently, in that Coal Mining Risk Assessments are now required for certain developments in the former East Kent Coalfield, plus substantially updated policy references and further information sources (in columns 2 and 6), as well as more clarity on when such information is needed and not needed (in column 3). In order to streamline Section 3, the previously largely repetitive eight Validation Checklists have been reduced to one composite/generic checklist that could be used for most types of application/submission. Note that the checklists are no longer a statutory requirement, but some applicants find them useful as an *aide memoire*, and they do assist the planning officers when registering and validating major category applications.

Revised Validation Requirements for Planning Applications

10. Clearly a key watch word for revising the documentation is 'proportionality', and it is important to try and avoid unduly burdening planning applicants with requirements for information which is over and above what is genuinely needed to assess the proposed development. In this regard, it is important to avoid the absurd situation of some minor applications, e.g. fences, flagpoles, car parks, being technically invalid due the absence of roof plans – even a roof plan for a mobile classroom unit is little more than a sheet of blank paper. However, it is difficult to keep guidance concise and reader friendly, as now intended, if we were to produce detailed requirements for every type of application, type of development and type of site sensitivity within the ambit of County Council development alone, given that the requirements for small buildings; fences, car parks, etc. vary greatly from the technical information requirements for road schemes, academy developments and major residential care homes, etc. Other developments such as floodlit sport pitches and wind turbines have information requirements largely unique to themselves but those will still vary depending on the precise location, neighbouring land uses, etc.. Under the circumstances, the revised guidance includes some additional pointers as to which particular developments might be exempt from a particular requirement, but in many cases there will still need to be a reliance on some common-sense pragmatism on behalf of planning officers.

The County Matter (Waste) Document

11. The revised version of the validation document for the waste development planning applications is now reduced from some 80 plus pages down to 20, and also includes an abbreviated Section 1 (Introduction), an updated, abbreviated and clarified Section 2 (Information Requirements), and a streamlined Section 3 (Validation Checklist with composite checklist). The Local Requirements have also been substantially consolidated into a matrix format, with some updating and additional requirements specific to waste proposals. The waste validation note similarly contains reference to the need for Coal Mining Risk Assessments which are now required for certain developments in the former East Kent Coalfield. The matrix contains updated policy references and further information sources which it is hoped applicants will find particularly useful.
12. The checklist itself, as with that for County Council development is now one generic/composite list that will be applicable to most types of application/submission. Applicants are required to indicate from the list which accompanying documents they are submitting, and if they decide not include any that relate to their proposals then they must provide an explanation as to why.
13. It is hoped that the revised validation note for waste is now specifically tailored to assist applicants to identify the additional information required and the form it should take, whilst meeting the five guiding principles identified in paragraph 6 above. Again, however, there will remain the need for professional judgement and a common-sense approach on the part of planning officers validating applications. Following Government's current advice this validation note does not apply to mineral related developments.

Summary

Revised Validation Requirements for Planning Applications

14. As stated earlier in this report the Government guidance requires that any revisions to local lists should be issued to the local community, including applicants and agents, for consultation. It is intended that a consultation draft of the revised and updated validation documents be published on the planning pages of the County Council's website inviting comment, and similar consultation be carried out as in 2008 with our regular applicants and agents. The consultation period shall last not less than 8 weeks, after which time any consultation responses will be considered and changes made as necessary. A final list will then be reported back to Members for approval prior to publishing the final version for use on the website. The whole process of reviewing, revising and publishing the local list should be completed by the end of December this year.
15. As with any information made available on websites it is important to keep as up-to-date as possible. With this in mind I would ask Members to agree to delegating powers to the Head of Planning Applications Group to ensure that the references within the validation documents are updated as and when new advice/guidance/policy is published to ensure they remain technically up to date. However, the format and Government requirements will not be altered without a report back to Committee.

Recommendation

16 I RECOMMEND that Members:

- NOTE the proposed revision and updates to the County Council Development and Waste Planning Applications Validation documents,
- AUTHORISE the Head of Planning Applications to carry out consultations with relevant stakeholders on the revised documents, including via the County Council's website; and
- DELEGATE to the Head of Planning Applications the more regular updating of the references to current policy documents and the technical and policy guidance cited in the validation documents when published on the County Council's website, to ensure they remain technically up to date in between the formal reviews of the contents.

Case Officers – Jerry Crossley/Andrea Hopkins	01622 221052/56
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Background Documents –

- *The Validation of Planning Applications: Guidance for Local Planning Authorities* (December 2007) Department for Communities and Local Government.
- *Guidance on Information Requirements and Validation* (March 2010) Department of Communities and Local Government.
- *Validation of Planning Applications* (October 2008) Kent County Council.
- *Validation of County Council Development Planning Applications* (October 2010) Kent County Council
- *Validation of Waste Planning Applications* (October 2010) Kent County Council.

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Validation of County Council Development Planning Applications

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

Revised 2010

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

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

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

This Note is in three sections:

Section 1 provides the Introduction

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

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

Section 1 Introduction

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

The Note seeks to:

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

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

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

Why such information is needed

Some information, and a fee, is required by law when an application is submitted. In addition, current national regulations give planning authorities the power to require applicants to provide additional information in the interests of good and efficient decision making¹.

Different types of applications will require different levels of information and supporting documentation to be submitted. The Department of Communities and Local Government has published guidance² recommending that local planning authorities specify the scope of information

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

Common reasons why applications are invalid

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

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

Data Protection and the Internet

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

The Validation Process

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

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

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

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

If further information or a fee is required

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

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

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

Online and electronic submissions

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

Please structure your electronic submission in the following way:

- No individual file is greater than 5MB;

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

Where to find more help

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

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

Notes:

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

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

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

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

² *Guidance on Information Requirements and Validation* (March 2010).

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

Section 2 Information Requirements

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

Part 1 -GENERAL REQUIREMENTS

CORRECT FEE REQUIRED FOR ALL APPLICATIONS UNLESS SPECIFICALLY EXEMPT

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

Applications to meet the Disability Discrimination Act, re-submissions of previously withdrawn applications (within 12 months of the original submission), and re-submissions of previously refused applications for the same described development (within 6 months of the refusal) are exempt from fees.

OWNERSHIP CERTIFICATE...REQUIRED FOR ALL FRESH APPLICATIONS

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

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

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

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

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

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

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

AGRICULTURAL HOLDINGS CERTIFICATE *REQUIRED FOR MOST FRESH APPLICATIONS*

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

PART 1 NOTICE *REQUIRED FOR SOME FRESH APPLICATIONS*

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

Drawings

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

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

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

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

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

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

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

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

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

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

SECTIONS *REQUIRED FOR MOST BUILT DEVELOPMENT APPLICATIONS*

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

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

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

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

DESIGN AND ACCESS STATEMENT *REQUIRED FOR MOST PLANNING APPLICATIONS*

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

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

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

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

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

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

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

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

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

Government Policy or Guidance:

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

Supplementary Planning Documents or Guidance:

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

Other Documents:

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

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

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

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

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

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

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

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

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

Government Policy or Guidance:

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

Part 2 - LOCAL REQUIREMENTS

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

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

Minor developments

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

Major Transport projects

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

Major Building projects

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

SEE MATRIX OF LOCAL INFORMATION REQUIREMENTS IN APPENDIX

FURTHER INFORMATION AND CONTACTS

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

Department for Communities and Local Government – www.communities.gov.uk

Planning Portal – www.planningportal.gov.uk

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

Kent County Council – www.kent.gov.uk

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

Natural England – www.naturalengland.org.uk

For information on nature conservation and biodiversity.

Environment Agency – www.environment-agency.gov.uk

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

CONTACT US

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

Tel: (01622) 221070

Fax: (01622) 221072

Email: planning.applications@kent.gov.uk

Section 3 - Validation Checklist

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

Application for Full Planning Permission

Application for Outline Planning Permission with some OR all matters reserved¹

Application for Approval of Reserved Matters following an outline permission¹

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

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

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

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

Note:

¹ Note that outline applications cannot be accepted for proposed changes of use.

Validation Checklist

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

All drawings should include the following information:

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

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

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

Part 1: GENERAL REQUIREMENTS

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

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

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

Part 2: LOCAL REQUIREMENTS

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

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

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

Notes:

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

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

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

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

LOCAL INFORMATION REQUIREMENTS FOR KCC DEVELOPMENT APPLICATIONS

Information Item	Policy Drivers	Relevant Proposals	Locational Criteria	Item Content	Further Information
Air Quality Assessment	PPS 23 <i>Planning and Pollution Control</i> - Annex 1 Environment Act 1995 - Part IV (Local Air Quality Management) DEFRA Policy Guidance LAQM.PG(03) - Chapter 7 Possible Local Development Framework Policies on air quality	Major category developments*, especially with residential elements, eg. care homes, traveller sites, and special schools Developments with possible high levels of air pollution, such as new transport infrastructure Unlikely to be needed for minor proposals	Sites within Air Quality Management Areas or generating additional traffic in such areas	Adequate air quality information to enable the Council to assess the likely impact on local air quality, including any cumulative effects and any mitigating measures to offset any increase in local pollutant emissions resulting from the development	<i>Planning for Air Quality</i> (NSCA) * NOTE THAT MAJOR CATEGORY DEVELOPMENTS ARE THOSE ON SITES EXCEEDING 1 HECTARE IN COMPRING NEW BUILDING WORK OF 1000 SQUARE METRES OR MORE
Biodiversity	PPS 9 <i>Biodiversity and Geological Conservation Planning for Biodiversity and Geological Conservation: A Good Practice Guide</i> - ODPM (2006) <i>Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System</i> - DCLG Circular 06/05 Possible Local Development Framework Policies on biodiversity	Proposals affecting internationally, nationally and/or locally designated nature conservation sites (SACs, SPAs, RAMSARs, SSSIs, LNRs, and/or LWSs, SLNCVs and SNCIs) Proposals affecting natural or semi-natural vegetation/habitat (eg. woodland, hedgerows, ponds and grassland, etc.) Proposals where protected species are known or likely to occur, such as bats in buildings to be demolished or land with ponds or terrestrial habitats where great crested newts may be present	Potentially any site countywide, but especially within or adjacent to designated protection areas	Ecological Site Assessment should provide up to date information on habitats on site and links to other habitats, species present or likely to be, records search, likely impacts, mitigation and enhancement opportunities, with reference to any Ancient Woodland, Important Hedgerows or Biodiversity Action Plan priority habitats on or adjacent to the site Ecological Surveys are needed if proposals directly or indirectly affect protected species and/or any designated sites, with advice sought from Natural England or Kent Wildlife Trust as appropriate Protected Species Surveys are needed if the site or surroundings may contain species such as bats, badgers or great crested newts to establish their presence/absence, the population levels, likely impacts and scheme of mitigation and compensation Where survey information is required, there should be an initial assessment of the site, a full ecological report (including likely impacts and proposed mitigation), full assessment of likely effects and avoidance/mitigation where international/national sites are affected (with scoping advice from Natural England), and assessment/survey information where protected species, locally designated sites or priority habitats are affected	Kent and Medway Biological Records Centre <i>Wildlife and Development</i> - Natural England (2006) <i>Bat Surveys - Good Practice Guidelines</i> - Bat Conservation Trust (2007) <i>Great Crested Newt Mitigation Guidelines</i> - NE (2001) <i>Badgers and Development</i> - NE (2007) <i>Guidance on Managing Woodlands with Dormice in England</i> - Forestry Authority (2007) <i>Dormouse Conservation Handbook</i> - NE (2006) <i>Water Vole Guidance for Planners and Developers</i> - NE Reptile Survey - Froglife Advice Sheet 10 <i>Guidance on Survey Methodology</i> - Institute of Ecology and Environmental Management <i>Planning to Halt the Loss of Biodiversity - Conservation Standards for Planning in the UK</i> - British Institute Publication (PAS 2010:1206) <i>Validation of Planning Applications</i> - Association of Local Government Ecologists (2007)
Coal Mining Risk Assessment	PPG 14 <i>Development on Unstable Land</i> including its Appendices and Annexes	Any built development projects within Coal Mining Development Referral Areas Unlikely to be needed for small scale building projects and minor extensions, and not needed for other minor works such as fencing, gates, poles, play equipment, etc.	Any site within the Coal Mining Development Referral Areas, in Dover and Canterbury District Council areas Not relevant in other parts of the County	Assessment* should be prepared by appropriately qualified person to cover: site specific coal mining information (past underground mining, mine gas or surface mining); risk and cumulative effects from coal mining; mining influences on design and any mitigation; and any intrusive development or activity affecting coal mines/workings	Coal Authority website (www.coal.gov.uk/services/planning) Coal Authority Planning and Local Authority Liaison Department (planningconsultation@coal.gov.uk) *NOTE THAT COULD BE INCORPORATED WITHIN ANY REQUIRED ENVIRONMENTAL STATEMENT
Contaminated Land Investigation	PPS 23 <i>Planning and Pollution Control</i> - Annex 2 Possible Local Development Framework Policies on ground contamination	Major category developments, especially with residential elements, eg. care homes, traveller sites, and special schools If initial desktop and walkover study suggests contaminants may be present Where contamination is known or suspected Less likely to be needed for minor proposals	Where previous use of the site (or adjacent site) could have caused contamination (eg. industrial processes, petrol filling stations, institutional/residential with fuel storage, agricultural chemical storage, vehicle parking/servicing, etc.)	Investigation of potential pollutants and how any contamination would be addressed, including a desktop and site walkover study, and where contamination is known or suspected a preliminary risk assessment with a conceptual model identifying pollutant sources, pathways and receptors plus options for remediation	BS10175 <i>Code of Practice for the Investigation of Potentially Contaminated Sites</i> (2001) BS5930 <i>Code of Practice for Site Investigations</i> (1999) Contaminated Land Report 11 - <i>Model Procedures for the Management of Land Contamination</i> (2004) EA <i>Guidance on Requirements for Land Contamination Reports</i> (2005)

Drainage - Foul Sewerage Assessment	PPS 23 <i>Planning and Pollution Control Planning Requirements in Respect of Non-Mains Sewerage</i> - DETR Circular 03/99 Approved Document Part H of the Building Regulations 2000 Possible Local Development Framework Policies on drainage	Major category developments, plus any involving significant discharges to foul drainage, and especially care homes and traveller sites	Potentially any site countywide	Description of the type, quantities and means of disposal of any effluent, demonstrating compatibility with existing land uses and no future drainage capacity problems, including advice from utility company confirming existing spare capacity, or signed agreements to provide additional infrastructure Proposed connections to existing drainage systems should be detailed on the application drawings, whereas the use of soakaways will require percolation tests Scaled plans of any new or altered foul drainage drainage arrangements will also be needed, including location plan, sections/elevations and specifications	<i>Water Services Infrastructure Guide</i> - Thames Water (2007)
Drainage - Surface Water Assessment	PPS 1 <i>Delivering Sustainable Development</i> PPS 25 Development and Flood Risk Possible Local Development Framework Policies on flood risk	Operational development of less than 1 hectare site size falling within Flood Zone 1 Where a known drainage problem exists and some reassurance is needed that flood risk has been addressed <i>See Flood Risk Assessment for Zones 2 and 3 and developments over 1 hectare in Zone 1</i>	Potentially any site In Flood Risk Zone 1	Assessment needed for developments likely to generate significant increase in water flow across and from the site, including the scope for Sustainable Urban Drainage Systems to control surface water run-off as near to its source as possible	EA's <i>Development and Flood Risk: A Practice Guide Companion to PPS 25</i> CIRIA C522 Document <i>Sustainable Urban Drainage Systems Design Manual for England and Wales</i> and Interim Code of Practice for Sustainable Drainage Systems CIRIA C635 Document <i>Designing for Exceedance in Urban Drainage - Good Practice</i>
Economic Statement	PPS 4 <i>Planning for Sustainable Economic Growth</i> Possible Local Development Framework Policies on local economy, employment and skills, agriculture, tourism, etc.	Where any significant economic growth or regeneration benefits apply, or might be enabled, such as major transport infrastructure Unlikely to be needed for minor proposals	Where in nationally/regionally significant areas, such as Thames Gateway or Ashford, requiring consultation with the South East England Development Agency	Explanation of any economic growth/regeneration benefits from the proposed development, including new jobs created/supported, relative floorspace totals, any community benefits, and any supporting regeneration strategies	<i>Kent Prospects 2006-2012</i> - KCC (2006) <i>Kent Regeneration Strategy</i> - KCC (2008)
Flood Risk Assessment	PPS 25 <i>Development and Flood Risk Development and Flood Risk: A Practice Guide Companion to PPS25</i> - EA (2007)	Major category developments and especially where new buildings, significant extensions and changes of use are within the floodplain or adjacent to a Main River Engineering operations, land raising or significantly increasing surface water run-off to watercourses and soakaways, etc. Less likely to be needed for minor proposals	Any development within Flood Zones 2 and 3 including changes of use with more vulnerable occupants (with a few exceptions) Any development of a site in Flood Zone 1 exceeding 1 hectare Where the Environment Agency, Internal Drainage Body or other relevant bodies have indicated there may be a drainage problem	Assessment to establish the impact of the proposed development on the floodplain and level of risk to the occupiers, including the sequential testing of alternative sites, an exceptions test for the type of development, plus any mitigating measures and emergency evacuation procedures necessary	National Standing Advice to Local Planning Authorities on <i>Development and Flood Risk - England- User Guidance Note</i> (2004) Environment Agency's <i>Flood Risk Matrix</i> (www.pipernetworking.com/floodrisk/matrix.html)
Green Belt Statement	PPG 2 <i>Green Belts</i> Possible Local Development Framework Policies in West Kent relating to the Metropolitan Green Belt	Where any new built development, changes of use or extended uses are proposed in the Green Belt, but less likely to be needed for minor proposals where there are no impacts on the openness of the Green Belt Not needed for sites outside the Green Belt	Any new built development or changes of use within the Metropolitan Green Belt areas in Tunbridge Wells, Sevenoaks, Tonbridge and Malling, Dartford and Gravesham Boroughs unless within existing built-up areas of settlements that have been excluded from the Green Belt in a Local Development Framework	Explanation as to whether the proposed development is 'appropriate development' in the Green Belt, and if not what 'very special circumstances' might exist to justify such development, including an exploration of alternative non-Green Belt sites and the potential impacts of the development on the openness of the Green Belt	None
Heritage Statement	PPS 5 Planning for the Historic Environment DCLG's <i>Historic Environment Planning Practice Guide</i> (2010) Possible Local Development Framework Policies on heritage assets (Conservation Areas, Listed Buildings, Ancient Monuments, Historic Parks and Gardens, historic landscapes, arcadian areas, etc.)	Major category developments, and any minor developments affecting heritage assets or the setting of such assets, plus developments involving the demolition of older buildings	Any development directly or indirectly affecting heritage assets (Conservation Areas, Areas of Archaeological Potential, World Heritage Sites, Listed Buildings, Historic Park and Gardens, Scheduled Ancient Monuments, etc.) or sites on KCC's Historic Environment Record or known or likely to contain archaeological remains	Assessment of the nature, extent and importance of any archaeological remains, heritage assets or older buildings to be removed, including a desktop evaluation of existing information and any necessary field evaluations, details of the preservation of any archaeological remains in situ or of their excavation and recording as appropriate	Early liaison with the County Archaeologist is advised to establish the archaeological implications, together with assistance from an appropriately qualified historic environment specialist, with pre-application liaison with Local Authority conservation officers

Landscaping Plan/ Strategy	PPS 1 <i>Delivering Sustainable Development</i> PPS 7 <i>Sustainable Development in Rural Areas</i> Possible Local Development Framework Policies on landscaping and tree and hedge protection	Major category developments, and any minor developments, unless the Design and Access Statement demonstrates it is not necessary or relevant for the site or development Applications for full permission should be prepared with final landscaping proposals in mind, whereas applications for outline permission should indicate the intended landscaping structure	Any site which includes external space for visual enhancement or amenity protection though the use of either hard (fences, walls, bunds) or soft (trees, shrubs, hedges) landscaping treatment	Proposals to be an integral part of the site development plans, demonstrating how landscaping is to be incorporated into the design including proposals for long term maintenance and landscape management Landscape Strategies are less detailed and used for major category developments where full details cannot be provided at the planning application stage Landscaping Plans provide the hard and soft landscaping details and highlight both the implementation and maintenance	KCC's <i>Kent Design Guide</i> (2006)
Landscape/ Townscape Assessment and Visual Impact Assessment	PPS 1 <i>Delivering Sustainable Development</i> PPS 7 <i>Sustainable Development in Rural Areas</i> Possible Local Development Framework Policies on landscape/ countryside character, Areas of Outstanding Natural Beauty, Special Landscape Areas, Conservation Areas, Listed Buildings, historic landscapes, rural lanes, etc.	Major category developments, and any minor developments, unless the Design and Access Statement demonstrates it is not necessary or relevant for the site or development	Sites within or visible from the open countryside or likely to affect the natural beauty or character of the rural landscape, especially Areas of Outstanding Natural Beauty Sites visible from within or close to Conservation Areas, Listed Buildings, Historic Park or Garden or other important visual amenity	Assessment of the potential effects of major and medium scale development on the character and appearance of the landscape or townscape, including identifying the characteristics of the landscape/townscape that forms the context for the site, with special reference to any Landscape or Conservation Area Assessments or any landscape designations and Landscape Character Area Assessments Landscape/Townscape and Visual Impact Assessments should be carried out by an appropriate professional in accordance with the 2002 Guidelines In AONBs a full assessment of the potential impacts on local landscape character using Landscape Character Assessment good practice guidelines is needed and the AONB Management Plan should be used to inform ways of maintaining landscape character and distinctiveness	<i>Guidelines for Landscape and Visual Impact Assessment (2nd Edition)</i> - The Landscape Institute and Institute of Environmental Management and Assessment <i>The High Weald AONB Management Plan</i> (2004) <i>The Kent Downs AONB Management Plan</i>
Lighting Impact Study/Details of Lighting Scheme	DCLG's <i>Lighting in the Countryside</i> (1997) DCLG's <i>Manual for Streets</i> (2007) Possible Local Development Framework Policies on lighting and pollution impacts	Major category developments, and any minor development proposals involving external lighting, including sports floodlighting, car parks, security, amenity and architectural lighting	Any urban, suburban or rural site	Full details of any external lighting should be submitted with the planning application, to include details of the number, type and height of luminaires, location and intensity of the installation and the proposed hours of use A Lighting Impact Study will be required for most floodlighting proposals and especially for sports grounds or developments close to housing or within the open countryside Applications for sports lighting should include Lux contour details indicating any spill of light outside of the site onto adjacent properties or highways	DCLG's <i>Planning Factsheet 2: External Lighting Guidance Notes for the Reduction of Obtrusive Light</i> - Institute of Lighting Engineers (2005)
Listed Building and Conservation Area Statement	PPS 5 <i>Planning for the Historic Environment</i> Possible Local Development Framework Policies on Listed Buildings and Conservation Areas	Any development proposals affecting Listed Buildings or Conservation Areas, including affecting the setting of as Listed Building or where adjacent to a Conservation Area <i>Note that any works proposed to Listed Buildings also require Listed Building Consent from the District Planning Authority, and any proposals for the demolition of buildings within a Conservation Area might also require an application for Conservation Area consent from</i>	Any site that includes Listed Buildings or is within a Conservation Area, or adjacent to either and likely to affect its setting	Listed Building Design and Access Statements should set out the design principles and concepts applied to the works and how access issues are addressed, and explain how they have been applied to scale, layout and appearance, taking account of: the special architectural/historic significance; the particular physical features justifying Listing; a schedule of proposed works; the impact on the special interest and character; the	Advice should be sought from the appropriate Council's Conservation Officer before submitting such applications

		<i>the District Planning Authority</i>		justification for the works, plus the mitigation Conservation Area Assessments should address how the proposal has been designed, having regard to the character and appearance of the Conservation Area (and could form part of the Design and Access Statement) and should include: a schedule of proposed works; the impact on the character and appearance of the Conservation Area; and the impact on the setting of any Listed Buildings	
Noise Impact Assessment	PPG 24 <i>Planning and Noise</i> Possible Local Development Framework Policies on noise and pollution impacts	Any development likely to generate high levels of noise, such as transport projects, highway depots, outdoor sports facilities and any facility with regular movement of commercial vehicles, such as major category developments with long periods of construction activity New residential care accommodation and gypsy/traveller sites if adjacent to major sources of noise, eg. quarries, roads, railways, industry, etc.	Any location where noise generating activity could impact on residential areas, or any location already impacted by noise nuisance	Assessment of existing and predicted noise levels as a result of the development, including decibel contours and/or receptor point measurements, plus any proposed mitigation measures with the resulting noise levels following any attenuation	Advice should be sought from a qualified acoustic specialist or the relevant District Council Environmental Health Officer
Open Space Assessment	PPG 17 <i>Planning for Open Space, Sport and Recreation Assessing Needs and Opportunities: A Companion Guide to PPG17</i> Possible Local Development Framework Policies on open space protection and/or provision	Any development proposals that would result in the loss of open space, or having significant implications for Public Rights of Way	Any site comprising open space or crossed by Public Rights of Way, including all open space of public value, including rivers, canals and lakes	Assessment of any open space lost or directly affected by the proposed development, with any measures to replace or compensate for such impacts. Assessment of any impacts on Public Rights of Way, with any proposed mitigation and any opportunities to improve facilities for walkers, cyclists, horse riders, such as adding links to the existing rights of way network	KCC's <i>Countryside Access Improvement Plan</i>
Parking/Service Statement	PPS 1 <i>Delivering Sustainable Development</i> PPG 13 <i>Transport</i> Possible Local Development Framework Policies on parking and servicing provisions	Major category developments, and any minor proposals involving new, extended or intensified residential, recreational, educational, community or employment activity, including schools, libraries, care homes, country parks and Council office premises Unlikely to be needed for any proposals not involving any increase in numbers of persons or vehicles	Potentially any site countywide	Statement of how much vehicle parking is to be provided and how to be accommodated, including provision for cycles, buses and lorry parking as appropriate, and cater for employees, residents, visitors, suppliers and servicers, plus how the design of the development ensures parking is well related to the activity/property served, and how the design ensures security such as through good surveillance Proposals for significant building works should include provision for contractor's vehicles and the delivery of construction materials	KCC's <i>Kent Vehicle Parking Standards</i> (2003)
Planning Statement	PPS 1 <i>Delivering Sustainable Development</i>	For all development proposals other than those for minor works, plant and equipment, such as fences, gates, poles, oil tanks, play equipment, etc.	Potentially any site countywide	Statement identifying the context and need for the proposed development and how it accords with relevant Development Plan Policies and policy guidance, including details of any pre-application consultations and community engagement, plus any further supporting or background information not included on either the Application Form or in other accompanying documents (eg. need and justification for and benefits/implications of the proposed development)	<i>NOTE THAT DETAILS OF NEED AND PERSONAL CIRCUMSTANCES SHOULD NOT BE ENTERED ON THE APPLICATION FORM, OR AS PART OF THE DESCRIPTION OF PROPOSED DEVELOPMENT</i> <i>NOTE THAT A SEPARATE STATEMENT OF COMMUNITY INVOLVEMENT WILL BE APPROPRIATE FOR MAJOR CATEGORY APPLICATIONS</i>
Public Art	PPS 1 <i>Delivering Sustainable Development</i> Possible Local Development Framework Policies on public	For development affecting publicly conspicuous sites, or where specifically required by LDF Policy.	Potentially any conspicuous site countywide	The provision of, or contribution towards, some public art as part of the proposals	KCC's <i>Kent Design Guide</i> (2006)

