



## AGENDA

### PLANNING APPLICATIONS COMMITTEE

**Tuesday, 4th November, 2008, at 10.00 am**      Ask for:      **Andrew Tait**  
**Council Chamber - Sessions House, County**      Telephone:      **01622 694342**  
**Hall, Maidstone**

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

#### **UNRESTRICTED ITEMS**

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

#### **A. COMMITTEE BUSINESS**

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 7 October 2008 (Pages 1 - 4)
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 SE/08/1896 - Extension of existing hard paved car park with alteration to the line of the existing western boundary fence and widening of the entrance drive at Lullingstone County Park, Kingfisher Bridge, Castle Road, Eynsford, Dartford; KCC Environment and Regeneration. (Pages 5 - 24)
2. Proposal TH/08/788 - Multi-use games area with floodlighting and access path at Birchington CE Primary School, Park Lane, Birchington; Governors of Birchington CE Primary School and KCC Children, Families and Education. (Pages 25 - 38)
3. Proposal MA/08/1700 - Demolition of existing school buildings, erection of new academy, including a new 6 court sports hall, vocational centre (indicative footprint only), re-provision of outdoor playing pitches, new 6 court multi-use games area, 153 car parking spaces, 150 bicycle spaces, strategic landscaping works and associated circulatory access roads at the New Line Learning Academy, Boughton Lane, Loose, Maidstone; KCC Children, Families and Education. (Pages 39 - 64)
4. Proposal SW/07/1184 - Single storey modular building for use as a Children's Centre including a canopied entrance, external storage units, fencing, landscaping, hard surfacing and car parking at Land to the corner of Rushenden Road and First Avenue, Queensborough; KCC Children, Families and Education. (Pages 65 - 82)

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

1. County matter applications (Pages 83 - 90)
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. Screening opinions under Environmental Impact Assessment Regulations 1999
5. Scoping opinions under Environmental Impact Assessment Regulations 1999 (None)

**F. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

**EXEMPT ITEMS**

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

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

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

Monday, 27 October 2008

**KENT COUNTY COUNCIL****PLANNING APPLICATIONS COMMITTEE**

MINUTES of A meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Tuesday, 7 October 2008.

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

ALSO PRESENT: Mr I T N Jones, DL

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer), Mr J Wooldridge (Principal Planning Officer), Mr R White (Transport and Development Business Manager) and Mr A Tait (Democratic Services Officer)

**UNRESTRICTED ITEMS**

**73. Minutes - 9 September 2008**  
(Item A3)

RESOLVED that the Minutes of the meeting held on 9 September 2008 are correctly recorded and that they be signed by the Chairman.

**74. Site Meetings and Other Meetings**  
(Item A4)

The Committee agreed to visit the site of the Special School application at Wrotham School on Tuesday, 4 November 2008. The Committee Members would be directed to take a route to the site which would enable them to observe the condition of the roads outside the local quarries.

**75. Application TM/07/2545 - Northern extension to Wrotham Quarry (Addington Sandpit), Trottiscliffe Road, Addington, West Malling; Hanson Quarry Products Europe Ltd.**

*(Item C1 – Report by Head of Planning Applications Group)*

- (1) Mrs S V Hohler reported the further views of Addington and Trottiscliffe Parish Councils.
- (2) The Head of Planning Applications Group agreed to inform Trottiscliffe Parish Council of the willingness of the applicants to undertake amelioration work in partnership with them along similar lines to that which was already taking place with Addington Parish Council.
- (3) RESOLVED that permission be granted to the application subject to the prior satisfactory conclusion of a legal agreement to secure the Heads of Terms set out in Appendix 3 of the report and to conditions covering

amongst other matters the duration of the permission; a revised working scheme; hours of working; depth of extraction; slope stability; no importation of materials for restoration purposes; HGV movement restrictions; HGVs only using the Ford Lane access; retention of the height barrier at the old access on Trottiscliffe Road; measures to prevent mud and debris on the highway; HGV sheeting; diversion of public footpaths and creation of a new footpath; dust mitigation; maximum noise levels; adherence to the Code of Operating Practice and a revised protocol dealing with environmental monitoring and risk management; measures to safeguard the water environment; diversion of the watercourse in a new man made channel (incorporating detailed design and an appropriate factor of safety); archaeological and historic landscape recording; a new pond for Great Crested Newts (to ensure no fish); a management plan (including a mitigation and monitoring programme and other arrangements for ecology/biodiversity interests); a revised landscaping scheme (to include proposals for tree planting adjacent to the plant site); hedgerow translocation methodology and implementation; soil handling and storage; restoration levels; a revised restoration scheme; and an aftercare scheme (for a 10 year period).

**76. Application TH/08/921 - Motor Control Centre Kiosk, vent stack and extension of parking bay at Glebe Court, Pett's Crescent, Minster, Ramsgate; Southern Water Ltd.**

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

(1) In agreeing to the recommendations of the Head of Planning Applications Group, the Committee included a Condition requiring the maintenance and periodic replacement of the vent stack.

(2) RESOLVED that permission be granted to the application subject to appropriate conditions including the standard time condition; noise controls; construction hours; details of parking loading arrangements; measures to prevent mud or debris on the highway; and the maintenance and periodic replacement of the vent stack.

**77. Proposal DA/08/982 - Two f.e amalgamated primary school on the site of the existing Sweyne Junior School, Swanscombe, including a new vehicular access off Swanscombe Street and areas of new hard play and car parking to replace the existing at the Manor Community Primary School, Keary Road, Swanscombe; KCC Property Group.**

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

(1) Mr I T N Jones was present for this item pursuant to Committee Procedure Rule 2.24. He declared a personal interest as an LEA-appointed Governor of Swanscombe School and spoke.

(2) The Head of Planning Applications Group reported the views of the County Archaeologist raising no objection subject to Conditions. These were agreed.

(3) The Committee recorded its congratulations to the applicants on their aim of achieving a “very good” BREEAM rating in terms of its design proposals.

(4) RESOLVED that permission be granted to the Proposal subject to conditions, including covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; details of all external lighting; a scheme of landscaping, its implementation and maintenance; measures to protect those trees to be retained; details of fencing, gates and means of enclosure, including colour finishes; a contaminated land assessment; details of surface water drainage; the development according with the recommendations made in the submitted Ecological Scoping Survey; revision of the School Travel Plan; the provision of car parking and access prior to occupation; the provision of overflow parking out of school hours, should it be required; details of community use, including hours of use; hours of working during construction; prevention of the deposition of mud on the local highway network; and a programme of archaeological works being undertaken with a subsequent submission of details of design and layout being approved by the County Planning Authority prior to work commencing on site.

**78. Proposal DO/08/767 - Two 2-bay mobile units at Kingsdown and Ringwould CE Primary School, Glen Road, Kingsdown, Deal; KCC Children, Families and Education.**

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

(1) In agreeing the recommendations of the Head of Planning Applications Group, the Committee reduced the period of temporary permission from five years to three.

(2) RESOLVED that: -

(a) permission be granted to the proposal subject to the imposition of a condition requiring the building to be removed and the site restored within 3 years of this permission; and

(b) the applicant be advised by informative that this Permission is granted for a further temporary period to enable the preparation of a scheme to provide more suitable permanent accommodation at the school.

**79. Proposal TM/08/1896 - Multi-use games area and erection of pergolas for sitting and shade at St Mark's CE Primary School, Eccles Row, Eccles, Aylesford; Governors of St Mark's CE Primary School.**

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

(1) The Head of Planning Applications Group reported the views of Mr G Rowe, the local Member in support of the Proposal.

(2) 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; no trees, shrubs and hedges being removed, and trees in close proximity being afforded protection during construction works in accordance with British Standard 5837:2005 – Trees in Relation to Construction; hours of use being limited to those applied for; i.e. Monday to Friday (term time only): 09.00 – 16.00 with no use on Saturdays,

Sundays, or Bank Holidays; and no external lighting being installed on or around the MUGA without the prior written permission of the County Planning Authority.

**80. County matter applications dealt with under delegated powers**  
*(Items E1-E5 – Reports by Head of Planning Applications Group )*

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

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

SECTION 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**

### **Extension to car park provision, Lullingstone Country Park, Eynsford – SE/08/1896**

A report by Head of Planning Applications Group to Planning Applications Committee on 4 November 2008.

Application by Kent County Council Environment & Regeneration Directorate for the extension of the existing hard paved car park with alteration to the line of the existing western boundary fence and widening of the entrance drive at Lullingstone Country Park, Kingfisher Bridge, Castle Road, Eynsford, Dartford (SE/08/1896)

Recommendation: Subject to any further views received by the Committee Meeting, the application be referred to the Secretary of State for Communities and Local Government and subject to her decision, planning permission be granted subject to conditions.

