

PLANNING APPLICATIONS COMMITTEE

Tuesday, 26th July, 2011

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 26th July, 2011, 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 W A Hayton, Mr C Hibberd, Mr P J Homewood,
Mr J D Kirby, Mr R F Manning, Mr R J Parry, Mr R A Pascoe,
Mr C P Smith Mr A T Willicombe

Liberal Democrat (1): Mr M B 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 - 14 June 2011 (1 - 6)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal SH/11/189 - Inclusion and Family Centre at The Marsh Academy, Station Road, New Romney; Governors of The Marsh Academy (7 - 32)
2. Proposal AS/11/594 - Installation of two classrooms in a pre-fabricated unit at Challock Primary School, Church Lane, Challock; KCC Capital and Premises Development Unit (33 - 44)
3. Proposal SE/11/20 - Habitat pond with to store flood water from the highway at Land opposite Field Cottage, Stone Street Road, Seal; KCC Kent Highways Services (45 - 62)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (63 - 70)
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
(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, 18 July 2011

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, 14 June 2011.

PRESENT: Mr R E King (Chairman), Mr J F London (Vice-Chairman), Mr R Brookbank, Mr A R Chell, Mr J A Davies, Mr T Gates, Mr W A Hayton, Mr C Hibberd, Mr J D Kirby, Mr S J G Koowaree (Substitute for Mr M B Robertson), Mr R J Lees, Mr R F Manning, Mr R A Pascoe, Mr C P Smith Mr A T Willicombe

ALSO PRESENT: Mr L Christie

IN ATTENDANCE: 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) Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS**35. Minutes - 10 May 2011**

(Item 5)

(1) In respect of Minute 11/11, The Head of Planning Applications Group informed the Committee that the second court action brought by CALA Homes against the Secretary of State's advice regarding the South East Plan had been unsuccessful at the Court of Appeal Stage. This meant that the advice given to Committee Members in February 2011 was still relevant.

(2) The Head of Planning Applications Group reported in respect of Minute 11/1 that the applicants for the Straw Mill Hill, Tovil application (MA/10/167) had appealed the Committee's decision to refuse permission. The Planning Inspectorate had advised that the appeal would take the form of a Hearing rather than an Inquiry.

(3) The Head of Planning Applications Group reported in respect of Minute 11/37 that the Secretary of State had issued a holding direction pending a decision on whether to call in the Hermitage Quarry application (TM/10/2029).

(4) RESOLVED that the Minutes of the meeting held on 10 May 2011 are correctly recorded and that they be signed by the Chairman.

36. Site Meetings and Other Meetings

(Item A5)

The Committee noted that there would be a tour of permitted development sites on Tuesday, 28 June 2011 and a training session on highways considerations on Tuesday, 26 July 2011.

37. Application CA/10/1571 - Retrospective application for material change of use from B2 (general industrial) to scrap metal recycling facility at Unit 7b, Goose Farm, Shalloak Road, Broad Oak, Canterbury; Mr O Woodmansee
(Item C1)

RESOLVED that permission be granted to the application subject to conditions including conditions covering the use of the site being carried out in accordance with the details set out in the planning permission; a restriction on vehicle movements to and from the site to no more than a combined total of 12 per day; hours of operation being limited to 0830 to 1730 Monday to Friday and 0800 to 1300 on Saturday with no transfer of waste into the external storage skip taking place on Saturdays; noise rating levels at the nearest residential property not exceeding existing background noise levels from the facility; no burning of any material on site; and all metal processing activity only occurring within the building.

38. Application SW/10/774 - Biomass Combined Heat and Power Plant including external and covered waste wood storage area, associated weighbridge, parking and underground pipework to pumping station at Ridham Dock, Iwade, Nr Sittingbourne; Biomass Power Plant Ridham Ltd
(Item C2)

(1) Correspondence from the Local Member, Mr M J Whiting was tabled. This welcomed the development in principle but raised three areas of concern. These were the number of additional lorry movements; the absence of a full investigation of the possibilities offered by the rail head and sea port which lay within close proximity to the site; and local concerns about the combined stack emissions from all of the developments at Ridham Dock.

(2) The Head of Planning Applications Group reported correspondence from an adjoining Local Member, Mr A D Crowther supporting the application whilst pointing out that that the strip of water separating the Isle of Sheppey from the mainland was the "Swale" rather than the "River Swale."

(3) On being put to the vote, the recommendations of the Head of Planning Applications Group were agreed by 13 votes to 1.

(4) RESOLVED that subject to:-

(a) the Applicant providing an alternative 0.9 hectare site for the creation of a reed bed habitat to mitigate the loss of reed bed habitat on the development site within 6 months the Committee's resolution; and

(b) the satisfactory completion of a Legal Agreement to secure the Draft Heads of Terms as set out in Appendix 2 to the report: -

permission be granted to the application subject to conditions, including conditions covering hours of working; waste throughput; dust management; noise restrictions; flood risk; a surface water drainage scheme; archaeology; lighting; ecology; mud on the road; vehicle parking turning and surface details;

details of alternative users of power generation; construction materials and colour; together with an informative requiring the applicant to investigate the use of alternative rail and waste sources.

39. Proposal SE/11/122 - Six bay modular building at Weald Community Primary School, Long Barn Road, Sevenoaks; KCC Education, Learning and Skills

(Item D1)

(1) Mr R E Brookbank made a declaration of personal interest as he had participated in the development of the Sevenoaks Local Development Framework in his capacity as a Member of Sevenoaks DC.

(2) RESOLVED that:-

- (a) permission be granted to the proposal subject conditions, including conditions requiring the mobile classroom to be removed from the site no later than 5 years from the date of the permission be granted; the painting of the mobile classroom in dark green; boundary planting; and the submission of a school travel plan; and
- (b) the applicant be advised by Informative that the permission granted for the mobile classroom is for a temporary period and that the applicant should urgently seek to address the issue of finding a permanent solution.

40. Proposal GR/11/181 - First floor extension above existing food technology rooms to provide two additional classrooms at Northfleet School for Girls, Hall Road, Northfleet; Governors of Northfleet School for Girls

(Item D2)

(1) Mr L Christie was present for this item pursuant to Committee Procedure 2.24 and spoke. He also made a declaration of personal interest as his wife was the Chair of Governors at Northfleet School for Girls.

(2) The Head of Planning Applications Group reported the views of Gravesham Borough Council, raising no objection to the proposal whilst suggesting some possible amendments.

(3) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the development being constructed using the materials set out in the drawings received; and hours of working during construction.

41. Proposal TW/11/121- Three bay modular building at Langton Green Primary School, Lampington Row, Langton Green, Tunbridge Wells; KCC Education, Learning and Skills

(Item D3)

(1) Mr J A Davies made a declaration of personal interest as the Local Member and as an Authority Governor of Langton Green Primary School. As he had already given his views, he addressed the Committee in his capacity as Local Member but took no part in the decision-making process.

(2) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering a requirement for the mobile classroom to be removed from the site no later than 5 years from the date of the permission; the colour of the cedar cladding; and design specifications for the windows and fascias on the exterior of the building.

42. Proposal DO/10/1183 - Retention of mobile classroom unit at The Downs CEP School, Owen Square, Walmer, Deal; KCC Property Group
(Item D4)

(1) Correspondence from the Local Member, Mr K Smith was tabled, requesting that (as the total period of temporary permissions for the mobile classroom would now extend to over a quarter of a century) the report, together with his correspondence be sent to the Interim Corporate Director of Education, Learning and Skills. This was agreed.

(2) RESOLVED that:-

(a) permission be granted to the proposal, subject to conditions including conditions covering a temporary time consent for 5 years, keeping the situation under review and maintaining eligibility for replacement accommodation; and the development being completed in accordance with the approved plans; and

(b) the Interim Corporate Director of Education, Learning and Skills be informed by Informative of the view of the Committee and the Local Member, Mr K Smith that whilst the funding issues constraining inclusion of The Downs CE Primary School in the Modernisation Programme are understood, the building has been on site for a number of years and its condition is likely to deteriorate. Therefore the School should continue to have its condition assessed, and at the end of this consent period be able to demonstrate specifically what steps are being taken to address the situation.

43. County matter applications 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 (None);

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

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SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399

A report by Head of Planning Applications Group to Planning Applications Committee on 26 July 2011.

Application by The Marsh Academy for a new build facility for the Marsh Academy comprising an Inclusion Centre for its pupils and a Family Centre providing ongoing support for the pupils and their families. The centre will also have as part of its facilities the provision for education for disabled members of the community and out of hours use for organisations such as the youth club. The Marsh Academy, Station Road, New Romney – SH/11/399 (KCC/SH/0189/2011)

Recommendation: permission be granted subject to conditions.

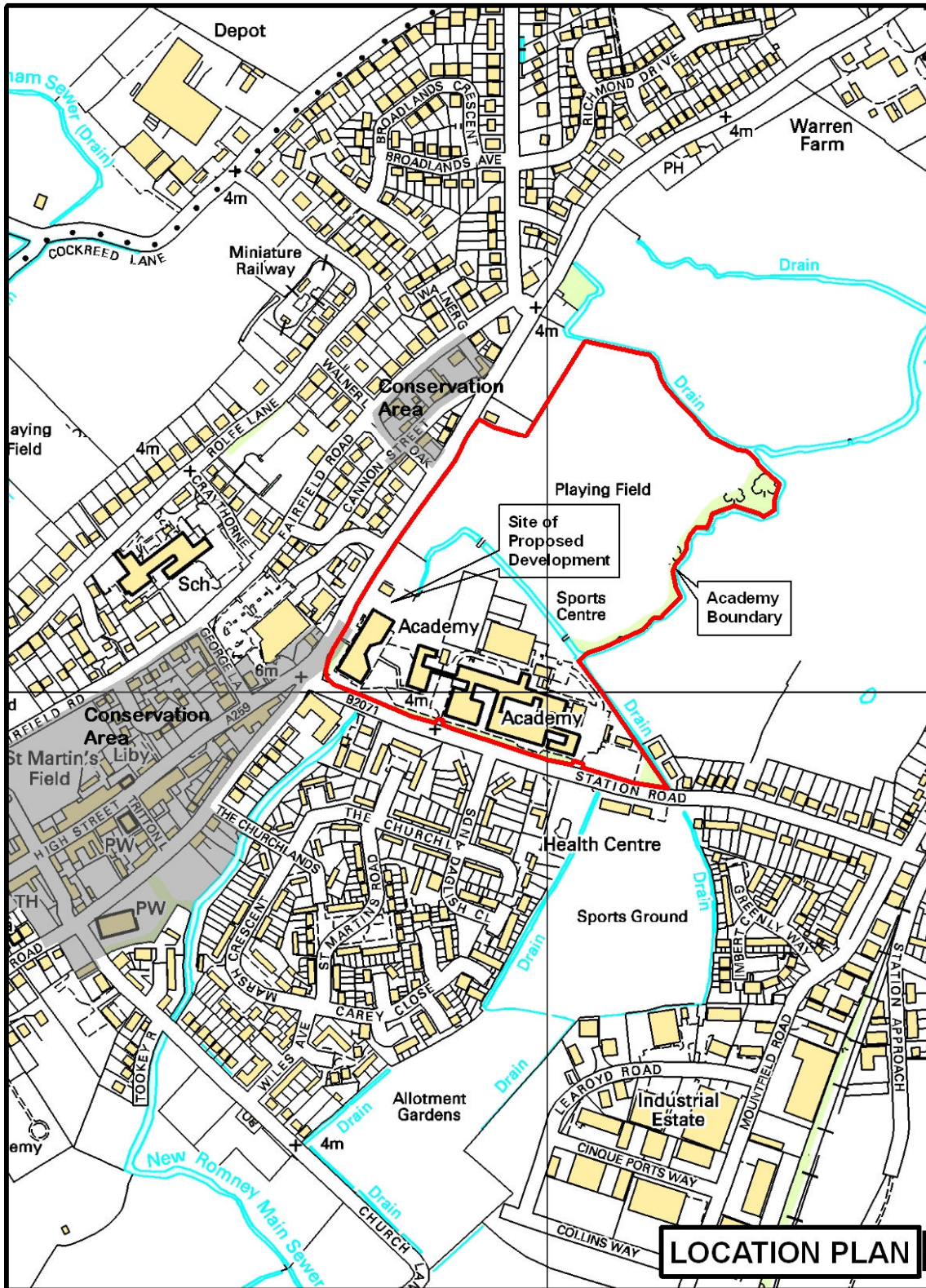
Local Member: Carol Waters

Classification: Unrestricted

Site

1. The Marsh Academy is located in close proximity to New Romney's High Street, at the junction of Station Road (to the southern boundary of the site), and Dymchurch Road (to the western boundary of the site). The overall Academy site is approximately 11.8 hectares in size, and is bounded by facing residential properties to the south and west, and agricultural fields which form part of the wider New Romney landscape to the north and east. Drainage ditches form the north and east boundaries of the site, and extend into the school site where they become what is officially termed the New Romney Open Sewer. The Academy site is essentially split in two by the tree lined Open Sewer, with the Academy buildings and associated infrastructure to the south, and open playing pitches to the north. The boundaries to the site are generally a combination of fencing and mature hedges and trees, providing some screening, and the western boundary on Dymchurch Road is elevated above the school site due to a sloping landform. The proposed Inclusion and Family Centre is proposed to the west of the site, to the north of an existing teaching block, adjacent to an existing maintenance access from Dymchurch Road. A Conservation Area is located to the west of the site boundary, and the proposed development could affect its character and appearance. The whole of the school site is classed as an area at high risk of flooding, the playing fields are protected by Local Plan Policy LR12, a Local Landscape Area lies to the north of the school site, and the whole of the site is outside the settlement boundary, as defined in the Shepway District Local Plan. *A site location plan is attached.*

Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399



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Background

2. The John Southlands Community Comprehensive School, which is now named Marsh Academy, was established on the site in the 1950s. As part of the Kent Academies Programme, planning permission was granted for the redevelopment of the Academy site in 2009. The planning application was determined under delegated powers, and consisted of a new teaching block, outdoor sports facilities, parking, access and circulation routes. The new teaching block is due to be completed in 2012, and replaces single storey 1960s prefabricated school buildings which have reached the end of their lifespan. The new block will house the school's main teaching, administration, dining and ancillary areas, and is located between the existing Leisure Centre and the Arts Block. The proposed Inclusion and Family Centre is proposed to be located to the north of the Arts Block and to the west of the new block currently under construction. The proposed site is currently being used to house the construction compound associated with the works on site.