	art contributions in public spaces	such as part of transport or major development projects, especially with new public realm areas Unlikely to be needed for minor developments		could be investigated as part of the Design and Access Statement	
Refuse Collection Arrangements	DCLG's <i>Manual for Streets</i> (2007) DCLG's <i>Safer Places - The Planning System and Crime Prevention</i> -2004 Building Regulations 2005 Possible Local Development Framework Policies on refuse collection	For new of substantially expanded schools, care homes, gypsy/traveller sites, country park visitor facilities, Council office developments, etc. Less likely to be needed for minor proposals	Potentially any site countywide	Details of the provision for storage, collection and disposal of refuse arising from the proposed development, including the arrangements for recycling and access for refuse collection vehicles	None
Renewable Energy Assessment	PPS 1 <i>Delivering Sustainable Development</i> PPS 22 <i>Renewable Energy</i> Possible Local Development Framework Policies on renewable energy	For major category developments and substantial new building projects, such as schools, care homes, libraries and other public buildings, including conversions from others uses Less likely to be needed for minor proposals	Potentially any site countywide	Assessment of the calculated CO2 emissions per annum, the technical feasibility of renewable energy technologies for the site, calculations of the CO2 savings as a % of site predicted CO2 emissions and how a saving of at least 10% can be achieved	KCC's <i>Kent Design Guide</i> (2006)
Statement of Community Involvement	PPS 12 <i>Local Development Frameworks</i> DCLG's <i>Companion Guide to PPS12</i>	For major category developments, or any proposals with substantial community interest, eg. highway proposals with a length of 2 km or more in an urban environment, or 5 km or more in a rural environment Less likely to be needed for minor proposals	Potentially any site countywide	Explanation of how applicant has complied with the pre-application engagement requirements in the KCC Statement of Community Involvement, demonstrating how the views of the local community have been sought and taken into consideration in the formulation of the proposals	KCC's <i>Statement of Community Involvement</i> (2010)
Structural Survey/ Land Stability Survey	PPS 5 <i>Planning for the Historic Environment</i> PPG 14 <i>Development on Unstable Land</i> Possible Local Development Framework Policies on conversion and reconstruction of buildings, especially Listed Buildings	Any proposals involving demolition or alteration of buildings, especially affecting the structural integrity of Listed Buildings Major category development proposals on previously used land Less likely to be needed for minor proposals	Potentially any site countywide where buildings are to be demolished/altered or sited on made ground	Structural Surveys should be prepared by a professionally qualified surveyor, covering the condition of the building and whether it is capable of accommodating the proposed works Land Stability Surveys should assess: the physical capability of the land; possible adverse effects of any instability; possible adverse effects on adjacent land; possible effects on local amenities and conservation interests; and any proposed remedial or precautionary measures	None
Sunlight/Daylight Assessment	PPS 1 <i>Delivering Sustainable Development</i> Possible Local Development Framework Policies on light protection and residential amenity aspects	Any new or extended building developments with the potential to interrupt sunlight or daylight to adjacent properties Not needed for proposals with no new buildings	Potentially any site countywide	An assessment of the existing pattern of direct and reflected light, with quantification of the changes for neighbouring properties as a result of the proposed development	<i>Guidelines on Daylighting Assessments</i> - Building Research Establishment
Sustainable Design and Construction Assessment	PPS 1 <i>Delivering Sustainable Development</i> Supplement to PPS1 <i>Planning and Climate Change</i> PPS 22 <i>Renewable Energy</i> Possible Local Development Framework Policies on sustainable design and renewable energy	Any new or extended building or engineering works, including schools, care accommodation, libraries and other public buildings and highway constructions projects Not needed for minor works, plant and equipment, such as fences, gates, poles, oil tanks, play equipment, etc.	Potentially any site countywide	Outline of the elements of the scheme that address sustainable development issues, including the positive environmental, social and economic implications, with an indication of the BREEAM standard being worked towards, and covering methods of construction design and layout of buildings and spaces, their overall environmental performance and the type and source of building materials	KCC's <i>Kent Design Guide</i> (2006)
Transport Assessment and Travel Plan	PPG 13 <i>Transport</i> Possible Local Development Framework Policies on transport management and vehicle parking	Transport Assessments will be needed for major category developments and other developments likely to be major travel generating proposals, plus smaller non-residential developments where local transport impact is critical or where the proposal	Potentially any site countywide	Transport Assessments should indicate site access by all modes and the likely modal split of journeys, measures to improve public transport access, walking and cycling to mitigate transport impacts, plus details of	<i>Using the Planning Process to Secure Travel Plans: Best Practice Guide</i> - ODPM and DfT (2002) GIRO 84 <i>Travel Plans: A Guide for Developers</i> - Transport and Energy Saving Trust <i>Transport Assessments and Travel Plans</i> - Kent Planning

		could prejudice the Local Transport Strategy Travel Plans will be needed for new or expanded schools, libraries, offices, depots and other built development accommodating employees, students or visitors		constrction access and lorry movements for major building projects and highway schemes, the level and location of parking and relevant Local Transport Plan and Borough Transport Strategy proposals Travel Plans should include a package of measures to promote environmentally sustainable travel choices and reduce the level of potential traffic impact of the development, addressing commuter journeys, business travel, visitor movements and deliveries School Travel Plans should be prepared by or in close liaison with the School itself, with guidance sought from KCC's Travel Planning Team (via kent.highwayservices@kent.gov.uk)	Officers' Group (2008)
Transport Assessment Outline Statement	PPG 13 <i>Transport</i> Possible Local Development Framework Policies on transport	New accommodation at schools, libraries, offices, and depots of 500-1000m ² floorspace, and other non-residential proposals with more than 50 person trips per day	Potentially any site countywide	Outline Statement needed for smaller scale non-residential developoments where a full Transport Assessment/Travel Plan is not required, describing the scale and modes of transport provision and any proposed improvements to provision, eg. appropriate car parking provision and any relevant Local Transport Plan or Borough Transport Strategy initiatives	None
Tree Survey/ Arboricultural Assessment	PPS 9 <i>Biodiversity and Geological Conservation</i> Possible Local Development Framework Policies on tree and hedgerow protection	Any building or engineering works that could impact on significant trees, groups of trees or hedgerows on or adjoining the site, whether of special protection status or not Not needed where no trees are affected either directly or indirectly	Potentially any site countywide with trees or hedgerows, but especaally in Conservation Areas and covered by Tree Preservation Orders	Layout plans should identify trees and other vegetation to be retained or lost to the development, as well as on adjoining land Tree Condition Surveys are required where significant trees are affected and possibly a Biodiversity Assessment where significant trees or important hedgerows are to be removed Tree Surveys should provide information on each affected tree, including their contribution to the streetscene, visual amenity and ecological importance	BS 5837 <i>Trees in Relation to Construction (2005)</i> NJUG 10 <i>Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees</i> APN 1 <i>Driveways Close to Trees</i> (1996)
Utilities Statement	Possible Local Development Framework Policies on public utilities	Major category developments Unlikely to be needed for minor developments	Potentially any site countywide	An indication of how the development would connect to exiting utilities (electricity, gas, telecommunications, water supply, foul and surface water drainage), including whether existing infrastructure has sufficient capacity and whther services provided on the site would have adverse environmental effects or harm to trees or archaeological remains	None
Ventilation/ Extraction Details	PPS 1 <i>Delivering Sustainable Development</i> Possible Local Development Framework Policies on ventilation	Any new or extended building developments with kitchen/restaurant uses, including schools, offices, depots, vistor centres, care homes, etc. where substantial ventilation or extraction equipment is to be installed	Potentially any site countywide	Full details of the position and design of any ventilation or extraction equipment, including odour abatement techniques and acousitic characteristics	None
Waste Management Plan	PPS 10 <i>Planning for Sustainable Waste Management</i>	Any proposals involving demolition of buildings or structures Unlikely to be needed for minor developments	Potentially any site countywide involving demolition	An identification of the volume and type of material to be demolished, opportunities for the re-use and recovery of materials, and how off-site waste disposal would be minimised and managed	DTI's <i>Site Waste Management Plans: Guidance for Construction Contractors and Clients</i> (2004)

			<p>Site Waste Management Plans must describe the construction work, the type and quantity of all waste produced, and identify the waste management action proposed, including re-use, recycling, recovery and disposal</p>	
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Validation of Waste Planning Applications

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

Revised 2010

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

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

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

This Note is in three sections:

Section 1 provides the Introduction

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

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

Section 1 Introduction

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

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

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

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

Why such information is needed

Some information, and a fee, is required by law when an application is submitted. In addition, current national regulations give planning authorities the power to require applicants to provide additional information in the interests of good and efficient decision making¹.

Different types of applications will require different levels of information and supporting documentation to be submitted. The Department of Communities and Local Government has published guidance² recommending that local planning authorities specify the scope of information

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

Common reasons why applications are invalid

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

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

Data Protection and the Internet

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

The Validation Process

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

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

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

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

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

If further information or a fee is required

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

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

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

Online and electronic submissions

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

Please structure your electronic submission in the following way:

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

Where to find more help

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

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

Notes:

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

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

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

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

² *Guidance on Information Requirements and Validation* (March 2010).

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

Section 2 Information Requirements

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

PART 1 - GENERAL REQUIREMENTS

CORRECT FEE REQUIRED FOR ALL APPLICATIONS UNLESS SPECIFICALLY EXEMPT

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

OWNERSHIP CERTIFICATE...REQUIRED FOR ALL APPLICATIONS

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

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

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

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

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

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

AGRICULTURAL HOLDINGS CERTIFICATE REQUIRED FOR MOST APPLICATIONS

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

PART 1 NOTICE REQUIRED FOR SOME FRESH APPLICATIONS

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

Drawings

SITE LOCATION PLAN

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

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

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

These plans should also include the following information:

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

- Public Rights of Way

SITE LAYOUT PLAN/BLOCK PLAN

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

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

FLOOR PLANS AND ELEVATIONS

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

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

SECTIONS

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

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

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

DESIGN AND ACCESS STATEMENT

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

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

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

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

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

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

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

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

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

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

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

Supplementary Planning Documents or Guidance:

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

Other Documents:

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

ENVIRONMENTAL STATEMENT

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

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

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

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

Government Policy or Guidance:

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

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

PART 2 - LOCAL REQUIREMENTS

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

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

SEE FOLLOWING MATRIX OF LOCAL INFORMATION REQUIREMENTS

FURTHER INFORMATION AND CONTACTS

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

Department for Communities and Local Government – www.communities.gov.uk

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

Planning Portal – www.planningportal.gov.uk

Kent County Council – www.kent.gov.uk

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

Natural England – www.naturalengland.org.uk

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

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

Environment Agency – www.environment-agency.gov.uk

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

Planning Applications Group, Kent County Council
Advice Note - Validation of Waste Planning Applications

CONTACT US

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

Tel: (01622) 221070

Fax: (01622) 221072

Email: planning.applications@kent.gov.uk

Section 3 - Validation Checklist

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

Application for Full Planning Permission

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

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

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

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

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

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

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

Validation Checklist *to be submitted with application*

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

All drawings should include the following information:

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

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

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

Part 1: GENERAL REQUIREMENTS

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

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

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

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

Part 2: LOCAL REQUIREMENTS

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

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

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

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

Notes:

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

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

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

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

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LOCAL INFORMATION REQUIREMENTS FOR COUNTY MATTER DEVELOPMENT APPLICATIONS

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

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

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

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

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

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

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

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

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

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

<p>Waste Management Plan</p>	<ul style="list-style-type: none"> • PPS 10 Planning for Sustainable Waste Management • Kent Waste Local Plan 1998 Saved Policy W9 	<p>Any proposals involving demolition of buildings or structures. Unlikely to be needed for minor developments</p>	<p>Potentially any site countywide involving demolition.</p>	<p>An identification of the volume and type of material to be demolished, opportunities for the re-use and recovery of materials, and how off-site waste disposal would be minimised and managed. Site Waste Management Plans must describe the construction work, the type and quantities of all waste produced, and identify the waste management action proposed, including re-use, recycling, recovery and disposal.</p>	<ul style="list-style-type: none"> • Site Waste Management Plans Advice – NetRegs website
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Item D1**Proposed Children's Centre, Marden Primary School –
MA/10/1209**

A report by Head of Planning Applications Group to Planning Applications Committee on 12 October 2010.

Application by Kent County Council for the refurbishment of the existing school house located within the boundary of Marden Primary School, and conversion into a self-contained children's centre, with parking to the front and steel fire escape to the rear, Marden Primary School, Goudhurst Road, Marden, Near Tonbridge (Ref: MA/10/1209)

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mrs. P Stockell

Classification: Unrestricted

This application was reported to the 7 September Committee Meeting, but a decision was deferred pending a Members' Site Meeting. That Meeting took place on 29 September and the Secretariat's Minutes are appended, with an update included at para. 25A of this report.

Site

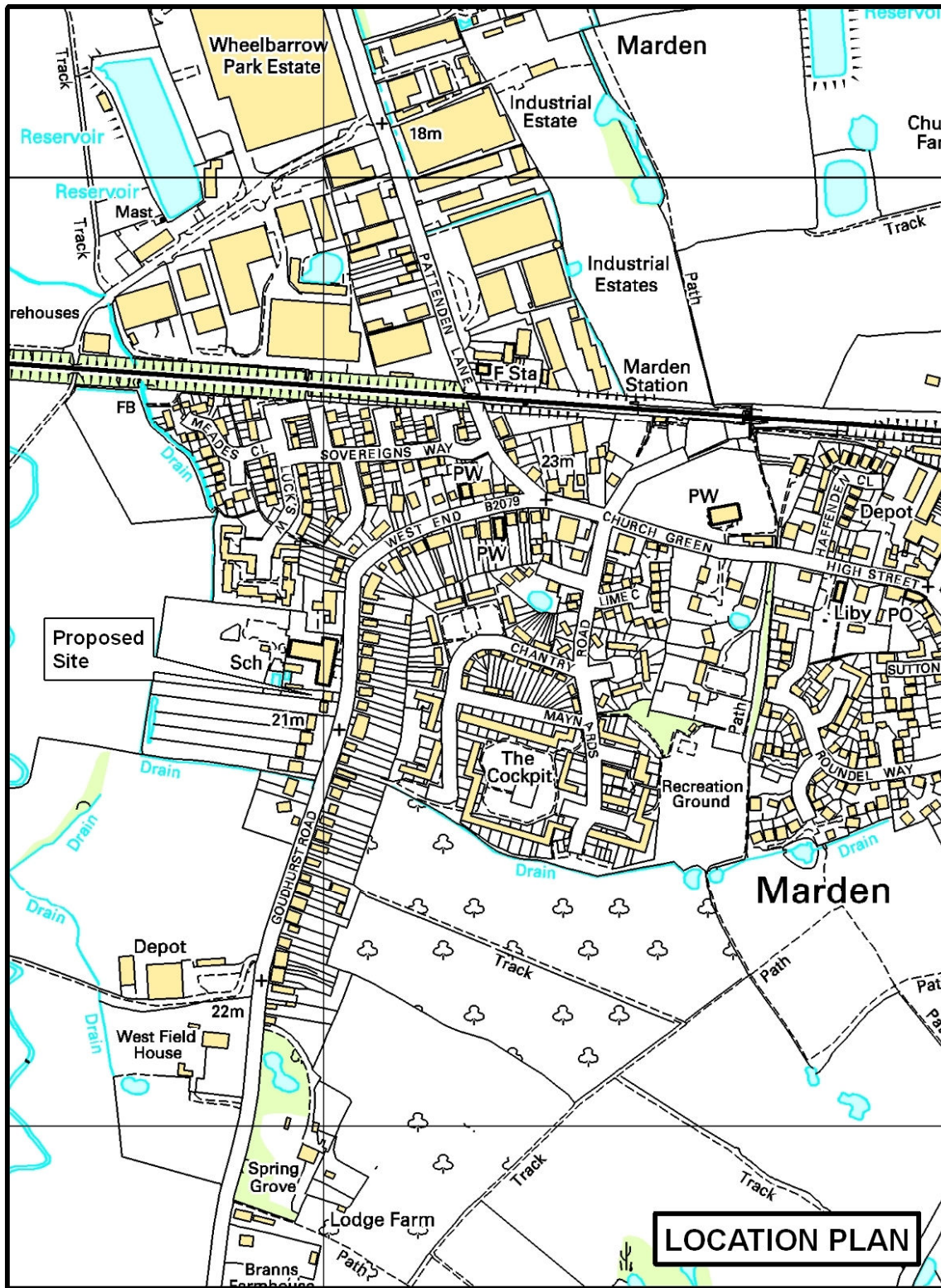
1. The application site forms part of an existing village primary school, and comprises the former school house on the school's road frontage. The property is a detached house and its last stated use is residential, albeit in County Council rather than private ownership.
2. The school site as a whole is included within the built confines of Marden village, fronting the B2079 Goudhurst Road, which is the main road through the village but which increasingly becomes residential away from the village centre. The site is therefore bordered by residential properties, apart from the school itself on the north side (see Site Location Plan). There are no specific Development Plan notations relating to this part of the settlement.

Background

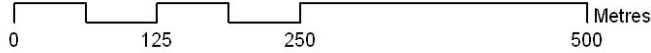
3. This proposal is part of Phase 3 of the national programme of delivering Sure Start Children's Centres, of which 102 are planned to be provided across Kent. These centres aim to provide a range of parent and child services in a more integrated and accessible way than otherwise available. The services include:
 - outreach services for isolated parents/carers and children at risk of social exclusion;
 - information and advice to parents/carers on a range of subjects;
 - support to child minders via a quality assured, coordinated network;
 - activities for children and parents/carers at the Centre;
 - links with Jobcentre Plus; and
 - access to community health services.

The applicants advise that in the main, the Centres build on existing private, voluntary or independent or statutory services for children and families, such as schools, health centres, nurseries and family centres.

Proposed Children's Centre, Marden Primary School – MA/10/1209



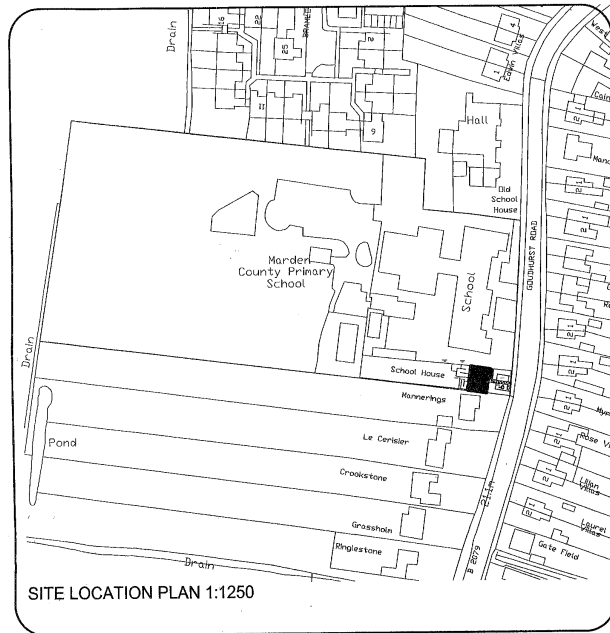
LOCATION PLAN



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Proposed Children’s Centre, Marden Primary School – MA/10/1209

SITE PLAN AND PROPOSED SITE LAYOUT PLANS (Do not scale)



BLOCK PLAN 1:500

- NEW GARDEN GATES
- NEW BOUNDARY FENCE
- EXTING GATE REMOVED
- NEW RAMP
- NEW STEEL FIRE ESCAPE
- SINGLE PARKING SPACE
- DISABLED PARKING BAY
- DROP KERB

Rev	Date	Drawn	Modf	Check	Appr'd
Client: KENT COUNTY COUNCIL					
Project: MARDEN PRIMARY SCHOOL CARETAKERS HOUSE MARDEN TONBRIDGE TN12 9JX					
Title: EXISTING AND PROPOSED PLANS AND ELEVATIONS					
Reason for Issue: PLANNING					
Design: JB			CAD: JB		
Check: SF			Appr'd: SF		
Date: APRIL 2010			Scale: 1:100 UNLESS STATED		

AECOM

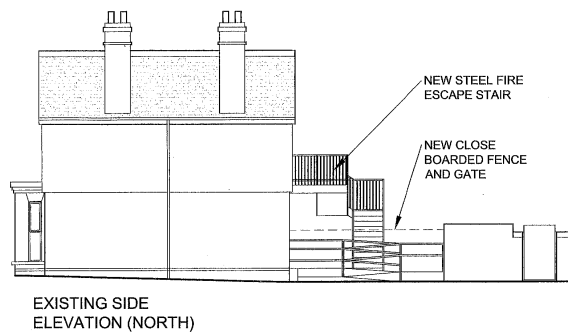
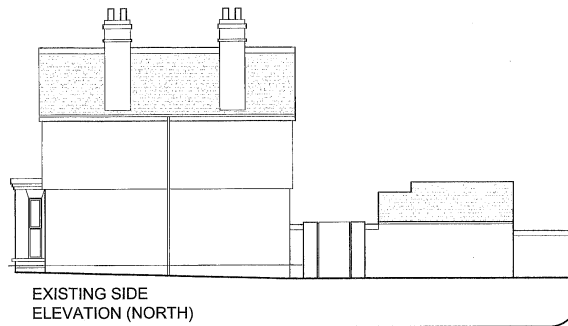
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No. 60098914-116 / 001

Proposed Children's Centre, Marden Primary School – MA/10/1209

PROPOSED ELEVATIONAL CHANGES



Proposal

4. The application seeks full planning consent for the refurbishment of the existing school house to provide a self-contained children's centre, with parking to the front, a fire escape to the rear and the erection of 1.8 metre high close boarded timber fencing to the garden area. The ground and first floors would be remodelled, involving the removal of some internal walls and repositioning of the internal staircase with a new platform lift. New internal walls would be adequately insulated to provide both thermal and sound insulation. Although not directly applicable, the design ethics would aim to correspond with the BREEAM 'Very Good' rating.
5. Externally, the front garden wall and railings would be removed with a hardstanding created to provide off-street parking for staff and a disabled parking space. Since an external play area is not required for this Children's Centre, the existing rear garden area would be retained for use by the School, with a close boarded fence erected along the full width of the property to provide a rear courtyard for the Centre, for fire escape, bin store and a ramped rear access into the school grounds. A new galvanised steel fire escape staircase is proposed to the rear of the property, to meet current Fire Safety Regulations, with some external emergency lighting.
6. The external alterations to the school house would include the widening of the front and rear doorways to provide the required 1 metre wide accesses for wheelchair users, whilst retaining the existing lintel detailing, the bricking up of two rear windows to allow the internal lift to be provided, and one rear window to be converted into a replacement rear doorway and vice versa. The intentions are to use matching brickwork and to retain existing features as far as practicable, including restoring and replacing where necessary the cast iron rainwater goods
7. The proposed Children's Centre would be required to be open 2 hours per day, on five days per week, with the flexibility to open outside these hours to meet local demand and needs. The opening hours are designed to prevent any disruption or increase in visitors to the site during peak school drop-off and pick-up times, given that some of likely extra needs could be provided from other venues in the Centre's catchment area, albeit under the Centre's overall management.
8. The Children's Centre would employ a Centre Manager, a Community Involvement Worker and an Administrator/Receptionist, together with a cleaner/caretaker. These posts are not necessarily full-time or indeed dedicated to this one Centre, with the core staff expected to be working within other venues within the catchment area as well. Staff employed within the surrounding area would be expected to walk and any required to drive would use the space provided at the Centre. The proposed car parking includes one staff parking space and one disabled parking space.
9. Visitors to the Centre are expected to drop in when necessary on an individual basis, but in the event of a pre-arranged activity there could be no more than 8-10 parents at the centre at any one time. Since the parents and children that would attend such activities would only be those from the local community, it is fully expected that they would walk to the Centre. Parents from the wider catchment would be expected to use the other venues in the catchment area, including medical surgeries, village halls, etc. Only when occasional events such as a seminar are being provided would there be several people arriving at the same time, but close coordination with the School would ensure that such events do not coincide with any school activities or drop-off/pick-up times.

Proposed Children's Centre, Marden Primary School – MA/10/1209

Planning Policy

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

The adopted **Maidstone Borough-Wide Local Plan (2000)**:

Policy ENV2 Requires all proposals for new developments in village settlements to relate sympathetically to the context of their setting and adjoining buildings, with regard to scale, height, proportion, detailing and materials, building frontages, highways and car parking, etc. with due regard given to the reasonable enjoyment of their properties by neighbouring occupiers.

Policy CF2 In considering the change of use of existing redundant community facilities, the Borough Council will need to be satisfied that an identified need for community facilities, that could be met on the site, does not exist.

Policy T13 All proposed development should comply with the adopted parking standards

Consultations

11. The following views have been received from consultees:

Maidstone Malling Borough Council: raises no objections to the proposal.

Marden Parish Council: had raised the following queries in response to this application:

- could the fire escape be moved to the opposite side of the building to reduce the adverse impact on the neighbouring property to the south, and could it be conditioned for emergency use only?

- could the southern boundary fence be raised to 1.8 metres, should the garden area be a separate application for change of use, and why is it all included in the application site boundary?

- part of the street scene would be lost if the existing wall and railings were removed for parking, and the parking is not considered adequate for what is proposed, with some parents still driving to the Centre. Alternative on-site parking should be explored.

In response to further information on these aspects, the Parish Council has not objected in principle, but has asked for the following to be considered:

- the need for the fire escape is understood, but they wish to see it moved to the opposite side of the building;

- the use of the garden area by the School as a nature area and outdoor classroom is noted; and

- they feel strongly that the parking arrangement could lead to additional traffic congestion and the street scene would be altered if the wrought iron railings were removed (which have been identified in The Marden Society's *Register of Historic Street Furniture*).

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The Divisional Transportation Manager: has commented as follows:

“Whilst I have objections to the current proposals in respect of highway matters it may be possible to overcome these objections if amendments were made.

Kent Highway Services has concerns regarding accessibility to the site and the location is deemed unsafe to consistently reverse in and out of the site. Given the size and dimensions of vehicles carrying disabled personnel, it is deemed unsafe for drivers to reverse out of the site, given the following concerns from my observations:-

- Zebra Crossing guard railing would cause hindrance for visibility when reversing
- Foliage from neighbouring properties would also cause a lack of visibility when reversing out of the site
- Safety is the key issue, therefore vehicles must enter and leave the site in a forwards facing gear.

For the application to proceed, Kent Highway Services would like to see a turning area fronting the 'Old School House' allowing a vehicle to enter and leave the site in a forward facing gear to maximise highway safety. Alternatively, the applicant could seek permission from the School regarding vehicular parking.”

The Environment Agency: has no comments to make on the application.

Local Member

12. The local Member, Mrs. P Stockell, has been notified of the application *and the following views were reported verbally to the 7 September Meeting, but predate the Members' Site Meeting on 29 September:*

“I am in full support of the application to refurbish the school house at Marden and convert it to a Children's Centre. I think this will be a great asset to the community in Marden and will be welcomed by the mothers and children who will use the facility.”

Publicity

13. The application was publicised by the posting of a site notice and the individual notification of 19 nearby residential properties.

Representations

14. In response to neighbour notification, 3 letters of representation have been received, from adjacent addresses in Goudhurst Road. The key points of concerns and objections can be summarised as follows:
- We have no problem in general with the proposed children's centre use, but are concerned over parking impacts, the proposed fire escape and the use of the rear garden.
 - The proposed parking to the front of the property would have no turning facility, meaning vehicles would either have to reverse in or reverse out onto a busy road on the apex of a bend, where commuters' cars are parked during the day and where school parents park at arrival and departure times. The

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proposed parking spaces and the on-street parking by visitors to the centre would greatly add to the current congestion.