**Local Member(s): Mr. R. Gough**

**Classification: Unrestricted**

#### **Site**

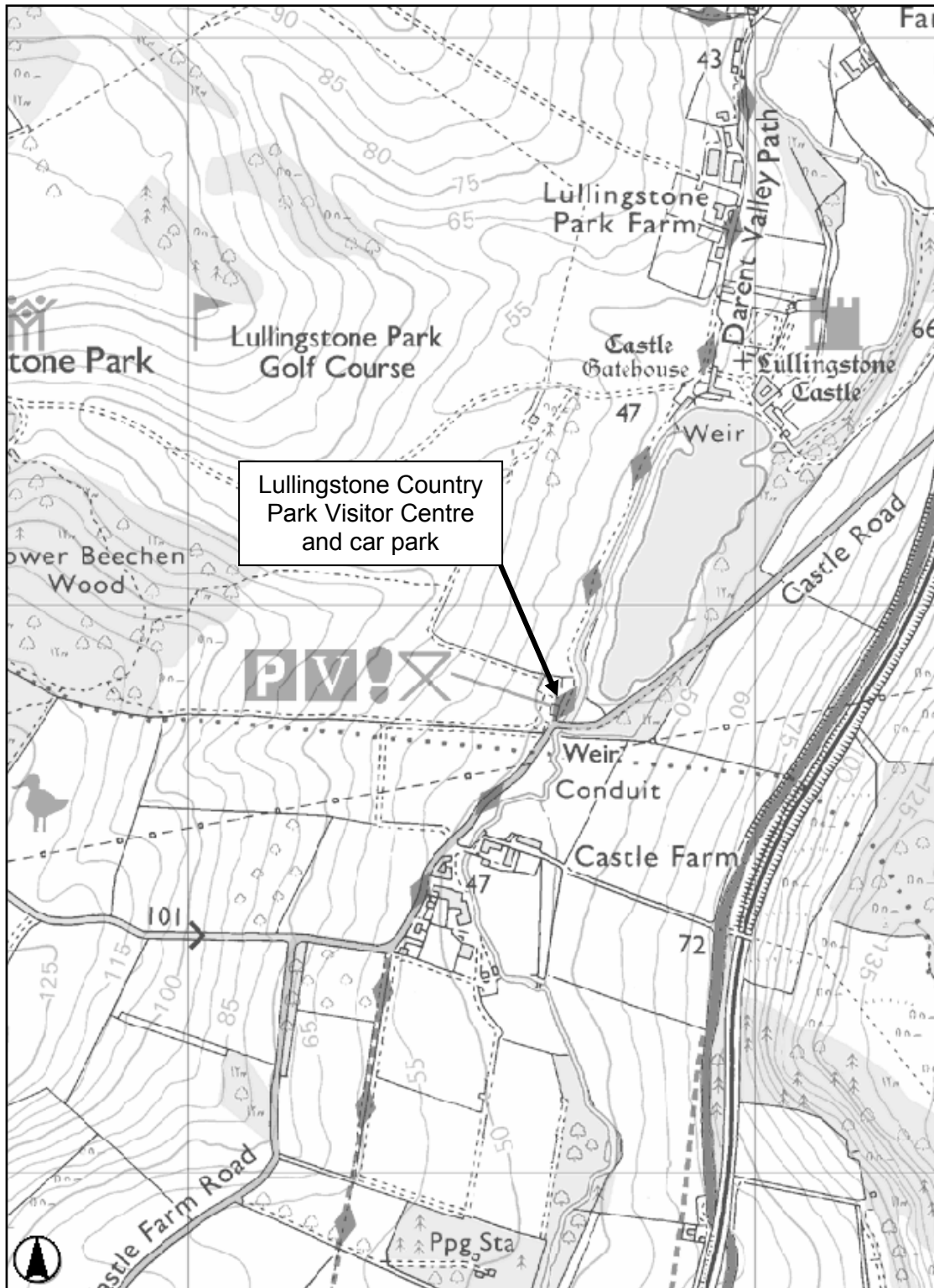
1. Lullingstone Country Park is a 460 acre site, located approximately 2.5km south of Eynsford Village off the A225 Eynsford to Otford Road. Once a Medieval deer park of the estate of Lullingstone Castle, it is now a site used for public recreation as one of Kent County Council's Country Parks. The site is located within the Kent Downs Area of Outstanding Natural Beauty, within the Metropolitan Green Belt and in the North Downs Special Landscape Area. The park consists of un-enclosed wood land pastures with scattered ancient oak trees, broad-leaved woodland, and a thick belt of trees along the River Darent (located to the east of the Country Park site).
2. Visitors come to the park and Visitor Centre for informal recreation as well as a range of organised activities. The Visitor Centre offers a classroom / conference room which is advertised by KCC for education and business use. Courses are run within the Visitor Centre for all age groups from primary to adult to learn about all aspects of the countryside. These courses are an important and well used resource, and during the year 2007/08 adult education courses attracted 780 students over 45 visits and 1730 primary school children over 59 visits. In addition, a further 750 pupils also visited the site as part of other school visits. A general trend across the Kent Country Parks has been one of increasing visitor numbers. *A site location plan is attached on page D1.2*

#### **Background**

3. The site is now owned and managed by Kent County Council, and this ownership was transferred from Sevenoaks District Council in 2005. An Alcohol Licence has recently granted by Sevenoaks District Council for the selling of alcoholic drinks within the Visitor Centre in association with the hire of the venue's facilities.

**Extension to car park provision, Lullingstone Country Park, Eynsford  
– SE/08/1896**

**Site Location Plan**

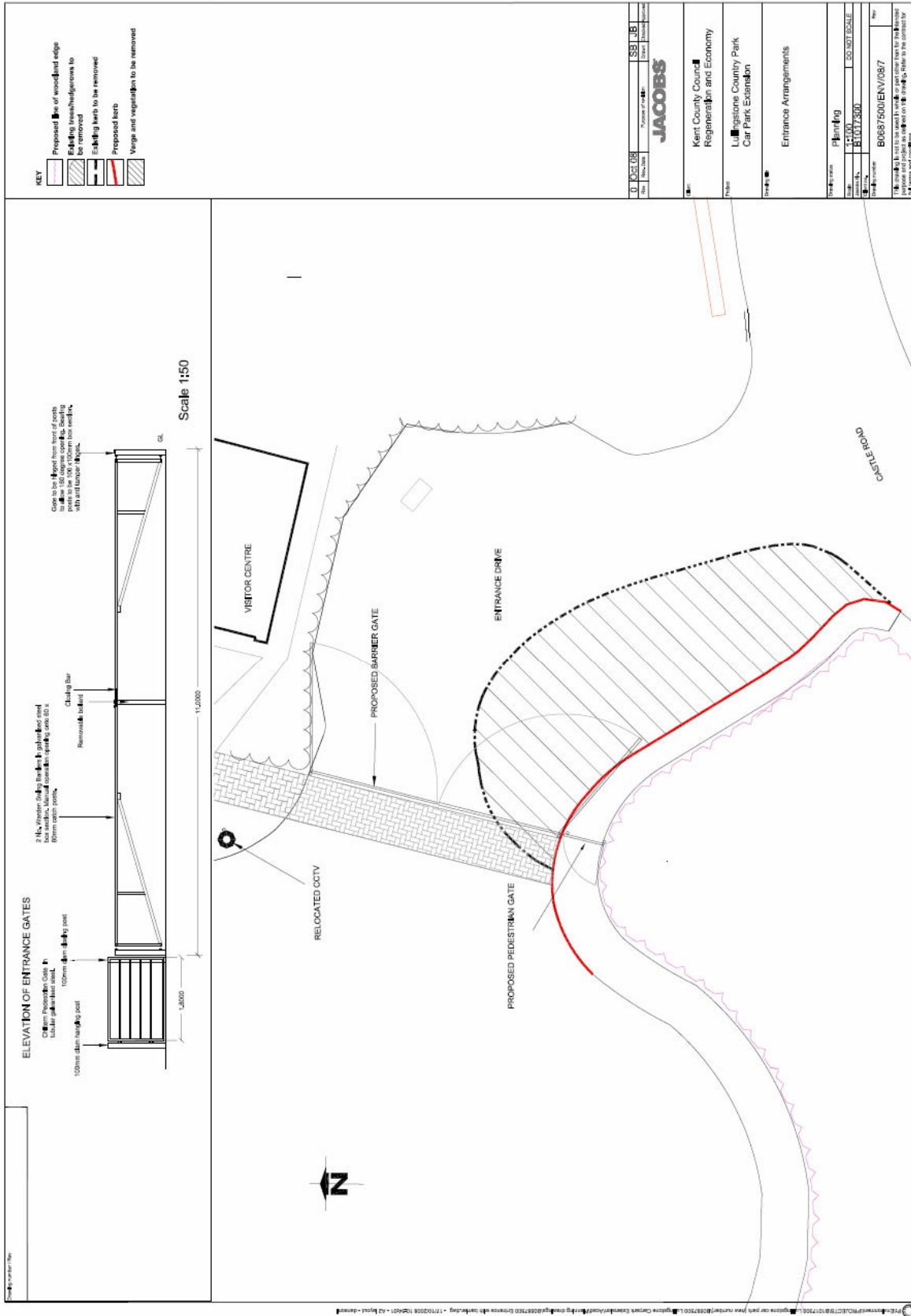


**Site Location Plan – Lullingstone Country Park, Eynsford**  
Scale 1:10000



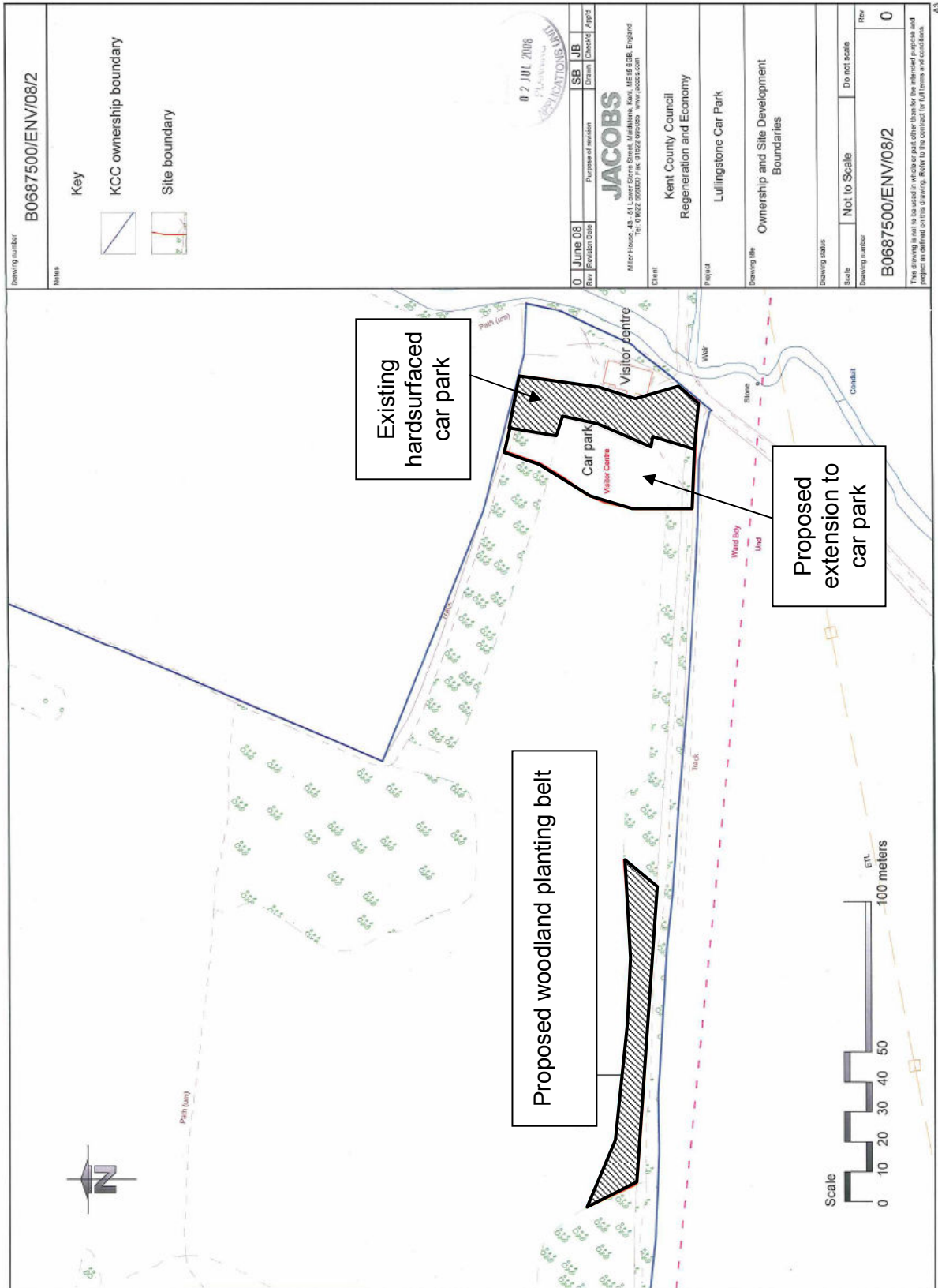
Extension to car park provision, Lullingstone Country Park, Eynsford  
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Proposed Entrance Widening Details