Proposal

3. This application has been submitted by the Marsh Academy, and proposes the construction of an Inclusion and Family Centre, along with 2 car parking spaces and 2 minibus parking spaces, and associated access and landscaping. In brief, the application comprises the following:

- The erection of a new building with a gross internal floor area of 1025m²;
- New car parking provision for the use of disabled users of the facility only, as well as by emergency vehicles when necessary;
- All associated landscape works.

The building is proposed to provide facilities for existing pupils during school hours, for teenagers and young people outside of school hours, and for the wider community including parent support. The two storey building is proposed to accommodate the Academy's uses on the ground floor, and community uses on the first floor, although the entire building could be used by the Academy when necessary. Separate access points would differentiate the two primary uses of the building, and ensure that the publicly accessible areas are kept secure from the Academy.

4. The centre would be able to accommodate a maximum number of 30 pupils on the ground floor, and 60 visitors to the first floor at any one time. The accommodation would consist of the following:

Ground floor – 542m²

- A suite of general teaching rooms, one-to-one rooms and administrative spaces to the perimeter of the building;
- A seclusion classroom with its own dedicated entrance and WC;
- A central breakout area;
- An internal courtyard; &
- Other support and ancillary facilities such as WCs and stores.

First Floor – 483m²

- A suite of general teaching rooms, one-to-one rooms and administrative spaces to the perimeter of the building;
- A central unbroken breakout space with reception and IT points;
- A kitchen and dining area; &
- Other support and ancillary facilities such as WCs, circulation spaces and stores.

Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399

5. It is proposed that there would be two distinct and separate entrances on the ground floor. The main entrance for the Academy would be on the eastern elevation, controlled from an office located adjacent to the entrance. The location of the pupil entrance would ensure easy access from all other parts of the Academy, and is directly linked to paths linking back to the new student plaza. Members of the public would access the building either from a new pedestrian access gate proposed on Station Road, or from the dedicated car park, which is designated for use by disabled users of the facility only. The main entrance for members of the public would be located on the north elevation, from where the facilities on the first floor could be accessed using either the lift or staircase provided. The applicant advises that there would be no opportunity for members of the public to access the ground floor, or visa versa for the Academy, unless expressly planned and managed.
6. The ground floor accommodation would be used by the Academy to facilitate the delivery of education to the Academy's more "difficult" pupils. The concept behind the building and the internal layout is not to exclude these pupils, but educate them in a nurturing environment. Windows on the southern classrooms have been purposely kept narrow to focus occupant's concentration on the activities within the room rather than out. To increase the natural daylight to these rooms, rooflights would be provided. In addition, in order to bring in natural daylight and animate an inward looking space, a courtyard open to the elements has been introduced at the heart of the building, adjacent and connecting to the breakout area. The courtyard would be landscaped and could be used for some teaching activities.
7. On the first floor, the facilities would primarily be used to deliver teaching and learning during the school hours to the Academy's Special School partners, and would be used out of hours by local groups. Entry to the first floor would be via the entrance on the northern elevation, to ensure access is managed and controlled. An open plan kitchen and dining area is proposed to the northern side of the building, with the northern wall glazed to allow far reaching views across the site and wider landscape, but not into the Academy buildings. Discrete rooms would be provided to the southern side of the building, allowing most of the first floor to be open plan. In order to provide light to the central space, a large void would be cut into the floor plate, with full height glazed walls on all sides. In turn, this void would provide light down into the courtyard on the ground floor. The applicant advises that the glazed walls would be treated to ensure that it would not be possible to look down into the courtyard space below, maintaining the security of the Academy pupils.
8. The applicant advises that the proposed building has been designed to respect its surroundings, both in terms of built form and landscape. All the existing buildings on site are of two storey construction, as is the proposed Inclusion and Family Centre. However, the difference in the sites ground level and Dymchurch Road is approximately 3.5 metres, making the first floor of the building virtually at the same height as the road. The applicant advises that the new building would be contemporary and sleek in nature, in line with the new block currently being constructed, whilst still making reference back to the site's historic surroundings.
9. Essentially the building would be formed from two boxes, the lower of which would be constructed from flint panels or similar, and would be solid in nature, grounding the building into the landscape. The upper 'box' would be clad in a light render, with glazing and coloured render and cladding panels to the east and west elevation to visually lift the building. The applicant advises that the colours would be derived from the landscape, perhaps autumnal hues of browns and bronzes. The two 'boxes' would be subtly separated from each other by a channel running around the entire building, which

Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399

would be painted dark grey. In addition, the floor plates of the two 'boxes' would not align, so that the first floor would overhang the ground floor wall on the eastern elevation, and would be pulled back from the wall on the southern elevation. In addition to being a design feature, this opens up an area of the ground floor roof so that roof lights can be incorporated to provide light into the classrooms below, and creates a canopy area above the student entrance on the east elevation.

10. The existing service vehicle access point from Dymchurch Road would be upgraded to facilitate access for vehicles carrying disabled passengers and also for emergency vehicles. A new secure gate would be installed and junction visibility splays adjusted to comply with current standards. A ramped road would lead down into the site, with retaining walls on either side to enable retention of trees, and an adjoining sub-station building. A new tarmac car park is proposed, to provide 2 dedicated car parking spaces and 2 mini bus spaces to serve the centre. This vehicular entrance and car park would only be available for use by cars and mini-busses bringing disabled people to the site, and service vehicles.
11. A new pedestrian access point is proposed from Station Road, which would be used by members of the public to access the facility out of school hours. This entrance would direct pedestrians along the western elevation of the Art Block to the centre entrance, using an existing fire access path. This route would be secured with fencing from the main academy site, with lighting and CCTV along its length. During the school day, vehicles and pedestrians would access the centre via the main Academy site entrance on Station Road, using the Academy car park if arriving by car. Visitors would be required to report to the Academy visitors' entrance and, thereafter, would be escorted to the centre through the Academy grounds.
12. Mature trees and vegetation form the perimeter of the site with Dymchurch Road. The applicant advises that the final position of the building has taken this into account, with only one tree proposed to be felled. In addition, new tree and understorey bulb planting is proposed to enhance the boundary, creating a 'woodland coppice character' to the perimeter of the car park. A path would link the car park to the building entrance, separated from the 'garden and growing' areas by a 2 metre high fence, which would have planting on either side to soften its appearance. The 'garden and growing' areas would provide seating and social space for use by the community and pupils, as required, and an external allotment for development by the Academy. All existing trees to be retained would be protected during construction works in accordance with BS5837: Trees in Relation to Construction.
13. The building would be naturally ventilated as much as possible, and would rely on natural sunlight to the majority of the internal spaces. The construction of the external walls would be robustly designed and well insulated to limit solar heat gain and retain naturally generated heat. Windows would be high performing and installed to ensure low thermal loss and minimal solar admittance. A BREEAM rating of 'very good' would be achieved.

The application is accompanied by a Design and Access Statement, Extended Phase 1 Habitat Survey, Tree Condition Survey, Energy Strategy for Marsh Academy, HVAC Services Strategy for Marsh Academy, External Lighting Strategy Statement, Drainage Strategy, Transport Statement and Draft Travel Plan, Archaeological Evaluation, Marsh Academy: Planning Statement, and Marsh Academy Statement of Community Involvement.

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Planning Policy

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

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

PPS1	Delivering Sustainable Development
PPS4	Planning and Sustainable Economic Growth
PPS5	Planning for the Historic Environment
PPS7	Sustainable Development in Rural Areas
PPS9	Biodiversity and Geological Conservation
PPG13	Transport
PPS23	Planning and Pollution Control
PPS25	Development and Flood Risk

(ii) The adopted **South East Plan 2009:**

Policy CC1	Seeks to achieve and maintain sustainable development in the region.
Policy CC4	The design and construction of all new development will be expected to adopt and incorporate sustainable construction standards and techniques.
Policy CC6	Promotes the creation of sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
Policy CC7	States that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of new development. Where this cannot be demonstrated the scale and the pace of the development will be dependent on additional capacity being released or the provision of new infrastructure.
Policy T4	Sets out the approach to parking standards to be taken in Local Development Documents including restraint-based maximum levels of parking provision for non-residential development in line with PPG 13 and provision of adequate secure cycle parking.
Policy NRM2	Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment.

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- Policy NRM4** Confirms that the sequential approach to development in flood risk areas set out in PPS25 will be followed.
- Policy NRM5** Requires Local Planning Authorities and other bodies to avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.
- Policy BE1** Local Authorities and their partners will use opportunities associated with new development to help provide significant improvements to the built environment.
- Policy S3** States that, local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities.
- Policy S6** Encourages the mixed use of community facilities, and requires community facilities to be located and designed appropriately.
- Policy W2** Requires development design, construction and demolition which minimises waste production and associated impacts.

Important note regarding the South East Plan:

Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers.

(iii) Shepway District Local Plan Review adopted March 2006:

- Policy SD1-** All development proposals should take account of the broad aim of sustainable development.
- Policy BE1** – A high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Building form, mass, height and elevational details should be considered.
- Policy BE4** – The District Planning Authority require the height, scale, form and materials of new development, including alterations or extensions to existing buildings, to respect the character of Conservation Areas, and the protection of trees, verges and hedgerows which enhance both the setting and character of Conservation Areas.
- Policy BE16** -The District Planning Authority will require development proposals to retain important existing landscape features and make appropriate provision for new planting.

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Policy U6 - Development, including proposals involving the raising of land, will not be permitted in areas at risk from flooding, as shown on the Proposals Map, if it would materially increase the risk of flooding elsewhere, unless appropriate flood protection and mitigation measures are proposed and will be carried out, to prevent this occurring.

Policy SC2 - The District Planning Authority will grant planning permission for new or improved social and community facilities where the proposal meets set criteria relating to compatibility with surrounding land uses, access, access for disabled people and acceptability on highway, infrastructure and environmental terms.

Policy LR12 – Proposals resulting in the loss of playing fields will only be permitted where development would not cause an unacceptable loss in local environmental quality and where it also accords with the following criteria:

- a) Sufficient alternative open space provision exists, or new sport and recreational facilities will be provided.....
- b) The land required is for an alternative educational purpose which cannot reasonably be met in another way.

Policy CO5 – Proposals should protect or enhance the landscape character and functioning of Local Landscape Areas.

Policy CO11 - The District Planning Authority will not give permission for development if it is likely to endanger plant or animal life (or its habitat) protected under law and/or identified as a UK Biodiversity Action Plan priority species or cause the loss of, or damage to, habitats and landscape features of importance for nature conservation.

Policy TR12 - Proposals for new development will only be permitted if provision is made for off street parking in accordance with the current maximum vehicle parking standards.

Policy TR13 - Applications for new or expanded school facilities should be accompanied by a School Travel Plan.

Consultations

15. **Shepway District Council** has no objection to the application, subject to Kent Highway Services approving the access arrangements. The District Council considers the design to be commendable, and states that the building would sit comfortably in this setting, and would provide a useful facility for the school and the wider community.

New Romney Town Council raise no objection, subject to the provision of a small contribution towards the long term costs of running and maintaining the proposed new

Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399

pumping station, and that the access/egress arrangements proposed are applied rigorously.

The Divisional Transportation Manager comments as follows:

“I confirm I have no objections to the proposals in accordance with the transport provision being as per the submitted Transport Statement with limited access off Dymchurch Road for 2no. mini buses (and emergency services) and all pedestrian access via Station Road.

Subject to the operation of the site being conditioned in accordance with the Transport Statement, I would not wish to recommend the application for refusal. All works carried out during the construction period must align with the Marsh Academy Construction Management Plan, previously submitted and approved which takes account of parking and access arrangements for site personnel and plant and wheel washing facilities.”

Environment Agency has no objection to the application subject to the imposition of conditions regarding contaminated land and infiltration of surface water into the ground. In addition, advice is provided with regard to flood risk, land contamination, drainage, and the storage of fuel, oil and chemicals.

The County Council’s Biodiversity Officer has no objection to the application, subject to the imposition of conditions to ensure that the recommendations set out within the submitted Protected Species Reports/Surveys are implemented and adhered to, the protection of nesting birds, and the submission of a detailed report following the examination of the trees and buildings on site to establish if they have any features suitable for roosting bats. The results of the bat survey and any necessary mitigation and enhancement strategies must be submitted for consideration prior to the commencement of development.

The County Council’s Landscape Advisor comments as follows:

“I accept the applicant’s description that the site is generally well contained. This containment is provided by a significant number of existing mature trees on a steep bank/embankment rising up approximately 3m to Dymchurch Road which runs along the west boundary, the existing arts block to the south and the mature trees lining the drainage ditch to the east with the substantial new school buildings under construction beyond to the east. To the north of the site is an existing free standing brick wall running east to west beyond which there is an extensive area of level open land comprising playing fields/sports pitches.

The modern style of the building with its clean horizontal lines complements the new buildings in the broader academy site including those under construction. In particular the height and horizontal roofline tie in well with the arts block to the south and give continuity to building style and mass in relation to Dymchurch Road. This is illustrated by the site sections on drawing AP(0)250. I generally accept the applicant's assertion that the design of the building is of a high quality and will make a positive contribution to the visual amenity of the site and in the limited views to the site from Dymchurch Road and the playing fields/sports pitches to the north.

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A small number of existing trees require removal as a result of the development but adequate new planting is indicated in the proposals to mitigate this loss. The landscape proposals indicated in the Design and Access Statement are appropriate and I note that a number of extra heavy trees are proposed. It would be helpful however if an indication was given regarding the proposed future maintenance/management of the soft landscape with some commitment given to the ongoing replacement of any plant material that fails to establish within an appropriate time period, say 3 to 5 years.”