- We strongly object to the positioning of the proposed fire escape, which seems particularly large and ugly, and would practically overhang our conservatory and be clearly visible to us and our neighbours. If it was moved to the other side of the rear elevation it would be a little less invasive.
- The proposed use of the rear garden area by the School could bring school noise considerably closer to our rear garden, separated by only a low brick wall. If the area became a play area, then balls and other objects might get thrown over damaging the flowers and shrub borders.
- Living opposite the site, we already have trouble with people parking across our driveway, so are concerned about the parking arrangements, the hours of use, numbers of adults and children attending and whether the house will look aesthetically in keeping.
- Given the daily congestion outside the School House with school parents and children waiting for the school gates to be opened, the parking at the School House would only exacerbate an already potentially dangerous situation on a narrow pavement with very limited space.
- Parking in the vicinity of the school is a nightmare at the beginning and end of the school day, with parents parking across residents' driveways creating considerable road safety hazards with their selfish parking. The application states that the Centre would be used by local residents able to walk to the facility, but the same could be said of the school which also serves local children and who do not walk. However, my biggest concern is where the additional Children's Centre traffic would park.
- A previous proposal to remove the front fence was refused because the property is on a blind bend in the road and would be an accident waiting to happen. The pelican crossing cause enough problems and the footway on the school side has already been widened, thereby narrowing the road and visibility when leaving driveways. If the development was to proceed all cars should back into their drives and no cars should be left on the road.
- The site would become an accident 'black spot' and where would the contractor's vehicles park? They should park in the school car park and not in front of our houses.
- The development would be a waste of money given the limited opening hours, and a site meeting would be a good idea for local residents to air their views.

Discussion

15. The application is required to be determined in accordance with the relevant Development Plan policies, unless other material considerations are of overriding importance. Therefore, the proposal needs to be considered in the context of the Approved Local Plan and other material considerations, including those arising from consultation and neighbour notification responses. In this particular case, the determining issues would therefore include relevant planning policies, parking, access and traffic aspects, external alterations and residential amenity aspects.

Policy Context

16. Current Development Plan policies do not generally presume against the proposed development, as long as it is compatible in design terms with its context and surroundings, accord with highway and parking requirements and has acceptable

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impacts on neighbouring properties. There is a Local Plan policy presumption against the loss of community facilities by changes of use, but in this particular case the proposed change involves a change from one community use to another. Under the circumstances, I see no objection in principle from a planning policy viewpoint, but the detailed considerations below on design, parking and amenity will inform the consideration as to whether there is any substantive conflict with the Development Plan policies.

Parking, Access and Traffic Impacts

17. The parking provision for the proposed Children's Centre has provoked concerns over its adequacy, its suitability in road safety terms and its impact on the streetscape. Additionally the Centre itself is a concern to neighbouring residents in terms of potential traffic generation. The provision of parking space at the Children's Centres across the County is based on the operational parking needs, ie. the numbers of staff based at the Centre, on the understanding that some staff would be peripatetic and not there all the time the Centre is open, whilst others would live locally and be expected to walk to there. Visitors to the Centre would also be those living in close proximity, given that those from further afield would be expected to visit other satellite facilities closer to where they live. Under the circumstances, there is no need to provide more than the two spaces provided in the application and the Divisional Transportation Manager has accepted this level of provision as being appropriate.
18. The suitability of the proposed front parking area is however of concern, given the need for vehicles to either reverse off or onto the road, as well as the visual impact of the loss of the front boundary treatment. With regard to road safety aspects, the Divisional Transportation Manager is objecting to the proposal in its current form and has indicated that there either should be space for vehicles to turn around within the site, or else spaces should be made available elsewhere within the school site, as also suggested by the Parish Council. Since the front garden is of limited size (10 metres wide by 7-9 metres deep), I do not consider that there is sufficient space to include a turning area as well, unless only one space was provided. I also consider that it would be impracticable to improve the sightlines at the access point for emerging vehicles without impacting on the neighbouring property to the south, which is outside the control of the applicant. Notwithstanding the highway safety objections, there are also visual amenity concerns regarding the proposed frontage parking area.
19. In order to create the parking spaces to the front, it would be necessary to remove the whole of the existing dwarf walling and ornamental iron railings. I agree with consultees and objectors that the loss of the front walling and railings would be regrettable, because it is one of the few remaining frontages in Goudhurst Road with original railings that has not been removed/replaced to create off-road parking. Moreover the brick walling corresponds with the school house and is a characteristic feature of the remnant historic streetscape here, and continues along the entire frontage of the school site. Nevertheless, the school house is not Listed nor within the Conservation Area, and it is entirely possible that were the building sold as a private house then its new owners could readily replace the attractive garden, walling and railings and create a front parking area with very little intervention of planning control. Given that the removal of the front boundary would only provide space for two vehicles, and with no safe turning space, on balance I consider that the removal of the frontage walling should be resisted and that alternative arrangements should be agreed with the School. In particular, there is a recently extended car park within the school site which could be used by the Centre Manager by arrangement with the School, but Members should be aware that it might not be possible to provide the

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required disabled parking space within the expected 50 metres of the premises. (See paragraph 25A for update on this aspect)



20. The Parish Council and some neighbouring residents are also concerned about the wider traffic impacts of the Children's Centre, whilst not objecting to the principle of this particular use of the school house. As mentioned above, the use of the Centre is such that there would not be many visitors during its opening hours and only very rarely at any one time. In the main, visitors would attend pre-arranged appointments throughout the working day, and specifically to avoid the peak times for the delivery and collection of school pupils. The objections voiced tend to reflect an existing school traffic congestion issue, which the current application would scarcely contribute to, because of the Centre's more sporadic activity and the fact that its visitors would either be able to readily walk there or would already be visiting the school. The applicants have also advised me as follows in this regard:

"We do not envisage the proposed children's centre to increase the current congestion and volume of traffic. The provision of the Children's Centre aims to support families with children under 5 years in the local area and families living in Marden will be encouraged to walk to the new children's centre. Although, as with all round 3 centres, this children's centre has a large catchment area, the children and families that live outside of Marden are not expected to travel to the centre to access the services. In order to reach those families further a field, the Children's Centre team is currently delivering a range of outreach services in local venues such as village halls and community centres, this outreach service is part of the Children's Centre Core Offer and will continue once the Centre is built.

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In order to further avoid any increase in traffic/disruption, Children's Centre services are planned and delivered at times after and before School drop offs and collections, eg morning groups usually run 9:30am - 11:30am and afternoon sessions run 12:30 - 2:30pm. Any groups that will be run in the new centre will be small. It is anticipated to only have groups of 6-10 children, with their carer, and any larger groups will be held in alternative venues such as village halls. Car parking is proposed as indicated on the submitted drawing and is for a member of staff and disabled bay only: No further cars are proposed to be parked on the front drive of the property."

External Alterations and Residential Amenity Impacts

21. The proposed alterations to the school house to accommodate the Children's Centre are largely internal and beyond the scope of planning control, but some of these have ramifications for the external appearance and arrangements. The proposed alteration to the front doorway to accommodate wheelchair users has the unfortunate effect of distorting the precise proportions of the door and window openings which are all of equal slenderness and correspond with the original house proportions. However, this is a minor and otherwise unavoidable adulteration to meet current equal access requirements, and the sort of alteration that could be introduced to any (unlisted) property without planning consent. Of more concern is the removal of the front wall and railings to accommodate the car parking area, as discussed above (*para. 19*).



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22. The proposed alterations to the rear door and windows of the school house are more extensive but not in themselves significant to the overall appearance of the rear of the building. Of more concern is the introduction of the steel fire escape staircase and the opening up of the rear garden area for more regular use by the School. The Parish Council and the neighbours are concerned about the visual intrusion and the potential for overlooking from the external staircase. The adjacent house extends further back than the school house, and has a blank side elevation at this point, but it has a glass conservatory extending into its rear garden area which potentially would be overlooked. Whilst the need for the staircase is also unfortunate for such a small building and operation, bearing in mind that for most of the time it will be less used/occupied than any of the neighbouring private houses, I would agree that it would have less impact on the neighbouring property if it could be sited further way to the north. However, the practicalities of achieving that are such that there is very little option beyond the currently proposed arrangement, and the applicants have advised me as follows:

“From a design perspective, by repositioning the staircase to the left it will create a clash with the position of the new stair stringer, therefore causing a height clearance issue to the ground floor exit door. The suggested reposition will also compromise the ramps for the DDA secondary means of escape to the rear of the property. The current design has had to reposition an entire door entrance on the ground floor so that anyone entering or exiting would not hit their head against the new fire escape, by switching it to the left we would face a similar issue and the internal layout could not accommodate a new door position. More importantly if positioned on the left instead of the right it would mean the fire escape would be right outside the children's toilet which is not acceptable.”

23. The fire escape egress has to be via the southernmost window opening of the first floor landing, because the other windows are to toilet areas and not communal space. Reversing the direction of the external staircase is also hampered by space restrictions, and would still mean the upper landing area is close to the neighbouring property. The applicant has offered to reduce the visual impact with some additional screening or planting, but that would need to be high to have any beneficial effect. Nevertheless, it needs to be borne in mind that the fire escape is intended for emergency use only, and hopefully would never need to be used, and if it was the users would be unlikely to be loitering to take in the view. Should planning consent be granted therefore, I would recommend that its use should be strictly confined by planning condition to emergency use only, and that the visual intrusion should be offset by the further conditional requirement for some additional screening as suggested by the applicants. *(See paragraph 25A for an update on this aspect)*
24. The rear garden would be subdivided under the proposals by new timber fencing to provide a separate service courtyard for the Centre with the larger part retained by the School as a nature garden and an occasional outdoor classroom space. Neighbouring residents are also concerned about potential noise nuisance, visual intrusion and litter arising from the proposed use of this area. Given that the use would be limited, and for most of the time not in any active use, and when used it would always be part of structured and supervised activity, I do not consider that the impacts on the neighbouring residents would be unduly detrimental. In particular, the proposed use of the school house garden area is unlikely to be any more intrusive than the use of any other (private) garden spaces that are adjacent to each other, and over which there is ordinarily very little planning control. In the event that planning consent is granted, a condition could also be imposed governing the use

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and activities relating to this part of the site, and it being managed in a sensitive and neighbourly manner by the School.

Conclusion

25. Whilst I see no objection to the principle of the proposed development, I consider that the proposed car parking arrangements need to be re-thought, together with some more neighbourly treatment of the proposed fire escape staircase. (See *paragraph 25 A*). The latter is a matter that could be addressed by the imposition of a condition on any planning consent, but the car parking is a matter that needs to be addressed prior to issuing any planning consent, since that aspect alone might not be deliverable. On the assumption that these matters are capable of being satisfactorily addressed, I consider that the proposed development otherwise generally accords with the relevant Development Plan Policies, in terms of compatible building design aspects and impacts on neighbouring amenities. Whilst objections have also been raised to the impacts of the proposed development on road traffic conditions, I am of the view that the proposal would only marginally add to the existing vehicle movements and so that is not in itself a reason to withhold planning consent. Under the circumstances, I would advise that the proposed development does not significantly conflict with relevant Development Plan Policies and, subject to appropriate conditions to mitigate the areas of concern, I recommend that permission be granted.
- 25A. *Following the Members' Site Meeting on 29 September, the applicants have sought to address the issue of the frontage car parking and the issue of the rear fire escape. In particular, they have negotiated an alternative parking arrangement with the School so that no new parking spaces would need to be provided in the front garden area, and have submitted a revised site plan to reflect that, with the following explanation:*

"With regard to the car parking, this has been considered and having obtained approval from the School the revised proposal is to locate a marked Disabled parking bay in the School's existing car park. This will provide dedicated disabled parking to be used by visitor or staff who arrive by car; level access is then gained from the car park along the public pavement to the Children Centre. The frontage to the house will remain as it is, with the footpath to be widened to 1500mm (alterations to the garden gate also required, the result will be aesthetically the same as existing), and sloped up to the front door, providing a level threshold at the entrance. The front door will require widening as detailed in the original application."

With regard to the fire escape, an alternative proposal to the north side of the building was discussed at the Site Meeting, but a further alternative has emerged since the Site Meeting following an agreement by the clients to reconsider the entire internal layout of the first floor. In particular, a relocation of the children's toilet would now enable the fire escape to be repositioned further northwards, in line with previous requests (and contrary to the rejections of that option in paragraphs 22 and 23 above). Under the circumstances, the agent has submitted a revised drawing with the following explanation:

"In brief, we have moved the fire escape exit from the original proposed location to the other side of the rear elevation. Consequently the internal layout to the 1st floor has been altered; some plumbing and drainage issues are raised as a consequence

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of the children's toilets being located to the front of the house, but these can be overcome with further detailed design. The result is a fire escape extending from the rear elevation, away from the boundary with the residential neighbouring property, satisfying the residents' concern for the 'close proximity' to their rear conservatory. The ground floor ramp has also been reconfigured to ensure the fire escape exit does not clash with the final exit path to the rear garden gate. This option also alleviates any need to run a fire escape along the side of the school house."

I have therefore carried out some further notifications of these latest changes, with a view to reporting any further objections verbally to the Committee Meeting, and have adjusted my recommendation accordingly.

Recommendation

26. SUBJECT TO the receipt of any further objections, by the date of the Committee Meeting, in response to the amended plan showing an alternative provision of the proposed car parking and an alternative arrangement for the proposed fire escape, I RECOMMEND that PERMISSION BE GRANTED to the development as shown on the amended plans, SUBJECT to conditions, including conditions covering:
- the standard 3 year time limit for implementation;
 - the specifications for external building materials to match the existing materials;
 - the use of the fire escape staircase being restricted to emergency use only with measures included to prevent its unauthorised use;
 - the reservation of car parking within the school car park to meet the requirements of the Children's Centre;
 - the use of the premises to be restricted to between 0800 and 1800 hours, Mondays to Fridays (as applied for);
 - the use of the rear garden area by the school pupils to be restricted to supervised activities only; and
 - the use of the premises to be restricted solely to the uses applied for and development to be carried out in accordance with the permitted details.

Case Officer – Jerry Crossley

01622 221052

Background documents –See section heading

PROPOSAL MA/10/1209 – CHILDREN’S CENTRE AT MARDEN PRIMARY SCHOOL, GOUDHURST ROAD, MARDEN

NOTES of a Planning Applications Committee site meeting at Marden Primary School on Wednesday, 29 September 2010.

MEMBERS PRESENT: Mr J F London (Vice-Chairman in the Chair), Mr R E Brookbank, Mr C Hibberd, Mr R J Lees, Mr R F Manning, Mr A R Pascoe, Mr M B Robertson and Mr A T Willicombe. Mrs P A V Stockell was present as the Local Member.

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

MAIDSTONE BC: Mr R Nelson-Gracie

MARDEN PC: Cllrs L Mannington and I Newton

THE APPLICANTS: Mrs V Savage (KCC CFE Project Manager) and Mrs F Miller (KCC CFE Locality Co-ordinator), Mr P Shallcross (KCC KASS Preventative Services), and Mr S Flook (AECOM).

ALSO PRESENT were Mrs R Linn (Head Teacher – Marden Primary School) and 4 members of the public.

(1) The Chairman opened the meeting by explaining that its purpose was to enable Members of the Planning Applications Committee to gather the views of interested parties and to familiarise themselves with the site.

(2) Mr Crossley introduced the application which was for a Children’s Centre. This was part of a project to provide a hundred such centres across the County of Kent on or close to school sites.

(3) In a number of instances, applications for Children’s Centres had faced planning difficulties due to the need to provide new buildings, often to a modest standard of design.

(4) Mr Crossley went on to say that in this particular case, there already was an existing building. It was a former Caretaker’s House on the Marden Primary School site. The intention was refurbish it to make it suitable for Children’s Centre use. This would require significant internal alterations including installing a lift, moving a staircase and widening the door to enable DDA access, and re-arranging the windows and doors at the back.

(5) Mr Crossley identified the two main aspects of concern. Both of these related to the external appearance. The first concern was over the proposed fire escape (required by both Building and Fire Regulations). The second was that it was intended to remove the brick walls and railings in order to provide two parking spaces in the front garden.

(6) Mr Crossley explained that the Planners had considered that the provision of parking in the front garden was unacceptable, particularly in the light of comments made by the Divisional Transport Manager stressing that cars would have to either reverse in or out and that neither of these options was acceptable on health and safety grounds. They had therefore recommended to the Committee that permission should be granted subject to an amended plan showing suitable car parking provision.

(7) The Planning Applications Committee had also discussed the proposed design of the fire escape and had decided to hold a visit before reaching a decision.

(8) Mr Flook (AECOM) said that he was happy that Mr Crossley had accurately described the application.

(9) Mrs Stockell (Local Member) said that she had no objection in principle to the proposal. The issues that needed to be addressed were the proposed removal of the front wall and railings; the fire escape and the parking issue. Local residents were already faced with people parking outside their front driveways. She asked if there was any additional land within the school grounds that could be used for this purpose.

(10) Mr Nelson-Gracie (Maidstone BC) said he had the same concerns as Mrs Stockell, particularly over the fire escape.

(11) Mr Newton (Marden PC) said that the Parish Council's objections had been effectively covered by the discussions up to this point.

(12) Mrs Miller and Mrs Savage (KCC CFE) said that the proposed Children's Centre was a part of Phase 3 of the national programme of delivering Sure Start Children's Centres. Their purpose was to act as a signposting centre for Health, Jobcentre Plus and activities for parents, carers, children and families. They were designed to provide a lot of outreach work for local families. One aspect of their health-related work was to encourage people to walk to the Centre. If successful, this would mitigate any parking impacts on local residents.

(13) Mrs Linn (Head Teacher, Marden Primary School) said that she very much hoped that approval would be granted. There were a number of vulnerable families in Marden, including children who would receive the necessary pre-school support that they were not currently getting.

(14) Mr Jarrett, a local resident said that he lived opposite the proposed development. He said that he worked from home and that he already had difficulties with parents parking outside his drive when children came and went to school. He was very concerned that these problems would grow due to the "dropping in" nature of the proposed development. He asked the Committee members to consider that it was very stressful to have to argue with parents who didn't want to move on so that he could drive in and out of

his property. He also pointed out (at a later stage of the visit) that vehicles were parking outside his driveway even as the site visit was taking place.

(15) In response to Mr Jarrett, Mrs Savage said that it might be possible to arrange for the Centre to operate outside the times when children were dropped off or picked up from the school.

(16) Mrs Pavey, a local resident said that she had no objection to the Children's Centre itself. Her objection was about the proposed fire escape which would overhang her neighbouring property. She asked whether it was really necessary to have a fire escape of that size in that location and whether it would be possible to overcome the need for it by installing sprinklers.

(17) Mr Flook (AECOM) said that careful note had been taken of all the grounds for objection and that discussions had taken place with the School. He then said that a fire escape was needed because the Regulations covered both Fire Prevention and Evacuation. The fire exit could not exceed 18 metres to get safely away from a fire. Avoiding the need for a fire escape would involve two internal staircases. The applicants had therefore looked at the possible provision of a Safe Route. Unfortunately, the cost would outstrip the budget for the Children's Centre.

(18) Mr Flook went on to say that the possibility of an alternative structure for the fire escape had been considered. He then produced alternative drawings (*which had not been shared with the Planners up to this point*). This would involve an exit point on the North side. It would need to remain above head height in order to avoid impinging on the School's open play and activity space. It would then turn the corner along the house rear before coming down to ground level in the garden. It would be built with materials in keeping with the building.

(19) Mr Flook then said that the applicants had held discussions with the School on overcoming the problem of parking provision. As a result, the School had been able to offer one disabled parking space within its car park. This would meet every requirement except the one that specified that it had to be no more than 45 metres from the building. An application would therefore have to be made for an exemption.

(20) Members then moved into the garden at the rear of the house. Mr Crossley pointed out the proposed new positioning of the door and windows as well as the fire escape. He said that the point where it reached the ground would be roughly in line with the next door conservatory. He said that if the fire escape layout were to be simply reversed, its underside would be by the door. The risk would be that people would hurt their heads as they exited beneath it.

(21) Mr Flook replied to a question from Mrs Stockell by saying that the legal requirements were very stringent, making it impossible to simply re-design the fire escape so that it became the mirror image of that currently

proposed. He then demonstrated to Members the point at which the fire Escape would touch the ground (some 3 metres from the wall of the building).

(22) Mrs Stockell asked whether the applicants had considered completely re-configuring the design of the building itself to mitigate the visual impact of the fire escape on the neighbouring property. Mr Flook replied that the design had to match the brief from the clients.

(23) Mr Robertson asked whether the applicants would consider providing dog bone markings (white marking placed on the public highway outside an entrance to off-street premises or a private drive) for the neighbouring premises. He then asked for an indication of the alternative materials the applicants proposed to use for the fire escape.

(24) Mr Flook replied to Mr Robertson's second question by saying that he anticipated that they would consist of steel painted black so that the colour scheme was in keeping with the outside railings.

(25) Members then inspected the house from the northern side, noting the alternative egress point for the fire escape as well as the distance it would need to be from the wall and the height it would need to be in order to keep the play/activity area safe for children's use.

(26) Members also viewed the neighbouring property from the first floor window (the egress point for the proposed fire escape).

(27) The Chairman thanked everyone for attending. The notes of the visit would be made available at the determining meeting of the Planning Applications Committee.

Item D2**Construction of a cycle track along the ‘Canal Bank’ (Queenborough Lines) Sheerness – SW/10/1003**

A report by Head of Planning Applications Group to Planning Applications Committee on 12 October 2010.

Application by Kent County Council Chief Executive’s Department (Regeneration and Economy Division) for the construction of a cycle track along the ‘Canal Bank’ (Queenborough Lines), Halfway Road, Sheerness West, Sheerness (SW/10/1003).

Recommendation: Planning permission be granted, subject to conditions.

Local Member(s): Mr. A. Crowther and Mr. K. Pugh

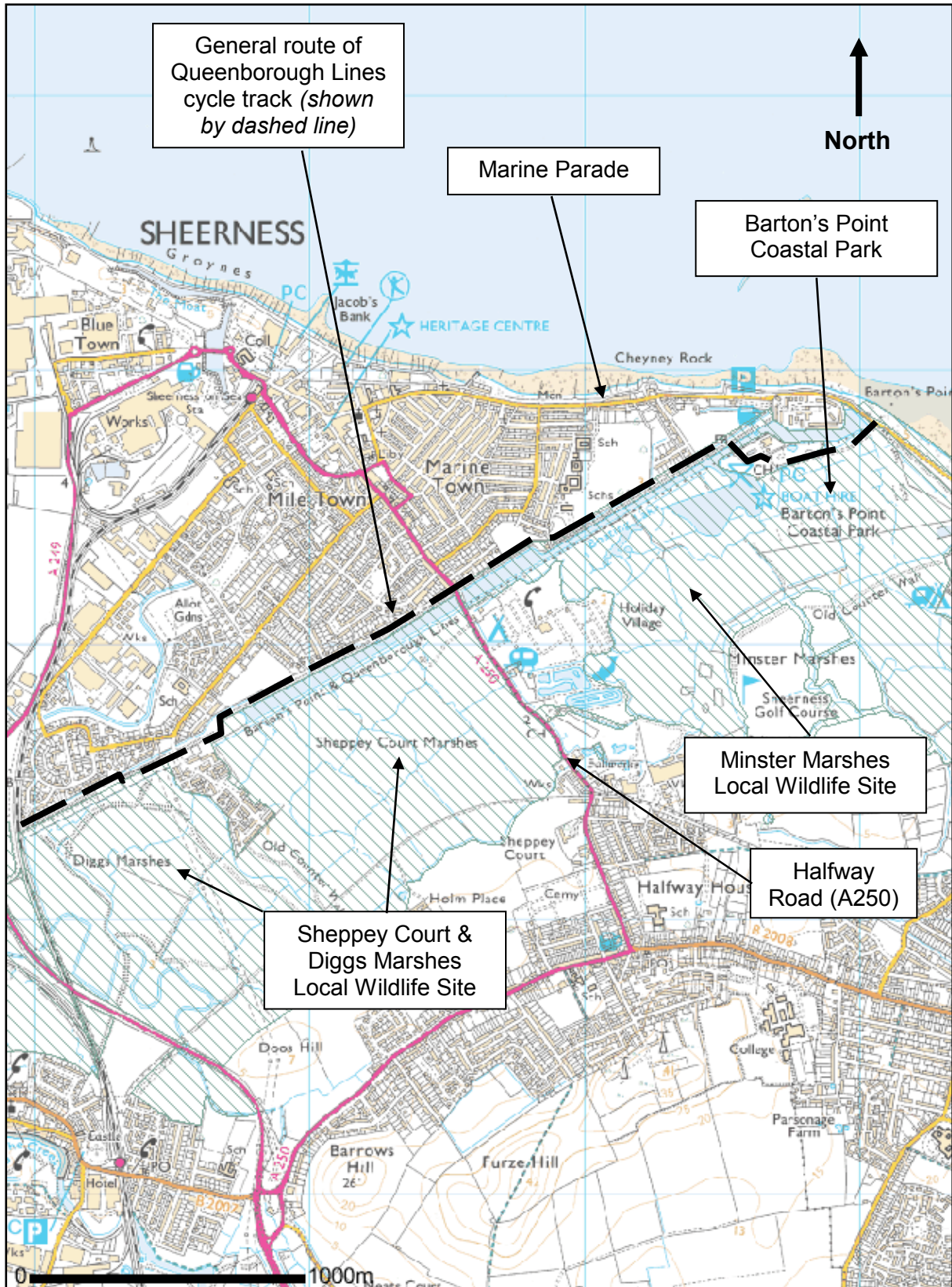
Classification: Unrestricted

Site

1. The application site follows Queenborough Lines, a 3 kilometre linear Napoleonic historic fortification structure constructed in the 1860’s in order to defend the then Royal Naval dockyard at the Port of Sheerness from landward attack. When constructed, The Lines (sometimes know locally as ‘Canal Bank’) consisted of a continuous 10ft (3 metre) high embankment with a broad outer ditch, or ‘canal’ to the front, behind which ran a military road protected by the embankment for the movement of troops and equipment. Today much of the Queenborough Lines embankment and canal remains in situ, is open to the public, and provides an important and well used informal recreational and amenity space for the local area. A Public Right of Way runs for the whole length of the Queenborough Lines, most of which runs on the top of the embankment structure. The site is noted for its national heritage value as a fortification structure, and is currently under consideration by English Heritage for scheduling as an Ancient Monument.
2. Queenborough Lines runs from Barton’s Point Coastal Park to the east of Sheerness for approximately 3 kilometres (just under two miles) to Linden Drive in West Minster. The application site itself can be considered in three key sections, owing to the length of the proposed cycle track and its main intersections between the existing local highway network. It should be noted that the proposed cycle track is proposed to form a continuous cycle route along the Queenborough Lines, albeit cyclists would need to cross several existing highways if completing the entire 3km route. Travelling east to west the three sections seeking planning permission would comprise of the following:
 - Section A - Barton’s Point Coastal Park to Halfway Road (A250);
 - Section B - Southview Gardens to Edenbridge Drive; and
 - Section C - Edenbridge Drive to Linden Drive.
3. Part of the application site, and the land generally to the south east of the proposed cycle track falls within a designated regional and local biodiversity area (Diggs Marshes, Sheppey Court Marshes and Minster Marshes) and a Special Landscape Area where Local Plan Policies E9 and E12 apply. It should also be noted that the Queenborough Lines site forms part of the urban boundary of Sheerness and is therefore a transitional zone between urban Sheerness to the north-west and open marshland to the south-east beyond. The Queenborough Lines site is owned and managed by Swale Borough Council, and currently benefits from un-restricted access for pedestrians and cyclists. Complaints have been noted regarding the unauthorised and anti-social riding of motorcycles along The Lines at present, for which it is noted that there are currently only a few physical deterrent measures (in the form of motorcycle ‘A-frame’ deterrent bars) in place to mitigate this existing local problem. *A general location plan is attached on page D2.2, an overall Sheerness cycle route map on page D2.3, and the various sections of the cycle route requiring planning permission on pages D2.4 to D2.7.*

Construction of a cycle track along the 'Canal Bank' (Queenborough Lines, Sheerness – SW/10/1003