**Extension to car park provision, Lullingstone Country Park, Eynsford  
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**Proposed Woodland Planting & Outline of Increased Car Park Area**



**Extension to car park provision, Lullingstone Country Park, Eynsford  
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**Proposal**

4. The proposal involves an increase in the number of vehicle parking spaces within the Visitor Centre car park to meet a higher demand on existing car parking provision, arising from an increase in visitor numbers being experienced at the site. In addition, the proposal involves the widening of the existing vehicle entrance from Castle Road in an attempt to reduce the current conflict that exists between cars, coaches and pedestrians due to poor visibility offered by the current narrow entrance.
5. The extension to the car park consists of an increase in hardstanding of approximately 3,600 sq. metres (0.336 ha), of which an area of 1813 sq. metres is already used as overflow car parking during summertime periods. This area consists of a grasscrete surface which provides users of the Country Park additional space to park at times of high demand. The remaining 1546 sq. metres of land to be hard surfaced is proposed to be taken from the grass bank adjacent to the overflow car park area. *The proposed land-take for the additional car parking can be seen on Page D1.5.*
6. Table 1 below summarises the existing number, proposed number and total number of vehicle parking spaces as a result of this application:

Type of parking space	Existing number of vehicle parking spaces	Proposed additional vehicle parking spaces	Total number of car parking spaces (as a result of application)
Car (on hardstanding)	40	77	<b>117</b> <i>Note that the application proposes to provide the current number of overflow parking and an additional 37 spaces in new car park layout</i>
Car (overflow provision on grasscrete)	40	0	<b>0</b> <i>Note that there would be no overflow car parking provision as part of proposal</i>
Coach	3	0	<b>3</b>
Disabled	2	4	<b>6</b>
<b>Total</b>	<b>85</b>	<b>81</b>	<b>126</b>

**Table 1 - Existing and proposed vehicle parking provision**

7. The car park surface proposed would consist of a tar spray and grit surface to match that of the existing car park. Car parking bays are proposed to be denoted by granite setts, and half round logs are proposed to mark new planting bays that have been designed to break up any formal arrangement of parking spaces.
8. As a result of the increase in car parking provision and widening of the existing entrance to the Country Park, the application involves the removal of 89 trees and 5 hedge areas that are immediately within the development footprint. The trees identified for removal are of varying quality according to professional arboricultural classification; however some are classified as having a significant aesthetic value, and as such make an important contribution to the landscape of the site.

**Extension to car park provision, Lullingstone Country Park, Eynsford  
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9. The application proposes a 52 metre belt of woodland planting along the western boundary of the Park (see *Proposed Woodland Planting Details, page D1.5*) comprising of a mix of 1,000 native tree species and 300 native shrub species. A native planting mix has been chosen taking into account ecological issues relating to the site, in particular the presence of dormice within the Park. It is therefore proposed that the woodland planting mix would provide additional compensatory habitat areas.

**Amended Proposal**

10. The application has been amended to take into account views received during the consultation and notification process, and technical issues which have arisen such as land drainage and highway matters relating to the widening of the vehicle entrance. A summary of the amendments to the proposal is given below:
- Amendments to the proposed vehicular entrance from Castle Road, to include the alteration of the kerb line and details of proposed new vehicle barrier and pedestrian gates;
  - Revised layout of the proposed vehicle parking and turning facilities;
  - Proposed drainage scheme; and
  - Amended location of proposed CCTV equipment.
11. Members will note that all other elements of the proposal (as discussed in paragraphs 4 – 9 above) remain in effect, and as such the Discussion contained within this report focuses on the current proposal, including those elements listed above.

**Planning History**

11. Sevenoaks District Council granted planning permission for the construction of the Visitor Centre in 1989, when the facility was managed by the District Council. Since then the County Council has taken over the management of the Visitor Centre.

**Planning Policy**

12. In ODPM Circular (11/2005), the Government's commitment to the principles of the Green Belt and to maintaining tight planning controls over development on Green Belt land has been reaffirmed. It is expected that all planning applications for development in the Green Belt be subject to the most rigorous scrutiny, having regard to the fundamental aim of Green Belt policy as set out in Planning Policy Guidance note 2 [PPG2], that is to prevent urban sprawl by keeping land permanently open. The openness of Green Belts is considered to be their most important attribute and therefore there is a general presumption against inappropriate development, which is by definition harmful and should not be permitted, unless it can be justified by very special circumstances.
13. The Government's Planning Policy Statement 7 [PPS7]: Sustainable Development in Rural Areas sets out the policies applicable to rural areas. These include the need for strict control over development in the open countryside with the overall aim of protecting the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and the wealth of its natural resources, so it may be enjoyed by all. All development in the open countryside should be well designed and inclusive, in keeping and scale with its location, and sensitive to the character of the countryside and local distinctiveness. Nationally designated areas that include Areas of Outstanding Natural Beauty are confirmed as having the highest status of protection in relation to landscape and scenic beauty.

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

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

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

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

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

**Policy QL7** – Important archaeological sites, together with their settings will be protected and where possible enhanced. Where important or potentially important archaeological remains may exist, developers will be required to arrange for archaeological assessment and/or field evaluation to be carried out.

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

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

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

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

**Policy EN5** – Special Landscape Areas will be protected, conserved and enhanced, whilst having regard to the need to facilitate the social and economic well-being of the communities situated within them.

**Policy EN8** – Wildlife habitats and species will be protected, conserved and enhanced, especially through long term management and habitat creation schemes.

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**Policy EN9** – Provision should be made for the creation of new woodland, especially indigenous broad-leaved species. Tree cover and the hedgerow network should be maintained.

**Policy EN12** – The environment within river corridors and river catchments, including the landscape, water environment and wildlife habitats, will be conserved and enhanced

**Policy TP3** – Local planning authorities should ensure that development sites are well served by public transport, walking and cycling, or will be made to do so as a result of the development. Travel Plans should be encouraged for larger developments that generate significant demand for travel, to promote the use of these means of transport.

**Policy TP11** – Facilities for pedestrians and cyclists will be provided and their use promoted.

**Policy TP19** – Development proposals should comply with the respective vehicle parking policies.

**Policy NR5** – The quality of Kent's environment will be conserved and enhanced. Development should be planned and designed to avoid, or adequately mitigate, pollution impacts, including noise and levels of light intrusion.

(ii) The adopted 2000 **Sevenoaks District Council Local Plan Saved Policies:**

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

- the form of the development should be compatible in terms of scale, height and use of appropriate materials;
- the proposed development does not have an adverse impact on the amenities of a locality by reason of form, scale and height;
- the design of new development incorporates measures to deter crime;

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

**Policy EN7** – Development within the North Downs Special Landscape Area will be permitted only where it would cause no significant harm to the landscape character of the area

**Policy EN25A & B** – The Local Planning Authority will preserve and protect the sites and, where appropriate, the settings of all archaeological sites. The Local Planning Authority will require, where appropriate the developer to provide information in the form of an assessment of the archaeological importance of the site in question and the likely impact of the development.

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**Policy GB2** – Within the Green Belt there is a general presumption against inappropriate development. Development is inappropriate unless it is for the following purposes:

- essential facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt and which does not conflict with the purposes of including land within it.

**Policy VP1** – Vehicle parking provision will be made in accordance with adopted vehicle parking standards.

**Consultations**

15. **Sevenoaks District Council:** has raised no objection in principle to the development. However, it is suggested that an amended scheme of informal landscaping within the vicinity of the Visitors Centre, and an adequate surface water drainage scheme be provided by condition. The Council suggests that existing CCTV pole and ancillary equipment/cablings will need to be protected during construction. It should be noted that the Darent Valley Sewer passes under the car park, therefore caution should be taken during construction and the relevant Authority should be consulted.

**Eynsford Parish Council:** Councillors object as they believe this is inappropriate development in a Green Belt area which would destroy an Area of Outstanding Natural Beauty.

**Shoreham Parish Council (adjacent Parish Council):** “Object to the proposal in its present form as it is intrusive development in the Green Belt. KCC has a duty to preserve and enhance the Area of Outstanding Natural Beauty and this scheme, with a sea of tarmac, detracts from the visual amenities of the area. However, if tarmac is not used but other materials such as grasscrete or a form of geotextile support, then the Council would view the proposal more favourably. In addition, the Council objects to the proposed planting on the southern boundary as it is considered unnecessary. Further, the planting will obscure walkers and give rise to concern for their personal safety. The Council requests that a condition be imposed preventing the installation of further external lighting”.