The County Council’s Lighting Advisor states that, whilst the application includes a strategy for external lighting, there is no scheme design yet and, therefore, further comment cannot be made. However, the car park should be lit to an average level of 10lux, with a minimum uniformity of 0.25, with flat glass lanterns to avoid upward spill light and glare.

The County Archaeologist raises no objection subject to a condition requiring the implementation of a programme of archaeological work, in accordance with a written specification and timetable which should be submitted to, and approved by, the County Planning Authority.

Local Member

16. The local County Member, Carol Waters, was notified of the application on the 18 April 2011.

Publicity

17. The application was publicised by an advertisement in a local newspaper, the posting of site notices and the individual notification of 22 neighbouring residential properties.

Representations

18. To date, I have received 3 individual letters of representation from 2 local residents. A summary of the main issues raised/points made is set out below:

Residential amenity

- Local residents would appreciate a fuller understanding of the functionality of the new centre, and its opening hours;
- The proposed opening hours are too long;
- Residents have had to put up with over a year of building work, and now face a further 12 months;
- Top driven piles should not be used in the construction of the proposed centre, as they have been in the construction of the new block. They cause noise and vibration at unacceptable levels;
- Local properties within the Conservation Area cannot even prune a tree without permission. How can further building work be allowed?

Highway/traffic implications

- Concerns over the designated site access from Dymchurch Road;

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- Having an additional potential traffic hold-up between the roundabout and the traffic lights at the junction with Station Road, displays disregard for local residents and users of the Dymchurch Road;
- Access from the site is proposed to be predominantly from Station Road. It is questioned whether this would be the case in practice;
- It is not considered that the Dymchurch Road access would be managed properly, causing highway and security problems.

General matters

- Alternative sites for the centre within the school grounds should be considered;
- The proposed location of the building is overdevelopment of the site, unsuitable for the type of development proposed, and would remove the balance between open space and built development on site;
- Normal traffic, lorries, motorbikes and frequent sirens of emergency vehicles using Dymchurch Road are hardly likely to create the sort of atmosphere conducive to calm needed by emotionally disturbed young people;
- Where would external service utilities for this building be picked up from? Works on the new build involved road works whilst 'feeds' were put in, and residents would not want this to happen again;
- It is not considered that the local community would benefit from this building;
- The delineation of use between ground and first floor is difficult to understand, has not been thought through, and would not work in practice;
- Construction would cause inconvenience and disruption, including parking difficulties, noise and dirt/dust.

Discussion

Introduction

19. This application seeks planning permission for a new build facility for the Marsh Academy, comprising an Inclusion Centre for its pupils and a Family Centre, providing ongoing support for pupils and their families. In considering this proposal regard must be had to the Development Plan Policies referred to in paragraph (14) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include the principle of siting the building in the location proposed, landscape and visual impacts, access and highway concerns, and general amenity matters.

The principle of locating the building to the east of Dymchurch Road

20. Although Shepway District Council, and other statutory consultees, have raised no objection to the application, including the proposed siting of the building, local residents on Dymchurch Road have suggested that alternative sites should be considered. It has been suggested that the proposed location of the building is overdevelopment of the site, unsuitable for the type of development proposed, and would remove the balance between open space and built development on site. General amenity concerns are also raised, as are access and highway concerns, and these matters will be considered and discussed later in this report. First, the suitability of the proposed location must be considered, and judged in principle.

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21. It is important to note that the proposed site is existing school playing field, and has not been nationally or locally designated as an area of important landscape (e.g. Area of Outstanding Natural Beauty or a Special Landscape Area). In addition, the site is not allocated as a 'Green Gap' within the Local Plan. The application site is, therefore, not afforded any national, regional or local landscape protection. However, a Conservation Area lies to the south west of the proposed building (see location plan), and the playing fields are protected under Local Plan Policy LR12. The whole of the school site, regardless of the location proposed for this building, is outside of the Local Plan defined settlement boundary, and within an area classed as high risk from flooding.
22. The applicant advises that the proposals for the new facility have arisen out of months of consultation with clients, partners and stake holders in the project. In addition, the master plan for the entire Marsh Academy site was taken into consideration, including the building currently under construction. I am advised by the applicant that at the very start of the design process, three potential locations for the building were identified. In order to understand how the final location, as now proposed, was chosen over the other two possibilities, it is important to understand how the building is intended to function and what it would provide to the pupils of the Academy.
23. The proposed building is intended primarily as a self-contained education facility for the Academy's more disruptive pupils who are at risk of being excluded, as well as supporting those with complicated personal issues, who require counselling not just for themselves, but for their families. For those students, an alternative curriculum would be provided, which necessitates separate teaching spaces from the rest of the pupils in mainstream education. In tandem with this, further rooms of differing sizes are required to respond to counselling requirements for both students and their families. The facility must be provided in a setting and location that does not further stigmatise these vulnerable students. In addition, the facility must be accessible to local children who are vulnerable or have specific educational needs, who currently have to travel to Ashford or Folkestone for the educational support they require. Outside of school hours, the Academy wishes to make the centre available for rent to other groups who may need the use of the kind of spaces within the building, such as adult education and youth groups.
24. Turning back to the issue of location within the site, the uses outlined above generate a number of constraints which influence the siting of the building. First, the Marsh Academy portion of the building, which in this case is the ground floor, needs to be within the secure confines of the school. Students using the proposed facility would register daily in the same way as the mainstream pupils, and would use the communal facilities within the Academy such as dining areas and sports facilities. Should the facility be located on the Station Road side of the site, as residents suggest, it would lie outside of the secure boundary of the Academy. The applicant advises that this would place further stigma on the pupils using the proposed facility, and minimise their time with friends in mainstream education. In addition, staff would have to escort pupils to and from the proposed building, which would be a logistical problem, and an ineffective use of time. Should the building be located outside of the secure boundary, it would also increase the possibility of pupils absconding. I therefore conclude that a building on the suggested Station Road side of the campus would not be fit for purpose, and would not be appropriate when considering the nature of the development.
25. A further site suggested by local residents, and investigated by the applicant, is close to the existing youth centre and leisure centre, to the south of the Academy site, accessed from Station Road. However, the applicant advises that this is the least suitable option for the proposed building as the land is owned by the County Council, and not the

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Academy, and could be sold off by the County Council at some point in the future. The applicant advises that it would be too great a risk to the Academy, and the funding organisation, to place the building in this location only to have it potentially sold off in the future, requiring the demolition of the building and its relocation elsewhere on site. I am satisfied with this argument, and do not consider that building in this area of the site would be appropriate. Other areas within the Academy boundary are precluded as they are approved under the site masterplan to be used for access, car parking, circulation, buildings or sports facilities. Building to the north of the New Romney Open Sewer would also meet with objection as, apart from poor access, a building here would affect playing field provision (protected under Local Plan Policy LR12) and would extend built development on site into the open countryside.

26. In addition to the above, the applicant also considers that the proposed location would provide the most secluded and quiet site within the Academy grounds, which is of great benefit to disruptive and/or vulnerable people. Although the site proposed does not have direct vehicular access from Station Road, a matter which will be discussed later in this report, for the reasons outlined above, I consider that the applicant has considered alternatives within the Academy site, and that the site proposed is the most suitable and fit for purpose. However, the landscape, highway and access, and general amenity matters with regard to the proposed site need to be considered and discussed in detail.

Landscape and Visual Impacts, including the adjacent Conservation Area

27. Having concluded that building to the east of Dymchurch Road is acceptable in principle, the landscape and visual impacts of the development as proposed must be considered and addressed. Although no objections have been raised on these grounds from statutory consultees or local residents, I consider it necessary to briefly consider these matters. With regard to the impact upon the wider landscape and the adjacent Conservation Area, the site is well screened by existing mature vegetation to the west site boundary with Dymchurch Road, aided by a significant level change, and screened by both existing buildings and those currently under construction from the south and east. Only one existing tree is proposed to be removed, and additional planting would be provided as part of the development proposals, further details of which would be provided pursuant to planning condition, should permission be granted. The County Council's Landscape Advisor is satisfied with the indicative landscaping details proposed, including the provision of a number of heavy standard trees, but considers more detail should be provided with regard to ongoing maintenance of the planting. Therefore, should permission be granted, details of a scheme of maintenance for 5 years would be required as part of the detailed landscaping proposals required pursuant to condition.
28. Although the site is well screened, the design of the building needs to be of a high quality and appropriate to the setting. Paragraph 9 of this report outlines the design of the building and the materials proposed, which include render, glazing panels and flint panels. Shepway District Council considers the design to be commendable, and states that the building would sit comfortably in this setting. The County Council's Landscape Advisor considers that the modern style of the building, with its clean horizontal lines, complements the new buildings in the Academy site, including those under construction. In particular, the height and horizontal roof line tie in well with the Arts Block to the south, and give continuity in building style and mass. I consider that the design of the building is of a high quality, reflecting the design of other buildings on site without simply copying them. Although final details of external materials would be required pursuant to condition, should permission be granted, I consider the materials

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proposed at this stage to be of high quality and appropriate for the setting. I consider that the building would have a positive impact on the local landscape in terms of high quality materials and design. Furthermore, I do not consider that the building would have a detrimental impact on the character or appearance of the adjacent Conservation Area and, if anything, would enhance views from Dymchurch Road.

29. However, the proposed vehicular access to the building would be via Dymchurch Road, and although the amenity and highway implications of this will be discussed later in this report, the visual impacts of this access on the character and appearance of the neighbouring Conservation Area need to be assessed. First, it is important to note that the proposed vehicular access would use the route of an existing service vehicle access, which would be upgraded. Visibility splays would be adjusted to comply with current standards, and a new secure gate would be installed. However, the access is already gated, and the gate on the new access would be located further into the site for highway safety reasons. Subject to the imposition of a condition requiring details of the gate to be submitted for approval, including the colour finish, I do not consider that the access improvements would have a significantly detrimental impact on the character and appearance of the neighbouring Conservation Area, or the local landscape in general terms.
30. Subject to the imposition of conditions requiring the submission of a detailed scheme of landscaping, details of fencing, gates and means of enclosure, including the vehicular access gate on Dymchurch Road, and final details of all materials to be used externally, I do not consider that the siting, scale, design or massing of the development would have an adverse impact on the character of the area, including the Conservation Area. I therefore see no reason to refuse the application on these grounds.

Highway and Access

31. Local residents have objected to this application on the grounds of access, with the primary concern being use of the access on Dymchurch Road. Residents are concerned that the access would not be managed properly, and that in practice the Dymchurch Road access would be used on a regular basis. As outlined in paragraphs 10 and 11 of this report, the existing service road access point from Dymchurch Road would be upgraded to facilitate access for vehicles carrying disabled passengers and emergency vehicles only. A new pedestrian access point is proposed from Station Road, which would be used by members of the public to access the facility out of school hours. During the school day, vehicles and pedestrians would access the centre via the main Academy site entrance on Station Road, using the Academy car park if arriving by car.
32. It is important to note that the main users of the building during school hours would be Marsh Academy's own pupils and staff for the ground floor element of the building, and Sixth Form pupils from two local Special Schools for the first floor element of the building. Marsh Academy's pupils would enter the facility via the Academy grounds from Station Road, as usual, and could not access the proposed building from Dymchurch Road due to the physical separation of the Academy and community uses of the building by secure fencing, and the internal layout of the building. The Special School users of the public portion of the building on the first floor would be disabled young people and their support staff, who would be transported to the facility by minibus. Only these minibuses would be able to use the Dymchurch Road access during the school day to access the facility. The improved access would lead to a car park, which has space for 2 minibuses and 2 cars (for operational use) only, and from here users can access the building via DDA compliant access paths. There would be no direct

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pedestrian or wheelchair access from Dymchurch Road, only Station Road. The gates on Dymchurch Road would remain closed at all times, and only be opened to allow access for disabled minibuses at prearranged times, and for emergency vehicles when necessary. Out of school hours, any users of the facility would access the building via the pedestrian access on Station Road, parking within the main Academy car park.

33. Shepway District Council raises no objection to this application subject to Kent Highway Services 'approving' the access arrangements. In addition, New Romney Town Council raises no objection subject to the access/egress arrangements being rigorously applied. Kent Highway Services have confirmed that they have no objection to this application, subject to limited access off Dymchurch Road for 2 minibuses and emergency services only, and all pedestrian access being via Station Road. I consider that the applicant has demonstrated that Academy pupils could not access the facility on foot from Dymchurch Road, and community users have a dedicated pedestrian access point from Station Road. I am satisfied that the arrangements proposed would ensure that pedestrians would not use the Dymchurch Road access. In addition, the gates on the Dymchurch Road access would only be opened at prearranged times to allow access to minibuses. All other users of the facility arriving by car would use the main Marsh Academy car park. I consider that, should permission be granted, a condition of consent should be imposed to ensure that the gates on the Dymchurch Road access are locked at all times, unless to allow access to minibuses carrying disabled users to the facility, or emergency vehicles. Subject to this condition, and conditions to ensure that the visibility splays are provided in accordance with the submitted details and access and car parking are provided prior to the first use of the building, that the development would not have an unacceptable impact on the local highway network. I therefore see no reason to refuse the application on these grounds.

General Amenity Matters

34. In addition to highway concerns, local residents have also raised concern and objection over general amenity matters such as hours of use, extent of community use, provision of services and disruption during construction activities. These matters will be discussed below.