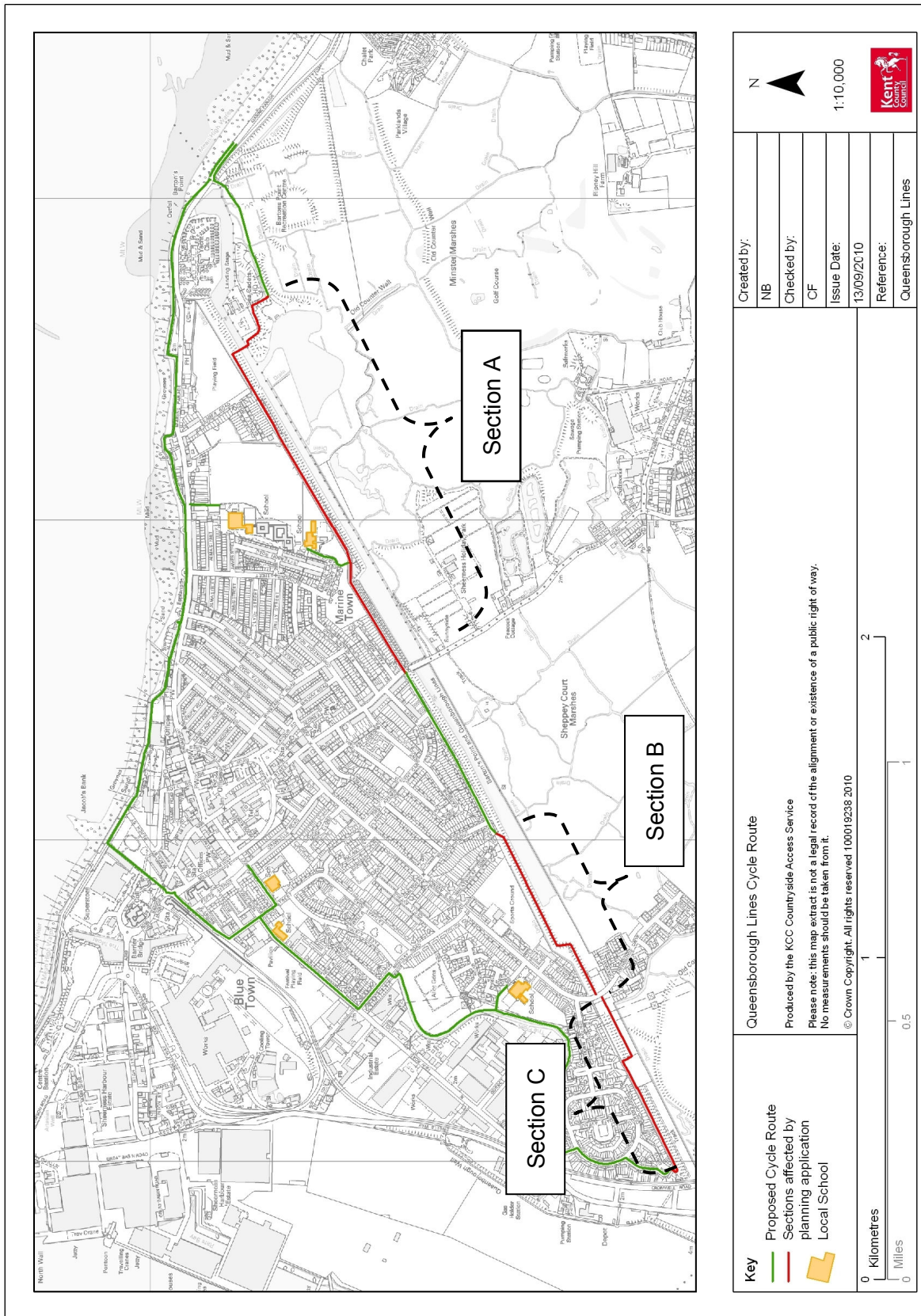
General Location Plan



General Location Plan - Queenborough Lines Cycle Track
Scale 1:21,000

Construction of a cycle track along the 'Canal Bank' (Queenborough Lines, Sheerness – SW/10/1003

Proposed Overall Sheerness Cycle Route Map



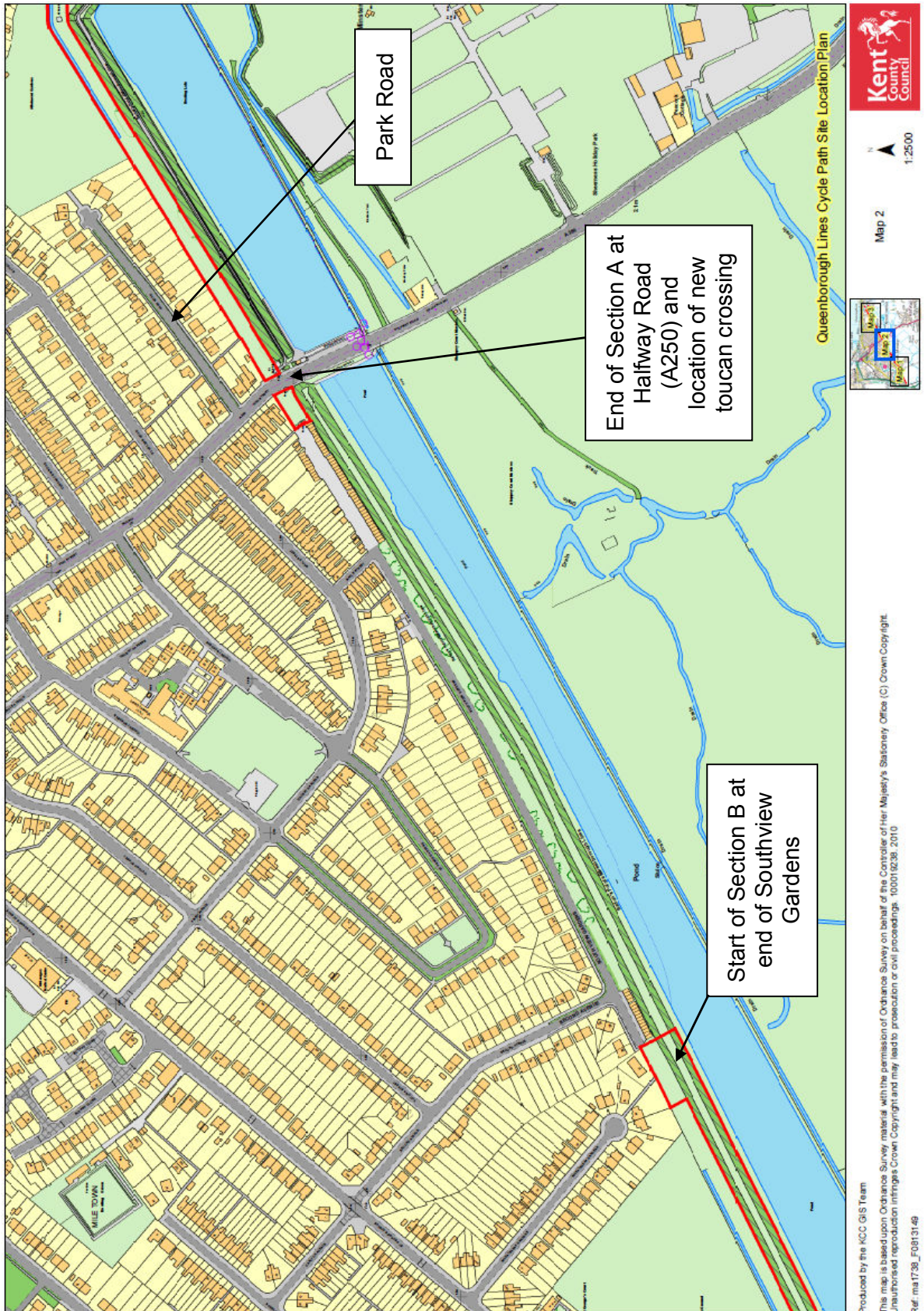
Construction of a cycle track along the 'Canal Bank' (Queenborough Lines, Sheerness – SW/10/1003

Section A – Barton's Point Coastal Park to Halfway Road (A250)



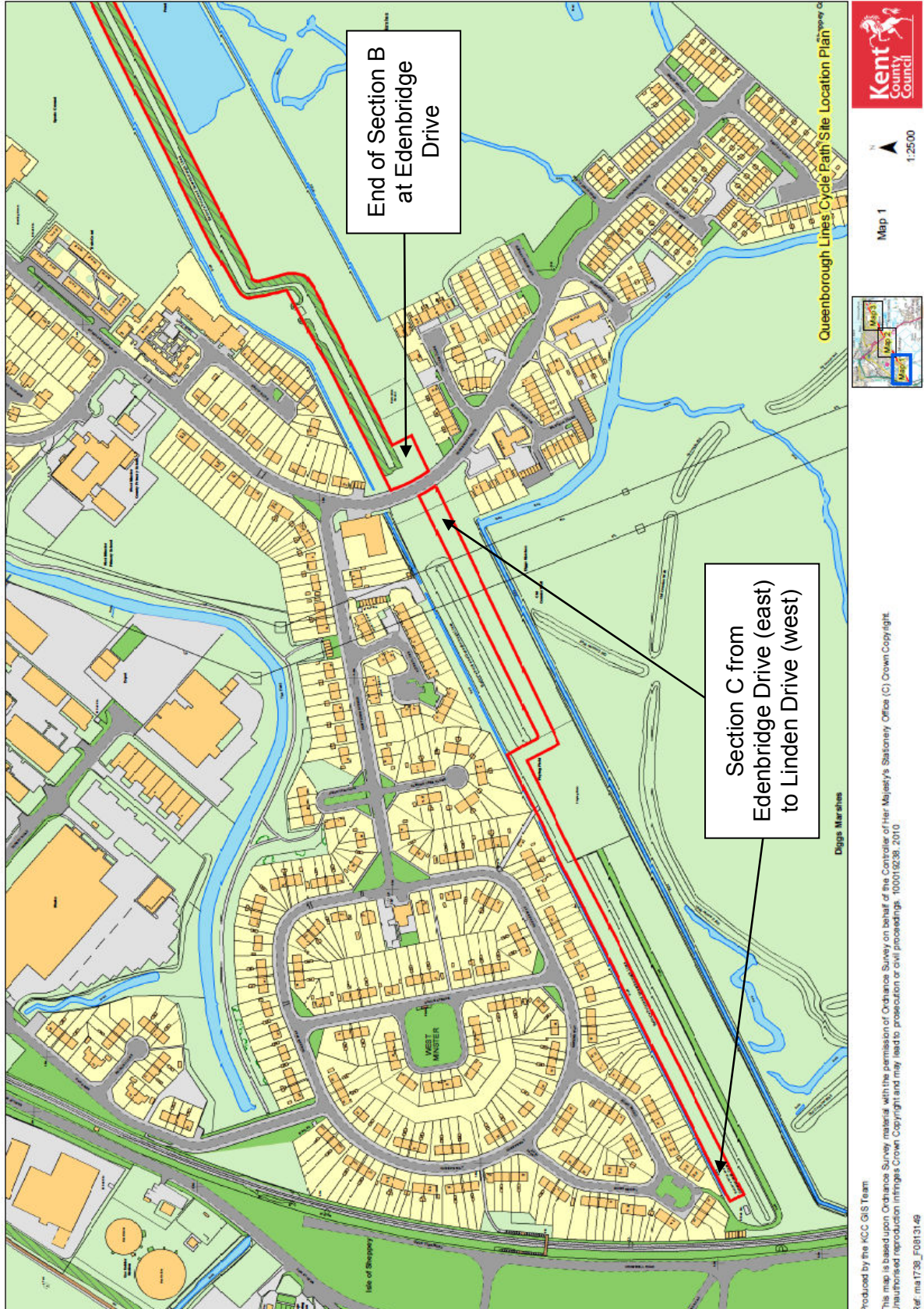
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Section A – Barton's Point Coastal Park to Halfway Road (A250) and
Section B – Southview Gardens to Edenbridge Drive



Construction of a cycle track along the 'Canal Bank' (Queenborough Lines, Sheerness – SW/10/1003

**Section B – Southview Gardens to Edenbridge Drive and
Section C – Edenbridge Drive to Linden Drive**



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Background

4. The application details that this regeneration project is a joint venture between Kent County Council and Swale Borough Council, with the support of Sustrans (the UK's leading sustainable transport charity). It forms one part of a wider regeneration project for the Isle of Sheppey to create three new cycle routes; one in Sheerness, the second in Leysdown and a third in Queenborough/Rushenden. This overall regeneration investment in the Isle of Sheppey aims to create circular cycle routes to support economic growth, tourism, healthy exercise and recreation. The application sets out that the proposed cycle networks to be created are in direct response to public demand to improve access and walking routes on the Island. Consultations undertaken by the applicant in Sheerness in early 2010 indicated that public support was overwhelmingly in favour of the new cycle routes.
5. The Sheerness route would provide 9 kilometres of circular cycle route around the whole of Sheerness town and seafront – see proposed overall Sheerness cycle route map on Page D2.3. It is noted that the 6km of cycle network to be created by the applicant (over and above the 3km stretch for which planning permission is currently being sought) falls within the existing highway network and therefore does not require the prior permission of the County Planning Authority. Here, alterations to the highway are being made to provide for a shared-space pedestrian and cycle path. A large proportion of these initial works have already been undertaken by the applicant under Permitted Development Rights. The overall cycle network to be created would provide direct cycle linkages to all of the schools in Sheerness (West Minster Primary School, St. Edward's School, Rose Street School, Richmond First School and The Isle of Sheppey Academy), therefore allowing many of the Schools to realise their sustainable travel plan ambitions in terms of home to school transport.
6. In addition, the application documents set out that the proposed scheme would address current problems within Sheerness relating to health and wellbeing, recreation and sustainable transport concerns. The applicant notes that wards in Sheerness currently have some of the highest levels of both overall and health deprivation in Kent. In addition, they note that Swale residents were identified as being in the lowest 25 percent of the population for taking regular exercise in a recent Sport England Active People survey. It is intended that the route along Queenborough Lines would provide a safe and attractive traffic-free route for many people to take exercise. It is also intended that the construction of the cycle route would formalise the existing access of The Lines, in turn allowing greater access to this important greenspace by a wide range of the population, including those with disabilities. The current rough tracks and intermittent usage make Queenborough Lines inaccessible and unattractive to many people, particularly in winter months when much of the lower ground becomes waterlogged and muddy. The applicant therefore hopes that the scheme would extend access and enjoyment of the site throughout the entire year, creating a valuable community asset for the Isle of Sheppey.

Planning History

7. The application site itself has not been the subject of any known previous planning application proposals.

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Proposal

8. The application is made by Kent County Council Chief Executive's Department (Regeneration and Economy Division) and seeks planning permission for the construction of a shared-space cycle/pedestrian track along Queenborough Lines for a length of approximately three kilometres (just under two miles). As outlined in paragraph (2) above, owing to the length of the proposed track and its various intersections, it is easier to consider the proposal in three key sections travelling from east to west as follows:
- Section A - Barton's Point Coastal Park to Halfway Road (A250);
 - Section B - Southview Gardens to Edenbridge Drive; and
 - Section C - Edenbridge Drive to Linden Drive.

Section A - Barton's Point Coastal Park to Halfway Road (A250)

9. The application site begins at a point just west of the existing Sea Cadets headquarters and Barton's Point Coastal Park. Access to the cycle path prior to this would be gained from Marine Parade via a private driveway of some 500 metres in length which serves both the Sea Cadets headquarters and Barton's Point Coastal Park. It is noted that prior to the point just west of the existing Sea Cadets headquarters (and from the Sheerness direction further beyond) planning permission is not being sought on the basis that the route would follow the existing highway network.
10. From the point just west of the Sea Cadets headquarters, the proposed cycle track would cross the canal via an existing footbridge, after which it is proposed to follow a new route behind the embankment on a relatively flat strip of semi-managed grassland. The path itself would consist of a straight section of tarmac, generally 2 metres wide and separated from the toe of the embankment by approximately 1.5 metres in order to preserve its heritage asset (as agreed during pre-application discussions by the applicant with English Heritage). This stretch of cycle route would consist of a tarmac surface, a design feature which has been incorporated as a result of this area of path being prone to becoming waterlogged due to its low-lying level during winter months. The cycle track would follow along the northern side of the embankment until reaching Halfway Road (A250).
11. At the junction with Halfway Road (A250) the application proposes the installation of a new puffin crossing point. This would require cyclists to dismount and wait for the traffic signal controls prior to crossing Halfway Road. It should be noted that Halfway Road is classified as an A Class highway, and is one of the main routes in and out of Sheerness. The puffin crossing would allow both pedestrians and cyclists to cross the existing road in a safe manner. Appropriate signage is proposed to be installed for pedestrians, cyclists and road users at this new junction point.
12. After the crossing at Halfway Road, heading westwards, a small section of new tarmac cycle path would be constructed, prior to cyclists entering onto the public highway along Southview Gardens.

Section B - Southview Gardens to Edenbridge Drive

13. At the end of Southview Gardens a new 1.5 metre wide ramp would be created to direct cyclists from the highway network to the top of the Queenborough Lines embankment. Once on the top of the embankment, the cycle route would follow the top of the bank

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until it reaches a point near Edenbridge Drive where another ramp would be installed to direct cyclists down to the level of the existing highway. The cycle path along the top of the embankment would be 2 metres wide and surfaced in limestone dust in order to minimise visual intrusion.

14. Cyclists and pedestrians would then be required to cross Edenbridge Drive, an unclassified local highway, for which the application does not propose any traffic signal controlled crossing point. It should be noted however that the whole scheme has passed through an appropriate Safety Audit, which identified that a controlled crossing point (similar to that to be installed at Halfway Road) was not required at this junction point given the lower usage and classification of the highway in this locality.

Section C - Edenbridge Drive to Linden Drive

15. From the west of Edenbridge Drive, the cycle path would be constructed on level ground at first the southern and then the northern sides of the embankment. Similar to the cycle path construction in Section A, it would comprise a tarmac path, approximately 2 metres wide set at a minimum distance of 1.5 metres from the toe of the embankment. The proposed cycle path would then finish at a point just south of Linden Drive at the end of Queenborough Lines, after which cyclists would pick up the local highway network on sections of shared footway/cycle way within Sheerness to be created by the applicant (i.e. those not requiring the need for planning permission).
16. The application is accompanied by various supporting documents, including an Ecological Scoping Report and an assessment of the heritage impact on Queenborough Lines. First, the Ecological Scoping Report identifies that there is potential for a number of habitats and species to be impacted by the proposed cycle track. However, given the limited nature of the proposed works, the Report identifies a number of mitigation measures to be undertaken prior to, during and after the construction phase to ensure that no significant resulting harm occurs to habitats or protected species. These measures include, amongst others, the timing of works to avoid the bird breeding season and the managed strimming of rough grassland in progressive stages under the supervision of an ecologist. In respect of the heritage impact of the proposed development on Queenborough Lines, the application considers that the construction of proposed two-dimensional cycle track would not significantly result in any overriding detriment to the setting of The Lines. It is noted that extensive pre-application discussions took place between the applicant, the County Council's Archaeological Advisor and English Heritage regarding a suitable design. The outcome of these discussions formed the basis of the current proposals, which include off-setting the cycle path way at a minimum of 1.5 metres from the toe of the Queenborough Lines embankment, and where on top of the embankment using a limestone dust surface to minimise visual intrusion.
17. As a result of consultation, neighbour notification and publicity carried out by the County Planning Authority as part of this application, a number of residential objections have been received (as outlined in paragraph 32 below) relating to the potential for the new cycle track to be used on an unauthorised basis by motor vehicles, notably motorcycles and cars. The views of the Kent Police Architectural Liaison Officer (as set out in paragraph 28 below) were sought in this respect. To overcome the issues raised by objectors, and taking into account suggestions made by the Police Architectural Liaison Officer, the applicant proposes a number of motorcycle mitigation measures as part of this application as outlined below:

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- Inhibiting motorbike and vehicle access, as far as is reasonably possible, within the limitations of the site through the installation of “A-frame” deterrent barriers at alley way entrance points to the site and other key entrance points, as recommended by Kent Police;
- Limiting any ‘through-routes’ along the site for motor vehicles;
- The installation of clear signage to show which forms of use are legitimate that that use by motor vehicles is prohibited;
- Additional enforcement and education when the cycle path is first brought into use; and
- Monitoring of the route after implementation to reduce and address any additional nuisance issues which may arise, in conjunction with the landowner and Kent Police.

Planning Policy

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

(i) **National Planning Policies** – the most relevant National Planning Policies are set out in PPS1 (Delivering Sustainable Development), PPS5 (Planning for the Historic Environment), PPS7 (Sustainable Development in Rural Areas), PPS9 (Biodiversity and Geological Conservation), PPG13 (Transport), PPG17 (Planning for Open Space, Sport and Recreation) and PPS23 (Planning and Pollution Control).

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

- Policy SP1** Requires development proposals to accord with sustainable development principles.
- Policy SP2** Requires development proposals to protect and enhance the special features of the visual, aural, ecological, historical, atmospheric and hydrological environments of the Borough and promote good design in its widest sense.
- Policy SP5** Development proposals in the countryside should seek to protect and where possible, enhance the character of the wider countryside. Seeks high design standards, to protect the countryside from unnecessary development, and to permit innovative proposals that provide new services.
- Policy SP6** Seeks the provision of new transport related infrastructure to enable economic and urban regeneration opportunities to be realised and to ensure that options for walking and cycling are provided.
- Policy SP7** Seeks the provision of new community facilities and services.
- Policy TG1** Within the Thames Gateway Planning Area, amongst other matters, development should seek to provide adequate community facilities as well as raising environmental standards through high quality design and the better management of environmental resources and the creation of a network of accessible open spaces (a green-grid).

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- Policy E1** All developments should, amongst other matters, respond positively by reflecting the positive characteristics and features of the site and locality; protect and enhance the natural and built environments; be both well sited and of a scale, design and appearance that is appropriate to the location with a high standard of landscaping and cause no demonstratable harm to residential amenity or other sensitive uses or areas.
- Policy E6** The quality, character and amenity value of the wider countryside of the Borough, which is all the land falling outside the built-up areas, will be protected and where possible enhanced. Development will only be permitted when, amongst other uses, it is for necessary community infrastructure.
- Policy E7** At the edge of urban settlements with countryside land beyond, development will not be permitted which would result in encroachment or piecemeal erosion of land or its rural open and undeveloped character.
- Policy E9** The quality, character and amenity value of the wider landscape will be protected and, where possible, enhanced. Within the countryside and rural settlements, seeks proposals to be sympathetic to local landscape character and quality, and minimise the adverse impacts of development upon landscape character.
- Policy E11** The Borough's biodiversity and geological conservation interests will be maintained, or enhanced – development will be permitted that conserves or enhances the biodiversity of that area and/or locality.
- Policy E12** Within sites designated for their importance to biodiversity or geological conservation, priority will be given for their protection.
- Policy E13** Development proposals will protect, conserve and, where appropriate, enhance the landscape, environmental quality, biodiversity and recreational opportunities of the coast, whilst respecting those natural processes such as flooding, erosion and sea level rise that influence this Zone.
- Policy E16** Development will not be permitted which would adversely affect a Scheduled Ancient Monument or its setting.
- Policy E19** Seeks development to be of high quality design that responds positively to creating safe, accessible, and attractive places; making safe connections physically and visually both to and within developments, particularly through the use of landscape design, open space to retain and create green corridors for pedestrians and cyclists and in providing development that is appropriate to its context in respect of scale, height and massing.

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- Policy E20** The Borough Council expects proposals to integrate security and safety measures within their design and layout.
- Policy T4** Development proposals will only be permitted where existing Public Rights of Way are retained and new routes are created in appropriate locations.
- Policy C1** The Borough Council will grant planning permission for new or improved community services and facilities.

Consultations

19. **Swale Borough Council:** Swale Borough Council's Planning Committee considered the proposal and does not wish to raise any objection to the proposed development, subject to the imposition of the following condition:

"Details of measures to prevent the misuse of the cycle path by motorised traffic to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and that these measures be carried out in accordance with the agreed details before the cycle track is first used, and then retained in perpetuity".

20. **Minster-on-Sea Parish Council:** Members of Minster-on-Sea Planning and Transport Committee considered the proposals and make the following comments:

"A high volume of people will cross the road at a very dangerous point – this presents a hazard. The official cycle route is on the seaward side of the road and the cyclists would have to dismount at a very dangerous junction to cross the road and join the new cycle track down the Canal Bank. The end of the sea wall obscures the point where people cross. Members share a similar concern about the crossing at Halfway Road. They want to see measures taken to ensure public safety. Another concern is whether the proposal would compromise the heritage listing of the site".

FOR INFORMATION: It should be noted that the first part of the response from Minster-on-Sea Parish Council relating to, in their opinion, a dangerous crossing point at the junction between Marine Parade and Barton's Point Coastal Park is in fact expressing concerns regarding a part of the wider cycle network to be developed by the applicant, but for which planning permission is not required given that it falls within existing highway land. That area is therefore outside of the current planning application boundary and the jurisdiction of the County Planning Authority as part of these proposals. Nevertheless, the concerns of the Parish Council have been passed onto the applicant in this respect. It should also be noted that the concerns regarding the crossing at Halfway Point and any impact on the heritage listing of the site are relevant material planning considerations to the determination of this application.

21. **Divisional Transportation Manager:** raises no objections to the proposals.
22. **Environment Agency:** has no objection to the construction of the cycle path. However, they note that ecological surveys undertaken show some water vole activity in this area. The scheme should therefore avoid impacting the banks of the water bodies, and if the banks are to be impacted no work should take place until a full water vole survey has been done and any necessary mitigation plan put in place.

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23. **Lower Medway Internal Drainage Board:** notes that the applicant will need to apply to the Lower Medway Internal Drainage Board (LMIDB) for Land Drainage Consent as the proposed cycle path runs close to a drainage ditch maintained by the LMIDB.

FOR INFORMATION: The applicant has submitted an application for Land Drainage Consent to the LMIDB, and a decision is due to be issued in respect of this matter in early October. In any case, this is a legal matter for which the application would need to satisfy themselves that they have all necessary consent(s) in place prior to the commencement of any construction works.

24. **English Heritage:** does not wish to offer any comments on the proposals.
25. **County Council's Archaeological Advisor:** notes the importance of Queenborough Lines as a historical fortification, and that extensive pre-application discussions took place between the applicant, English Heritage and the County Council Archaeologist. Overall, they accept the principle of the proposed works, but consider that it is likely that archaeological remains associated with the construction of the monument may be exposed during the groundwork's. In view of this, they consider that provision should be made in any forthcoming planning consent for a programme of archaeological work prior to the commencement of any construction operations.
26. **Kent Wildlife Trust:** does not wish to offer any comments on the proposals.
27. **County Council's Biodiversity Officer:** does not raise any objections to the proposals, subject to the ecological mitigation measures set out in the application being undertaken. Furthermore, considers that biodiversity enhancement measures should be incorporated as part of the scheme.
28. **Kent Police Architectural Liaison Officer:** does not raise any objections to the proposals, and makes the following key points within his technical crime prevention and community safety role:
- In general, considers that the site layout does not give rise to a great cause for concern, from a designing out crime perspective, as the main structure and proposed usage of the site are already in existence;
 - Has undertaken some research regarding unauthorised nuisance motorcycle use along the canal area and spoken with local neighbourhood police officers who patrol the area. From their records, there have been 21 recorded reports relating to anti-social motorcycle use along this stretch of embankment in the last 18 months, none of which have arisen from Park Road [where the majority of objections to this proposal have been received from]. Although 21 recorded reports of motorcycle misuse in the area have been received during the last 18 months, the local officers thought that motorcycle misuse was not a major issue at the time, given the length of the canal site. They conclude that the formalisation of the existing footpaths, tracks and former military road would probably not lead to a major increase in motorcycle misuse. Instead, it is suggested that whilst motorcycle misuse activities '*might*' increase a little if the cycle path is first brought into use, this would be monitored by the police and addressed should this be proven to be the case;
 - In regard to any physical motorcycle mitigation devices that could be installed to prevent motorcycle misuse along the proposed cycle path, he feels that it would be almost impossible to design in such mitigation devices that would be able to totally exclude motorcycles and yet allow mobility and bicycle access, particularly given the open nature and linear size of the site. However, he advises that the applicant should consider installing "A frame" type mitigation bars or radial gate points where

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pathways lead into the canal site itself from the local streets etc. Although such measures allow easy access for bicycles and wheelchairs, they may deter some misuse of motorcycles by making such access difficult, however, he notes that they are likely to be passable by a determined motorcycle rider;

- Recommends that metal gates be installed on either sides of the cycle path with Halfway Road (A250), an area which has been in the past extensively used by fly-tippers;
- Recommends that the applicant considers the installation of CCTV cameras for some sections of the cycle path.