**Divisional Transportation Manager:** has raised no objection to the car park or improvements to the access in principle. However, has requested that technical details relating to the works proposed to the highway be submitted for later consideration as the subject of a planning condition.

**Environment Agency:** has no objection to the principle of the application but makes comments relating to flooding, surface water drainage, and surface treatment materials of the proposed hardstanding.

**KCC Landscape Advisor (Jacobs):** Note that the location of the Country Park is within the sensitive landscape of the Kent Downs Area of Outstanding Natural Beauty. The extended car park would provide an enlargement to the Visitor Centre complex and would be slightly more formalised in comparison to the existing situation in terms of parking layout. As part of the localised setting of the visitor centre, and the reasonably restricted visibility of the site from the wider landscape, the landscape impacts are only likely to be slight. The layout and materials proposed are generally considered suitable. The planting proposals are also acceptable in terms of the extent of the proposed planting, species, sizes and densities.

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To further complement the broader landscape character, it is also suggested that one or two additional trees be incorporated within tree pits within the car parking. These would perhaps be most reflective of the surrounding landscape if they were located at random rather than in a regular pattern.

The proposed hedgerows would provide a thin buffer between the car park and the landscape to the west. Whilst this hedgerow would assist in filtering views, they would perhaps appear slightly evenly spaced and regular within a landscape which is generally less regimented. To provide more effective visual screening of the car park, and to more fully support the landscape character of the parkland to the west, a slightly thicker belt of native tree and shrub belts might have been considered as opposed to hedgerows.

In comparison to the existing car park, the proposed extension would clearly appear larger with more formal surfacing. From within the car park itself, the layout, surface materials and planting blocks would be visually suitable within the localised setting of the visitor centre. From higher ground to the west, the car park would be more noticeable than the existing arrangement. However, the change in level and planting along the western boundary would assist in screening some of the area. Other proposed 'off site' mitigation planting and the wider existing vegetated landscape setting would assist in minimising the visual impact caused by the proposed extension.

The proposals would involve a significant amount of existing vegetation removal, some of which (two Oak trees) are assessed as being of high quality value. It is considered that the vegetation loss would cause a localised impact within a broader landscape. The existing vegetation belt between the existing hard surfaced and grass car parking area currently assist in visually softening the car park and Visitor Centre. Its removal would result in the loss of an existing screening feature until new planting is well established.

**KCC Biodiversity Officer:** Notes the content of the ecological scoping report and states that a method statement must be provided by planning condition to detail the suggested mitigation measures for the translocation of any slow worms within the development site.

**KCC Archaeology:** Notes that the site lies within an area of high archaeological potential connected with a number of Roman and Iron Age settlements located nearby within the Country Park. The proposals, which include a planting regime and the levelling of the valley slope, has the potential to affect buried remains and therefore involve significant archaeological works to mitigate that impact. In view of the potential for archaeological remains to exist, suggest that the following condition be included on any grant of planning permission:

- No development shall take place until the applicant has secured the implementation of a programme or archaeological works

16. A number of consultees listed above (namely Sevenoaks District Council, Eynsford & Shoreham Parish Council, the Environment Agency and the Divisional Transportation Manager) were re-consulted on those amendments highlighted in paragraph (10) above. Any further views received will be reported verbally at the Committee meeting.

**Local Member**

17. The local County Member, Mr. R. Gough was notified of the original application on 15 July 2008, and notified of the amended proposal on 16 October 2008.

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**Publicity**

18. The application was publicised by the posting of a site notice on the main entrance of the Country Park and the advertisement of the application in a local newspaper. The site notice and advertisement indicate that the proposal does not accord with the provisions of the Development Plan in force, as it is located within the Metropolitan Green Belt.

**Representations**

19. I have received three letters of objection from local residents and two objections from local village interest groups (Eynsford Village Society & The Shoreham Society) to date in respect of this application. The main points of objection are summarised as follows:
- Environmental damage and loss of amenity grounds;
  - An expansion of the car park will encourage more visitors, travelling by car, with an associated increase in greenhouse gas emissions and pollution. If the wish is to increase visitor use, then better public transport links would be the best approach, otherwise I cannot see how this proposal fits with Kent's own Local Transport Plan;
  - Unless the approach roads are enlarged, there will be a marked increase in traffic congestion, together with increased danger to the many walkers who use the road down from the A225 to get to and from the Visitor Centre and Lullingstone Park itself. On highway grounds, Castle Road is not adequate for existing traffic to the Visitors Centre and any development that increases traffic should be avoided;
  - Extending the size of car park will reduce the available amount of land for visitors in which to sit, picnic, etc. and will have a significant adverse visual impact;
  - Completely inappropriate, particularly in what is an Area of Outstanding Natural Beauty;
  - Note that existing hedgerows and trees are to be removed, which are currently extensively used for birds nesting, as well as providing mature screening. Proposals for further planting will not address short/medium term damage to the environment;
  - It is accepted that on occasion there is a problem of parking in the highway and nearby private land, however these problems also arise when the car park is not full, partly due to avoidance of car parking charges, and partly because of restricted opening times. No consideration has been given to the re-opening of the car park on Redmans Lane (which is sought by local residents).
  - Visitor numbers appear to be exaggerated, based on local knowledge of the site;
  - The visitor centre is meant to be used for educational purposes with ancillary catering. Notwithstanding the statements in respect to school visits and courses, the principle purpose is now catering and the proposals seem to be more directed to an expansion of that use and events;
  - Application is misleading, as it appears that the use of the grass overflow car parking is a permitted development, which is not the case;
  - The existing surfaced car park is within close proximity to the centre and is very well screened by mature vegetation, thus not significantly impacting on a sensitive and important landscape;
  - The proposal involves almost doubling the size of the current permitted car parking area. The proposal to extent further up the hill will have a significant visual impact, even after re-establishment of the planting;
  - Feel that the true reason for the proposal is to increase the commercial use of the Visitor Centre, contrary to the current planning use permitted. The intention is therefore to encourage more visitors, notwithstanding the detrimental impact to the adjacent communities;

**Extension to car park provision, Lullingstone Country Park, Eynsford  
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- Object to the design of the proposed extension – it introduces a large and unnecessary area of tarmac, and this is grossly contrary to Green Belt policies, particularly with regard to the openness of the Green Belt;
- If the application were to be accepted, the car park would be the largest in the parishes of Eynsford and Shoreham and not associated with any of the villages in those parishes.

**Discussion**Introduction

20. The application seeks planning permission for an extension to the existing vehicle parking provision and the widening of the existing vehicle entrance to Lullingstone Country Park Visitor Centre car park. The application has arisen in an attempt to meet a higher demand on existing car parking provision, arising from an increase in visitor numbers being experienced at the site. It has also arisen in an attempt to address highway safety concerns relating to an existing narrow vehicular entrance into the County Park site. The proposal involves the increase in hardstanding of approximately 3,600 sq. metres in an area located within the Metropolitan Green Belt. Given the scale of the development, the proposal is considered as a departure from the Adopted Local Plan on the basis that the proposal does not accord with adopted Green Belt policies. The application site is also located within the Kent Downs Area of Outstanding Natural Beauty and the North Downs Special Landscape Area. The application is being reported for determination as a result of the objections received from two local Parish Councils, local residents, and two local residents action groups.
21. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (14) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance in this case include the visual impact of the proposed development, in particular in terms of the openness of the Metropolitan Green Belt; the impact on the Kent Downs Area of Outstanding Natural Beauty and surrounding Special Landscape Area; the removal of existing trees and hedgerows; the impact of an increased amount of vehicle parking at the site; and the design of the proposed car park and mitigating landscaping measures. The above issues should be balanced against the benefits of these improvements to the Visitor Centre facilities to the wider community in general, and in terms of improved highway safety.
22. In addition, Members should note that if they are minded to grant planning permission, the application would have to be referred to the Secretary of State for Communities and Local Government for consideration on the basis that the application does not accord with the adopted policies contained within the Development Plan. This is required under the Town and Country (Green Belt) Direction 2005.

Metropolitan Green Belt issues

23. As previously discussed, Lullingstone Country Park is located within the Metropolitan Green Belt. Therefore in the context of the relevant National Planning Policy and Development Policies that apply, set out in paragraphs (12) – (14) above, consideration needs to be given to whether or not the proposal involves inappropriate development, and if so, whether there are 'very special circumstances' that would warrant setting aside the general presumption against the development. As previously noted, the

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fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land between urban areas permanently open, since the most important attribute of Green Belts is their openness.

24. The use of land within Green Belts, as set out in PPG2, states that land within these designations has a 'positive role to play in providing opportunities for access to the open countryside for the urban population' as well as 'providing opportunities for outdoor sport and outdoor recreation near urban areas'. In addition, PPG2 describes that development within the Green Belt is inappropriate unless it is for, amongst other purposes, 'essential facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt and which do not conflict with the purposes of including land within it'. The development of the car park as such would be considered to be inappropriate development within the Green Belt.
25. In considering the impact of the proposed development on the Metropolitan Green Belt, I consider that any impacts as a result of the proposal are likely to be marginal on the Green Belt's overall openness due to the development being essentially two-dimensional, and located within an area that is relatively well screened from wider views by existing well-established vegetation boundaries around the Country Park site. That said, whilst I acknowledge that the enlarged car park would be used by an increased amount of vehicles which would appear more prominent in the locality, these three-dimensional objects are not static features in terms of the overall landscape. In addition I note that the current overflow car parking area already provides an increased amount of visual intrusion above and beyond the formal laid out parking area. Whilst visual impact is not in itself a Green Belt consideration, I consider that the proposed development would only result in a marginal impact in terms of the visual amenity of the wider Green Belt on the basis of the substantial landscaping scheme proposed as part of this development. In particular, the addition of landscape planting measures would ensure that any short-term visual injury caused as a result of the proposed development to the landscape would be reasonably mitigated against over time as new landscape planting is established.
26. In this particular case, I consider that the applicant has provided a strong case of need for the expansion of visitor parking facilities (for both cars and coaches) in line with a general increasing trend of the numbers of visitors to Kent County Council's Country Parks, and more specifically the expansion in the numbers of visitors being received at the site. Whilst I note the concerns from the local community relating to the intensification of the use of the Country Park for purposes outside of its traditional 'Country Park' function, I consider this to be a function which is mirrored closely by other KCC Country Parks, such as Shorne Woods. It has become a trend that existing Country Park Visitor Centres have intensified their uses to cater for the likes of educational facilities such as school visits and adult education courses. I consider that any such intensification is ancillary to the purpose of the venue as a Country Park, and as previously discussed believe that the applicant has been able to demonstrate a clear need for the additional vehicle parking spaces proposed.
27. Members will note that the use of the site as a Country Park has long been established, and is in any case an 'appropriate use' within the Green Belt (as defined by PPG2). Whilst the development proposed in this particular case is, in itself considered to be 'inappropriate development' within the Metropolitan Green Belt, it is clearly necessary to serve the primary use of the Country Park which is an 'appropriate use' within the Green Belt (providing 'opportunities to the outdoor countryside for sport and recreation', as defined by PPG2).