Hours of Use and Community Use

35. As outlined in paragraphs 5-7 of this report, the proposed building has two distinct and separate uses. The ground floor would be used by the Academy and the upper floor by local Special Schools, with use being primarily during the school day between the hours of 0800 and 1500. However, the applicant is proposing use of the facility until 2100 Monday to Friday, and between 0930 and 1800 on Saturdays, Sundays and Bank Holidays. The applicant does, however, state that these hours have been estimated as the amount of use would depend on the number of external organisations or individuals intending to use the facility. It is not intended that the building would be open during all of the hours proposed if there is no need for it. The use of the building would be controlled and scheduled by the Academy, and the facility would not be hired out for parties or social functions. Community use would consist of renting the building to other groups who may need to use the kind of facilities the building would provide, including adult education groups and local youth groups.
36. The applicant advises that the primary purpose of the building is the education of young people and their families. It is not intended as a full time Community Centre, but the building would have facilities that could support the needs of the local community when required. As discussed earlier in this report, the building is well screened from

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Dymchurch Road by existing and proposed planting, is at a lower level than Dymchurch Road which further mitigates any visual impact, and access arrangements are considered acceptable. Subject to the imposition of the conditions outlined above regarding these matters, I consider the hours of use and level of use to be appropriate and acceptable. Therefore, should permission be granted, a condition of consent would limit hours of use to 0800 – 2100 Monday to Friday and 0930 – 1800 on Saturdays, Sundays and Bank Holidays.

External lighting

37. Limited details have been provided with regard to external/security lighting for the development. If permission is granted, it would therefore be appropriate to reserve details by condition so that the type and position of any external lighting can be controlled to ensure any potential nuisance from light pollution can be minimised. Subject to the imposition of that condition, I do not consider that external lighting at the site would have a significantly detrimental impact on the wider landscape and/or residential amenity and, therefore, see no reason to refuse the application on these grounds.

Services

38. Local residents have asked where external services for the building would be picked up from as works on the new build currently under construction resulted in 'road works' whilst feeds were put in. Residents would not wish to endure further road works and disruption. Although this matter is not strictly material in the determination of this application, the applicant has confirmed that electrical supply would be derived from an existing substation located within the grounds of the Academy and that an existing gas meter, terminating on the grassed area adjacent to the proposed car park, would be where the gas supply would be picked up. With regard to the water supply, the applicant has confirmed that a connection maybe required to the street. However, it may be possible for this to be avoided subject to it being possible to connect downstream of the existing meters. However, this cannot be confirmed until further investigations are carried out. I am satisfied, however, that this matter is not material to the determination of this application, and there are no reasons to refuse the application on these grounds.

Disruption from Construction

39. Local residents are experiencing disruption due to the construction activities currently being undertaken on site, and object to further construction activity. Unfortunately, construction activity is an unavoidable negative feature of any development but is necessary for improvements and progress to be made. However, a primary concern is that of piling, as the building currently under construction required over 400 piles which were conventional top driven piles. However, this newly proposed building would only require 75 piles, and the applicant has confirmed that it is proposed to use CFA (Continuous Flight Auger) or similar bore hole piles, which produce very little ground vibration. The piling work could also be completed within a week or so to keep any noise nuisance to the minimum. The applicant advises that the Academy would have direct control with the legal contract with any proposed contractor, and thus could insist on the use of CFA or similar piles. I can confirm that CFA piles have been included within the current cost proposals being developed by the applicant's Quantity Surveyor. In light of this, I consider that the applicant has undertaken all reasonable methods to minimise disruption to local residents whilst piling on site.

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40. 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.
41. In addition, I consider it appropriate that details of a Construction Management Strategy be submitted for approval prior to the commencement of development. The Strategy submitted and approved for the building works currently being undertaken on site would not be applicable to this development as the proposed Inclusion and Family Centre would be constructed upon the Academy's Construction Compound, and a different contractor could be used. I therefore consider that a new document should be submitted. The strategy should include details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures and details of any construction accesses. The provision of such a strategy would also address the conditions required by Kent Highway Services with regards to construction activities. 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.
42. In addition to the above, should permission be granted, conditions of consent would ensure that dust, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Pumping station

43. New Romney Town Council raises no objection to this application subject to the provision of a small contribution towards the long term costs of running and maintaining a new pumping station which is proposed in the area. The applicant has advised that the Inclusion and Family Centre's surface water drainage would link into the Littlestone Sewer, which would feed directly to the proposed pumping station on the coast (Shepway District Council planning reference Y10/1121/SH). The applicant has submitted a statement which reads as follows:

"The Marsh Academy ("the Academy") agree, in principle, to make a single one-off payment of £1000.00 (one thousand pounds only) ("the Payment") towards the long term maintenance of the Proposed New Pumping Station at Littlestone Outfall which is the subject of a planning application (Shepway District Council Planning Reference Y10/1121/SH) ("the Pumping Station") subject to the following conditions:

- a) the Payment will be made direct to the Internal Drainage Board or other licensed or approved maintenance body ("the Approved Maintenance Body"), and
- b) the Academy will release the Payment upon receiving written confirmation from the Approved Maintenance Body that the Pumping Station is built, fully commissioned and operational."
44. The County Council cannot enter into a legal agreement with itself, and payments of money cannot be required by planning condition. However, as the applicant has

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submitted this statement, I consider that a condition of consent could ensure that the applicant follows the terms of the statement and, therefore, the payment would be provided if the terms of the agreement are met. Should planning permission be granted, this would form a condition of consent.

Ecology

45. An Ecological Scoping Survey, Protected Species Surveys and a Tree Survey have been submitted in support of this application. The Ecology Surveys conclude that no further survey work is required, but make a number of recommendations which should be followed prior to and during construction works, such as the protection of nesting birds. In addition, a further bat survey, and details of any necessary mitigation and compensation works should be submitted for approval prior to the commencement of development. The applicant is in the process of preparing this document and will submit the required survey in the near future. Subject to the imposition of conditions requiring that the recommendations detailed within the Protected Species Surveys be followed, and the submission of the bat survey and details of any necessary mitigation and enhancement strategies, I do not consider that the development would have an adverse impact upon protected species.

Archaeology

46. The County Archaeologist has concluded that in order to secure the appropriate level of evaluation and mitigation of archaeological potential at the site, a condition of consent be imposed. It is requested that no development takes place until the applicant has secured and implemented a programme of archaeological work, to be undertaken in accordance with a written specification and timetable to be submitted and approved by the County Planning Authority. Therefore, subject to the imposition of the required condition, I do not consider that this proposal would have a detrimental impact on archaeological remains.

Flooding, Drainage and Land Contamination

47. Although the site is classed as an area at high risk of flooding, the Environment Agency raises no objection to this application subject to the imposition of conditions regarding the control of surface water drainage and land contamination. In addition, advice is provided with regard to flood risk, land contamination, drainage, and the storage of fuel, oil and chemicals, and I consider it appropriate to draw the applicant's attention to this advice, should permission be granted. Therefore, I consider that subject to the imposition of the conditions specified by the Environment Agency, and an informative drawing the applicant's attention to the advice provided, the development could be controlled to ensure that it would not result in unacceptable pollution levels, in accordance with the principles of Development Plan Policy.

Sustainable construction

48. The applicant advises that the project would achieve a 'Very Good' rating under BREEAM for schools. The building would include a number of sustainable features and I consider that the applicant has given sufficient information within the planning application to demonstrate how the rating of 'Very Good' would be achieved. I therefore consider it sufficient and acceptable to condition that the development achieve at least a 'Very Good' rating.

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Conclusion

49. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies. 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 character of the area, the local or wider landscape, or the local highway network. 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

50. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the applicant to follow the terms of the statement regarding a one off payment to the Internal Drainage Board, or other licensed or approved maintenance body regarding 'the pumping station';
- the submission of details of all materials to be used externally;
- details of all external lighting;
- a scheme of landscaping, including hard surfacing, its implementation and maintenance;
- measures to protect trees to be retained;
- details of fencing, gates and means of enclosure, including colour finishes. This is to include the vehicular access gate on Dymchurch Road;
- no tree removal during the bird breeding season;
- development to accord with the recommendations of the ecological surveys;
- submission of a bat survey, a details of any required mitigation and enhancement;
- implementation of a programme of archaeological work;
- a BREEAM rating of 'Very Good' to be achieved;
- the provision of vehicular visibility splays;
- provision of access, car parking, and circulatory space, prior to first occupation, and subsequent retention;
- the gated access on Dymchurch Road to be locked at all times, and only opened to allow access to minibuses and emergency vehicles;
- car parking on the main Academy site to be available out of school hours to accommodate evening and weekend use;
- hours of use of the facility restricted to 0800-2100 Monday to Friday, 0930-1800 on Saturdays, Sundays and Bank Holidays;
- control of surface water drainage;
- control of contaminated land;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations;
- measures to prevent mud and debris being taken onto the public highway.

Item D1

Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399

56. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informatives:

- Account should be taken of Environment Agency's advice relating to flood risk, land contamination, drainage, and the storage of fuel, oil and chemicals.

Case officer – Mary Green

01622 221066

Background documents - See section heading
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Item D2**Installation of 2 Classrooms in a Prefabricated Unit at Challock Primary School, Church Lane, Challock-AS/11/594**

A report by Head of Planning Applications Group to Planning Applications Committee on 26 July 2011.

Application by Kent County Council, Capital and Premises Development Unit, for the installation of 2 classrooms and toilets in a prefabricated building, and associated ground works, including an extension to the playground, at Challock Primary School, Church Lane, Challock – AS/11/594 (KCC/AS/0228/2011)

Recommendation: permission be granted subject to conditions.

Local Member: Mr Richard King

Classification: Unrestricted

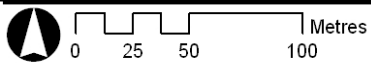
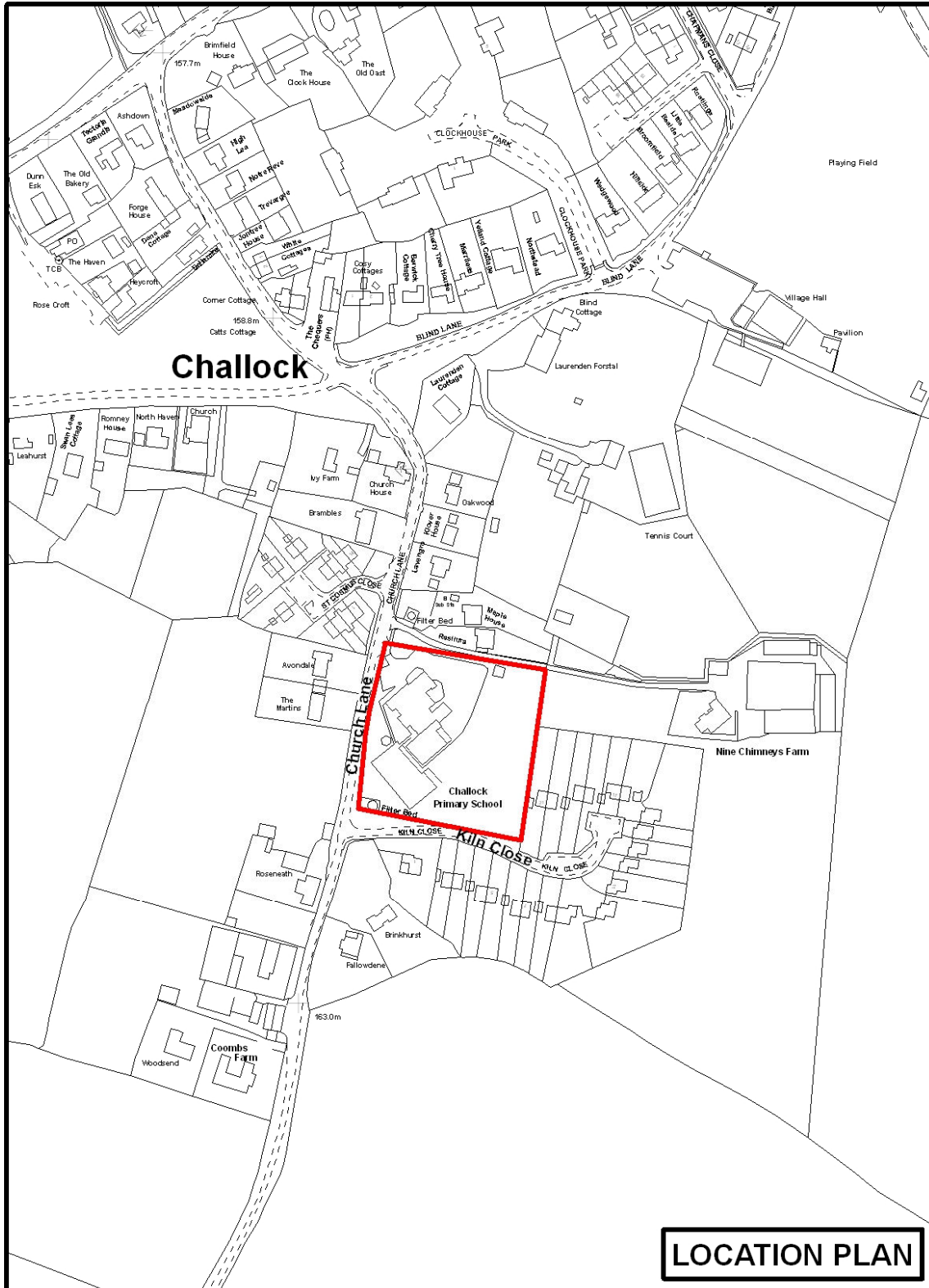
Site

1. Challock is a small village to the north of Ashford, situated on a cross roads between the A251 and the A252. Challock Primary School is situated to the south of the village, to the east of Church Lane. Although the school is bound by residential properties to the south and west in Kiln Close, and properties in Church Lane to the north and part of the west, the site is rural in character, with open agricultural fields to the west of Church Lane, and to the south of Kiln Close. The boundary of the school site is heavily vegetated with a substantial hedgerow, some mature trees, and a grass verge to Kiln Close and Church Lane. The school buildings, car parking and playgrounds are located to the western half of the site, with playing fields extending to the east. The proposed development is located to the south of the site, on existing grass playing field, adjacent to the existing playground. The whole of the school site is within the Kent Downs Area of Outstanding Natural Beauty. *A site location plan is attached.*

Proposal

2. This application has been submitted by Kent County Council Capital and Premises Development Unit, and proposes the installation of 2 classrooms and toilets in a 5-bay prefabricated building, and associated ground works, including an extension to the playground and the provision of hard standing around the proposed building. Full planning permission is sought, not a temporary consent. The proposed development would provide teaching space for 60 pupils, in addition to cloakroom/storage areas and two toilets. The School is expecting an increase in school roll numbers in September 2011, and the applicant advises that the proposed building is needed to help provide the required teaching areas. It is anticipated that 10 additional pupils would join the school roll in September 2011, and a further 50 would be added over and up to the next 7 years. One additional member of staff would be employed as a result of this increase.
3. The proposed single storey building would be 150 m² in size, 15 metres in length, and just over 10 metres in width. The building is proposed to be sited to the southern end of the playing fields, parallel to the boundary of the site with Kiln Close. The building would be approximately 7 metres from this boundary. The building would face onto the playing fields, and new hardstanding would link the building to the existing playground to the west. The building would have level access to the main entrance, facing the playing field, and to the side fire exits. The applicant advises that the provision of sports pitches would not be affected by the development.