29. **Sustrans (the UK's leading national cycling charity):** wrote in as part of the planning application to express Sustrans full support for the construction of a shared use walking and cycling path along/besides Queenborough Lines. The proposal would provide a key section in a circular waling/cycling trail linking Sheerness sea front and promenade, Barton's Point Coastal Park and the length of Queenborough Lines, a three-kilometre former defensive earthwork and an important part of Sheerness' heritage. The 9km (total) route would connect all four of the primary schools in Sheerness as well as the Isle of Sheppey Academy. The proposal would also help improve local people's health and well being and attract visitors and business to the Island.

Local Member

30. The local County Members, Mr. A. Crowther and Mr. K. Pugh, were notified of the application on the 29 July 2010.

Publicity

31. The application was publicised by the posting of six sites notices along the proposed 3 kilometre Queenborough Lines cycle route, a newspaper advertisement in the KM Sittingbourne Extra, and the individual notification of some 336 nearby residential properties.

Representations

32. To date I have received 24 letters of representation in respect of this application, including 18 copies of the same letter submitted by different residents living along Park Road (a copy of this petition letter can be found in Appendix 1). The letters set out various grounds of objection to the proposals, the key points of which are outlined below: -

- Do not specifically object to the principle of a cycle track along the canal bank, yet concern is raised that the path would be used by motorcyclists, who, at present use the canal bank as a racing track and a short cut causing a lot of noise and disturbance to residents who live nearby and users of The Lines;
- The site is well used for children and dog walkers and a cycle track would cause conflicts between these current activities;
- Raises concern regarding the possible danger to walkers as a result of unauthorised motorcycle use;
- Considers that the path would not be sufficiently wide enough to accommodate both pedestrians and cyclists as a 'shared-space' in a safe manner;
- Identifies that the new tarmac cycle path could be used by all manner of vehicles, including cars, on an unauthorised basis;

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- Concerned regarding an increased surface run-off as a result of the new tarmac cycle path;
- Concerned that the limestone dust surface for part of the cycle path is not suitable, and would, if installed, sink into the clay and provide no adequate surface to end users; and
- Considers the scheme to be a waste of thousands of pounds of tax payers' money on a facility which is not required. Many other facilities and improvements should be considered for the town of Sheerness before the Council spends its limited and dwindling public money on such a proposal.

DiscussionIntroduction

33. The application seeks planning permission for the construction of a shared-space cycle/pedestrian path along Queenborough Lines for a length of approximately 3 kilometres (just under two miles). The three sections of new cycle track seeking planning permission form part of a larger project by the applicant to create a new cycle network around Sheerness (see wider Sheerness route map on page D2.3), together with additional new cycle routes on the Isle of Sheppey in Leysdown and Queenborough/Rushenden, with a view to supporting economic growth, tourism, healthy exercise and recreation through this regeneration investment. It is noted that the vast majority of the wider cycle network does not require planning permission from the County Planning Authority as the works fall within the boundary of the existing highway network, and therefore are classified as Permitted Development. This application proposes three new sections (Sections A, B and C, as discussed in paragraphs 9 to 15 above) of two metre wide cycle track along a historic fortification known as Queenborough Lines. The application is being reported to the Planning Applications Committee as a result of a number of residential objections being received (as outlined in paragraph 32 and Appendix 1), largely relating to the possibility of unauthorised use of the proposed cycle track by various motor vehicles. In considering this proposal, regard must be had to the Development Plan Policies and National Planning Policy Guidance as outlined in paragraph (18). Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the Development Plan and National Planning Policy Guidance 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 my opinion, the key material planning considerations in this particular case can be categorised under the following headings:

- consideration of crime and disorder aspects of the proposed development in respect of the duty of care placed on public bodies under Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006);
- the impact of the proposals on local residential amenity;
- the impact of the proposals on ecological and archaeological interests; and
- any other issues arising from consultation and publicity.

34. The scheme has been developed in partnership between the County Council and Swale Borough Council, with the support of the UK's leading sustainable transport charity, Sustrans. The specific aim of this regeneration investment project is to improve green travel within Sheerness and to create new cycle linkages with other key settlements within the Isle of Sheppey. It is noted that the current proposals would provide vastly

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improved cycling connectivity to all schools within Sheerness, including the new Isle of Sheppey Academy to be developed in due course, allowing them to realise the potential of encouraging greener modes of home to school travel as advocated by their individual School Travel Plans. I note that currently the Queenborough Lines are used for walking and leisure purposes, and consider that the principle of improving and formalising cycling facilities in this locality should be strongly supported. In any case, national planning policy guidance generally supports the principle of providing improved access to, and the use of, recreational and leisure facilities by local communities.

Unauthorised motor vehicle use

35. Members will note that many of the residential concerns received relating to this proposal, as set out in paragraph (32) above, focus around the possibility of the new cycle path being used on an unauthorised basis by motor vehicles. Residents have claimed that motorcycle use along Queenborough Lines is already an existing ongoing problem as the route offers a short-cut between key points such as the coastal promenade (Marine Parade), Halfway Road and Edenbridge Drive, causing a lot of noise and disturbance to those living nearby and/or those enjoying The Lines for recreational purposes. The local Kent Police Architectural Liaison Officer was consulted in respect of these proposals (see paragraph 28 above), particularly in respect of establishing the extent of the existing problem, and to identify, in his view, as to whether the proposed development would present any detrimental intensification of this unauthorised activity. It is quite clear from the professional advice received from the Police Architectural Liaison Officer that during the last 18 months there have been some 21 recorded incidents of anti-social motorcycle use along the Queenborough Lines stretch. He has stated that having spoken to a number of his local patrol officers that the issue was not considered to be a major issue at the time, particularly taking into account the length of The Lines and its present open nature. In coming to a view on the proposals before him, the Police Architectural Liaison Officer has concluded that the formalisation of the existing tracks along Queenborough Lines would probably not lead to a major increase in motorcycle misuse in the locality. Instead, he has offered a number of suggested physical restriction measures which the applicant could reasonably install to act as a deterrent to unauthorised motor vehicle misuse. The applicant has considered these measures as part of their application, and now proposes a package of mitigation control measures, as set out in paragraph (17) above, including the installation of "A-frame" motorcycle deterrent bars at key alleyways to and from the Lines site.
36. Taking on board the County Council's duty to consider crime and disorder impacts of any new development in the decision-making process, as required under Section 17 of the Crime and Disorder Act 1998 (and as amended by the Police and Justice Act 2006), I am satisfied that subject to the imposition of the mitigation measures as set out in paragraph (17) above being installed prior to the cycle path first being brought into use and their permanent retention in situ thereafter, that the County Council has fulfilled its duty and has taken the necessary and reasonable steps to limit the possibility of anti-social behaviour. I am satisfied therefore that the concerns expressed by residents in respect of unauthorised motor vehicle use have been taken into consideration in the decision-making process, and an appropriate solution has been provided to mitigate, as far as is reasonably possible, from any negative impacts on surrounding residential amenity. Furthermore, I consider that the formalisation of the Queenborough Lines cycle path, together with the vehicle control measures proposed, is in fact likely to reduce the level of anti-social motorcycle riding in this area to that below current levels experienced by nearby residents. I do accept that the measures the applicant is proposing in terms of gating structures is unlikely to deter a *determined* motorcycle

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rider, but consider that there has to be a balance between ensuring easy authorised access – in terms of pedestrians, cyclists and mobility scooters, to the Queenborough Lines site. I note the Borough Council's position on this matter, in terms of requesting that this issue be dealt with by condition, but note that the further information containing the mitigation measures were sent to the Borough previously for consideration prior to their Committee Meeting. It is therefore unfortunate that they do not appear to have considered these measures when reaching their decision.

37. Members will note that the Police Architectural Liaison Officer has suggested that the applicant considers the installation of CCTV equipment at key points along the route to deter unauthorised and anti-social motorcycle use. Unfortunately, given the relatively limited scale of the project, the funding required for the installation and subsequent management/operation of CCTV equipment, I considered the insistence of such measure to be an unreasonable request in this instance. This measure, together with further police surveillance patrols along the route, could if required, be considered in the future should the need arise.
38. On balance, I am satisfied that I have given sufficient consideration to the issue surrounding anti-social motorcycle misuse along The Lines and take the view that an objection on these grounds alone could not be substantiated on the basis that the problem already exists and the application seeks to improve the current situation. I therefore do not raise any objection to the proposals on the basis of crime and disorder aspects, and in my opinion consider that the formalisation of the route as a cycle path is likely to improve the situation beyond that currently experienced at present. I note that my view is shared by that of the Kent Police Architectural Liaison Officer, as set out in paragraph (28) above. Furthermore, I consider the proposals to be broadly in line with the general thrust of Local Plan Policy E20 which seeks to ensure that security and safety measures are integrated within new developments design and layout.

Amenity considerations

39. It is noted that The Lines pass alongside the gardens of residential properties, especially those in Park Road from where a large proportion of the residential objections have been received, and questions of impact to amenity have been raised. However, setting aside the issues relating to motor vehicle misuse, as discussed in paragraphs (35) to (38) above, I do not consider the proposed cycle path would adversely affect residential amenity or raise any new issues not already experienced by nearby residents from the use of The Lines by existing passing pedestrian and cycle traffic. I therefore do not raise any objection to the proposals on the basis of any detrimental impact on neighbouring residential amenity, and consider the proposals to be in line with the general principles set out in Local Plan Policy E1.

Impact on ecological and archaeological interests

40. As noted above, the application site lies within a designated Special Landscape Area and local wildlife area to the western side of The Lines. However, given the largely two-dimensional aspect of the proposed cycle path I do not consider there would be a negative impact upon the Special Landscape Area to where it would sit. I consider that the surface treatment of the path has been appropriately chosen, consisting of a tarmac construction in low lying areas on the landward side of the embankment which is generally out of sight from wider views, and a limestone dust surface treatment for more prominent locations on top of the existing embankment structure itself. The views of Kent Wildlife Trust and the County Council's Biodiversity Officer are noted, for whom either offer no comments on the proposals or do not raise objections subject to

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ecological mitigation as set out in the application being undertaken. Accordingly, I consider the proposals to be acceptable in relation to ecological matters and to accord to the general principles of Local Plan Policies SP2, E11, E12 and E13. Furthermore, I consider there to be no overriding wider visual impacts caused as a result of the proposals sufficient to warrant objection in this instance, and consider the development to conform to Local Plan Policies SP5, E6, E7 and E9. In my opinion the slight but negligible visual impact of the proposals would be vastly outweighed by Local Plan Policies SP6 and C1 which seek to provide new and improved walking/cycling opportunities, together with improved community facilities within the Borough.

41. In terms of heritage issues, Members will note that concerns have been expressed (as detailed in paragraph 20) from Minster-on-Sea Parish Council regarding whether the proposals would compromise the future heritage listing of the site. It should be noted that the scheme has been drawn up by the applicant, with extensive pre-application discussions with both the County Council's Heritage Advisors and English Heritage. Furthermore, the absence of any comments from English Heritage when consulted on this planning application would indicate to me that that they raise no objections to the scheme, having been involved with the project from an early stage. In the main, the majority of the cycle path has been designed to be off-set some 1.5 metres from the toe of the embankment to avoid any potential disturbance to the heritage asset. Where this has not been possible – notably within Section B of the proposed route from the end of Southview Gardens to Edenbridge Drive, the path has been designed with a limestone dust surface dressing to sit on top of the existing embankment and follow the line of the existing Public Right of Way. The views of the County Council's Archaeological Advisor are noted insofar as they wish a pre-commencement programme of archaeological work to be undertaken by the applicant, and this approach is supported given the importance of the fortification structure and its possible future listing by English Heritage. I consider this approach to be consistent with National Planning Policy Guidance as set out in PPS5, and for the reasons set out above do not consider the proposals to adversely affect a possible future Scheduled Ancient Monument, as would be afforded protection by Local Plan Policy E16 should the structure become Scheduled in the future. Accordingly, I do not raise an objection to the proposals on heritage or ecological grounds.

Other issues arising from consultation and publicity

42. Concerns have been expressed relating to the proposed cycle path width (two metres) not being sufficiently wide enough to allow walkers and cyclists to safely use it as a 'shared-space'. It is important to note the historical value of the site in this instance, insofar as there is a balance to be achieved between a safe path width and creating an undue impact on the heritage asset. It is noted that neither Sustrans, the national cycling charity for which the scheme has been designed in conjunction with, or Kent Highway Services, have raised an objection relating to an unacceptable safety impact. Furthermore, the applicant has advised that the whole scheme has met and passed an appropriate Safety Audit, a requirement for new highway projects. I am therefore satisfied that the path width of two metres as proposed is acceptable, and represents a balance taking into account the historic interest of Queenborough Lines.
43. Another couple of issues which have been raised during the neighbour notification process include an issue regarding an increased amount of surface water run-off from the new tarmac path, and the limestone dust surface being an inappropriate design feature. Firstly, in respect of surface water management it is important to remember the width of the path and taking this into account it is considered that there should be no adverse impact on the locality as a result of the installation of the development.

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Secondly, in respect of the limestone surface dressing, it is noted that this finish would only be used for high level areas on top of the existing embankment structure where the ground is generally harder and drier, unlike the wetter conditions found at the toe of the embankment. The applicant has fully considered the use of this type of surface dressing, and is confident that it would be fit for purpose. I therefore see no reason to challenge that justification, and in any case should the surface be found to be a problem in the future it could be resurfaced with a new layer of limestone surface dressing at the applicant's expense. I am therefore satisfied that this is more of a management issue, and one for which the applicant should bear in mind in terms of future maintenance.

44. Members will be aware that residential concern has been expressed to the view that the scheme is a *'waste of taxpayers money'* and that *'improvements for the town of Sheerness should be considered before the Council spends its limited and dwindling public money on such a proposal'*. Members will be aware that financial issues are not material considerations in the decision-making process and therefore this issue is not relevant for consideration by this Committee. I am aware however that a large proportion of the funding for the scheme has been awarded from external sources, for which the applicant considers will bring significant regeneration benefits to the Isle of Sheppey as a result of the delivery of the scheme.

Conclusion

45. The proposal seeks permission for the construction of a shared-space cycle/pedestrian path along Queenborough Lines for a length of approximately 3 kilometres (just under two miles), forming part of a wider project to create greener transport routes within Sheerness and the Isle of Sheppey. The scheme would allow direct cycle network connectivity to all schools in Sheerness, in turn helping to allow them to realise the sustainable home to school travel targets set in their School Travel Plans. Having fully considered the potential environmental, heritage, amenity and crime and disorder impacts of the proposals, together with National Planning Policy Guidance and Local Development Plan Policies, I am satisfied that there are no overriding grounds for objection to the proposed development. I consider that subject to the installation of the motorcycle mitigation measures put forward by the applicant, as set out in paragraph (17) above, being provided prior to the first use of the cycle path and thereafter retained in perpetuity, that the nuisance issues raised by local residents relating to the anti-social use of the current Queenborough Lines site by motorcycles would reduce beyond the levels currently experienced. I am therefore satisfied that this nuisance issue, would not be intensified as a result of the current proposals. For the reasons set out and discussed throughout this report, I therefore recommend accordingly.

Recommendation

46. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:
- 5 year implementation period;
 - the development to be carried out in accordance with the permitted details;
 - ecological mitigation measures be undertaken as detailed within the planning application;
 - programme of archaeological works prior to commencement of construction activities;

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- motor vehicle mitigation measures be fully installed as detailed within the planning application prior to the cycle track being first brought in to use, and then retained in perpetuity thereafter; and
- measures to prevent mud and debris being tracked out onto the public highway during construction activities;

General photographs of Queenborough Lines



Queenborough Lines embankment shown on right-hand side of canal.
Photograph taken August 2010.

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Existing motorcycle mitigation measures already in place along part of the Queenborough Lines path – shown here is a typical 'A-frame' motorcycle restriction structure, similar to that proposed by the applicant at key alleyways/entrances leading to/from the proposed new cycle route.

Photograph taken August 2010.

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Semi-managed flat area of grassland behind the Queenborough Lines embankment where the proposed cycle track would be installed in route Sections A and C (note that in the main the route for Section B would be constructed on top of the existing embankment structure)

Photograph taken August 2010.

Construction of a cycle track along the 'Canal Bank' (Queenborough Lines, Sheerness – SW/10/1003

Appendix 1 – Copy of main text of standard letter received from 18 residents along Park Road

Planning Application Group
First Floor, Invicta House,
County Hall,
Maidstone.
ME141XX.
Ref:- SW/10/TEMP/0024



Dear Sir,

The purpose of this letter is to register my objections to the proposed construction of a cycle track along the canal bank (Queenborough Lines), Sheerness at Halfway Road, Sheerness, planning application No:- SW/10/TEMP/0024. I understand the proposal is for a 2.5mtr wide concrete cycle track on the grass band adjacent to the canal bank. My objection to this construction is that historically we have suffered nuisance from motorbikes, mopeds and other motorised vehicles using the canal bank as a short cut to and from Marine Parade and The High Street. The nature of the nuisance is motorized vehicles speeding along the grass with no regard for the safety of others and the resultant noise nuisance. Police have been notified on numerous occasions by my neighbours and I, the main problems being during the summer months but are not restricted to this time of year.

If the cycle path is constructed the ongoing problems will only increase with the manufactured cycle path being used by all manner of vehicles, the proposed design and size of the track will make it wide enough for cars to be driven along it and this will inevitably result in serious injury or fatality.

The green belt as it stands is used by dog walkers, runners, school children and cyclists and I can see no reason to spend thousands of pounds of tax payers money on a facility which is not required. Many other facilities and improvements should be considered for the town before the council spends its limited and dwindling public money on such a proposal.

In short, and to confirm, I object to the construction of the cycle track, planning application number SW/10/TEMP/0024.

Yours Sincerely.

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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Item D3**Proposed Floodlit Synthetic Turf Pitch at Tonbridge Grammar School –TM/10/345**

A report by Head of Planning Applications Group to Planning Applications Committee on 12 October 2010.

Application by Tonbridge Grammar School and Kent County Council Children, Families, Health & Education for construction of a floodlit synthetic turf pitch, including fencing, on School playing fields at Tonbridge Grammar School, Deakin Leas, Tonbridge - TW/10/345

Recommendation: that permission be granted subject to conditions.

Local Member: Mr G. Horne & Mr C. Smith

Classification: Unrestricted

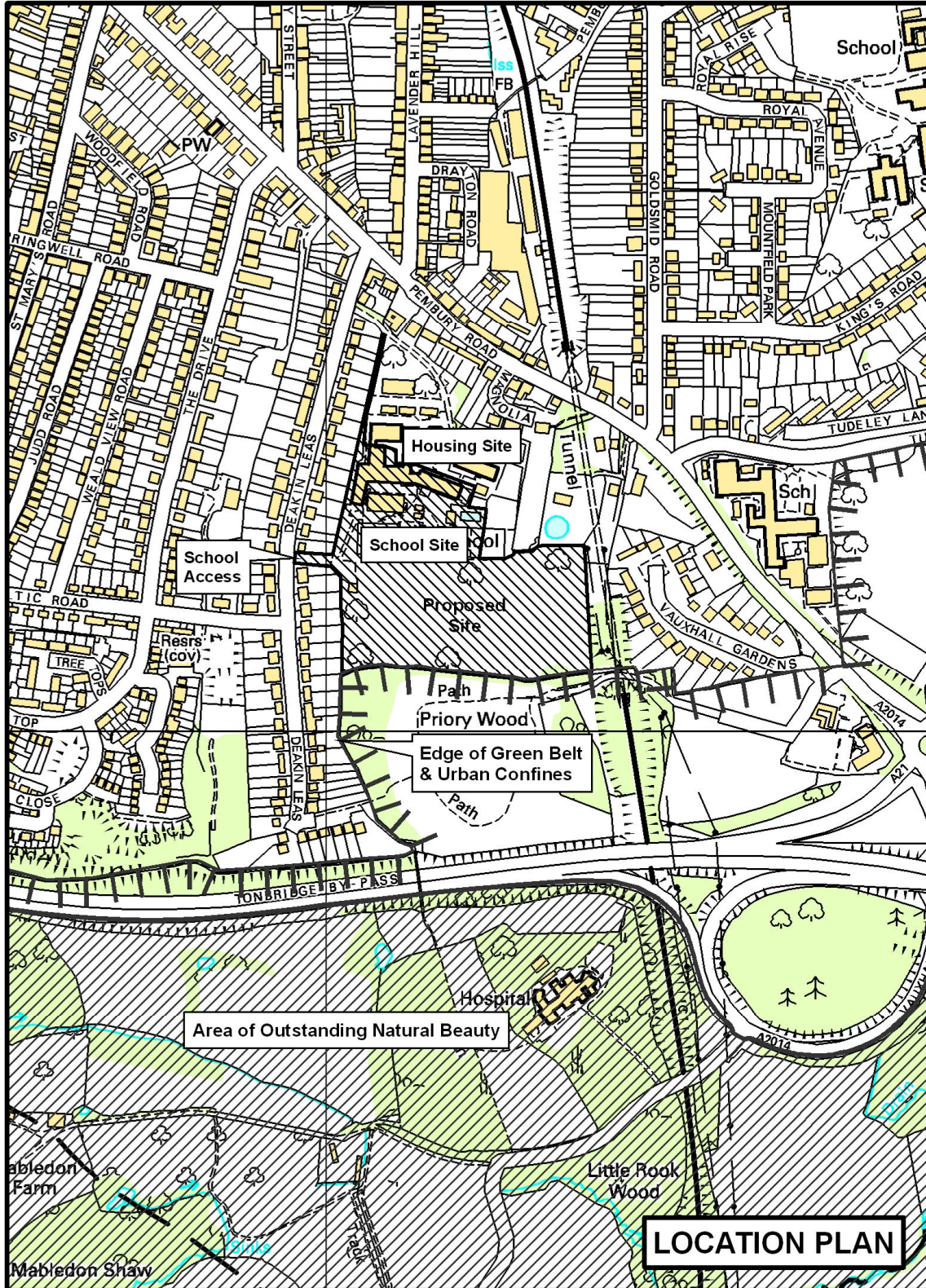
Site

1. Tonbridge Grammar School is a selective state school with 1069 pupils, of which 315 are in the sixth form, including 41 boys. The school is located to the south of Tonbridge town centre, to the south of Pembury Road, to the west of Vauxhall Gardens, and to the east of Deakin Leas, within a predominantly residential area. The site is accessed via Deakin Leas, and the school has recently been re-developed with a newly completed two and three-storey teaching and administration block providing 39 classrooms, staff offices, reception, administration and medical rooms, and a sixth form common room with ancillary facilities. The eastern end of the new building also houses a new sports hall, dance and drama rooms together with changing and other ancillary facilities. As a part of this redevelopment, the northern part of the school site was sold off for housing development, moving built development at the site further south. The southern half of the site, as now laid out, remains as playing field, which is identified in the Tonbridge and Malling Local Plan as an area of Important Green Space (the whole school site is, however, within the urban area confines). The housing in Deakin Leas is identified in the Local Plan as being within a Low Density Residential Area. To the south of the site lies a former Area of Local Landscape Importance (Local Plan Policy not saved). The Green Belt boundary also lies to the south of the site, and land beyond the Tonbridge Bypass is also designated as an Area of Outstanding Natural Beauty. The application site lies at the centre of the playing field to the south of the new school buildings. *A site location plan is attached.*

Proposal

2. This application has been submitted by Kent County Council Children, Families, Health and Education, and Tonbridge Grammar School and proposes the construction of a floodlit synthetic turf pitch, including fencing, on the school playing fields. The pitch area, enclosed by fencing, would be 101.4 metres by 63 metres, which includes safe run off distances. There would also be a short run-off extension for sprinting events on the north side of the pitch. The playing surface would be green artificial grass with an additional run off area inside the fence line. The pitch fencing would be 3 metres high in the main, although the height would increase to 4.5m at each end for 20 metres behind the goal positions. The fencing is proposed to be deep green powder coated mesh.