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28. Taking account of the marginal impact on the openness of the Green Belt, the very clear need for additional parking and the ancillary nature of the development considerations in paragraphs (23) – (27) above, I consider that collectively these amount to a very special set of circumstances capable of outweighing the presumption against inappropriate development.

Visual impact on landscape designations

29. Members will note that site is located within both the Kent Downs Area of Outstanding Natural Beauty and the North Downs Special Landscape Area, and consideration therefore needs to be given to the protection, and where possible, the enhancement of these designations. Policies EN1, EN4 and EN5 of the Kent and Medway Structure Plan afford protection to Kent's countryside, AONB and Special Landscape Area respectively, whilst Policies EN6 and EN7 of the Sevenoaks Local Plan (Saved Policies) specifically afford protection to the Area of Outstanding Natural Beauty and Special Landscape Area.
30. I note that the proposal involves the addition of approximately 3,600 sq. metres of hardstanding and the removal of 89 trees and 5 hedgerows which lie directly within the development footprint. Having visited the site and considered the visual impacts of the proposed development, in particular on existing landscape designations, I consider that relatively long distance views of both the Visitor Centre and its associated parking, are currently sheltered from view by existing mature vegetation surrounding the Country Park. However, as a result of this proposal a large amount of this planting would be removed, the car park extended, and new landscape planting areas created which would consist of native tree and shrub planting. Although new planting would be carried out using medium standard tree and shrub species, the planting would inevitably appear significantly less established than existing vegetation on site. Members will note that further discussions, specifically relating to landscaping, are highlighted below in paragraphs (33) – (36).
31. Whilst I recognise that the development would give rise to a localised detrimental impact in terms of visual amenity, I consider that when considering the wider surrounding landscape designations such as the AONB and SLA, these impacts would be minimal based on the site being relatively well screened through existing vegetation. I note that views of the enlarged car park from the higher ground to the west would be more noticeable than that of the existing parking arrangement, but consider that over time the mitigating landscaping measures proposed would establish to shelter views across the Visitor Centre and the enlarged car park.
32. On balance, I consider that the proposal would not significantly injure the visual amenities of either the Kent Downs Area of Outstanding Natural Beauty or the surrounding North Downs Special Landscape Area designations, for which Development Plan policy seeks to preserve. I believe that the proposed landscape planting scheme will act as a compensatory measure to ensure that no significant visual harm is caused as a result of this development. I therefore am of the opinion that this proposal is in broad accordance with Policies EN1, EN4 and EN5 of the Kent and Medway Structure Plan and Policies EN1, EN6 and EN7 of the Sevenoaks District Council Local Plan (Saved Policies).

Landscaping

33. Members will note that the proposed extension of the hard-surfaced visitor centre car park and vehicle entrance widening result in a substantial amount of tree removal within the site. The trees to be removed are located in the north-west of the site, within the existing car parking arrangements, and along the existing western side of the current

**Extension to car park provision, Lullingstone Country Park, Eynsford  
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vehicular entrance off Castle Road. A tree survey undertaken by the applicants have indicated that over 78.5% of these trees are grade 'C' (low quality and value), 20.4% are grade 'B' (moderate quality and value) and 1.1% are grade 'A' (high quality and value) according to Arboricultural classification.

34. The proposal also involves the loss of 5 existing hedgerows within the site as a result of the extension and re-configuration of the vehicle parking provision. As a compensatory measure the applicant proposes a substantial planting scheme consisting of new planting beds, containing native tree and shrub species, to separating parking bays; native hedgerow planting along the western boundary of the extended car park; and the planting of a 52 metre belt of woodland planting along the western boundary of the Country Park site. I note that concern has been raised by the County Council's Landscape Specialist on whether additional trees can be incorporated at irregular intervals to further break up any potential formal planting arrangements. This matter is being investigated, but I note that the applicant is reluctant to plant many more additional trees within the scheme from a safety perspective as additional tree planting may result in more CCTV equipment being required, as trees would grow and block CCTV vision splays. I consider that this matter can be further addressed by planning condition, together with a landscape maintenance programme for a period of 5 years, should planning permission be granted.
35. Whilst I note that the landscaping measures proposed are relatively substantial in terms of within and surrounding the proposed car park, I acknowledge that such measures would take a relatively long period of time to establish and appear 'natural' in terms of those existing trees and shrubs within the Park. However, I consider the benefit of such compensatory landscape measures to be a material factor to the consideration of this scheme.
36. As previously noted, I consider the landscaping impacts of the development on the wider scale to be relatively minimal for those reasons indicated in paragraphs (33) – (35) above. I further consider that the proposal is in general conformity with Policies EN8 and EN9 of the Kent and Medway Structure Plan, and accordingly recommend that subject to further consideration relating to additional tree planting and a programme of landscape maintenance, planning permission be granted subject to those conditions outlined in paragraph (51) below.

#### Design

37. I note that the design of the car park layout has been designed by the applicant to be informal whilst incorporating the essential facilities needed for the end user. I note that the design is inevitably a more formalised layout than that of the current parking situation on the basis that the entire area would be hardsurfaced and marked out by individual parking bays. This is opposed to existing areas such as the overflow parking area where bays are not currently denoted by any formal arrangements. In my opinion, I consider that from within the car park itself the layout, surface materials (subject to prior approval) and planting blocks would be visually suitable for this location. I note that the use of good quality materials such as granite setts and tree logs to denote parking bays and planting beds would help to improve the visual appearance of the proposed scheme.
38. In addition, I note that the design has been created to cater for the needs of disabled users, through the creation of an additional 4 parking bays, and the re-configuration of 3 coach parking bays. The proposal has also been designed to encourage sustainable forms of transport through the provision of cycle parking facilities, together with areas for motor cycle parking.

**Extension to car park provision, Lullingstone Country Park, Eynsford  
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39. The design approach consists of a series of parking aisles separated by planting beds, tree planting pits, and hedgerows. Through the middle of the car park a pedestrian walkway would be created linking the Visitor Centre to the Park beyond the extended car park. A pedestrian walkway would be denoted by a change in surface texture from a tar spray and gravel (of the main car park) to a brick paving walkway.
40. Members will note that the use of tarmac with a bonded gravel surface has been questioned by one of the local Parish Councils (as summarised in paragraph 15 above). The applicant has provided additional clarification for this choice of surface treatment on the basis the use of grasscrete would not be a practical solution in this location as it was considered that the grass beneath would never establish adequately due to the heavy use of the car park. It has also been stated by the applicant that the use of grasscrete would be better suited to overflow parking as opposed to the need to provide a permanent parking solution as is the case in this particular application. As I consider that the colour choice of the proposed bounded gravel surface is an important consideration in visual terms, I recommend that the details of this matter be reserved by condition for later consideration.
41. In terms of the design approach chosen by the applicant, I consider the overall scheme to be acceptable in terms of layout, choice of materials and proposed planting. On this basis, I would not seek to raise an objection on design grounds on this particular case.

Highway Safety

42. I note that the widening of the existing vehicular entrance to the Country Park has arisen to address highway safety concerns of visitors using the facility. Members will note that the Divisional Transportation Manager, in paragraph (15) above, has raised no objection to the car park improvements or improvements to the access in principle. They have however, requested that further technical details relating to the entrance widening be submitted by planning condition for later consideration. I note that within the amendments made to the current scheme (as outlined in paragraph 10 above) these details have been provided by the applicant. I currently await the further views of the Divisional Transportation Manager on this matter, and will endeavour to report these views verbally at the Committee meeting.
43. Members will note that concern has been raised relating to improvements needed to Castle Road as a result of the intensification of the use of the Country Park; the parking of visitors cars outside of the site to avoid parking charges or outside of normal opening hours; and the possibility of re-opening Redmans Lane Car Park. In terms of the intensification of the use of the visitor centre, the application has been made to address the current demands for vehicle parking as opposed to any future expansion of the facilities available at the site. Under the circumstances, no improvements to the local highway network have been offered by the applicant, or have been requested by the Highway Authority. In terms of vehicle parking outside of the site this is a matter beyond the direct control of both the applicant and indeed this application. Should this aspect continue to be a problem the issue would need to be addressed to the Highway Authority for them to investigate what measures could reasonably be adopted to prevent unauthorised parking occurring. In relation to the re-opening of Redmans Lane Car Park this option has not been considered a viable option by the applicant for reasons that the car park is located off-site and would not be a practical solution to address the specific need addressed within the current planning application.
44. On the basis of no objection from the Divisional Transportation Manager in principle, I consider that a highway objection on either the design of the car park or the principle of

**Extension to car park provision, Lullingstone Country Park, Eynsford  
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the entrance widening cannot be sustained. Accordingly, I would not seek to raise an objection on highway safety matters in this particular case.

Ecology

45. I note that the KCC Biodiversity Officer has recommended, in paragraph (15) above, that a method statement be provided by planning condition to detail the suggested mitigation measures for the translocation of any slow worms within the development site. I concur with this view and recommend that such condition be placed on any future decision. I also note that this recommendation is consistent with Policy EN8 of the Kent and Medway Structure Plan whereby wildlife habitats and species will be protected, conserved and enhanced through long-term management and habitat creation.