Installation of 2 Classrooms in a Prefabricated Unit at Challock Primary School, Church Lane, Challock- AS/11/594



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Installation of 2 Classrooms in a Prefabricated Unit at Challock Primary School, Church Lane, Challock– AS/11/594

4. The proposed building would be clad in plastic coated steel, in a light green finish, considered by the applicant to be tie in with the surrounding environment. The roof would be felt, with a shallow pitch to enable drainage but to give the impression of an almost 'flat roof', reducing the height and massing of the building. The building has been designed with no windows to the southern elevation, so that facing properties in Kiln Close would not be overlooked in any way. Windows on the other three elevations would provide ventilation and natural daylight.
5. In addition to an area of hard standing proposed around/under the building, linking with the existing playground, it is also proposed to extend the playground. A two metre wide strip, running the length of the playground would be added to the south, running diagonally between the southern and western boundaries of the school site. The existing car park at the school, accessed via Church Lane, would not be affected by the proposal and there is no intention to increase car parking on site.

The application is accompanied by a Design and Access Statement and Planning Statement.

Planning Policy

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

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

PPS1	Delivering Sustainable Development
PPS4	Planning and Sustainable Economic Growth
PPS7	Sustainable Development in Rural Areas
PPG13	Transport

- (ii) The adopted **South East Plan 2009:**

Policy CC1	Seeks to achieve and maintain sustainable development in the region.
Policy CC4	The design and construction of all new development will be expected to adopt and incorporate sustainable construction standards and techniques.
Policy CC6	Promotes the creation of sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
Policy CC7	States that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of new development. Where this cannot be demonstrated the scale and the pace of the development will be dependent on additional capacity being released or the provision of new infrastructure.

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- Policy C3** High priority will be given to conservation and enhancement of natural beauty in regions of Areas of Outstanding Natural Beauty and planning decisions should have regard to their setting.
- Policy T4** Sets out the approach to parking standards to be taken in Local Development Documents including restraint-based maximum levels of parking provision for non-residential development in line with PPG 13 and provision of adequate secure cycle parking.
- Policy BE1** Local Authorities and their partners will use opportunities associated with new development to help provide significant improvements to the built environment.
- Policy S3** States that, local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities.

Important note regarding the South East Plan:

Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers.

(iii) The Ashford Borough Local Development Framework Core Strategy 2008:

- Policy CS1** Sustainable developments and high quality design are at the centre of the approach to deciding planning applications, the key objectives of which include a wider choice of easy to use forms of sustainable transport to serve developments.
- Policy CS9** Development proposals must be of high quality design and address issues such as character, distinctiveness, sense of place, permeability, ease of movement, legibility, mixed use and diversity, continuity and enclosure, quality of public spaces, flexibility, adaptability and liveability, richness in detail and efficient use of natural resources.
- Policy CS15** Promotes public transport and other non-car based modes of travel including measures to encourage cycling.
- Policy CS18** Public open space, recreation, sports, children's play, leisure, cultural, school and adult education, youth, health, public service and community facilities to be provided to meet the needs generated by new development.

(iv) The adopted Ashford Borough Local Plan:

No relevant saved Policies.

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Consultations

7. **Ashford Borough Council** has no objection to the application, subject to conditions requiring the development to commence within 3 years, the development to be carried out in accordance with the submitted details, and the submission of details of the colour finish of the building for approval.

Challock Parish Council raises no objection, with 'consent' given 4-1, with one abstention due to insufficient information on parking issues.

The Divisional Transportation Manager has no objection to the proposal in respect of highway matters. The proposal would not alter the existing car parking or access arrangements for the site.

following the representations received from local residents (as summarised in paragraph 10 below), Kent Highway Services (KHS) have stated the following:

"The reason why KHS are satisfied that the proposals are acceptable is as follows:

1) Church Lane is of an acceptable width up to the entrance of the school site for two vehicles to safely pass one another. There is plenty of on-street parking to the north of the site also. There are also no on-street parking controls to prevent parking along Church Lane. Church Lane is also subject to a 30mph limit.

2) There have been no crashes along School Lane in the past 3 years and KHS have not been made aware of any highway safety issues on Church Lane.

3) Challock Primary School has an up to date School Travel Plan which encourages both pupils and parents to travel to the school in a more sustainable manner. The School actively encourages children to travel to school in a more sustainable manner.

4) There are zig-zags at the school entrance to prevent unlawful parking and which allows pupils to cross Church Lane safely.

5) There is adequate parking on the site for staff which prevents the need for any staff to park on Church Lane."

Environment Agency no comments received to date.

Sport England has no objection to the application, as the playing pitches would not be affected.

Local Member

8. The local County Member, Mr Richard King, was notified of the application on the 20 May 2011.

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Publicity

9. The application was publicised by the posting of a site notice and the individual notification of 32 neighbouring residential properties.

Representations

10. To date, I have received 4 individual letters of representation from local residents. A summary of the main issues raised/points made is set out below:
- No objection is raised to the extension of the school and the building itself;
 - Security lighting in the school is already a problem. Any security lighting on the proposed building would be a further intrusion;
 - Additional traffic generated by the increase in pupil numbers has not been considered;
 - Additional parking should be provided;
 - Church Lane, Kiln Close and other local roads are blocked by existing traffic associated with the school, causing chaos at the beginning and end of the school day. This proposal would make that situation worse;
 - Access for emergency vehicles could be blocked;
 - The school used to be a small village school, but now takes on pupils from a wide area. For the size of the school now, it is in the wrong place;
 - Parents are already asked to park at the village hall, but refuse to do so;
 - Local residents' drives are blocked and used as turning areas by parents.

In addition, I have received an anonymous letter, with three letters enclosed sent from Challock Primary School to parents of pupils. The three letters all refer to existing problems with inconsiderate parking and blocking of access to local properties.

Discussion

Introduction

11. This application seeks full planning permission for the installation of 2 classrooms and toilets in a 5 bay prefabricated building, and associated ground works, including an extension to the existing playground. In considering this proposal regard must be had to the Development Plan Policies referred to in paragraph (6) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include the siting and design of the building, given its location within an Area of Outstanding Natural Beauty, access and highway concerns, and general amenity matters.

Siting and Design

12. Although the proposed siting and design of the building has not met with objection, these matters must be considered in the determination of this application. The school site is within the Kent Downs Area of Outstanding Natural Beauty (AONB), which is afforded protection by Planning Policy. Policy C3 of the South East Plan states that high

Installation of 2 Classrooms in a Prefabricated Unit at Challock Primary School, Church Lane, Challock– AS/11/594

priority will be given to conservation and enhancement of the natural beauty of AONBs, and that planning decisions should have regard to their setting.

13. The proposed building is to be sited to the south of the school site, but in close proximity to existing buildings on site. I do not consider that the development would significantly extend built development on the site into the open playing fields and open fields beyond. The development would be single storey and low key in nature, located adjacent to a heavily vegetated boundary with a mature hedgerow and trees. Although the design of the building could be improved by the provision of a permanent extension to the school, funding is not available for such major works at this time. Therefore, a prefabricated building is the only option available to the school. However, the building would be finished in green, single storey with a flat roof, and all windows and doors would face into the school site. Bearing in mind the heavily vegetated boundary of the site, I do not consider that the siting and design of the development would significantly affect the character of the AONB, or the immediate locality. Residential properties in Kiln Close surround this area of the school site, and amenity considerations will be discussed later in this report. However, in this instance, in terms of siting and design, I consider this to be appropriate for the location, and acceptable in terms of landscape and visual impacts. However, I consider that, should permission be granted, details of the colour finish of the building should be submitted for approval to ensure that the shade of green is appropriate for the location.
14. In addition, with regard to siting, although the development would be upon school playing fields, Sport England is satisfied that playing pitches would not be affected. The provision of hard standing would also not impact upon the playing pitches or the boundary hedging and trees on site. I therefore see no reason to refuse this application on the grounds of siting and design.

Amenity Concerns

15. Throughout the consultation process, local residents have raised one primary concern, and that is the existing problems experienced with traffic generated by the school, and the concern that additional pupils would exacerbate that situation. This matter will be discussed in detail in the following paragraphs. However, one further issue was raised with regard to external lighting, and the concern that any lighting on the building would add to the nuisance already caused by security lighting on the school buildings. The applicant has not indicated that lighting would be installed on the building but, for the avoidance of doubt, I consider that a condition of consent should require that no security lighting be installed on the southern elevation of the building, facing Kiln Close. Subject to the imposition of this condition, I do not consider that the proposed development would affect the amenity of facing residential properties with regard to lighting.

Access and Highway Matters

16. Local residents have objected to this application on the grounds of highway and access implications. As the development would generate additional pupils, concern is expressed that this would in turn generate additional traffic, exacerbating existing problems with regard to parents blocking accesses, parking inconsiderately and congesting local roads. Kent Highway Services have been consulted on this application, and have commented in detail on the points of objection raised by local residents (see paragraph 7). This application cannot be expected to address existing problems, but the County Planning Authority must be satisfied that the provision of space for additional pupils would not significantly exacerbate these matters.

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17. The School do acknowledge that there are existing problems with parents parking inconsiderately, blocking driveways and causing congestion around the school. Parents are sent letters to ask that they park in a considerate manner. In addition, the applicant advises that car users have all been encouraged to park at the village hall and make use of one of the walking buses, or car share. The School has an up to date Travel Plan, and I am advised that the School works hard to encourage parents to use the walking buses, which run daily, use the village hall car park and park considerately. I am satisfied that the School is doing all that it can to address the existing problems, and is proactively seeking ways to ease the congestion around the school. However, the impact of additional pupils needs to be discussed and considered in detail.
18. The applicant advises that the school at present has 147 pupils on roll. There would be an additional 10 pupils in September, and a further 50 over the next 7 years. I am advised by the applicant that an additional 60 pupils would be unlikely to mean 60 additional families travelling to the school as this number would invariably include siblings. The school has 27 places accepted officially in reception year to start in September 2011, 13 of whom are siblings. This suggests that some of the parents of the additional 10 pupils this year, and those over the coming years, would be travelling to the school anyway to drop off existing pupils. In addition, as outlined above, parents are encouraged by the School to use alternative methods of transport to the car, to park at the village hall, and to park considerately. The School have investigated the option of providing additional car parking on site, but there is no surplus space to accommodate this. In addition, Kent Highway Services consider that sufficient car parking is provided on site. Kent Highway Services 'only accept 1 space per member of staff plus 10%' as their maximum standards. The existing car park on site is in accordance with these standards, and Kent Highway Services would not wish to see the amount of car parking increased. In light of this, I am satisfied that additional car parking is not required.
19. Residents have also suggested that parking restrictions should be introduced. However, Kent Highway Services have confirmed that there is no need for yellow lines as the Borough Council would only install them if there was a safety issue. It is the opinion of Kent Highway Services that there is not a safety issues at this site as there are no personal injury crashes on record. In addition, there have been no crashes along School Lane in the past 3 years, and Kent Highway Services have not been made aware of any highway safety issues on Church Lane. Church Lane is of an acceptable width up to the entrance of the school site for two vehicles to pass one another and, in the opinion of Kent Highway Services, there is plenty of on-street parking to the north of the site. For information, Church Lane is subject to a 30mph speed limit, and there are zig zags at the school entrance to enable pupils to cross Church Lane safely. Kent Highway Services are satisfied that any additional traffic can be accommodated, and that the existing parking issues would not be exacerbated should planning permission be granted. In light of this, no objection is raised to the application.
20. It is acknowledged that inconsiderate parking is a nuisance to local residents. However, I consider that the School has taken all reasonable steps to rectify this problem, and that the approval of this application would not significantly exacerbate this matter. Kent Highway Services have no objection to the application, and are satisfied that any additional traffic could be safely accommodated. I therefore see no reason to refuse the application on these grounds.

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Conclusion

21. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies, including those that seek to protect important countryside and landscape. 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 character of the area, the local or wider landscape, or the local highway network. 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

22. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the submission of details of the colour finish of the building;
- no lighting, including security lighting, to be installed on the southern elevation of the building, facing properties in Kiln Close;
- hours of working during construction to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- measures to prevent mud and debris being taken onto the public highway.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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Item D3**Creation of a pond to store flood water from the highway,
Stone Street Road, Seal - SE/11/20**

A report by Head of Planning Applications Group to Planning Applications Committee on 26 July 2011.

Application by Kent County Council Kent Highway Services for creation of a habitat pond which has the capacity to store flood water from the adjacent highway at Land opposite Field Cottage, Stone Street Road, Seal, Sevenoaks, TN15 0LQ - SE/11/20

Recommendation: Permission be granted, subject to conditions.