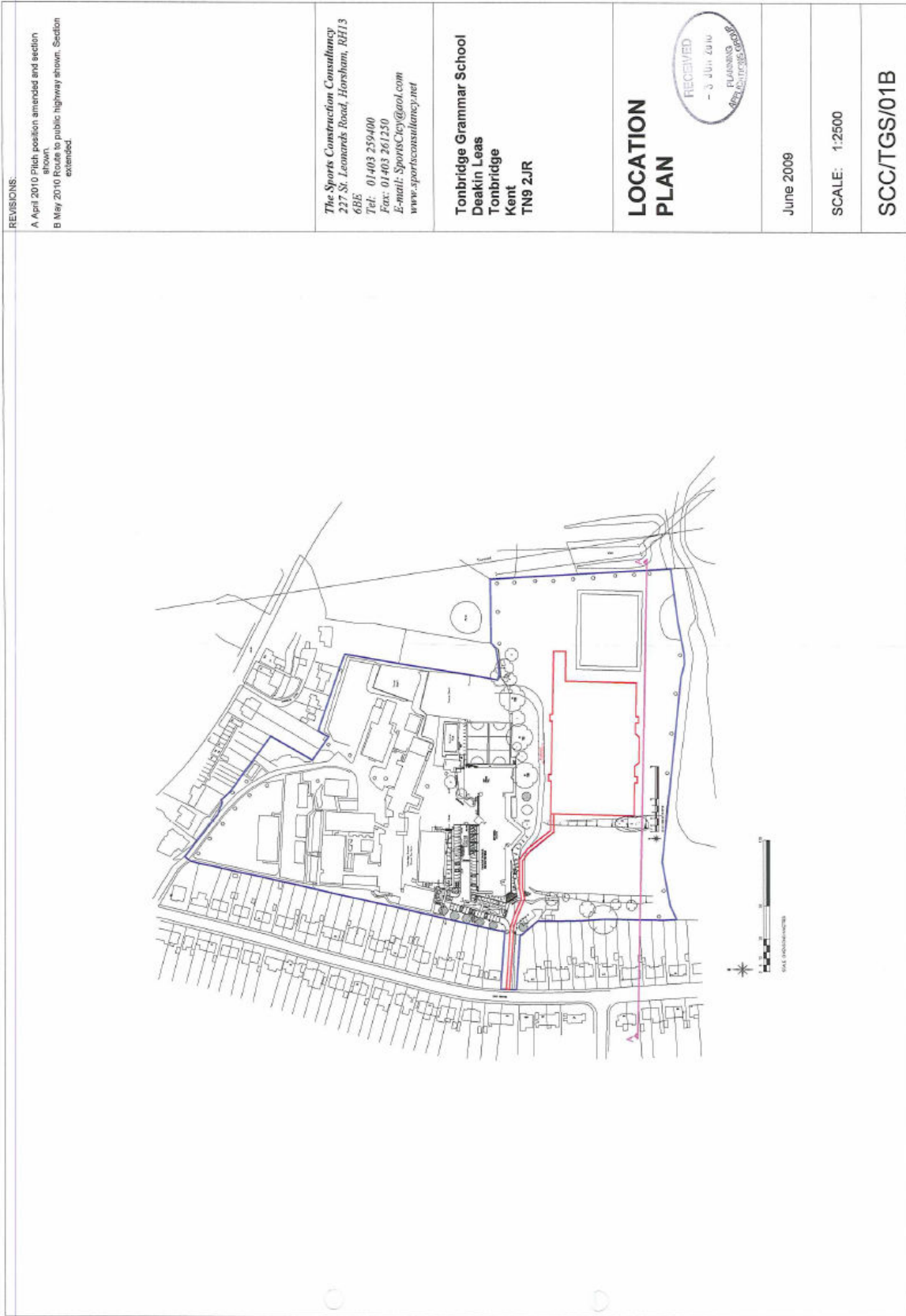
**Proposed Floodlit Synthetic Turf Pitch at Tonbridge Grammar School
– TM/10/345**



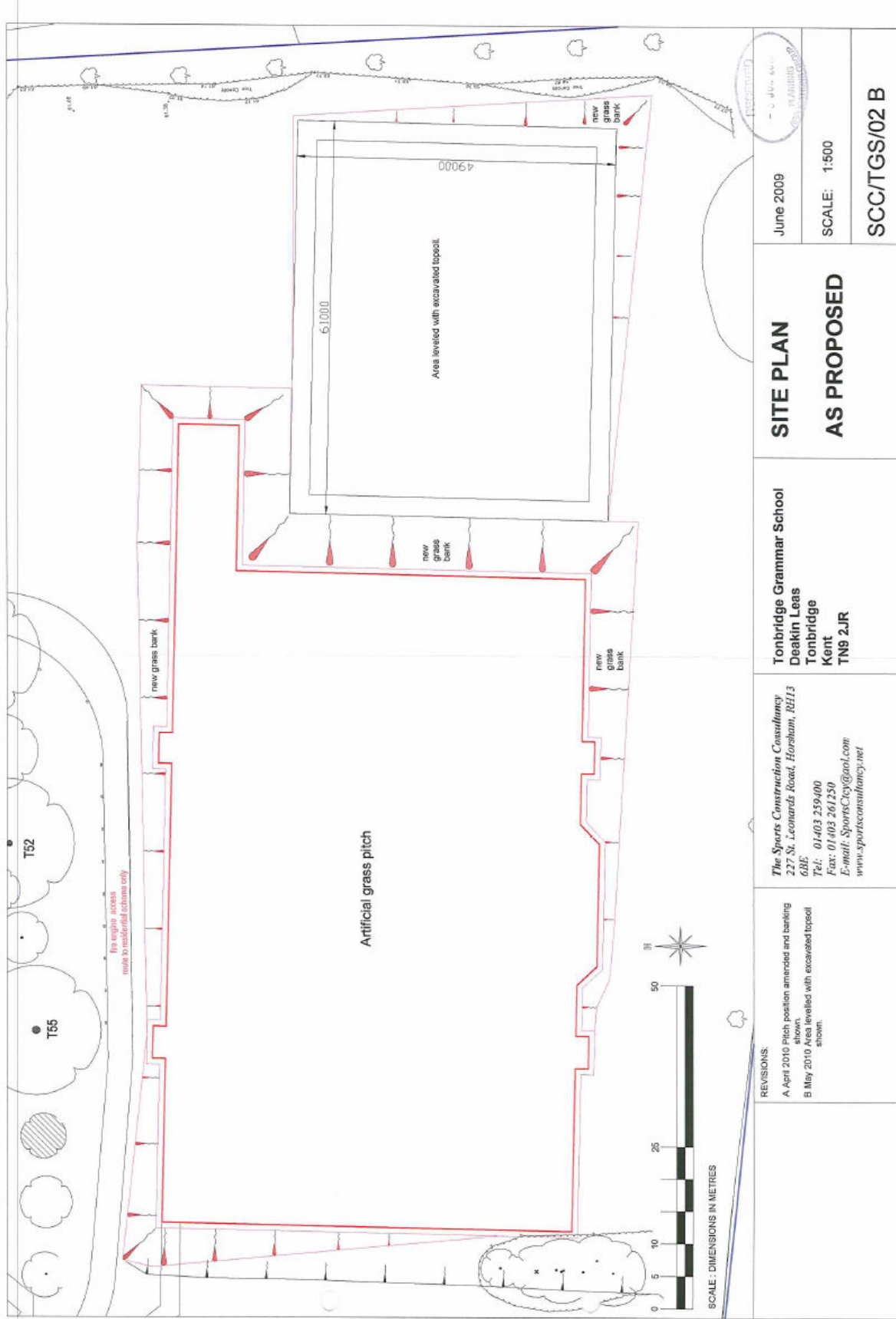
LOCATION PLAN

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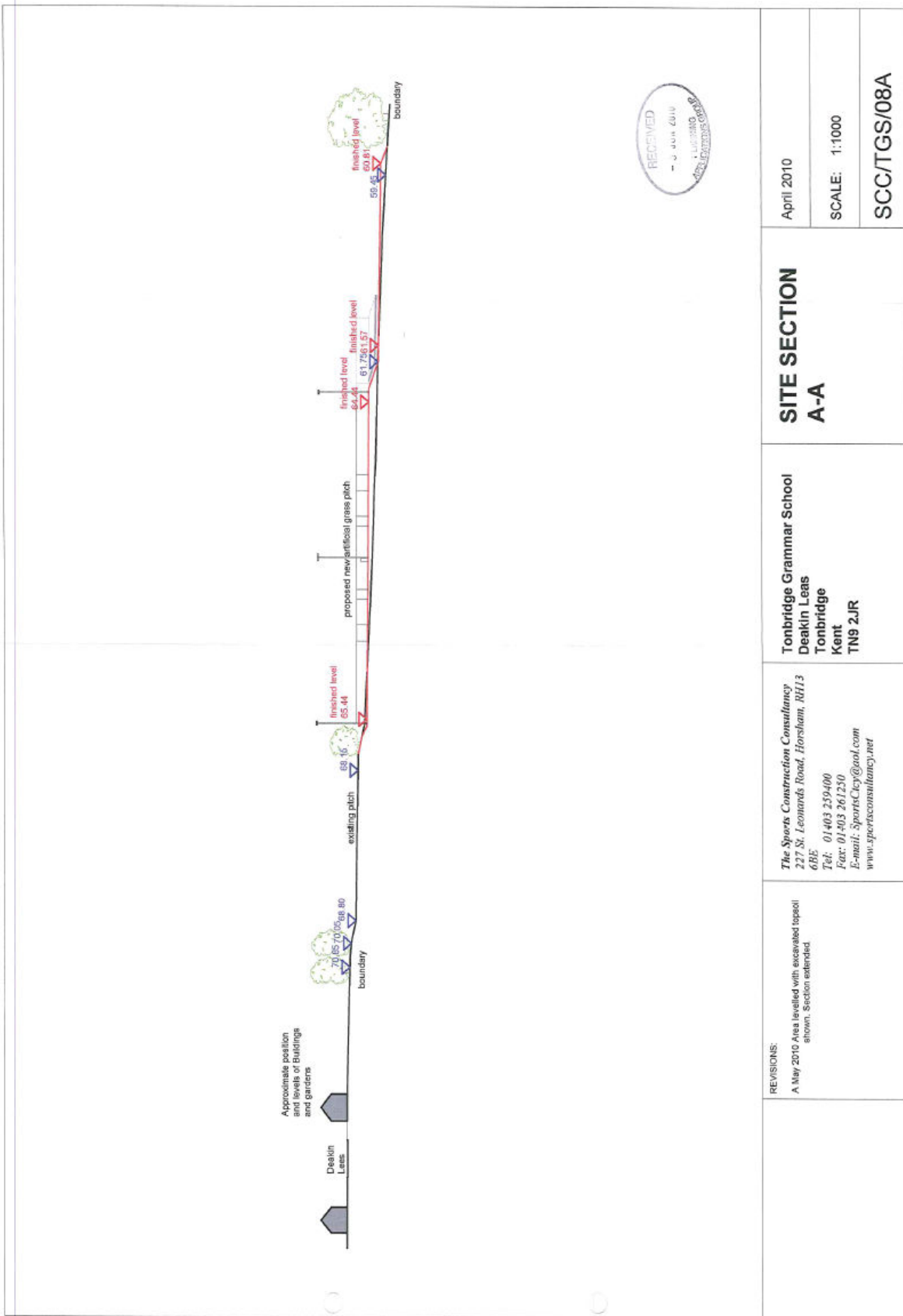
**Proposed Floodlit Synthetic Turf Pitch at Tonbridge Grammar School
– TM/10/345**



**Proposed Floomit Synthetic Turf Pitch at Tonbridge Grammar School
- TM/10/345**

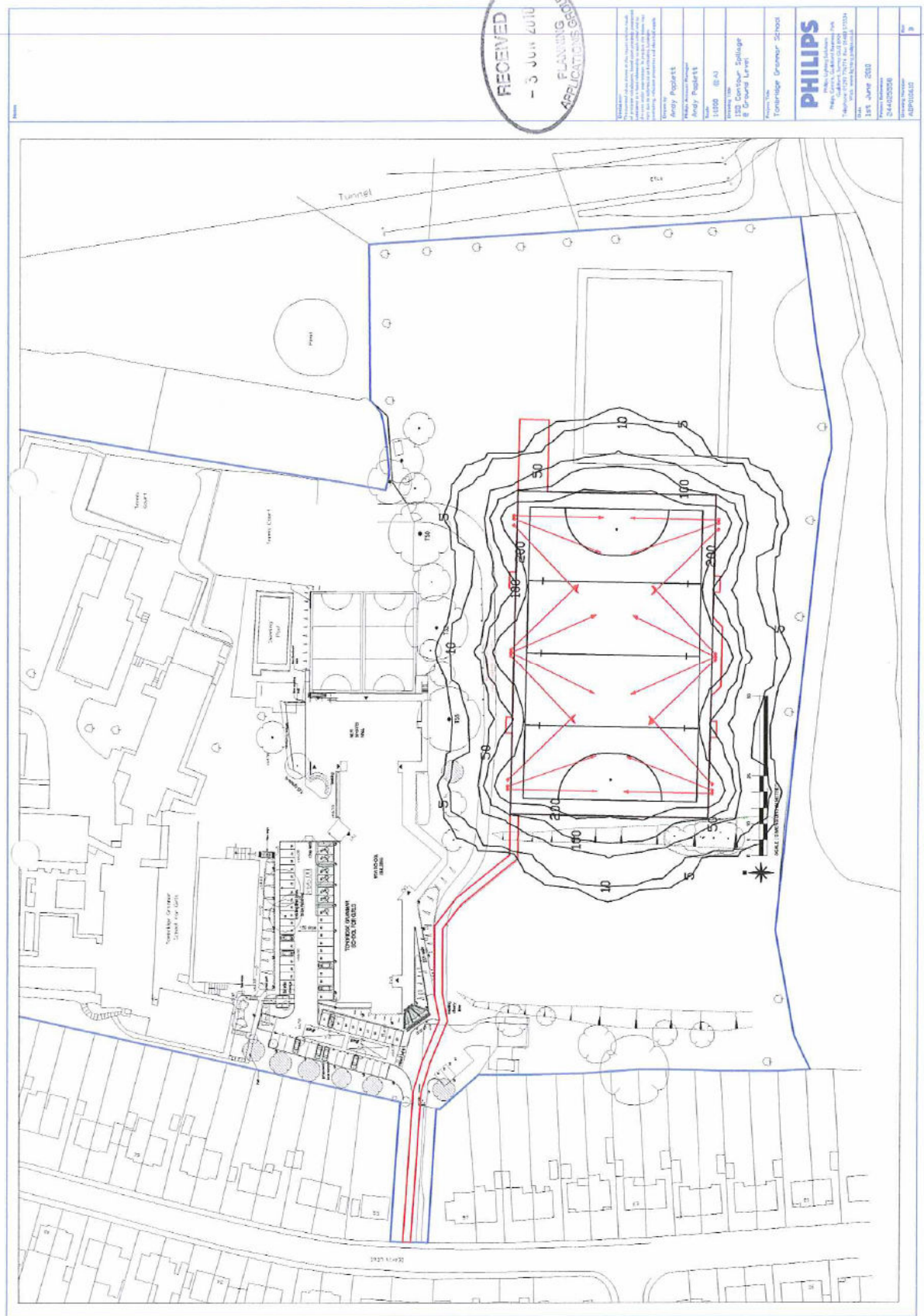


**Proposed Floomit Synthetic Turf Pitch at Tonbridge Grammar School
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<p>Tonbridge Grammar School Deakin Leas Tonbridge Kent TN9 2JR</p>	<p>SITE SECTION A-A</p>	<p>April 2010</p>
<p><i>The Sports Construction Consultancy</i> 227 St. Leonards Road, Horsham, RH12 3BB Tel: 01403 259400 Fax: 01403 261250 E-mail: SportsCcy@aol.com www.sportsconsultancy.net</p>	<p>SCALE: 1:1000</p>	<p>SCC/TGS/08A</p>

Proposed Floomit Synthetic Turf Pitch at Tonbridge Grammar School
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**Proposed Floomit Synthetic Turf Pitch at Tonbridge Grammar School
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3. The pitch would be located within the centre of the playing fields where they are most level and the amount of ground re-shaping required would be minimal. The pitch would be graded to fit as closely as possible with existing ground levels but meeting England Hockey recommendations for sport. To minimise the transportation of spoil from the site, it is proposed to retain topsoil on site and use it to improve the levels of the existing pitch in the south east corner of the playing fields. The natural ground levels mean that, when the final gradients are produced, the pitch would be lower at the western end when compared to properties in Deakin Leas. The proposed pitch location is also furthest from all site boundaries, and close to the new sports hall and changing facilities.
4. The pitch would be used primarily in the winter for school hockey and also some football. In summer months the pitch could be used as twelve tennis courts, as well as incorporating an athletics sprint strip. Selective and limited community use would also be encouraged, accommodated and managed by the School. The heavy underlying clay means that the existing turf pitches get waterlogged in winter months, resulting in them being out of use for extended periods of time. The applicant advises that the proposed synthetic pitch would improve the School's curriculum provision. In addition, the applicant advises that inter-school hockey matches are always played on artificial surfaces at other locations, meaning that the School currently has to travel for all matches. The provision of a synthetic pitch on site would remove this current requirement to travel.
5. The pitch is proposed to be lit with 20 luminaires, mounted on six 15 metre columns, one in each corner of the pitch and one on each side of the centre line. The pitch would be lit to a recognised standard for hockey, 350 lux. Switching would also allow a reduced level of 200 lux for large ball sports, minimising power consumption as well as the necessary level of luminance. The 15 metre high columns would be self coloured alloy and the use of modern asymmetric flat glass lighting units would direct lighting downwards, and limit light spread.
6. There are some mature Oak trees adjacent to the school buildings to the north of the pitch location. The applicant advises that these are to remain in place and that the positioning of the pitch is planned in such a way that construction would not extend into the root protection areas of these trees. To the south east of the proposed pitch lies an area of woodland which, the applicant advises, is recorded in the National Inventory of Woodland and Trees, but the closest trees are approximately 40 metres away from the proposed pitch. All trees in close proximity of the proposed development would be protected in accordance with BS5837:2005 – Trees in Relation to Construction. Planting around the pitch is not proposed as the applicant considers that this would alter the general character of the playing fields and would also create difficulties with root growth under the pitch.
7. When the application was submitted the applicant proposed that the pitch would be available for use between the hours of 06.30 to 22.00 Monday to Friday and 09.00 to 18.00 on Saturdays, Sundays and Bank Holidays. However, during the determination of this application the applicant has reduced these hours to 08.30 to 20.00 Monday to Friday and 09.00 to 18.00 on Saturdays, Sundays and Bank Holidays.
8. The applicant advises that the site is accessible via public transport links running along Pembury Road. The school also has a new car park containing 70 parking spaces, which would be available for use in association with this development. 35 secure cycle parking spaces are also available at the site.

**Proposed Floomit Synthetic Turf Pitch at Tonbridge Grammar School
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The application is supported by a Design and Access Statement, Planning Statement, Supporting Statement, Waste Management Statement, Site Waste Management Plan, Tree Survey, Noise Assessment and Lighting Specification.

Reduced drawings showing the site layout and sections are attached.

Planning Policy

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

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

PPS1	Delivering Sustainable Development
PPG2	Greenbelt
PPS7	Sustainable Development in Rural Areas
PPG13	Transport
PPG17	Planning for Open Space, Sport and Recreation
PPS23	Planning and Pollution Control
PPG24	Planning and Noise

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

Policy P4/9	Seeks to protect the character and amenity of established Low Density Residential Areas.
Policy P4/10	States that permission will not be given for any development within or adjoining Important Green Spaces, unless the need for the development is overriding and the proposals would not adversely affect the contribution which the spaces make to the character and quality of townscape. Where development may exceptionally be justified which results in the loss of part of an Important Green Space, the Borough will, where practicable, require enhancements to the retained area to compensate for the loss.

(iii) **Tonbridge & Malling Core Strategy:** Adopted 2007:

Policy CP1 –	Sustainable Development
Policy CP2 –	Sustainable Transport
Policy CP3 –	Metropolitan Green Belt
Policy CP7 –	Areas of Outstanding Natural Beauty
Policy CP11 –	Urban Areas
Policy CP24 –	Achieving a High Quality Environment
Policy CP25 –	Mitigation of Development Impacts
Policy CP26 –	Safeguarding of Community Services and Transport

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Members should note that the South East Plan has been revoked and no longer forms part of the Development Plan.

Consultations

10. **Tonbridge and Malling Borough Council** raises strong objection to the application, unless the following issues are addressed:

- KCC be satisfied that proposed parking and access arrangements are technically acceptable and that the school parking facilities are made available to accommodate the community use of the pitch, particularly in light of the local circumstances;
- The floodlights shall be angled to ensure the sports pitch only is illuminated and to avoid light spill outside the site;
- At no time shall the lighting levels exceed those shown on the submitted lighting assessment;
- TMBC considers it essential that any illumination is linked to a mechanism to limit illumination only during hours of actual use and to be timed to cut off automatically at 20.00 hours Monday to Friday, 18.00 hours on Saturdays and Sundays.
- The site should be vacated by 20.30 hours Monday to Friday and 18.30 hours on Saturdays and Sundays at the latest.
- The type and extent of the community use shall be clarified and that appropriate agreements are in place to manage the use outside of school hours;
- Screening should be provided to the residential boundaries;
- Possible site contamination condition to include:
 - a) If during development work, site significant deposits of made ground or indicators of potential contamination are discovered, the work shall cease immediately, and an investigation/remediation strategy shall be agreed with the Local Planning Authority and implemented by the developer;
 - b) Any soils and other materials taken for disposal should be in accordance with the requirements of the Waste Management Duty of Care Regulations. Any soil brought onsite should be clean and a soil chemical analysis shall be provided to verify imported soils are suitable for the proposed end use;
 - c) A closure report shall be submitted by the developer delineating (a) and (b) above and other relevant issues and responses such as any pollution incident during the development.
- Assurance that the facility is not available for community use when there is a function of activity at the school;
- The pitch shall not be illuminated when not in use.

Area Transportation Manager has no objection to the proposal in respect of highway matters. Informatives are suggested with regard to construction works.

Environment Agency has no objection to the proposal but advises that, according to their records, the site is adjacent to an historic landfill site.

The County Council's Landscape Advisor comments as follows:

"Whilst lighting would be used intermittently and would not spill directly onto adjacent residents along Deakin Leas, which would help to reduce lighting impacts, I do not consider that the slight amendment to the positioning of the pitch would lessen my initial concerns. I summarise my ongoing concerns as follows:

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- I am concerned that the necessary topographical changes, along with the synthetic surface and tall fencing and flood lighting columns, would not be entirely appropriate to the existing landscape character of the site and within the foreground of the nationally designated High Weald AONB. The proposals indicate relatively major earthworks, which would change the character of the existing landform quite significantly.
- The proposals would be particularly detrimental in elevated views from housing along Deakin Leas which are currently largely rural and uninterrupted.

In addition to these concerns, it is not clear how the proposals relate to existing trees and their root protection zones. I suggest that the applicant provides a drawing which illustrates the proposals in relation to the location of existing trees, their root protection zone and the proposed location of tree protective fencing. I also query whether any additional planting is proposed at all. Whilst I appreciate the potential difficulties with root growth under the pitch, and that planting would do little to screen the proposals from elevated views along Deakin Leas, I suggest that planting is proposed where possible if the proposals would incur any existing vegetation removal.”

The County Council’s Noise Advisor comments as follows:

“The Noise Assessment compares predicted noise levels from a typical sports game against existing noise levels established at nearby sensitive receptors. Predicted noise levels have been provided from an adult hockey match which is largely dominated by the players’ voices. This source is considered to be representative of the likely worst case noise levels emanating from the proposed sports pitch. In fact given the likely use of the proposed sports pitch – mainly for the use of school children – it is likely that the source term noise levels will be lower than those provided.

When compared against existing noise levels at nearby residential premises it is noted that an increase in ambient noise less than 3 dB(A) is predicted at ground floor level for all proposed hours of use for the sports pitch. The exception is at the closest of the Deakin Leas properties on weekdays between 19:00 – 20:30 hours where an increase in ambient noise of 3 dB is predicted.

It shall be noted that we would normally recommend the provision of mitigation measures where the introduction of a noise source results in an increase in ambient noise level of 3 dB or greater. However, considering that an increase of 3 dB is predicted only for a discrete period and, given that the source term noise levels are likely to be lower than those provided, I would consider the use of the sports pitch is unlikely to result in adverse effect.

In considering the above and on the basis that the pitches are restricted to the hours set out in the Noise Assessment (08:30 – 20:30 hours Monday to Friday and 09:00 – 18:00 hours on weekends) I have no objections to the proposed sports pitch on noise grounds.”

The County Council’s Lighting Advisor confirms that the lighting scheme submitted is acceptable in terms of its minimal visual impact on surrounding residencies. Whilst this would be reduced further with a reduction in the lighting level to the British and European Standard, the original submission still complies with the requirements of the

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Institute of Lighting Engineers' Guidance Notes for the Reduction of Obtrusive Light. However, as the British Standard specifies a minimum average level of 200 lux, the Lighting Advisor does not see why it is necessary to design to twice that figure with the increased energy and carbon use, not to mention the financial costs.

Sport England raises no objection to the application, subject to the imposition of conditions. Whilst Sport England would prefer for the floodlights to be available later in the evening (until 10pm), it is understood that this is not always possible in some instances. Conditions of consent are required to cover the following matters:

1. playing pitch construction and layout;
2. hours of use (until 8pm weekdays and until 7pm on Saturdays, Sundays and Bank Holidays); and
3. a Community Use Agreement;

Local Member

11. The local County Members, Mr G. Horne and Mr C. Smith, were notified of the application on the 10 February 2010.

Publicity

12. The application was publicised by an advertisement in a local newspaper, the posting of site notices and the individual notification of 42 neighbouring properties. In addition, 13 neighbouring properties, all of those who made representations following the initial consultation, were notified of further/amended details in respect of amended positioning of the pitch (5m to the east), reduced hours of use, a noise assessment and possible mitigation, a response to Tonbridge and Malling Borough Council's consultation response, level information and site sections.

Representations

13. Initially I received 13 letters of representation objecting to the proposals from local residents. To date, I have not received any letters of representation following the second round of consultation, carried out on the 21 June 2010. A summary of the main issues raised/points made is set out below:

Light/Noise Pollution and amenity concerns

- The south east of England is already particularly badly affected by light pollution;
- The school is at one of the highest points in Tonbridge and lighting would be visible from miles around;
- The brightness of the lighting required for a hockey pitch could contravene that allowed in what is presumed to be an E3 medium brightness area;
- The lighting must not intrude into neighbouring properties and must be angled downwards;
- The lighting should be removed from the proposal and the pitch only used in daylight;
- The pitch would generate significant noise pollution, especially use in the evening and at weekends;
- The proposed development would add to the noise and light pollution residents already experience as a result of the recently completed development at the site;
- A floodlit pitch was originally included in the recent refurbishment of the school but removed due to residents' complaints; It is disappointing that this idea has been raised again;

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- Evening and weekend use should not be permitted;
- Should competitive matches be held at the site with spectators, additional noise would be created which would not be acceptable;
- The opening of the site for community use may increase crime and allow access in adjoining gardens;
- The development would have an adverse impact on the privacy of local residents;

Access and Parking

- Local residents already experience significant parking disruption during peak school hours and evenings (when the School holds events). Sporting events would only add to this disruption;
- The recently completed construction work has already significantly damaged the road surface of Deakin Leas; any more building work would only make this worse;
- Recent developments at the site now means that the school has only one entrance instead of the previous two, which already creates unacceptable concentrations of traffic. Increased use of this one entrance would not be acceptable;
- The school has limited parking, which was reduced dramatically by recent developments at the site, and poor access to accommodate community use;
- Overflow parking would result in parking on Deakin Leas which would not be acceptable;

Landscape

- The proposed location adjoins Green Belt land and would change the character of the school site and views from the AONB considerably;
- The floodlighting in particular represents an inappropriate form of development abutting Green Belt land and would have a harmful impact on open/rural land;
- The proposed development is on land designated 'Important Green Space', and is contrary to Development Plan Policy;
- Deakin Leas is part of a Low Density Residential Area and this development would damage both the character and the amenity of the area in terms of its density, mass, scale, form and design;
- Fencing would be obtrusive and out of keeping with the site and would destroy views of the wider landscape;
- The development would lead to a loss of wildlife habitat;

Drainage

- Development on the site, including recently built housing, has increased rain run off increasing the risk of local flooding;
- The pitch surface must be fully permeable;
- The existing pitches should be drained rather than providing a synthetic surface;

General Matters

- The school has insufficient playing field and green space, especially after recent developments. This proposal would remove that last piece of open grass;
- The School already has to share sports facilities with Schools at Somerhill due to a lack of facilities;
- Community use should not be permitted;
- The need for such a pitch is not justified and it is unnecessary;
- The School should reconsider the scale of the pitch; a hockey pitch is the costliest, largest and brightest option;
- The proposal would result in an unacceptable increase in the intensity of use of the site;

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- Hours of use should be lower than those proposed, with limited evening and weekend use;
- In the event that permission is granted, a number of conditions of consent are suggested.

Discussion

14. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 9 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include impact upon the wider landscape (including AONB and Green Belt), noise and light pollution, highway implications and access, hours of use and community use, and local residential amenity.

Landscape

15. The school playing field is identified in the Tonbridge and Malling Local Plan as an area of Important Green Space, but the school site is otherwise within the Urban Area Confines. The Green Belt boundary lies to the south of the site, and beyond the A21 the land within the Green Belt is further designated as an Area of Outstanding Natural Beauty (AONB). Although the development site is not within the Green Belt or the AONB, views from local properties into these areas, and views of the school site from the wider landscape could be affected. Objections have been raised to the impact of the development on the remaining open space within the school site, and the impact on views into and out of the wider landscape. In respect of the Important Green Space designation, this seeks to protect such spaces and adjoining land from development, unless the need for it is overriding and the proposals would not adversely affect the contribution that the space makes to the character and quality of townscape.
16. I acknowledge that the development would intrude into the private views of the wider landscape from some residential properties and alter views across the playing field. In addition, due to the elevated position of the school, the development site could be visible from the wider landscape, including land designated within the Green Belt and the AONB. However, during daylight hours, when the proposed floodlighting would not be in use, the green synthetic turf surfacing and deep green weld mesh fencing would not be a significantly intrusive feature in the landscape. The galvanised lighting columns would blend with the sky and, although could be seen, would not be a dominant feature within the landscape. Although loss of views from a private property is not a material consideration in the determination of a planning application, I am satisfied that, as the development is over 100 metres from the rear elevations of the closest residential properties, the development would not be overbearing in nature and would not unreasonably intrude into the outlook of these properties. The introduction of lighting could, however, impact upon the wider landscape.
17. When the floodlighting would be in use, the development's visual prominence would increase, not only in terms of its impact on the outlook from local properties, but its visibility from the wider landscape. The impact of the lighting in terms of landscape impacts therefore needs to be considered and addressed. The applicant has reduced the proposed hours of use of the pitch during the determination of this application (to be

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discussed later in the report) to 08.30 to 20.00 Mondays to Fridays and 09.00 to 18.00 on Saturdays, Sundays and Bank Holidays. The reality of this is that the floodlighting would only be in operation for a very limited period of time, only in winter months, and only for a few hours a day at the most. The lighting specification has also been carefully designed to ensure that light is carefully and accurately controlled, with the use of horizontally mounted flat glass luminaires, which eliminate light above the horizontal and minimise the view of the floodlights from a distance, limiting visual impact. In addition, when viewed from the Green Belt and/or AONB the floodlit pitch would be set against an urban backdrop of residential properties, school buildings and street lighting, and not a dark rural landscape. In addition, the site is screened by existing woodland to the south, and planting to the site's perimeter, all of which would assist in mitigating the impact of the development on the wider landscape.