Archaeology

46. As noted in paragraph (15) above, the site lies within an area of high archaeological potential. It has therefore been recommended that should planning permission be granted a condition securing the implementation of a programme of archaeological evaluation and recording be attached to any decision. I concur with this view given the high archaeological potential of this site, and the nature of the groundworks proposed, and note that this view is consistent with both Policy QL7 of the Kent and Medway Structure Plan and Policy EN25A & B of the Sevenoaks Local Plan.

External Lighting

47. External lighting of the car park is not proposed with this application. As this particular element has the potential to increase the amount of visual pollution from the site, I recommend that a condition be attached to any decision to ensure that no means of external floodlighting (to illuminate the car parking area) be installed at the site without the prior approval of the County Planning Authority.

**Conclusion**

48. This proposal seeks to provide enhanced facilities for an existing Country Park located within the Metropolitan Green Belt and within the sensitive areas of the Kent Downs Area of Outstanding Natural Beauty and the North Downs Special Landscape Area. It is proposed that the improved facilities would be used by the wider community who benefit from the Country Park as an area for informal recreational, for which there is a general upwards trend on visitor numbers experienced across Kent County Council's Country Parks. The site is a long established recreational facility, but its sensitive countryside location means that the proposed development has raised some key Planning Policy issues particularly in respect of the developments impact on the openness of the Green Belt, and its impact on Area of Outstanding Natural Beauty and Special Landscape Area.
49. I consider that the applicant has been able to demonstrate a very clear need for additional parking at the site in line with an increased upwards trend in the numbers of visitors experienced. I also consider that the proposed extension to the car parking facilities and associated highway widening improvements are ancillary to the purpose of the Country Park in providing a facility for the wider community to gain access to the outdoor countryside for sport and recreation, which in terms of National Green Belt policy is considered to be an accepted appropriate use. I further consider that the development proposed would only lead to a marginal impact on the openness of the Green Belt, for those reasons previously discussed. Collectively, I consider that all of these factors amount to a very special set of circumstances capable of outweighing the presumption against inappropriate development.

**Extension to car park provision, Lullingstone Country Park, Eynsford  
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50. Similarly, I consider that the impact of the proposed development on both the Area of Outstanding Natural Beauty and Special Landscape Area designations would be minimal in this particular case. In conclusion, I consider that the proposed landscape mitigation measures would substantially protect any detrimental harm caused by the proposal to the locality in terms of visual appearance. Furthermore, I am of the opinion that the proposed development would otherwise be in accordance with the general aims and objectives of the relevant Development Plan Policies. Subject to any further views received by the Committee Meeting, I recommend that the application be referred to the Secretary of State for Communities and Local Government, and that subject to her decision, planning permission be granted subject to the following conditions as set out in paragraph (51) below.

**Recommendation**

51. SUBJECT TO any further views received by the Committee Meeting, I RECOMMEND that the application BE REFERRED to the Secretary of State for Communities and Local Government, and SUBJECT TO her decision PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including conditions to cover the following aspects:

- Standard time limit;
- The development to be carried out in accordance with the permitted details;
- No development shall take place until the applicant has submitted further details of the proposed specification and colour treatment of the proposed car park surface treatment;
- No external lighting be installed at the site;
- Vehicle and pedestrian entrance gates be powder coated black;
- No development shall take place until the applicant has submitted further details of proposed landscaping scheme and a programme of maintenance for a period of not less than 5 years;
- Landscape planting shall be implemented within the first available planting season following the completion of the development hereby permitted;
- All trees to be retained on site shall be afforded protection during construction operations in accordance with the current British Standard;
- No development shall take place until the applicant has submitted a method statement for the transrelocation of slow worms within the site;
- No development shall take place until the applicant has secured the implementation of a programme of archaeological works;
- Adequate measures be taken to ensure that vehicles leaving the site engaged in the construction works do not deposit mud or debris on the public highway;

Case officer – Julian Moat	01622 696978
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Background documents - See section heading
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**Item D2****Multi use games area with floodlighting and access path,  
Birchington C of E Primary School, Birchington – TH/08/788**

A report by Head of Planning Applications Group to Planning Applications Committee on 4 November 2008.

Application by the Governors of Birchington Church of England Primary School and Kent County Council Children, Families & Education for a multi use games area (MUGA) with floodlighting and access path at Birchington C of E Primary School, Park Lane, Birchington - TH/08/788.

Recommendation: Planning permission be granted subject to conditions.

Local Member(s): Mr. C. Hibberd

Classification: Unrestricted

**Site**

1. Birchington C of E Primary School is located to the south of the centre of Birchington-on-Sea and is accessed by both vehicles and pedestrians from its main entrance on Park Lane. There is also a pedestrian access to the site from Sewell Close. The proposed multi use games area (MUGA) would be sited in the northern part of the school playing field and would be around 36m from the rear façade of the nearest residential property in Sewell Close. The proposed MUGA would be obscured from properties to the east by the school buildings and would be around 75m away from the nearest properties to the south and around 60 metres to the west. The school is not situated within any environmental or historically designated/protected areas. *A location plan is attached.*

**Proposal**

2. The application seeks planning permission for a MUGA with associated floodlighting and access paths. The MUGA would be used by school children during school hours 08:00 to 16:30; it would be used to support PE within the curriculum for traditional sports such as football and netball. It would also increase opportunities for a wider range of sports to be played at the school including basketball, hockey and tennis, which are not currently available. It is also proposed for the MUGA to be open for use to the wider community outside of school hours. Free and unsupervised access would not be permitted with only approved and organised groups permitted to use the facility. The hours of use proposed for the MUGA would be 08:00 – 21:00 on weekdays and 10:00 – 17:00 at weekends and on Bank Holidays with the floodlighting proposed to be used between 16:00 and 21:00 on weekdays and upto 17:00 on weekends and Bank Holidays.

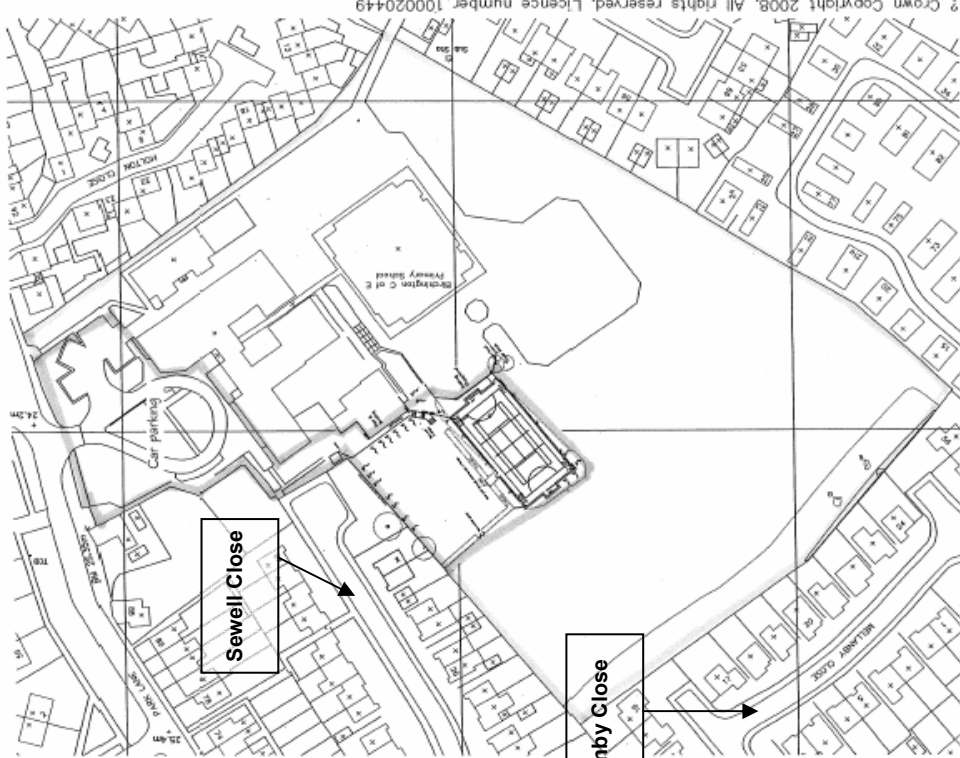
Multi use games area with floodlighting and access path, Birchington C of E Primary School, Birchington – TH/08/788

Site Location Plan

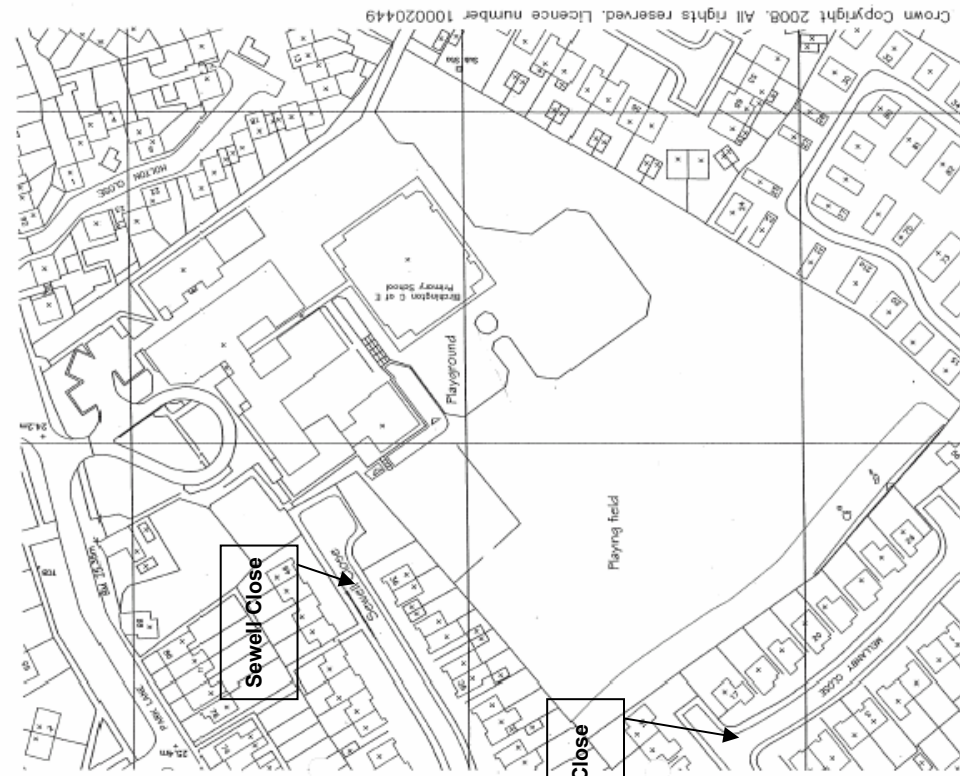
Drwg. no. TMC O1A

Proposed MUGA at Birchington Primary School  
Park Lane, Birchington, Kent CT7 0AS