Local Member: Mr N. Chard

Classification: Unrestricted

Site

1. The application site forms the northern part of an agricultural field, south of Stone Street Road, opposite Field Cottage. The site is west of Stone Street, approximately 2.3km to the south east of Seal. The field is one of a number in the surrounding area that has been cultivated as an orchard, albeit that the pear orchard is no longer commercially farmed. The southern part of the site area is categorized under the Agricultural Land Classification as Grade 2 – best and most versatile land; however most of the application site is not classified. The application site is designated by the Sevenoaks Local Development Framework as open countryside, Green Belt, and as part of the Kent Downs Area of Outstanding Natural Beauty (AONB). The Oldbury & Seal Chart Site of Special Scientific Interest (SSSI), a designated Ancient Woodland, is located approximately 120 metres north of the application site. Great Rogers Wood also classified as an Ancient Woodland is 100 metres to the south west. The site falls within a groundwater source protection zone.
2. The closest residential properties overlook the field from the opposite side of Stone Street Road, further properties are positioned to the east and south east (see site location plan below). Stone Street Road and Bitchet Green Road run along the north and west boundaries of the field respectively, a Bridleway designated as a Public Right of Way (SR 126) runs along the eastern edge.
3. The application site, part of the remainder of the field and a similar field north of Stone Street Road are within the ownership of the title-holder of Field Cottage. The applicant has confirmed the requisite notice was served on the landowner in advance of the application being made to the County Council.

Creation of a pond at Stone Street Road, Seal - SE/11/20

General Location Plan

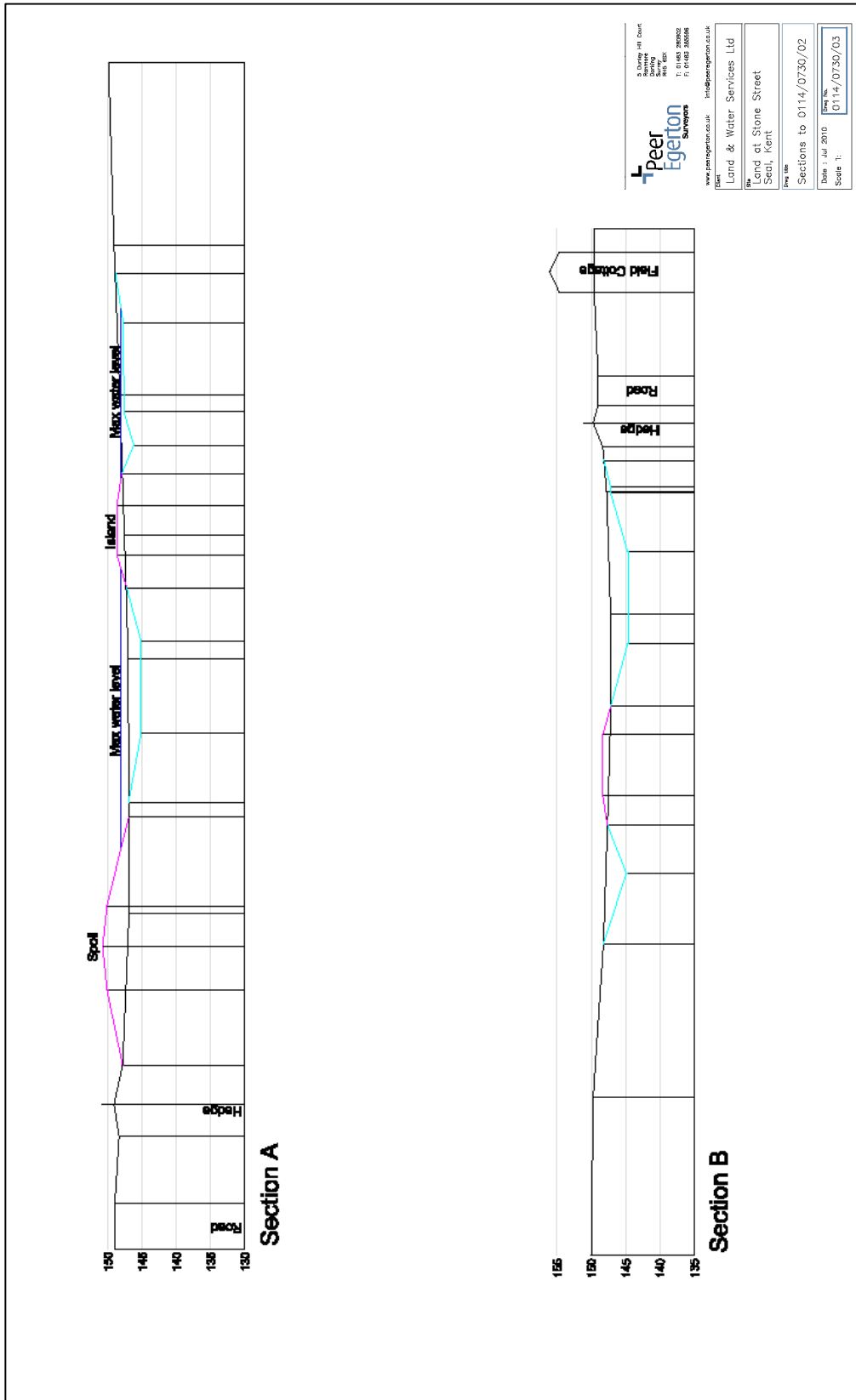


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Site Location Plan



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Background

4. Due to the topography of the area and local drainage patterns, Stone Street Road (to the west of Field Cottage) experiences localised flooding following relatively small amounts of rainfall. Surface water run-off pools on the public highway at the lowest point, creating a hazard to road users. Water not retained on the highway drains into the above mentioned field (the application site) through a series of grips installed in the verge. The lowest sections of this field subsequently becomes water logged; excess surface water, which does not soak into the ground, then flows out of the field at the lowest point across Bitchet Green Road into the open field to the west. The localised flooding causes a regular hazard to road users, which is exacerbated during freezing conditions, creating icy patches on the highway.

Proposal

5. The application proposes the creation of a flood relief pond on land adjacent to the public highway. The pond would be connected to the highway drainage system for Stone Street Road, providing temporary storage capacity for surface water run-off during flood events. The proposal is to create a permanent habitat pond (approximately 0.5 hectares in size) with the surrounding land engineered to have the capacity to temporarily store excess run-off across an overall area approximately 1 hectare when required. The temporary retention of surface water on site would allow time for the excess water to naturally soak into the ground.
6. The application proposes to landscape the site, creating the permanent pond at the lowest point with the area around graded out to create the relief storage. All materials excavated during creation of the pond would be retained on site and landscaped into a soil bund, and an island within the permanent pond. The application states that the finished land form would be sympathetic to the surrounding area. The height of the bund, which for the most part would be sited on the lower part of the field, is shown to be approximately 151m AOD, a level similar to the height of the adjacent hedgerow. The slopes of the bund are proposed to be finished between 1in3m and 1in4m to allow for maintenance. The area would be reinstated with the topsoil previously stripped from the site and seeded with a mixture of wildflower and meadow grass.
7. The proposed pond and surrounding landscaping would be designed to attract wildlife. The application details the provision of an island, plants and features to encourage biodiversity, including the above mentioned wildflowers, meadow grass, as well as native wetland and bog plants. The application proposes to retain the remainder of the orchard to the south of the site and surrounding hedgerows wherever possible. There would be a need to widen two access points in the hedgerows (off Stone Street Road and Bitchet Green Road) to enable use during construction. Vehicle movements associated with the construction phase would be kept to a minimum as all excavated materials would be retained on site. Construction operations would require excavators and dumper trucks to create the proposed landform.

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Additional information received from the applicant

8. In support of the application and in response to questions raised by the case officer and other consultees, the applicant has provided further supporting information on the proposals, that can be summarised as follows:

The Highway Authority has a duty to protect land adjacent to the public highway from surface water run-off. Due to the continued flooding of the northern part of the application site options were discussed with the landowner. The creation of a pond with associated temporary flood storage capacity is considered by the applicant to be a cost-effective and sustainable surface water collection point.

The applicant confirms that the proposed site is no longer viable as a commercial orchard due to the age of the trees, pointing out that part of the area is not suitable for cultivation due frequent flooding. The information received indicates that the land owner has approached local farmers to offer the use of the land at no cost; however this option has never been taken up.

The permanent pond is being proposed as part of the Million Ponds Project. This Project is a national scheme being promoted by a charity in partnership with a number of national and local organisations, the aim of which is to create an extensive network of new ponds across the UK. Ultimately with a view to reversing a century of pond loss, ensuring that once again the UK has over one million countryside ponds. A critical element of the project is that the new ponds should have clean water. This is important because most countryside ponds are now badly damaged by pollution, and evidence shows that pond wildlife is declining across the UK. To this end the design of the proposals would include four torrent gullies with traps, channelling water from the highway through a single pipe incorporating a pollution control valve.

The design of the pond includes a puddle clay base over the entire area of the proposed permanent pond, to retain water during low rainfall periods. The surrounding temporary flood storage area has been designed to hold up to a 1 in 100 year flood event for the designated catchment (which is approximately 15 hectares). Surface water flood levels above the 1 in 100 year level would continue to outflow from the lowest point in the field though an overflow included within the design, as all excess water does at present.

The applicant has confirmed that if planning permission were to be granted, Kent Highway Services would hold a legal agreement with the land owner covering responsibility for maintaining the pond and the surrounding landscaped area.

A Phase 1 Habitat Survey has been carried out to establish the presence of any protected species within the existing orchard habitat. The survey notes that the orchard and species-poor hedgerows on site are UK Biodiversity Action Plan (BAP) priority habitats. The report recommends the following measures to comply with relevant biodiversity legislation: the orchard lost should be replaced with alternate BAP habitats; any hedgerow removed should be replaced or the remaining hedgerow enhanced; clearance of trees, shrubs and hedgerows should be undertaken outside the bird breeding season or if not supervised by an ecologist; use of native trees and shrubs in the landscape design; and various other ecological enhancements. Best practice guidelines recommend further surveys for reptiles

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due to their presence being recorded within 1km and the suitable habitat found on site.

Planning Policy

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

(i) **National Planning Policy and Guidance** – the most relevant National Planning Policies are set out in:

PPS1 (Delivering Sustainable Development), **PPG2** (Green Belts), **PPS5** (Planning for the Historic Environment), **PPS7** (Sustainable Development in Rural Areas), **PPS9** (Biodiversity and Geological Conservation), **PPG13** (Transport), **PPS23** (Planning and Pollution Control) and **PPS25** (Development and Flood Risk).

(ii) The adopted 2009 **South East Plan**:

Policy SP5 Seeks to support and retain the broad extent of Greens Belts

Policy CC1 Seeks to achieve and maintain sustainable development in the region, including achieving sustainable resource use and ensuring the natural environment is conserved and enhanced.

Policy CC2 Seeks measures to mitigate and adapt to effects of climate change, including, amongst other matters, sustainable drainage measures and increasing flood storage capacity.

Policy NRM1 Seeks to maintain and enhance ground water through avoiding adverse effects of development on the water environment, including, amongst other matters, sustainable drainage solutions, increasing flood storage capacity and benefits to wildlife.

Policy NRM5 Seeks to avoid net loss of biodiversity and actively encourage opportunities for net gain.

Policy C3 Gives high priority to conservation and enhancement of the region's Areas of Outstanding Natural Beauty (AONBs) ensuring proposals do not conflict with the aim of conserving and enhance natural beauty.

Policy C4 Seeks to protect open countryside by ensuring all development respects and enhances local landscape character, securing appropriate mitigation where damage cannot be avoided.

Policy C6 Seeks to maintain and enhance the Public Rights of Way system.

Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have

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to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers.

(iii) Sevenoaks Local Development Framework: Saved Local Plan Policies Compendium (2008) Policies:

Policy EN1 Seeks all new development to respect, conserve and enhance the surrounding environment.

Policy EN6 Seeks to ensure proposals that would detract or harm the character of AONBs are not permitted.

Policy NR10 Seeks proposals that minimise pollution of the environment, be suitable in the context of adjacent land uses, mitigate possible impacts and protect natural resources.

Policy GB1 Seeks retention of the Green Belt as defined in the Proposals Map.

(iv) Sevenoaks Local Development Framework: Core Strategy Draft for Submission (2010) Policies:

Policy LO1 Seeks to protect the rural character, Green Belt and Areas Of Outstanding Natural Beauty.

Policy LO8 Seeks to maintain the Green Belt, conserve the countryside, the AONB and the special character of its landscape and biodiversity.

Policy SP1 Seeks new development to respond positively to distinctive local character, protect and enhance local environment.

Policy SP11 Seeks to conserve and enhance biodiversity.

Consultations

10. **Sevenoaks District Council:** raises no objection, subject to the County Council being satisfied that nature conservation and flooding issues arising from the proposal are adequately addressed and mitigated through conditions.

Seal Parish Council: raises no objection to the application.

Divisional Transportation Manager: recommends a condition ensuring appropriate wheel washing facilities are made available on site during any construction period.

Environment Agency: raises no objection, confirming the Agency are '*pleased to see a well designed pond which would create a new wetland habitat and alleviate local flooding issues.*'

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Recommends that pollution control methods (such as trapped gullies and possibly a pollution control shut-off valve) should also be included to prevent damaging hydrocarbons from entering the pond, especially in the event of a spill on the highway.

Area Public Rights of Way Officer: raises no objection, subject to the surface of the Public Right of Way (Bridleway SR126) being protected to ensure that it is not damaged if used during construction or future general maintenance to access the site.

During processing of the application the applicant has made it clear that should planning permission be granted the Public Right of Way would not be used to access the site during construction. The indicated preference would be to use an existing gate on Stone Street Road and create a temporary access off Bitchet Green Road.

County Archaeologist: raises no objection, subject to a condition covering an archaeological watching brief.

Natural England – standing advice recommends: the Planning Authority ensure that the survey reports and mitigation are acceptable before determining the application. Should they prove to be acceptable, the advice recommends proceeding with application subject to securing mitigation proposals through conditions.

The County Council's Biodiversity Projects Officer – the response received can be summarised as follows:

In order for the Planning Authority to be able to address all relevant material considerations in the determination of this application, the *recommended* reptile survey must be carried out and the results and proposals for any necessary mitigation measures must be submitted for consideration prior to determination of the application.

Despite reservations as to whether the creation of new BAP habitats is possible, notes that the orchard that would be lost is not of high quality in terms of the traditional orchard BAP. Considers that with appropriate management, the creation of replacement habitats, even without being designated as BAP quality, would be sufficient to ensure no net loss of biodiversity. Supports the intention to ensure that biodiversity enhancements are incorporated into the development.