18. Given the relatively low amount of time the floodlighting would actually be in use, and the setting of the site, I do not consider that the proposed development would cause any significant harm to the general landscape character of the site, or the functioning and character of the adjacent Green Belt and AONB. I therefore see no reason to refuse the application on those particular grounds.
19. It is important to remember, however, that the floodlit pitch is proposed on land designated as Important Green Space. Given that the proposed development would still be used for outdoor sports as part of the school playing field, and would maintain the openness of the site, I do not consider that the development would be contrary to the underlying principles of the Local Plan designation. However, the Local Plan Policy also states that where development may exceptionally be justified which results in the loss of part of an Important Green Space, the Borough will, where practicable, require enhancements to the retained area to compensate for the loss and to improve and enhance the character and amenity value of the area. Given that the development would not necessarily lead to an overall loss of usable open space, I am not convinced that such compensation is necessary in terms of the retained space per se. However, the applicant is proposing to retain any soil excavated in the cut and fill required to level the pitch, to level and improve the existing playing field to the east of the proposed synthetic pitch. This would enhance the retained area of Important Green Space and, in part, compensate for any loss that may be considered to have occurred, improving and enhancing the character and amenity value of the remaining area.
20. Under the circumstances, I do not consider that the proposed development would have an unacceptable impact upon the wider landscape, or both views into and out of the Green Belt and AONB. I am of the opinion that the development accords with the general principles of relevant Development Plan Policies and Government Guidance, and advise, therefore, that the development should not be refused on these grounds. However, this is subject to the imposition of conditions with regard to the colour and specification of the fencing and surfacing of the pitch, the height, design and specification of the lighting columns and luminaires, control of hours of use and extinguishing of lighting when not in use, and the levelling of the existing playing field.

Trees and Ecology

21. The Tree Survey submitted with this application confirms that no trees would be affected by the proposed development. Should permission be granted, conditions of consent would ensure that all retained trees in close proximity to the development be protected in accordance with BS5837 – Trees in Relation of Construction. It has been suggested by the County Council's Landscape Advisor that additional tree planting

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should be undertaken to mitigate the impact of the proposed development. In addition, Tonbridge and Malling Borough Council raises strong objection to the application unless a number of matters are addressed by planning condition, one of which is screening of the development at residential boundaries. Whilst I would normally agree with this recommendation, in this instance I am of the opinion that additional tree planting is not required. Local residents have not requested that tree planting be undertaken and, on the contrary, appear to value the open nature of their boundaries and the site beyond. To plant trees and/or climbing plants around the perimeter fencing of the pitch would only draw attention and prominence to the fencing, and would, to my mind, do little in the way of mitigation. In addition, the applicant advises that tree roots could damage the surfacing of the pitch. Therefore, I am satisfied that additional planting is not required but, in the event that permission is granted, conditions of consent would ensure that existing trees on site are protected from construction activities.

22. The proposed floodlit pitch would be located upon the existing school playing field which is heavily used and mown on a regular basis. The potential for the site to be home to any protected species is therefore very low, and I am satisfied that the development would not directly impact upon protected species or their habitat.

Residential Amenity Concerns

23. Local residents have expressed concern over potential light spill/pollution, noise pollution, hours of use and security risks associated with the proposed pitch. It should be noted that hours of use of the floodlit pitch have been reduced by the applicant as a result of these concerns, from 06.30 to 22.00 Monday to Friday and 9.00 to 18.00 on Saturdays, Sundays and Bank Holidays to 08.30 to 20.00 Monday to Friday and 09.00 to 18.00 on Saturdays, Sundays and Bank Holidays. The appropriateness of these hours will be discussed and considered in the context of residential amenity in the following paragraphs.

Light Pollution

24. Objection is raised to the proposed pitch on the grounds of the impact the lighting would have on the wider landscape and on local residential amenity. The landscape context has been discussed above, and I am satisfied that the proposed lighting would not have an unacceptable impact on the wider landscape. However, the localised impact of the proposed lighting scheme on neighbouring residential amenity must be considered.
25. First, however, I consider that the reasoning behind the lighting level proposed should be explained. The County Council's Lighting Advisor states that the British Standard specifies a minimum average level of 200 lux for a pitch of this nature, and suggests that the proposed lux level be reduced from the 350 lux proposed to 200 lux. However, the applicant has given substantial justification for the lux levels proposed and has advised that the FIH (International Hockey Federation) guide to floodlighting hockey pitches is issued by the FIH Equipment Committee who acknowledge Philips; "expertise and detailed knowledge of sports lighting" in its development. It is apparent that similar sports experience was not as well represented in formulating the British Standard. The FIH guide is not a manufacturers' document but is the policy document and standard adopted by the FIH, Sport England and England Hockey.

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The applicant further states that:

“For information, the British Standard is a modification of a European (CEN) standard that was commenced in 2001. Things move very slowly with such standards and if the BS were revised today, I believe the figures would be amended upwards, especially if a serious injury or fatality occurs because of the figures it currently quotes and the interpretations of a very small number of individuals. There are very different circumstances when a player is hit by a football and when hit by a hard hockey ball travelling at 90mph. So, ‘fit for purpose’ is not what is fit for football but what is specifically fit for hockey.

The practical problems I have are that:

1) A hockey umpire has the responsibility to form an opinion as to the adequacy of floodlighting for a match. An umpire’s point of reference is what is produced by the governing body and I know from surface variant situations that an umpire will, very soon, refuse to umpire a match on a pitch with low illuminance and this will quickly lead to permanent condemnation of it.

2) One of the stated aims of the FIH guidelines, which are also used by England Hockey and Sport England, is to “ensure the safety of players involved in the game”. This should not be compromised. “

26. From a practical point of view, should the pitch be lit at 350 lux or 200 lux, the difference in terms of impact on residential amenity would arguably be negligible. The difference to those using the pitch, however, would be very significant. It should also be noted that the County Council’s Lighting Advisor is satisfied that the lighting scheme submitted complies with the requirements of the Institute of Lighting Engineers Guidance Notes for the Reduction of Obtrusive Light, and is not objecting to the scheme. In addition, the lighting specification as proposed can be switched from 350 lux for hockey to 200 lux for large ball sports. In light of this information, I am satisfied that the lighting specification proposed is acceptable and fit for purpose. It must now be considered in terms of its impact upon residential amenity.
27. As detailed in paragraph 5 of this report, the pitch is proposed to be lit with 20 luminaires, mounted on six 15 metre columns, one in each corner of the pitch and one on each side of the centre line. The pitch would be lit to 350 lux, with switching to enable the pitch to be lit to 200 lux should large ball sports be played. The applicant has provided a detailed lighting specification, and a lux level diagram which clearly shows that lux levels would fall away to zero within 45 metres of the pitch (see page D3.6). The closest properties to the site are those within Deakin Leas and Vauxhall Gardens. The rear gardens of these properties are some 70 metres from the pitch, and the rear elevation of the houses themselves are approximately 100 metres away. The light spill diagrams submitted with this application show that the proposed light level would drop rapidly outside of the pitch boundary to 1 lux at about 30 metres from the pitch. There is, therefore, no measurable light impacting on local residential properties. In addition, due to the existing levels of the site, the pitch would be at a lower level than properties in Deakin Leas, further mitigating the impact of the proposed lighting. The County Council’s Lighting Advisor confirms that the scheme as submitted is acceptable in terms of its minimal visual impact on surrounding properties.

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28. Whilst the light spill would be satisfactorily contained well within the school grounds, there would still be a view of the illuminated area from some neighbouring properties but I am satisfied that the technical specifications for the luminaires are such that there would be no glare impacting outside the pitch itself. Moreover, the nearest houses are over 100 metres from the lighting columns and the floodlighting would not, therefore, be unduly intrusive for neighbouring occupiers. Members will be aware that the protection of private views across neighbouring land is not a material planning consideration anyway.
29. As detailed above, the proposed hours of use as now proposed are 08.30 to 20.00 Monday to Friday and 09.00 to 18.00 on Saturdays, Sundays and Bank Holidays. This is a reduction on the 22.00 Monday to Friday finish originally proposed. Tonbridge & Malling Borough Council raises strong objection to this application unless a number of matters are addressed by conditions of consent. The hours of use as now proposed are in accordance with the Borough Council's requirements for weekday use, and are proposed to finish half an hour earlier than the Borough Council requests for weekend use. I therefore consider that the hours of use proposed are acceptable and, should permission be granted, this would be controlled by a condition of consent. Further conditions of consent would ensure the pitch was vacated within half an hour of last use, that lighting was extinguished when not in use and that the lighting was set up in accordance with the submitted details, and thereafter maintained. Subject to the imposition of these conditions, I see no reason to refuse the application on the grounds of light pollution.

Noise Pollution

30. Local residents have also expressed concern over the noise implications of the proposed pitch, particularly with regard to evening and weekend use. It is important to note that the existing pitches can be used at any time by the School without any restrictions. However, the provision of a synthetic floodlit pitch would increase the intensity of use, enable use in inclement weather and extend the hours of use beyond those afforded by natural daylight. The applicant has undertaken a Noise Assessment which has been submitted in support of this application.
31. The submitted Noise Assessment compares predicted noise levels from a typical sports game against existing noise levels established at nearby sensitive receptors. Predicted noise levels have been provided from an adult hockey match, which is considered to be representative of the likely worst case noise levels emanating from the proposed sports pitch. In fact, given the likely use of the proposed sports pitch – mainly for the use of school children – it is likely that the actual noise levels would be lower than those provided. The County Council's Noise Advisor advises that, when compared against existing noise levels at nearby residential premises, it is noted that an increase in ambient noise less than 3 dB(A) is predicted at ground floor level for all proposed hours of use for the sports pitch. The exception is at the closest of the Deakin Leas properties on weekdays between 19:00 – 20:30 hours where an increase in ambient noise of 3 dB is predicted. The Noise Advisor goes on to say that they would normally recommend the provision of mitigation measures where the introduction of a noise source results in an increase in ambient noise level of 3dB or greater. However, considering that an increase of 3dB is predicted only for a discrete period and, given that the source term noise levels are likely to be lower than those provided, in this instance it is considered that the use of the sports pitch is unlikely to result in an adverse effect. I must also point out that the pitch would only be used until 20.00. In addition, the applicant advises that weekend use is likely to be very limited and evening use mostly on winter evenings

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when curtains and windows are closed. No early morning use is envisaged outside of the school day which is the same circumstance as existing.

32. In light of the above, I do not consider that the use of the pitch within the hours specified by the applicant would have a detrimental impact on the amenity of neighbouring residents with regard to noise. The level of community use and the proposed hours of use are deemed to be acceptable in this respect, subject to the imposition of conditions to control this. This will be discussed in more detail below.

Other amenity concerns

33. Apart from highway and access issues, which will be discussed below, matters of privacy and security have been raised by local residents. However, the existing school site is open out of school hours for various activities, and the provision of the floodlit pitch some 100m from local properties would not, in my opinion, have a detrimental impact on security or privacy. In fact, with regard to security, the use of the playing field in the evening could be argued to improve security due to increased natural surveillance from more regular supervised activity.

Access and Highway Implications

34. There are a number of issues arising in relation to transport and access as a result of the proposed development and these are reflected in the letters of objection and include concerns about traffic congestion, additional traffic and indiscriminate parking. However, it should be pointed out that during the school day only existing pupils would be using the facility and, therefore, the development would not have any impact on the local highway network.
35. Out of school hours use of the facility would be by the school as well as limited and selected groups, managed and agreed by the School. The applicant advises that the car parking spaces available at the school, and vacated out of school hours, would accommodate the relatively small number of community users envisaged. There would be 70 car parking spaces available. Kent Highway Services are satisfied that this is an acceptable approach and, subsequently, raise no objection to the development. Should permission be granted, I consider it appropriate to condition that the School makes on site parking available when the pitch is in use out of school hours. Subject to this condition, I see no reason to refuse the application on this ground.
36. Tonbridge & Malling Borough Council raises strong objection to the application unless a number of issues are addressed (see paragraph 10). The first of these is that KCC must be satisfied that parking and access arrangements are technically acceptable, and that the school parking facilities are made available to accommodate community use of the pitch. I am satisfied that that matter has been adequately addressed. However, the Borough Council also requires assurance that the proposed pitch would not be available for community use when there is a function or activity at the school. The applicant considers that a condition which would restrict use of the pitch if a function or activity was being held would seriously affect the efficient functioning of the school, and would prohibit such events as parents evenings, staff meetings, or even a small group using the dance studio or sports hall. I consider that the School should be able to manage the operation of their site in such a way that parking could be accommodated on site for community use. I agree that a condition restricting the use of the pitch if a function or activity was being held would be too restrictive and would not be appropriate in this instance.

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Hours of Use/Community Use

37. As discussed throughout this report, hours of use are proposed to be between 08.30 and 20.00 Monday to Friday, and between 09.00 and 18.00 on Saturdays, Sundays and Bank Holidays. As previously stated, I consider these proposed hours of use to be acceptable and, should permission be granted, conditions of consent would restrict use of the floodlit pitch to between these hours.
38. As outlined in paragraph 4 of this report, it is proposed that there would be community use of the floodlit pitch, a principle which is supported by Development Plan Policy and wider Government aspirations for extended school use and community activities. The school advises that community use would, however, be by limited selected and trusted groups only. This is intended to be a compromise between the needs of the School, the community shortfall and the requirements of Sport England. Tonbridge & Malling Borough Council raises strong objection to the application unless a number of issues are addressed. One of the matters specified is that the type and extent of community use should be clarified and that appropriate agreements are put in place to manage the use outside of school hours. Sport England raises no objection to the application subject to the imposition of conditions, one of which is the submission and approval of a Community Use Agreement. Sport England has accepted that extended hours of use at this site would not be appropriate or acceptable, and neither would extensive community use. However, due to the requirements of Sport England and the Borough Council, and the concerns expressed by local residents with regard to community use, I consider it appropriate to condition that further details be submitted for approval, should permission be granted. The amenity of neighbouring residents must, in my view, be protected and community use controlled to ensure minimal disturbance to neighbours. In this instance, a Community Use Agreement would be required, to be submitted and approved prior to first use of the proposed facility.

Drainage and land contamination

39. Local residents have expressed concern that the proposed pitch would increase surface run off, increasing the risk of local flooding. However, the applicant advises that the proposed pitch would be fully porous and would have a high storage capacity for rainfall within its construction. In the applicant's view drainage would, if anything, be improved. In light of this information, and the fact that the Environment Agency has not requested any conditions with regard to drainage, or provided any guidance, I am satisfied that the development would not have a detrimental impact on drainage on site.
40. Tonbridge & Malling Borough Council requests that a condition of consent should be imposed with regard to site contamination. The applicant is of the opinion that land contamination is not a significant issue at the site and is more than happy to agree to the suggested condition detailed in paragraph 10. Therefore, should permission be granted, a condition with regard to land contamination would be imposed upon the consent.

Need

41. Local residents have expressed the view that the proposed facility is not required and is, therefore, unnecessary. However, at present, the school's hockey teams are transported off site to various local schools for team practices. This has to be out of school hours due to the loss of time incurred by travelling, which precludes practice or play in curriculum time. Other sports, such as rounders or football, could also be played

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on the proposed pitch in all weathers, as opposed to the poor availability of the grass pitches. Tonbridge & Malling Playing Pitch Strategy states that there is a significant lack of floodlit training areas in the Borough, and that hockey (at club level) is under provided and without more synthetic turf pitches the game could not develop in the Borough. The School's need also stems from the prevalent poor ground conditions of the existing turf pitch, the necessity to travel to play hockey and the desire to meet curriculum requirements more efficiently and effectively. I am, therefore, satisfied that a case of need has been provided.

Construction

42. 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 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 good practice 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.
43. In addition, I consider it appropriate that details of a Construction Management Strategy be submitted for approval prior to the commencement of development. That should include details of construction methods, location of site compounds and operative/visitors parking, details of site security and safety measures and details of any construction accesses. Should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy.
44. In addition to the above, should permission be granted, a condition of consent would ensure that mud on the local highway network would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Conclusion

45. In summary, I consider that, subject to the imposition of appropriate planning conditions, this proposal would not have a significantly detrimental effect on residential or local amenity, the street scene and character of the area, or the local highway network. In my view, the development would not give rise to any significant material harm, including to the wider protected landscape and functioning of the Green Belt, 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

46. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
 - A 3 year time limit for implementation;
 - the development to be carried out in accordance with the permitted details;
 - colour and specification of fencing and surfacing;
 - precise details of levels, existing and proposed;
 - protection of trees to be retained;

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- hours of use to be restricted to be between 08.30 and 20.00 Monday to Friday, and between 09.00 and 18.00 on Saturdays, Sundays and Bank Holidays;
- all lighting on site, except security lighting, to be extinguished by 20.00, or 15 minutes after last use of the facility if earlier;
- extinguishing of lighting when pitch not in use;
- level of use of the facilities to accord with submitted details;
- lighting to be installed in accordance with approved details, and checked on site;
- lighting levels not to exceed those specified within the application;
- no further lighting to be installed without planning permission;
- land contamination;
- a Community Use Agreement being submitted and adhered to;
- parking to be available out of school hours for community use;
- hours of working during construction to be restricted to 0800 and 1800 Monday to Friday and 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- measures to prevent mud and debris on the highway;
- construction code of practice;

Case officer – Mary Green	01622 221066
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Background documents - See Section heading
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Extension for additional learning space at The Gateway Primary School, Dartford – DA/10/627

A report by Head of Planning Applications Group to Planning Applications Committee on 12 October 2010.

Application by The Gateway Primary School for an extension off the main school for additional learning space, The Gateway Primary School, Milestone Road, Dartford, Kent, DA2 6DW (Ref: DA/10/627).

Recommendation: Planning permission to be granted, subject to conditions.

Local Member: Mr A Sandhu

Classification: Unrestricted

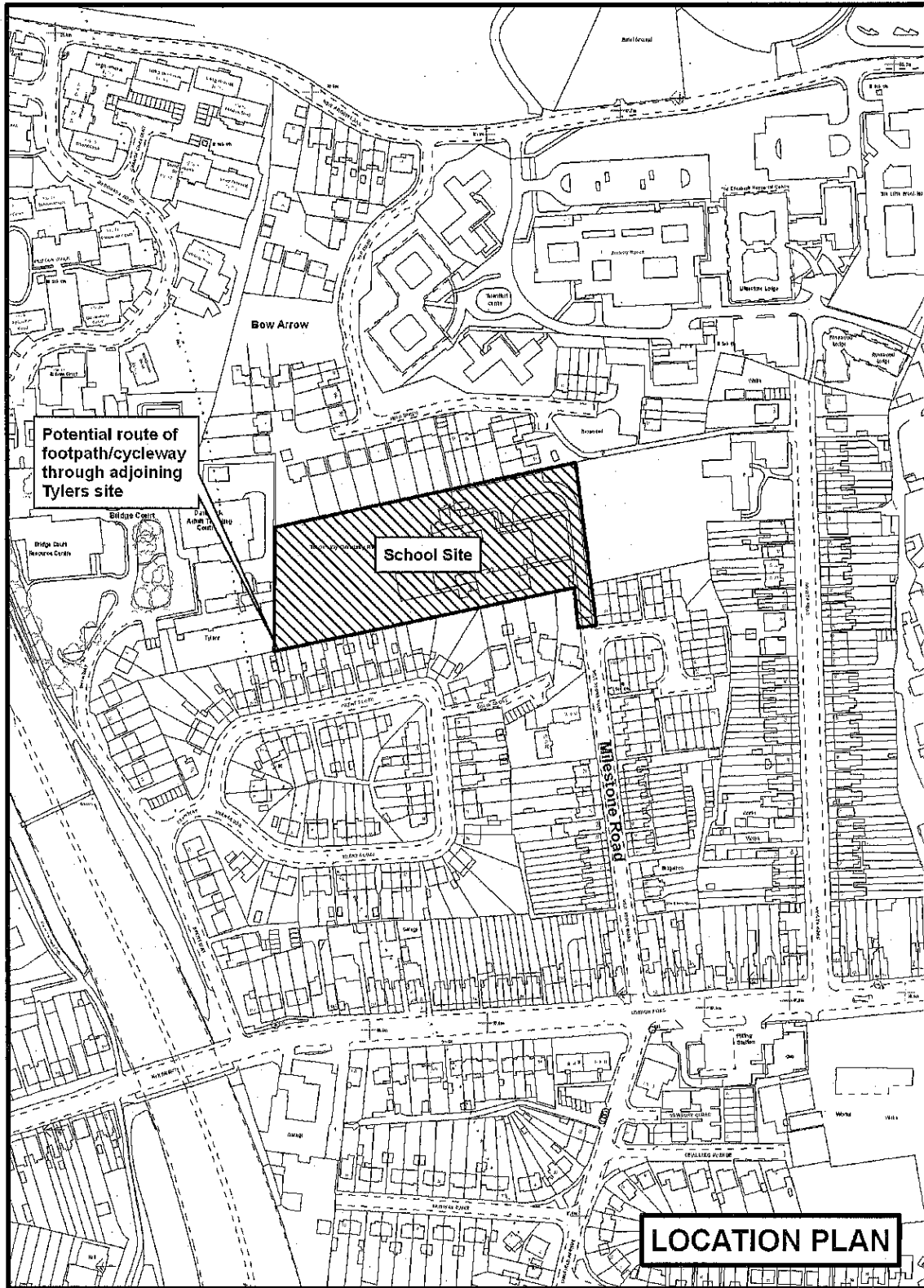
Site

1. The Gateway Community Primary School is located in Dartford, in the Stone Ward. The site comprises of a single storey building, car parking and drop off area, and playing fields. The main entrance to the school is situated at the end of Milestone Road, which is a cul-de-sac, some 210 metres long. Milestone Road is a residential road with little off-street parking available for residents. Parking in the carriageway is evident throughout the day. Although the school is located in the middle of a residential area, there are no other footpaths or alleyways linking it to the surrounding area. The site is bordered by residential properties to the north and south, whilst to the east there is a West Kent Primary Care building called 'Rainbow Lodge'. To the west there is the Dartford Adult Training Centre and a building called 'Tylers' (which used to be a Kent County Council building), both of which are now closed and derelict and are located off Brent Way. The 'Tylers' site has been the subject of a recent appeal for a secure housing development and this proposed development was allowed on appeal. A site location plan is attached.

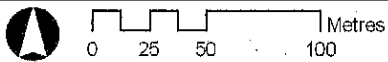
Background

2. The school site was originally known as the Milestone Special Needs School. This school was moved to a new site in New Ash Green and the school was converted from a special needs school to a community primary school. The Gateway Community Primary School opened on 1 September 1999. The school is a one-form entry primary school (7 classes), which started with one class of children for the 1999/00 academic year, increasing by one class per academic year thereafter up to its maximum size of 7 classes, which commenced in September 2006.
3. A condition was attached to the original planning application for a footpath/cycleway to be provided between Brent Way and the school within 6 months of the school opening. This condition was intended to provide an alternative means of access to the school site and to take the pressure off Milestone Road as being the only vehicular and pedestrian access to the school. It was therefore intended that this footpath/cycleway would be located through the 'Tylers' site and would enter the school playing fields in the south west corner, where an internal footpath would have to be constructed up to the school buildings. However as the school was not expected to reach its full capacity of 210 pupils until all the classes was filled, it was agreed with Kent Highway Services that this footpath/cycleway did not have to be provided until the school was at full capacity. Before the footpath/cycleway could be progressed, the use of the 'Tylers' site changed temporarily and the site was sold off, but no reservation was made with the new owners to safeguard a strip of land to provide this footway/cycleway to the school.

Extension for additional learning space at The Gateway Primary School, Dartford - DA/10/627.

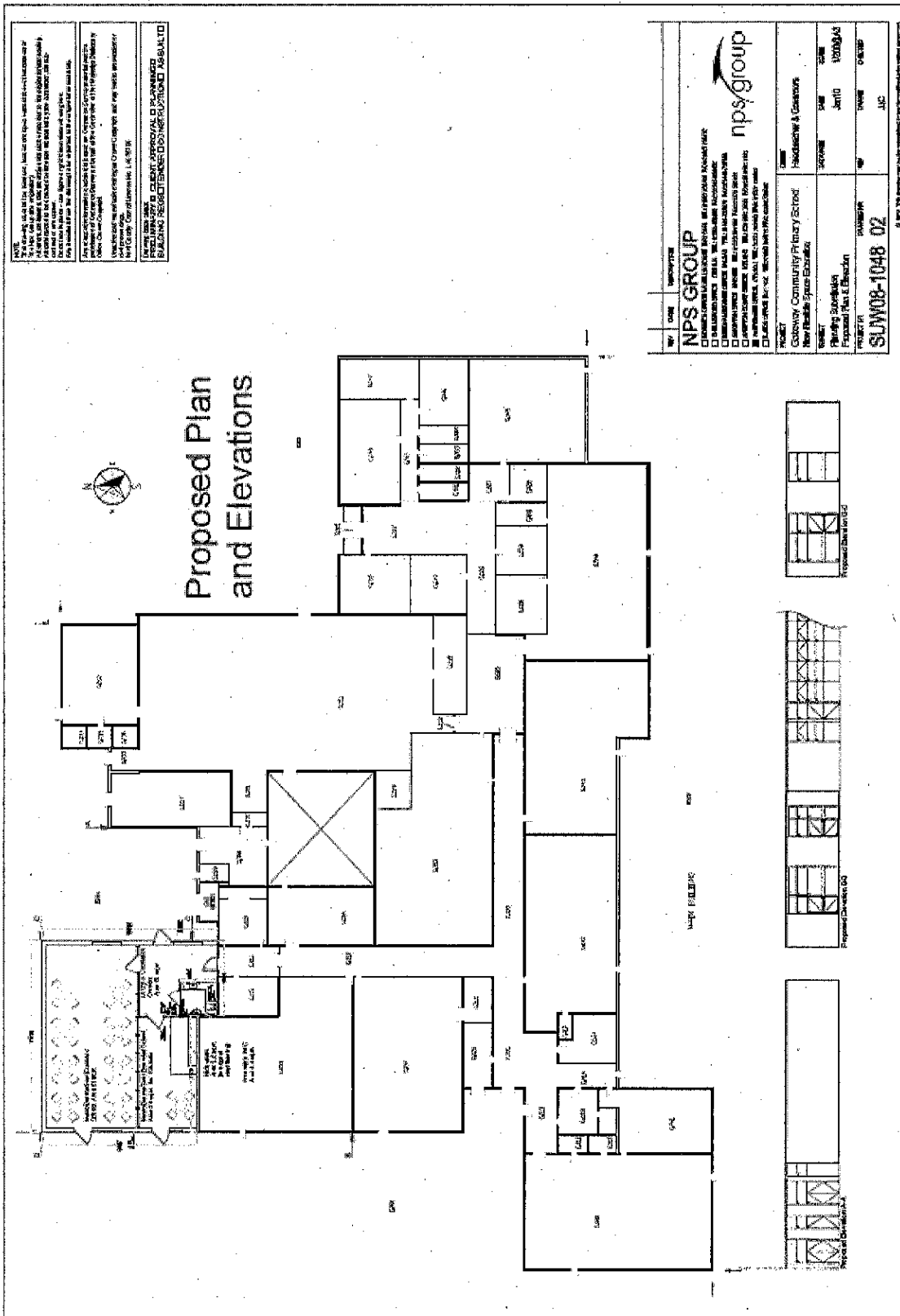


LOCATION PLAN



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Extension for additional learning space at The Gateway Primary School, Dartford – DA/10/627.