North  
↙



SITE PLAN As proposed  
1:1250

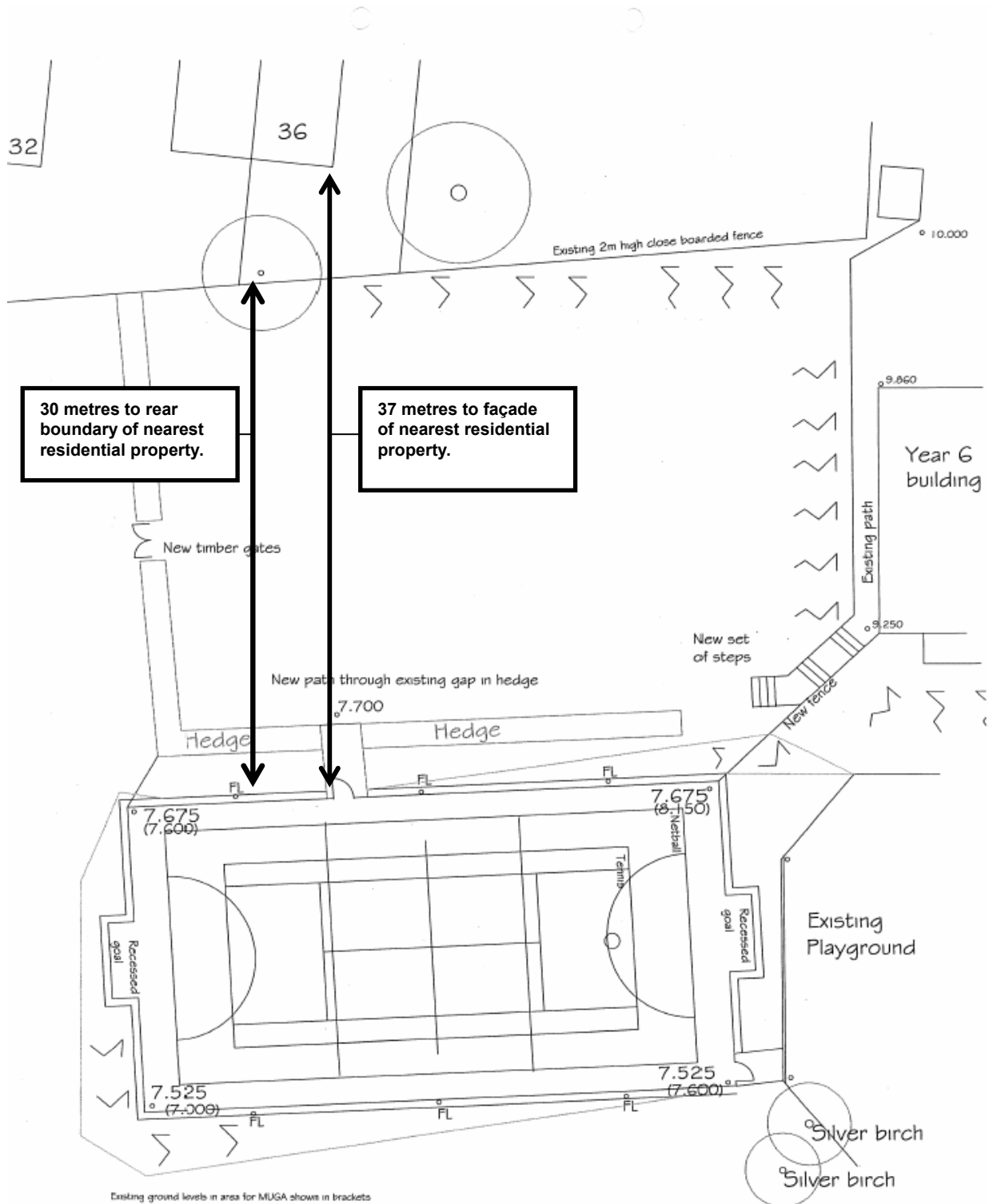


SITE PLAN As existing  
1:1250

# Item D2

## Multi use games area with floodlighting and access path, Birchington C of E Primary School, Birchington – TH/08/788

### Proposed Plan



Existing ground levels in area for MUGA shown in brackets

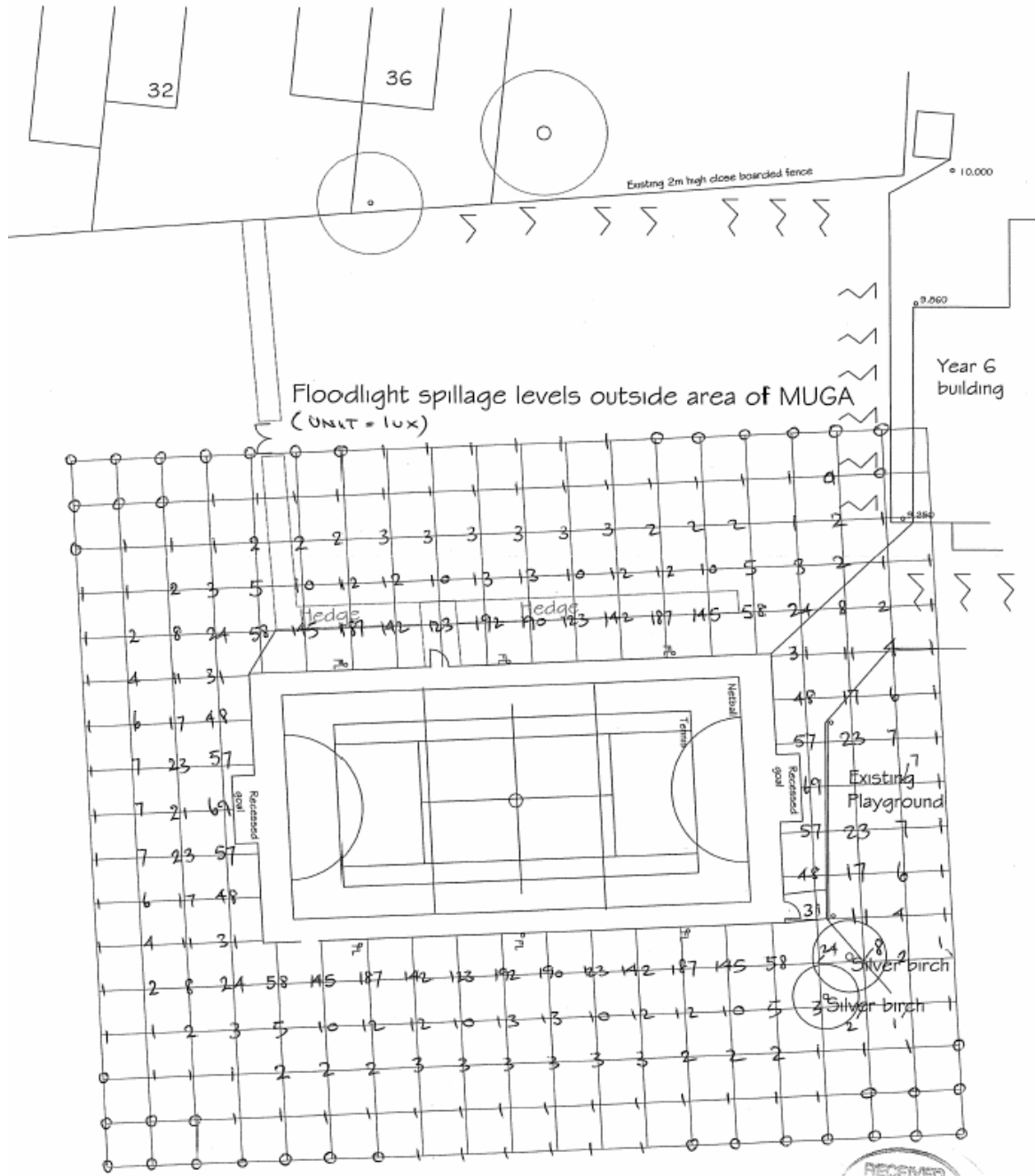
Proposed MUGA at Birchington Primary School  
Park Lane, Birchington, Kent CT7 0AS

PROPOSED PLAN 1:200 Drwg. no. TMC 02A



**Multi use games area with floodlighting and access path,  
Birchington C of E Primary School, Birchington – TH/08/788**