Recommends that clarification of the 'pollution control' measures and a detailed habitat creation strategy be required by condition any planning permission, if granted, including ongoing management to ensure that the biodiversity enhancements sought through this application are achieved in the long term.

Local Member

11. The local County Member for Sevenoaks East, Mr N. Chard, was notified of the application on 5 January 2011.

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Publicity

12. The application was publicised by the posting of a site notice, an advertisement in a local newspaper, and the individual notification of 7 nearby residential properties.

Representations

13. In response to the publicity, 1 letter of representation has been received. The key points raised can be summarised as follows:

- Objects to the loss of over one hectare of agricultural land. Considers that no case of need for such a large pond has been demonstrated. Considers that there is still a need for the land for an agricultural use.
- Notes that there is no assessment of the volume of anticipated storm water or of the volume of the pond necessary to hold this level of run-off. Considers that the pond is vast compared to the small area in the field that occasionally becomes waterlogged. Notes similar ponds in the vicinity are a fraction of the size of the one proposed.
- Questions whether the primary purpose of the application is to create a pond or drain the highway? Asks if the primary proposal is to create a pond why this is being funded out of the public purse. Considers that the pond would be dry during the summer months.
- Raises concern that excavation of the land would result in a proliferation of weeds, and concerns about the sites long term maintenance. Asks that a positive guarantee be given by Kent Highway Services that the site would be maintained?
- Notes that the application does not include details of any pollution control measures, or details of how the overflow indicated on the plans would work and where the water would drain to.
- Considers that if the objective is to drain the highway this could be achieved by clearing out the existing grips.

Discussion

14. The application seeks planning permission for the creation of a surface water flood relief pond adjacent to Stone Street Road, including the formation of a soil bund using the excavated materials. The proposal is being reported to the Planning Applications Committee as a result of one letter of objection received from nearby residents, which raises concerns about the loss of agricultural land, the scale of the proposal and the on going maintenance of the site (please see paragraph 13).

15. In considering this application, regard must be had to the Development Plan Policies outlined in paragraph (9) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.

16. In my opinion, the key material planning considerations in this case can be summarised by the following:

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- location and policy designation;
- agricultural land;
- surface water drainage;
- biodiversity; and
- archaeological potential.

Location and policy designation

17. The application site is designated as open countryside within the Metropolitan Green Belt, and as part of the Kent Downs Area of Outstanding Natural Beauty (AONB). Therefore any new development proposed in this location is subject to a number of Development Plan Policies that seek to protect the character and openness of the countryside for its own sake. The broad thrust of these development plan policies presume against inappropriate development, subject to a limited number of exceptional circumstances.
18. The Development Plan Policies in place, including PPS1 (Delivering Sustainable Development), PPG2 (Green Belts), PPS7 (Sustainable Development in Rural Areas), South East Plan Policies SP5, CC1, C3, C4, Saved Local Plan Policy GB1, EN1, EN6 and Core Strategy Draft for Submission Policies LO1, LO8, SP1 all seek to protect the countryside from unnecessary development, preserve its openness and the special character of its landscape and biodiversity, particularly in relation to Green Belt and the AONB.
19. Policies relating to the Green Belt seek to safeguard the countryside from encroachment and preserve the open character of the landscape through a general presumption against inappropriate development. In the context of the current planning application the works proposed would be considered as an engineering operation, not actually proposing any built development. Engineering works are considered to be an appropriate use of land in the context Green Belt provided the carrying out of such operations maintains the openness and does not conflict with the purposes of including land in the Green Belt.
20. It is noted that the main justification for the application is to address a local need to improve the drainage provision on the public highway. The development would involve excavation of a pond and associated landscape works to create a flood water storage area within the surrounding land. The material excavated would be retained on site and formed into a landscape bund to the south and west of the pond. The application indicates that the land form created would be sympathetic to the surrounding landscape, with shallow slopes created between 1in4m and 1in3m to a height of approximately 151m AOD, which would be comparable to the height of surrounding hedgerows. The area would then be landscaped and planted to create replacement wetland and grassland habitats.
21. In my opinion the work proposed would be appropriate development in the context of the Green Belt and the AONB. The development would maintain the openness of the land and conserve the character of the landscape. The provision of a new pond would serve to increase the available habitat at a local level with the potential to enhance the visual appearance of the landscape.

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22. The application does not include detailed drawings of the proposed landscape bunds, only indicative heights and form. Should planning permission be afforded to the proposals, I recommend that a condition be placed on any consent requiring the submission of detailed drawings of the landscaping work, including replacement planting, for prior approval. This would enable the Planning Authority to ensure that the final scheme accords with the parameters set out in the application in the interests of protecting and enhancing the local landscape character.
23. Concerns received from a nearby resident seek assurance that if re-developed the site would be subject to regular maintenance and not become overgrown. The applicant, Kent Highway Services, has indicated that there would be a legal agreement drawn up with the landowner to ensure the ongoing maintenance of the site following completion of the development. I recommend that any planning permission includes a condition requiring regular maintenance of the landscape scheme to ensure the site is well maintained and the planting is successful.
24. I therefore consider that the application would be acceptable and accord with the provisions of the Development Plan Policies in place in terms of its location within the open countryside, Green Belt and the Kent Downs AONB, subject to the conditions recommended above, and to the further consideration of issues relating to the use of agricultural land, surface water drainage, biodiversity and archaeology within the sections below.

Agricultural land

25. The southern part of the application site is categorized under the Agricultural Land Classification as Grade 2 farmland – best and most versatile; the remainder of the northern section is not classified. Best and most versatile land is considered the most flexible, productive, which can best deliver future crops. The classification is based on the long term physical limitations of the land for agricultural use, factors considered include climate, site and soil characteristics. Government policy set out in PPS7 'Sustainable Development in Rural Areas' confirms the importance of protecting our natural resources in delivering sustainable development. The Development Management Procedure Order requires consultation with the Department for Environment Food and Rural Affairs (DEFRA) on any development involving the loss of twenty hectares or more of best and most versatile land. On smaller areas the land protection policy is still a material consideration; however it is for the local planning authority to decide how significant the agricultural land issues are.
26. In the context of the current application, the applicant has indicated that the existing pear orchard is no longer considered to be productive and is not commercially farmed. The information received indicates that efforts have been made to put the land to an alternate agricultural use, however this has not proven successful. It is also noted that run-off from the surrounding catchment regularly floods the low point of the north end of the field. This flooding potential explains why this area is not classified under the Agricultural Land Classification and potentially compromises the use of this area of the field for cultivation. The area of land that is classified as best and most versatile is therefore substantially less than the 1ha site area and relatively small in scale. The application details that the top soil from across site, which forms the key part of the agricultural resource, would be stripped

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before any permitted works are began and retained to be re-used as part of the new landform.

27. PPS7 indicates that little weight in planning terms should be given to the loss of agricultural land in grades 3b or lower, except in areas (such as uplands) where particular agricultural practices may themselves contribute in some special way to the quality and character of the environment or the local economy. If any undeveloped agricultural land needs to be developed, any adverse effects on the environment should be minimised.
28. After careful consideration, in my opinion the proposed works would not materially affect the availability of agricultural land in the local area. Most of the site is unclassified agricultural land and in line with PPS7 its protection should be given little weight. The loss of a relatively small area of classified agricultural land to create the proposed development can, in my opinion, be justified by the resultant benefit to local highway safety through the creation of a sustainable form of drainage. Given that all topsoil would be retained and re-used on site then arguably the natural resource would be safeguarded and any adverse impact to this resource minimised. It should be noted that the remainder of the orchard to the south would be retained as part of the local landscape. I consider that the impact on agricultural land would be justified and acceptable in terms of the Development Plan policies in place, subject to consideration of surface water drainage, biodiversity and other considerations below.

Surface water drainage

29. The drainage pond is being proposed by the Highways Authority as part of a duty to protect land adjacent to the public highway from surface water runoff. The field in question becomes water logged under relatively small amounts of rainfall as a result of direct runoff. The traditional approach would be to construct a conventional soakaway; however soakaways require continued maintenance and have a limited usable lifespan. The applicant advises that a storage pond is easier to maintain and is considered to be a more cost effective and sustainable solution in this instance. The subsequent enhancements to biodiversity resulting from the development are an added benefit to the approach.
30. Objections received from a nearby resident raise concern about the size of the pond and the practicalities of the design. Members will note that the Environment Agency has raised no objection to the application and the way in which surface water would be managed, subject to inclusion of appropriate pollution prevention control measures within the design. The applicant has confirmed that the recommended torrent gullies with traps and a pollution control value would be included, I recommend that details of these measures be required by way of a condition should permission be granted. The Environment Agency's comments also confirmed that they are *'pleased to see a well designed pond which would create a new wetland habitat and alleviate local flooding issues'*.
31. The applicant has confirmed that the pond would be designed to cope with up to a 1 in 100 year flood event for a local catchment area. The surface water runoff would be accommodated within the permanent pond and the land immediately adjacent. The adjacent land would be engineered to provide temporary flood storage, holding the water on site when required and allowing time to naturally soak into the ground. The design includes an overflow point at the lowest point of the field to the west, which would allow excess water to

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flow out onto Bitchet Green Road and then on into the adjacent field. I note that one of the concerns raised by the local resident relates to this overflow. The set up would not be dissimilar to the current arrangements where excess water follows the path of least resistance down hill, however it would have the added benefit that the out flow from the field would only be needed in extreme flood events (above a 1 in 100 year event), instead of as soon as the field becomes water logged under the current arrangements.

32. It is noted that the overall area of land needed for the development would be approximately 1ha; the permanent pond would cover approximately 0.5ha and the remainder engineered to create surface water storage and the associate soil bunds. The proposed approach would appear to be relatively large for a traditional pond in terms of its land take. However this would allow for the creation of a more natural looking land form whilst providing adequate storage capacity and the opportunity to create a landscaped wetland habitat. It may well be possible to provide the same level of protection with a smaller arrangement; however this is likely to be over engineered and less visually acceptable in a rural location. As discussed above, I consider the approach would be acceptable within the landscape and would not have a material impact on the agricultural resource; I therefore have no objection to the overall size of the scheme.
33. Taking the Environment Agency's views into consideration alongside all other material considerations raised, subject to inclusion of the recommended pollution prevention control measures, I would not raise a planning objection to this proposal on the grounds of the design and scale of the surface water drainage pond. In my opinion the proposal will have a clear benefit to highway safety and the approach represents a sustainable solution that has the potential to enhance the local environment.

Biodiversity

34. The Phase 1 Habitat Survey received with the application notes that traditional orchards and species-poor hedgerows are UK BAP priority habitats. PPS9 (Biodiversity and Geological Conservation) seeks to conserve and identify opportunities to enhance these habitat types. The survey identifies that there is evidence on site of intensive management in the form of fertiliser spraying and close planting of trees, and as such the site may not conform to a traditional orchard as defined in the UK BAP and may have lower biodiversity value.
35. In response to the Phase 1 Habitat Survey the applicant has indicated that they would implement the key recommendations, including ensuring that the pond and surrounding grassland are enhanced with a view to achieving BAP Priority Habitat status, replanting or enhancing of hedgerows, clearance of the site to be conducted with care to ensure birds and other species are protected, including further reptile surveys before the development is carried out, alongside various other enhancements like the planting of meadow grassland, native wetland plants, further hedgerow and retention of dead wood on site.
36. Concern has been raised by a local resident that the pond would dry up in summer months and therefore would have little benefit to biodiversity. The applicant has confirmed that whilst the surrounding land would allow water to naturally permeate into the ground, the permanent pond area would be engineered to include a puddle clay base, maintaining a minimum depth of water throughout the year during low rainfall periods.

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37. The County Council's Biodiversity Officer advises that, despite reservation as to whether the applicant could re-create a BAP Habitat in this location, with appropriate management, the creation of the proposed replacement habitats would be sufficient to ensure no net loss of biodiversity as a result of the clearance of part of the orchard. This recommendation is subject to conditions requiring the submission of details of pollution prevention control measures and a habitat creation strategy, including ongoing management.
38. In line with Natural England's standing advice, the Biodiversity Officer's comments also recommend the completion of a reptile survey and the submission of the results along with any mitigation measures for consideration prior to the determination of the application. The applicant has subsequently confirmed that the required survey has been commissioned, however this unlikely to be completed prior to the Committee Meeting. Should Members be minded to approve the application, I would seek approval to resolve this remaining issue before the application is permitted under delegated powers.
39. Given the advice provided, I am satisfied that the replacement habitat, in the form of an appropriately enhanced pond (forming part of the Million Ponds Project), replacement hedgerow and grassland would ensure no net loss in habitat and provide an opportunity for ecological enhancement. Therefore subject to the completion of the recommended reptile survey and submission of any mitigation measures, and conditions ensuring the recommendations of the Phase 1 Habitat Survey are completed and pollution prevention control measures are submitted, I am satisfied that the proposed development would be acceptable in terms of nature conservation.

Archaeological potential

40. Development Plan Policies, including PPS5 (Planning for the Historic Environment), identify the importance archaeological assets and the need to preserve and record these assets as the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them. The County Archaeological Officer has indicated that the site has potential for archaeological remains, being close to locations where prehistoric finds have previously been recorded, and close to Stone Street which was the site of a Roman settlement. Based on the potential for Roman remains to be exposed, the Archaeological Officer recommends that a condition requiring a watching brief during any development would be appropriate in this instance. I therefore recommend that an appropriately worded condition be included as part of any planning permission.