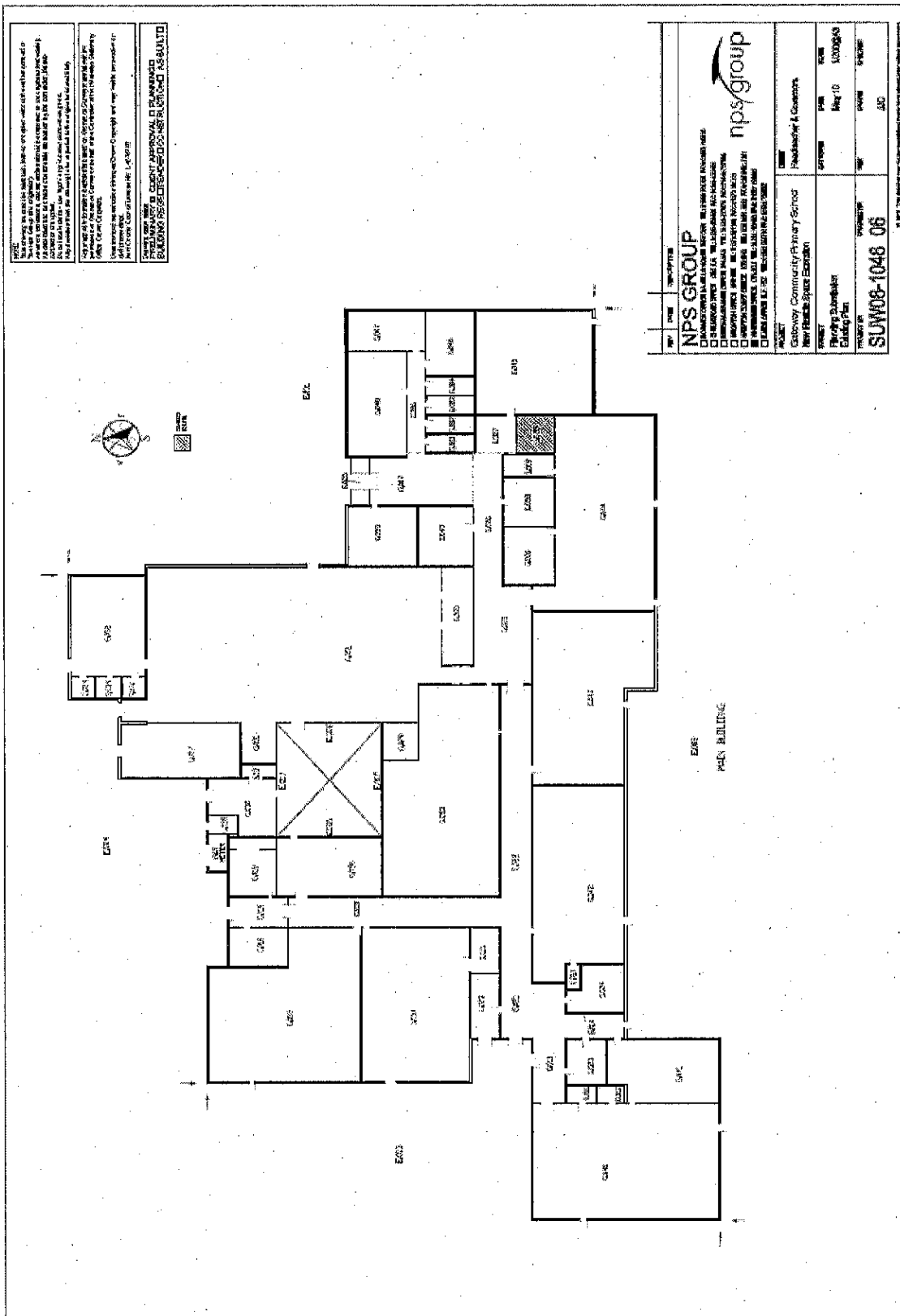


NOTE:
 1. The client has approved the design and construction of the proposed extension. It is the contractor's responsibility to ensure that the design and construction of the extension complies with all relevant building regulations and standards. The contractor should ensure that the extension is built to the same standard as the existing building. The contractor should also ensure that the extension is built to the same standard as the existing building. The contractor should also ensure that the extension is built to the same standard as the existing building.

NO.	DESCRIPTION
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NPS GROUP	Headoffice & Offices
100, High Street, Dartford, Kent, DA11 7JG	
01473 750000	
01473 750001	
01473 750002	
01473 750003	
01473 750004	
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01473 750006	
01473 750007	
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4. A planning application was subsequently submitted by the School in 2007 (planning application DA/07/1218) to remove the footpath/cycleway condition, that was attached to the original 1999 planning application, as the proposed footpath/cycleway link could not readily be provided and it was considered to be no longer needed. This planning application to remove this condition was met with a lot of objection from the residents of Milestone Road and a Members' site meeting was held at the school on 15 January 2008. The outcome of that site meeting was that the requested removal of the footpath/cycleway condition should not be pursued until a suggested alternative pedestrian/cycle access point to the school site had been fully investigated. That planning application has not been determined and was still live at the time of the extension planning application being submitted (please refer to the *Discussion* for an update on that planning application).

Proposal

5. The planning application is for an 116sqm extension to the school to provide an additional teaching room, a meeting room entrance and lobby. It is proposed that this teaching room could also be used as a flexible space that can be used by community groups outside of school hours. The out of hours use of this proposed extension is primarily for before and after school clubs/holiday clubs for the children and parent workshops. The expected hours of use are likely to be 08.30 to 18.00 hours during term time and 09.00 and 15.30 hours during holiday periods. The proposed extension would only be used for small group meetings for the local community and school related business.
6. The proposed extension is to the back of the school site and it would have a flat roof, like the rest of the existing school buildings, and to ensure that it would be unobtrusive. The materials proposed to be used in this extension would replicate the brick, windows and doors used in the rest of the school. The proposed extension would not be visible from the road but would be visible to the rear of the dwellings on High Trees. The proposed extension would not affect the parking area or the emergency access route to the rear of the school as the existing emergency gates are not affected by this proposal. The proposed extension would also not increase pupil numbers at the school, which would remain at 210 pupils. This is the maximum number that the school is allowed to take.

Planning Policy

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

Planning Policy Statement 1 – Sustainable Development

Planning Policy Statement 13 - Transport

Dartford Borough Local Plan (1995)

Policy S2 Provision of community, leisure, tourist, retail facilities.

Policy T21 Agreement for highways improvements related to development proposals.

Policy T31 Provision of pedestrian footways and verges alongside roads.

Extension for additional learning space at The Gateway Primary School, Dartford – DA/10/627.

Members should note that the South East Plan has been revoked and no longer forms part of the Development Plan.

Consultations

8. **Dartford Borough Council** – raised a holding objection, which is as follows:

- “This Council does not raise any objection to the principle of the extension but are concerned that when the school was planned the space required should have been assessed for the anticipated pupil numbers. If the longer term plan is to increase pupil numbers then the school playing area should be increased accordingly.
- No details have been given as to the proposed use by community groups. What is the type of activity proposed outside of school hours and what are the anticipated hours of use of the premises? Any late night activity for parties, etc. could have a detrimental impact on local residents in terms of noise and disturbance as well as additional parking problems over those currently encountered at the school.
- This Council is still keen to see the cycle/footpath provided to Brent Way which was required by the original planning permission for the school and trusts that the proposed extension will not impede this option when considering the access as logistically access to High Trees would not serve many pupils and access to Invicta Road would have a lower impact than Brent Way.”

Stone Parish Council – raises no objections to this application, pointing out that this is subject to the satisfaction of local residents.

Divisional Transportation Manager – raises no objections to this proposal in respect of highway matters.

Environment Agency – raises no objection subject to a condition for a scheme for foul and surface water being submitted and approved, prior to the development commencing.

Local Member(s)

9. The local County Member, Mr Sandhu was notified of the application on the 7 May 2010, and no written views have been received to date.

Publicity

10. The application was advertised by the posting of number of site notices and the notification of 40 neighbours.

Representations

11. Two letters of representation have been received in response to the proposal. The main reasons for objection can be summarised as follows:

- No objection is raised to this particular development but it should only be granted if the outstanding planning conditions relating to the school access are enforced first.

Extension for additional learning space at The Gateway Primary School, Dartford – DA/10/627.

- There are continued concerns over parking in Milestone Road if as the result of this application, more pupils were allowed in the school.

Discussion

12. The application is required to be determined in accordance with the relevant Development Plan policies, unless material considerations are of overriding importance. Therefore the proposal needs to be considered in the context of the Dartford Borough Council Local Plan policies and Government Planning Policy Statements and Guidance Notes and other material considerations arising from consultation and neighbour notification responses. In this particular case, the determining issue also largely hangs upon the outcome of the previously undetermined planning application that was submitted in 2007 for the proposed removal of an existing planning condition for an additional access point to the school. In particular, the main objections to the current application actually stem from the earlier undetermined application.
13. The Borough Council and local residents have raised concern over the potential expansion to the school as a result of this proposal, and the consequent impact on traffic movements. However, there is no intention to increase pupil numbers as a result of this extra accommodation, since it would simply improve the existing teaching accommodation for the school and allow better facilities for community uses at the school. In particular, the school has already reached its statutory capacity in terms of pupil intake, and it is prevented by both the school site size and the statutory provisions from expanding its school roll. Under the circumstances, there would be no impact on existing traffic movements as a direct result of this proposed development, although some marginal differences in movements might occur as a result of the community use. However, these movements would not add to the peak time traffic congestion complained of and can be partly controlled by the imposition of conditions relating to the hours of community use.
14. The proposed building extension is of a design which closely accords with the host buildings, using compatible materials, window arrangements and roof treatment. The massing, proportions and external appearance of the proposed extension reflect those of the existing buildings, and under the circumstances, I see no objection to the proposed development in terms of its design and compatibility with the relevant Development Plan policies. The proposed siting of the extension is relatively unobtrusive, and whilst close to the site boundary, would be well shielded visually by the mature hedging along the northern boundary and the fact that it would be a lower ground level than the adjacent houses. The concern over access for emergency vehicles is unfounded because the extension would only affect the pedestrian access gates currently within the footprint of the new building, with the existing fire access route to the school field adjacent to the school site boundary being completely unaffected.
15. As mentioned in paragraph 4 above, a planning application was submitted in 2007 to remove an existing planning condition for the footpath/cycleway to be constructed to the school. This condition was attached to the original planning application when the school site was changed from a special needs school to a community school. The reason for this request for an additional access point to the school was to take pressure off Milestone Road, which was the only vehicular and pedestrian access point to the school. However as the school was not actually to its full capacity until September 2006, it was agreed that this requirement could be delayed until then. In the meantime, the area of land where this footpath/cycleway was intended to go through was sold off

Extension for additional learning space at The Gateway Primary School, Dartford – DA/10/627.

and the requirement for this strip of land was not reserved when the 'Tylers' site was sold off.

16. Since the Members' site visit took place in 2008, an option of getting a pedestrian access to the school from the north east corner of the school site was looked into. However following protracted negotiations this access was abandoned because of the prohibitive costs involved. As the only other option of creating a second footpath/cycleway to the school would be to the south west corner, that earlier application has remained undetermined since it was submitted. Also school site security is far more of an issue now and any footpath to the site would be remote from the actual school buildings, making any gate into the school playing fields difficult to manage. There is also the additional requirement of providing an internal footpath from this gate to the school buildings across the school playing fields. This in itself is difficult as the school playing fields has slight level differences and there are a number of trees and shrubs along the school boundary which would have to be removed or a footpath would have to go around. There is the additional problem as the school playing fields are very tight for space and there is a need to maintain the school football pitch and its run-off areas without an internal footpath affecting any of these.
17. However due to the continued concerns of residents over the parking problems in Milestone Road, which are worse in the afternoon when parents collect their children and they are not allowed into the school site, there has been renewed pressure for another access point to the school, all the time this planning condition remained valid. There is also a lot of concern from the Newtown Residents Association about this lack of an additional footpath/cycleway to the school, as it was seen as a means of relieving the parking pressure off Milestone Road. It was seen as providing an alternate area for parents to park their cars away from Milestone Road, whilst encouraging alternate means of getting to the school by encouraging more pupils to walk or cycle if there was another access point to the school.
18. Since the planning application for the proposed school extension was submitted earlier this year, it has re-opened the dialogue with the School, the local residents' group, Dartford Borough Council and Kent County Council's Education and Planning departments about the undetermined planning condition for the footway/cycleway to the school site. A series of meetings have been held to discuss the perceived connection between this application and the previous application to withdraw the planning condition, and as a result the School has now withdrawn the earlier planning application. The School also confirmed that it has no objection in principle to a second access to the site and that the School is committed to undertaking a full consultation and feasibility study of all the issues surrounding the siting, usage and management of a second access.
19. I understand from the Director of Children, Families and Education that the new owner of the 'Tylers' site is aware of the previous discussions about providing a strip of land through his site to provide this footway/cycleway link to the school site and has not indicated that he would resist it from happening. As it looks hopeful that an footpath/cycleway can be pursued through the 'Tylers' site after all, then this option will be actively investigated again by the School and the Director of Children, Families and Education.

Extension for additional learning space at The Gateway Primary School, Dartford – DA/10/627.

Conclusion

20. Having regard to the relevant planning policies and guidance, and the applicants' agreement to withdraw the previous undetermined planning application for the proposed removal of planning consent for an additional access point to the school, and the fact that the other objections have now been resolved, I see no overriding objection to the development and consider that it would accord with the aims and objectives of the relevant planning policies and guidance. In particular, the design of the building is entirely compatible with the existing buildings to which it would be attached in terms of its massing, proportions, materials and outward appearance. I therefore recommend that planning permission is granted, subject to conditions including relating to community use.

Recommendation

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

- Standard time limit;
- The development is carried out in accordance with the permitted details;
- A restriction over the hours of use of the proposed extension by the community
- A scheme for the disposal of foul and surface water to be submitted and approved prior to the development commencing.

Case officer – Lidia Cook	01622 221063
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Background documents - See section heading
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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.

MA/10/1269	Change of use to allow repackaging of paper, cardboard, plastics and carpet material. Countrystyle Recycling Ltd, Ashford Road, Lenham, Maidstone
SE/09/1788/R4	Details submitted pursuant to condition (4) in respect of revised dust mitigation, monitoring and complaints procedure. Ideal Waste Paper, Teardrop Centre, London Road, Swanley
SW/93/626/R19	Details submitted pursuant to condition (19) in respect of aftercare arrangements. Kemsley Mill Landfill Site, Kemsley, Sittingbourne
TM/07/512/R39&40 & TM/09/2028/R24&27	Submission of detailed restoration and landscape planting scheme and aftercare, maintenance and management scheme pursuant to conditions (24) and (27) of planning permission TM/09/2028 and conditions (39) and (40) of planning permission TM/07/512 (with consequential amendments pursuant to other conditions attached to both stated permissions). Borough Green Sand Pit, Platt Industrial Estate, St. Mary's Platt, Borough Green
TM/10/72/R2A	Landscape details pursuant to condition 2A of planning permission TM/10/72 to replace a noise attenuation mound with a noise attenuation fence along the southern boundary of Borough Green Quarry. Borough Green Quarry, Wrotham Road, Borough Green, Sevenoaks
TM/10/2158	Variation of condition (26) of planning permission TM/00/1599 to allow the temporary cessation of quarrying operations from two to four years. Stonecastle Farm Quarry, Whetsted Road, Five Oak Green, Tonbridge

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.

None

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/09/460/RVAR | Details of carriageway design and construction; structures, street furniture etc; highway lighting; design details for Victoria Square; Design details for public rights of way; site levels; surface water drainage; remediation measures to deal with contaminants; protected species mitigation measures; site waste management plan; access points for future development; road safety audit pursuant to conditions 3, 4, 5, 7, 8, 10, 11, 12, 16, 20, 23, 25 of planning permission AS/09/460. - The provision of a new single carriageway (2-way road) with footways between the existing Leacon Road in the West and the existing Victoria Road in the east and creation of a new town square (Victoria Square) at the West end of Victoria Road.
Victoria Way (initial phase), Land between the east of Leacon Road and the Western elevation of no.40 Victoria Road, Ashford |
| AS/09/460/R19 & R21 | The provision of a new single carriageway (2-way road) with footways between the existing Leacon Road in the west and the existing Victoria Road in the east and creation of a new town square (Victoria Square) at the west end of Victoria Road – Details of a code of construction practice and details of a sustainability statement.
Victoria Way (initial phase), land between the east of Leacon Road and the western elevation of no.40 Victoria Road, Ashford. |

AS/09/867/R4 & R9	Details pursuant to conditions (4) external materials and (9) code of construction of planning permission AS/09/867 for extension, adaptation and alteration of existing school building. Beaver Green Primary School, Cuckoo Lane, Ashford
AS/10/1084	Change of use from retail (A1) to library (D1) to provide temporary premises for Ashford Library during redevelopment of existing library site. Unit 4, 15 Park Mall, Ashford
CA/08/271/R4	Details of external lighting pursuant to condition (4) of planning permission CA/08/271 The Community College Whitstable, Bellevue Road, Whitstable
CA/08/271/R5A	Amendments to the approved landscaping scheme including the levelling of the football pitch and relocation of allotments The Community College Whitstable, Bellevue Road, Whitstable
CA/09/680/R	Non-material amendment to external escape stair, window and door locations, addition of boiler room at roof level, amendment to parapet heights, creation/extension of retaining walkway along northern elevation and change to cladding panels. Herne Bay High School, Bullockstone Road, Herne Bay
CA/09/680/R3	Details of external materials pursuant to condition (3) of planning permission reference CA/09/680 Herne Bay High School, Bullockstone Road, Herne Bay
CA/09/680/R4	Details of site levels and finished floor levels pursuant to condition (4) of planning permission reference CA/09/680 Herne Bay High School, Bullockstone Road, Herne Bay
CA/09/680/R10	Details of cycle parking facilities pursuant to condition (10) of planning permission reference CA/09/680 Herne Bay High School, Bullockstone Road, Herne Bay
CA/09/1769/R	Non-material amendment relating to existing permission CA/09/1769 for the removal of a single window to the front elevation at first floor level St Mary's Catholic Primary School, Northwood Road, Whitstable
CA/10/725	Construction of a detached single storey building for use as a children's centre with a new pedestrian access adjacent to the main school entrance and minor parking alterations to accommodate new centre. Chartham Primary School, Shalmsford Street, Chartham, Canterbury
DA/08/982/R17 & 18	Details of a school travel plan and details of proposed community use pursuant to conditions (17) & (18) of planning permission DA/08/982 The Manor Community Primary School, Keary Road, Swanscombe

DA/09/667/R6	Details of landscaping proposals – Details pursuant to condition 6 of planning permission DA/09/667. Swan Valley Community School, Southfleet Road, Swanscombe
DA/10/252/R3	Details of replacement access gates pursuant to condition (3) of planning permission DA/10/252 Oakfield Community Primary School, Oakfield Lane, Dartford
DO/10/658	Replacement of existing fencing with 1.8 metre high black powder coated metal fencing adjacent to Barton Road and installation of 2.4 metre high fencing part way along the entrance footpath. Barton Junior School, Barton Road, Dover
DO/10/683	Replacement of timber glazed window with new UPVC door on rear elevation. Nonington Primary School, Church Street, Nonington, Dover
GR/08/229/RB	Non-material amendments to permission reference GR/08/229, including reduction of parapet height, amendments to external materials to south-west elevation and amendments to external lighting scheme Northfleet School for Girls, Hall Road, Northfleet, Gravesend
GR/09/440/RVAR	Details of external materials to the pavilion and ancillary buildings; design of the ancillary buildings; external lighting to the pavilion and car park; CCTV; a scheme of landscaping & tree planting; fencing, gates and other means of enclosure; a scheme to deal with the risks associated with contamination; foundation designs & below ground excavations; travel plan and traffic and parking management strategy; & a construction code of practice pursuant to conditions 5, 6, 7, 10, 11, 14, 18, 23, 26 & 30 of planning permission GR/09/440. Land between the new A2 and the redundant A2 Watling Street from Pepper Hill Junction to the Marling Cross Junction, Gravesend
MA/08/1700/R15	Details of a bat survey assessing the buildings to be demolished pursuant to condition (15) of planning permission MA/08/1700 New Line Learning Academy, Boughton Lane, Maidstone
MA/10/1400	Erection of a wooden gazebo on the school field. Sandling Primary School, Ashburnham Road, Penenden Heath, Maidstone
SE/08/1602/R	Non-material amendment to rear ground floor elevation. The Willows Children’s Centre, Hilda May Avenue, Swanley
SE/09/2108/R3,4,5	Details of materials to be used externally, details of external lighting and details of a scheme of landscaping. Anthony Roper Primary School, High Street, Eynsford

SE/10/2277	Demolition of single storey garage. Erection of single storey practical cookery building (east of the Simon Harrison Centre) including ancillary works. Furness School, Rowhill Road, Swanley
SH/10/33/R3	Partial discharge of external materials pursuant to condition (3) of planning permission SH/10/33. Broadmeadow Care Home, Park Farm Road, Folkestone
SH/10/759	Installation of two modular buildings The Folkestone School for Girls, Coolinge Lane, Folkestone
SW/09/1215/R3	Details of external materials pursuant to condition (3) of planning permission SW/09/1215. (New Eastchurch Primary School) Open Ground Situated to the North of the B2231 Leysdown Road, Close to the Junction with Warden Bay Road, Leysdown-On-Sea, Sheerness
SW/09/1215/R4	Details of site levels and finished floor levels pursuant to condition (4) of planning permission SW/09/1215. (New Eastchurch Primary School) Open Ground Situated to the North of the B2231 Leysdown Road, Close to the Junction with Warden Bay Road, Leysdown-On-Sea, Sheerness
SW/09/1215/R5	Details of specification and colour treatment of fencing pursuant to condition (5) of planning permission SW/09/1215. (New Eastchurch Primary School) Open Ground Situated to the North of the B2231 Leysdown Road, Close to the Junction with Warden Bay Road, Leysdown-On-Sea, Sheerness
SW/09/1215/R6	Details of landscaping and boundary treatment scheme pursuant to condition (6) of planning permission SW/09/1215. (New Eastchurch Primary School) Open Ground Situated to the North of the B2231 Leysdown Road, Close to the Junction with Warden Bay Road, Leysdown-On-Sea, Sheerness
SW/09/1215/R7	Details of cycle parking facilities pursuant to condition (7) of planning permission SW/09/1215. (New Eastchurch Primary School) Open Ground Situated to the North of the B2231 Leysdown Road, Close to the Junction with Warden Bay Road, Leysdown-On-Sea, Sheerness
SW/09/1215 R8 & R9	Details of contractor's compound and contractor's temporary accommodation pursuant to condition (8) and details of access, circulation and parking within the site for contractor's and other vehicles engaged in construction operations pursuant to condition (9) of planning permission SW/09/1215. (New Eastchurch Primary School) Open Ground Situated to the North of the B2231 Leysdown Road, Close to the Junction with Warden Bay Road, Leysdown-On-Sea, Sheerness

SW/10/334	Construction of multi-agency specialist hub for disabled children, together with associated access roads and car parking. Fomer St. Bartholomew's School Site, Attlee Way, Sittingbourne
SW/10/405	Installation of 2 no. mobile classroom units including the change of use of tennis court area to car parking. Fulston Manor School, Brenchley Road, Sittingbourne
SW/10/1042	Extension and enlargement of Reception Class External Play Area (south of school building) including demolition of 2 existing small single garage buildings, resiting of a green steel storage container (on school playing field) and associated ancillary works. St George's CEP School, Minster, Chequers Road, Sheerness
TH/05/964/R	Amended location of Cliffsend underpass pumping station. East Kent Access Scheme – Phase 2, Cliffsend
TH/08/307/R	Non-material amendment to landscaping – Erection of new sports hall and alterations and extensions to the eastern block together with associated hard and soft landscaping and provision of new car park area. Dane Court Grammar School, Broadstairs Road, Broadstairs
TH/08/307/R2	Non-material amendment to building elevations – Erection of new sports hall and alterations and extensions to the eastern block together with associated hard and soft landscaping and provision of new car park area. Dane Court Grammar School, Broadstairs Road, Broadstairs
TH/08/307/R17	Details of cycle parking – Erection of new sports hall and alterations and extensions to the eastern block together with associated hard and soft landscaping and provision of new car park area. Dane Court Grammar School, Broadstairs Road, Broadstairs
TH/10/555	Section 73 application for minor amendments to condition 2 of TH/09/71 previously permitted 2 storey building with a link covered walkway, extension to the car park and senior football pitch with running track. Ellington School for Girls, Newlands Lane, Ramsgate
TH/10/653	New tennis court in place of environmental gardens. Dane Court Grammar School, Broadstairs Road, Broadstairs
TM/03/2958/R8A	Details of external bollard lighting to footpath (pedestrian access) to north western edge of site – construction of three storey teaching/administration block and sports hall, replacement netball/tennis courts, and ancillary works. Tonbridge Grammar School for Girls, Deakin Leas, Tonbridge

TM/09/3102/R4	Submission of details of tree planting pursuant to condition (4) of TM/09/3102 to the extension of the existing car park. Woodlands Infant School, Higham School Road, Tonbridge
TM/10/1586	Installation of two 4.5 metre high poles to footpath (pedestrian access) to north western edge of site. Each pole to have 2 fixed position CCTV cameras. Tonbridge Grammar School, Deakin Leas, Tonbridge
TM/10/1854	Replacement of existing felt and Georgian wire glazed flat roof with new insulated felt flat roof and 3 no. rooflights. Offham Primary School, Church Road, Offham, West Malling
TM/10/2090	Erection of an octagonal shelter. Hildenborough CEP School, Riding Lane, Hildenborough, Tonbridge
TM/10/2262	Installation of a replacement canopy. Hillview School for Girls, Brionne Gardens, Tonbridge
TM/10/2273	Proposed single storey building to provide permanent caretaker accommodation. The Hayesbrook School, Brook Street, Tonbridge
TW/09/79/R2	Details of landscaping scheme pursuant to condition (2) of planning permission TW/09/79. Tunbridge Wells Grammar School for Boys, St. Johns Road, Tunbridge Wells
TW/09/79/R3	Details of community use agreement pursuant to condition (3) of planning permission TW/09/79. Tunbridge Wells Grammar School for Boys, St. Johns Road, Tunbridge Wells
TW/09/79/R4	Details of cycle storage pursuant to condition (4) of planning permission TW/09/79. Tunbridge Wells Grammar School for Boys, St. Johns Road, Tunbridge Wells
TW/09/1374/R2	Non-material amendment to front ramp and new rear staircase to improve access and circulation. Sandhurst Nursery, Rye Road, Sandhurst, Cranbrook
TW/09/3988/R3, R4 R5 & R11	Details of external materials (condition 3), external lighting (condition 4), landscaping (condition 5), and land contamination (condition 11) of planning permission TW/09/3998 Tunbridge Wells Grammar School for Girls, Southfield Road, Tunbridge Wells
TW/10/1835	Construction of a detached single storey building for the use as a Children's Centre including additional pedestrian access gate off Broomhill Park Road. Southborough Primary School, Broomhill Park Road, Southborough, Tunbridge Wells

TW/10/2295

Temporary classroom accommodation including 2 classrooms, toilets, external stepped access and extended tarmac footpath. St. Matthews High Brooms CEP School, Powder Mill Lane, Tunbridge Wells

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:-

GR/10/TEMP/0030 – Replacement Visitor Centre for Country Park. Trosley Country Park, Waterlow Road, Vigo, Gravesend.

TM/10/TEMP/0024 - Demolition of existing 1-bay mobile classroom building and the replacement with a 2-bay temporary timber framed classroom building. Wrotham School, Borough Green Road, Wrotham, Sevenoaks

- (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

Scoping Opinions

- (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

E8