Conclusion

41. The application has to be considered in the context of the Development Plan in relation to the location of the proposed development set against the impacts of the proposal and the need for development. Concerns have been raised by a neighbouring resident about the impacts of the development on agricultural land, the scale of the proposal and the sites going maintenance. I am satisfied that the proposed development would be an acceptable use in the open countryside, Green Belt and AONB, that would preserve the openness and character of the landscape. The proposal would result in the loss of an area of agricultural land; however part of the area in question is compromised by continual surface water flooding and none of the land is actively farmed. The proposals would not remove any top

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soil from site and would retain the remainder of the orchard; on this basis arguably any key natural resources would be preserved. Given the established need for temporary surface water storage in order to drain the roadway and maintain highway safety, I am satisfied that the provision of this local facility would be an accepted use of agricultural land. The provision of the pond and surrounding habitat is considered to be an acceptable replacement for the orchard habitat that would be lost. The land affected has potential as a reptile habitat; it is therefore considered appropriate to carry out further survey work before the application is determined. As discussed above, I seek Members' approval to resolve this issue outside of the Committee arena before determining the application.

42. Subject to the results of the reptile survey, I consider the proposals to be acceptable in the context of the Development Plan, and that there are no material considerations that indicate I should recommend refusal.

Recommendation

43. I RECOMMEND that, SUBJECT TO the satisfactory resolution of biodiversity issues, PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the submission of an archaeological watching brief;
- the submission of details for prior approval of the biodiversity enhancement measures recommended by the Phase 1 Habitat Survey;
- the submission of details for prior approval of the proposed pollution prevention control measures to be installed;
- the submission of details for prior approval of the landscape works and planting scheme proposed;
- the re-instatement of hedgerows affected during construction;
- the ongoing maintenance of the landscape scheme;
- controls over hours of operation during construction; and
- measures to prevent mud and other debris being deposited on the public highway.

Case Officer: James Bickle	Tel. no: 01622 221068
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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.

- DA/09/364/R6,7,8 & 9 Details submitted pursuant to conditions in respect of noise, dust and vibration monitoring and interim landscaping scheme. Stone Pit II, St James Lane, Greenhithe, Dartford
- DO/11/227 Kiosks and vents at three locations in Dover in support of flood alleviation sewer improvements supported by a temporary contractor's compound on vacant land at Crabble Hill, Dover. Rear car park at 1-10 Brookfield Place, CT16 2AE, 2 St Radigunds Road, CT17 0JX, 1-10 Maison Dieu Road car park, CT16 1RN and Buckland Mill Development, Crabble Hill, CT17 0RZ
- GR/09/286/R8, R12 & R38 Request for discharge of conditions 8 (rail sidings: fencing, lighting and relevant elements of code of construction practice, surface water management scheme and contaminated land assessment), 12 (ground stability: structural condition, maintenance and monitoring of rail tunnel) and 38 (archaeology/historic landscape: removal of Lawn Road Spine) of planning permission GR/09/286. Bulk Aggregates Import Terminal, Northfleet Works, The Shore, Northfleet, Gravesend
- GR/10/412/R4&R5 Details submitted pursuant to conditions (4) and (5) in respect of contaminated land assessment, drainage, dust suppression and lighting. Unit 4, Apex Business Park, Queens Farm Road, Shorne, Gravesend
- MA/11/487 Construction of a motor control centre kiosk and a ferric dosing package plant kiosk. Leeds Wastewater Treatment Works, Penfold Hill, Leeds, Maidstone
- MA/11/646 Installation of two walk in kiosks within boundary of Wastewater Treatment Works. Lenham Wastewater Treatment Works, Lenham Heath Road, Lenham, Maidstone
- SE/11/1396 Section 73 application to vary conditions (29) and (30) of permission SE/98/234 to retain the Cowden exploration site, access and wellhead valve assembly for a further period of one year to complete current planned testing operations. Cowden Exploration Site, Field No. 0002, Claydene Farm, Off Hartfield Road, Cowden, Edenbridge

SH/11/292	Lawful Development Certificate for the crushing, screening, sorting, separation and re-use of inert waste materials, with associated storage, plant, machinery and parking. Land at Callington Court Farm, Brenzett
SW/93/626/R11A	Details submitted pursuant to condition (11) in respect of proposed gas and leachate extraction system. Kemsley Mill Landfill Site, Kemsley Mill, Sittingbourne
TM/88/1002/R18	Proposed trial blasts using greater than 10kg maximum instantaneous charge (MIC). Blaise Farm Quarry, Offham

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/11/507	Planning permission to retain a 5 bay mobile on site. Bethersden Primary School, School Road, Bethersden
CA/09/680/RA	Non material amendment of permission CA/09/680 to include changes to window locations on the first floor of the east elevation together with introduction of a window at ground floor level. Herne Bay High School, Bullockstone Road, Herne Bay

- CA/09/702/R6, 7, 8, 9, 12, 17 & 24 Details of cross and longitude sections (condition 6), construction environmental management plan (condition 7), surface water drainage scheme (condition 8), construction management plan (condition 9), landscaping scheme (condition 12), highway structures (condition 17) and bat mitigation measures (condition 24).
A28 Thanington Road and A2, Canterbury By-Pass, Thanington Without, Canterbury
- CA/10/1790/R12 Details of a reptile mitigation and enhancement strategy.
Spires Academy, Land off Bredlands Lane, Canterbury, Kent
- CA/11/681 Single storey extension to form a small music practice room and partial infill of a court yard with a single storey extension forming an activity space.
Orchard School, Cambridge Road, Canterbury
- DO/11/328 Single storey rear extension to the sixth form house which is located at 45 Park Avenue.
Dover Grammar School for Girls, Firth Road, Dover
- DO/11/329 Creation of a fenced-in external play area and the alteration of 2 window openings to form door openings.
Langdon Primary School, The Street, East Langdon, Dover
- GR/11/284 Construction of one, six bay modular building to accommodate an additional two classrooms.
Dover Road Community Primary School, Dover Road, Northfleet, Gravesend
- GR/11/414 Replacement of existing portable classroom/amenity unit with new demountable unit in slightly amended position.
Riverview Infant School, Cimba Wood, Gravesend
- GR/11/418 Erection of 60 metres of 2.4 metre high, green palisade fencing along the southern boundary to match existing.
Riverview Junior School, Cimba Wood, Gravesend
- MA/10/787/R14 Details of a revised travel plan.
Aylesford Highway Depot, Doubleday House, St Michaels Close, Aylesford
- MA/11/609 Proposed change of use from a dwelling (caretakers house) to educational use, including internal alterations and upgrades to provide disabled access and facilities.
K A S Headquarters, The Shepway Centre, Oxford Road, Maidstone
- SE/09/2089/RB Non-material amendment to planning permission SE/09/2089 to amend permitted drawings of the early years block to extend pitched tiled roof over previously flat roof at rear of building.
Hever C of E Primary School, Hever Road, Hever, Edenbridge
- SE/11/598 Erection of a 2 storey modular classroom block and the provision of 3 additional multi use playing courts.
The Knole Academy, Bradbourne Vale Road, Sevenoaks

- SE/11/932 To construct a single storey extension with a flat roof to the front of the school to extend the existing staffroom.
St. Marys C of E Primary School, St Mary's Road, Swanley
- SE/11/980 Placement of one, six bay modular building to accommodate an additional two classrooms.
Seal CE Primary School, Zambra Way, Seal
- SE/11/981 The construction of one 6-bay modular building to accommodate an additional two classrooms.
Otford Primary School, High Street, Otford
- SH/11/376 Formation of new school playground for St Eanswythe's CE Primary School.
Land at Henwood, The Bayle, Folkestone
- SW/07/1271/
RVAR Details pursuant to conditions 3 (cycle parking), 4 (canopy design), 5 (external lighting), 6 (drainage) and 7 (parking during construction) of planning permission SW/07/1271 for a New Community Children's Centre.
Corner of Leysdown Road and Warden Bay Road, Sheerness
- SW/10/64/R4 Details pursuant to condition (4) lighting, materials and mechanical ventilation – Outline application for the redevelopment of site, involving demolition of existing buildings and erection of new school buildings and facilities for up to 970 pupils, including 2 storey family units and shared facilities building, sports pitches, car parking provision, new cycle storage, new boundary treatment, tree works and landscaping.
Isle Of Sheppey Academy (West Site), Jefferson Road, Sheerness
- SW/10/64/R20
& 24 Details pursuant to condition 20 (Sports Pitch Improvement) and 24 (Sports Hall Design) - Outline application for the redevelopment of site, involving demolition of existing buildings and erection of new school buildings and facilities for up to 970 pupils, including 2 storey family units and shared facilities building, sports pitches, car parking provision, new cycle storage, new boundary treatment, tree works and landscaping.
Isle Of Sheppey Academy (West Site), Jefferson Road, Sheerness
- SW/10/64/R33 Details pursuant to condition 33 (biodiversity) - Outline application for the redevelopment of site, involving demolition of existing buildings and erection of new school buildings and facilities for up to 970 pupils, including 2 storey family units and shared facilities building, sports pitches, car parking provision, new cycle storage, new boundary treatment, tree works and landscaping.
Isle Of Sheppey Academy (West Site), Jefferson Road, Sheerness
- SW/10/1150/RA Non-material amendment, clarification of roof top plant and minor external works amendments of planning permission reference SW/10/1150 – Proposed external alterations and refurbishment of former 'Woolworths' store to become new KCC 'Gateway' centre.
38-42, High Street, Sheerness
- SW/10/1332/R3
& R4 Details of all materials to be used externally and details of all external lighting.
Isle of Sheppey Academy (East Site), Minster Road, Sheerness

- SW/10/1332/R6 & R7 Details of all fencing, gates and means of enclosure and details of a scheme of landscaping.
Isle of Sheppey Academy (East Site), Minster Road, Sheerness
- SW/10/1332/R14 & R15 Details of archaeological field evaluation works and a programme of building recording.
Isle of Sheppey Academy (East Site), Minster Road, Sheerness
- SW/10/1332/R17 & R26 Details of the phasing of the development (including the provision of sports facilities and playing fields) and details of a construction management strategy.
Isle of Sheppey Academy (East Site), Minster Road, Sheerness
- SW/11/520 Installation of low level fencing to existing separating path to create a boundary between the school site and Tunstall Court.
The Oaks Community Infant School, Gore Court Road, Sittingbourne
- SW/11/562 Erection of a canopy to cover outside play area.
Lower Halstow School, School Lane, Lower Halstow
- TH/11/372 The erection of a glass greenhouse, a timber shed and raised flower beds and the installation of additional barbican fencing to enclose the garden.
The Westwood Centre, Enterprise Road, Westwood Industrial Estate, Margate
- TH/11/423 Replacement of existing curtain walling and removal of door recesses to enlarge classrooms.
Upton Junior School, Edge End Road, Broadstairs
- TM/08/2857/R27 Details of school travel plan – erection of a new special school, parking, play area, landscaping and ancillary works.
Wrotham School, Borough Green Road, Wrotham, Sevenoaks
- TM/10/497/R3 4 & 6 Details of external materials, soft landscaping and paving – Provision of a teaching and demonstration “food pod” facility.
Wrotham School, Borough Green Road, Wrotham, Sevenoaks
- TM/10/497/R8 Details of the specification for an archaeological watching brief and the watching brief report – Provision of a teaching and demonstration “food pod” facility.
Wrotham School, Borough Green Road, Wrotham, Sevenoaks
- TM/10/497/R9 & 10 Details of surface water drainage and details of investigations relating to ground contamination – Provision of a teaching and demonstration “food pod” facility.
Wrotham School, Borough Green Road, Wrotham, Sevenoaks
- TM/10/497/R Non-material amendments including reduction in length of building, reduction in extent of paving, removal of landscaped garden and minor elevational changes – Provision of a teaching and demonstration “food pod” facility.
Wrotham School, Borough Green Road, Wrotham, Sevenoaks

- TM/11/1213 Construction of a proposed accessible ramp and steps to the main pedestrian entrance off Chapman Way.
Woodlands Children's Centre, Chapman Way, East Malling
- TM/11/1397 To install a freestanding canopy to the north-west elevation of the main school building. The canopy will be situated on the school's playground and serve two classrooms and ICT suite.
Snodland CE Primary School, Roberts Road, Snodland
- TW/09/1033/R Application for a non-material amendment; changes to windows and doors; addition of plant enclosure (with screen planting) and roof overhang to south elevation removed.
Skinners School, St Johns Road, Tunbridge Wells
- TW/09/1033/R4, R9, R12 & R14 Details of external lighting, landscaping and tree protection, fencing, gates and means of enclosure and a sustainable urban drainage system for the site.
Skinners School, St Johns Road, Tunbridge Wells
- TW/11/1162 Construction of one, six-bay modular building to accommodate an additional two classrooms.
Pembury School, Lower Green Road, Pembury, 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:-

KCC/DO/0299/2011 – Construction of a water recycling plant.
Tilmanstone Salads, Millyard Way, Eythorne, Dover

KCC/SE/0248/2011 – Single storey extension to the Visitors Centre to form toilets accessible from the outside and new external landscaping to provide inclusive access to the building.
Lullingstone County Park Visitors Centre, Kingfisher Bridge, Castle Road, Eynsford, Dartford

KCC/SE/0265/2011 – Installation of a freestanding canopy to the south elevation of the proposed early years classroom block.

Hever C of E Primary School, Hever Road, Hever, Edenbridge.

KCC/EIA/SW/0199/2011 - Request for a Screening Opinion as to whether the proposed change of use to utilise an existing warehouse type building as a wood shredding facility and an outdoor area for stockpiling materials would require an Environmental Impact Assessment at Unit 15A, Ridham Dock Road, Ridham, Sittingbourne.

KCC/SW/0233/2011 – Two single storey flat-roof extensions to the existing W.C wing of the school.

Sheldwich Primary School, Lees Court Road, Sheldwich, Faversham

KCC/TM/0282/2011 - Consolidated planning application for the retention of the Gas Utilisation Plant until 31 July 2025, the installation of a Vykson landfill gas engine, low calorific flare, retention of site offices and landscaping at Gas Utilisation Plant. Stangate Landfill Site, Quarry Hill Road, Borough Green, Kent

KCC/TM/0293/2011 - Revised proposal for replacement of temporary (Horsa Huts) teaching accommodation with the provision of a 2 storey building (originally granted planning permission under application TM/10/181) including a reduction in the floor space and consequential changes to foot print, floor plans, elevations and external works including re-arrangement of staff car parking. 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

- (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

E.7

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