**Light Overspill Plan (lux)**



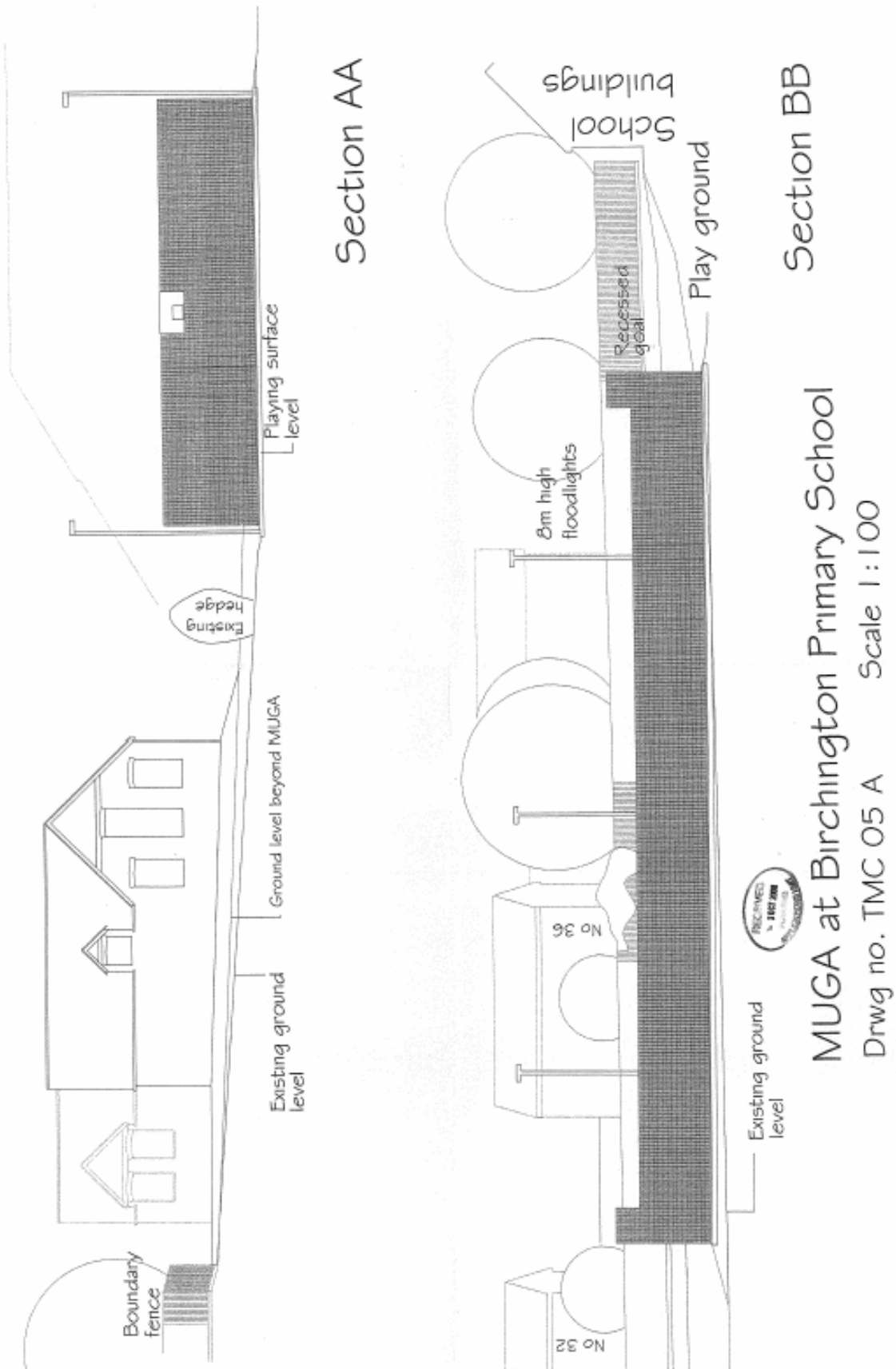
Proposed MUGA at Birchington Primary School  
Park Lane, Birchington, Kent CT7 0AS

PROPOSED PLAN 1:250 Drwg. no. TMC 04A



**Multi use games area with floodlighting and access path,  
Birchington C of E Primary School, Birchington – TH/08/788**

**Elevations**

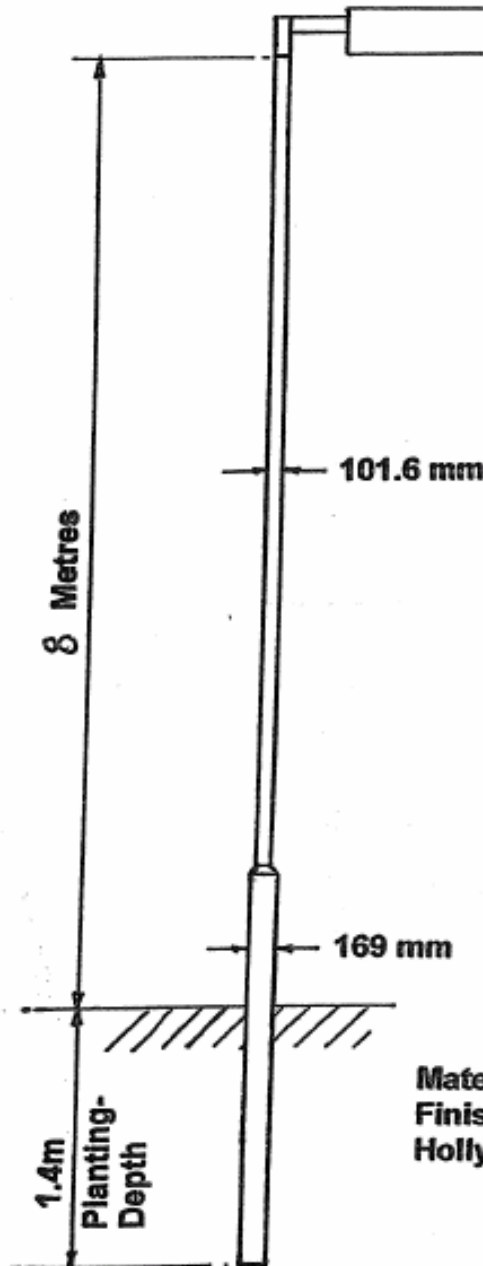


**Item D2**

**Multi use games area with floodlighting and access path,  
Birchington C of E Primary School, Birchington – TH/08/788**

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**'LO-LINE EC' LIGHTING COLUMN**



**Materials: Tubular M.S.  
Finish: Galvanised, Painted  
Holly-bush green to BS 14C39**



**Multi use games area with floodlighting and access path,  
Birchington C of E Primary School, Birchington – TH/08/788**

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**Planning Policy**

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

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

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

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

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

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

**Policy NR5** - The quality of Kent’s environment will be conserved and enhanced. This will include the visual, ecological, geological, historic, noise and levels of tranquillity.

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

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

A new development proposal will only be permitted if it:

- respects or enhances the character or appearance of the surrounding area, particularly in scale, massing, rhythm, and use of materials appropriate to the locality;
- is compatible with neighbouring buildings and spaces and does not lead to unacceptable loss of amenity through overlooking, noise or vibration, light pollution, overshadowing, loss of natural light, or sense of enclosure;

**Multi use games area with floodlighting and access path,  
Birchington C of E Primary School, Birchington – TH/08/788**

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- incorporates where practicable a high degree of permeability for pedestrians and cyclists and also considers access for public transport;
- incorporates provision for disabled access;
- incorporates new landscaping as an integral part of the proposal;
- provide safe and satisfactory means of pedestrian and, where provided, vehicle access.

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

**Policy SR1** - Proposals for the provision of new recreation and sports facilities including those provided by clubs or schools, particularly where these proposals are available to the public (including people with limited energy/movement), and which remedy identified deficiencies in existing facilities will be permitted provided:

- the location of the proposal is within or adjoining the urban areas;
- the intended use is compatible with surrounding land uses and with current planning policy;
- the facilities are well related to the major transportation network, and that the use is in close proximity to public transport;
- any built development is ancillary to the outdoor use, and the scale, design, siting and materials are sympathetic to the character of the area;
- and
- satisfactory arrangements are made for vehicular access and parking, and access by pedestrians and the disabled.

**Policy EP1** - development with potential to pollute will be permitted only where:

- applicable statutory pollution controls and siting will effectively and adequately minimise impact upon land use and environment including the effects on health, the natural environment or general amenity resulting from release of pollutants to water, land or air, or from noise, dust, vibration, light or heat; and

In determining individual proposals, regard will be paid to:

- the economic and wider social need for the development; and
- the visual impact of measures needed to comply with any statutory environmental quality standards or objectives.

**Policy EP6** - Development proposals that generate significant levels of noise must be accompanied by a scheme to mitigate such effects, bearing in mind the nature of surrounding uses. Proposals that would have an unacceptable impact on noise-sensitive uses will not be permitted.

**Policy EP9** - Development that includes the provision of new outdoor lighting should be designed to minimise light glare, light trespass, spillage and sky glow so as to preserve residential amenity, the character of the surroundings

**Multi use games area with floodlighting and access path,  
Birchington C of E Primary School, Birchington – TH/08/788**

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and prevent disturbance to identified wildlife areas. Proposals that are unacceptable in these respects, or which exceed the following maximum limits, will not be permitted.

**Consultations**

**Thanet District Council:** Raises no objections subject to the imposition of conditions.

**Birchington on Sea Parish Council:** was notified of the application on 9 June 2008 to date no comments have been received.

**Divisional Transportation Manager:** has no highway objection to this proposal but recommends that some cycle storing facilities be provided as part of the application.

**Environment Agency:** Raises no objection.

**Jacobs Noise:** Raises no objection subject to the imposition of conditions.

**Jacobs Lighting:** Raises no objection subject to the imposition of conditions.

**Sport England:** Raises no objection.

**Local Member**

4. The local County Member, Mr. C. Hibberd was notified of the application on the 9 June 2008.

**Publicity**

5. The application was publicised by posting of site notices at the school entrance on Park Lane and at the pedestrian entrance on Sewell Close, and the individual notification of 45 neighbouring residential properties.

**Representations**

6. I have received seven letters of representation in respect of this application, six of which were received from residents of Mellanby Close and one from a resident of Sewell Close (see site plan on page D2.2). The main planning reasons for objection to the current proposals can be summarised as follows:
  - We strongly oppose this proposal due to the development being only 75 metres from our rear garden perimeter.
  - The development would be outdoors and open to the public up to 21:00, which raises issues of noise and security.
  - My house is only protected by the school's boundary wire mesh fence, which has been damaged by previous attempts to gain access to my garden.
  - There have been no assurances of additional security.
  - The development is inappropriate for the school given its size and location.
  - The noise levels would be unacceptable to residents, particularly whilst having outdoor activities in their gardens.

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- We are concerned about undesirable people who might hang around in this area after the facility closes.
- Detrimental noise and light impacts on surrounding residential properties.
- The proposed site is an unsuitable location as it is in a residential area – we really cannot understand why anyone would find it acceptable to allow it to be used late into the evening.
- The fact that the area would be open until 9pm does not mean that the noise would stop then, and there are likely to be people that ‘hang around’ until much later than that who will have the potential to cause a nuisance.
- People shouting or laughing may wake up children who should be sleeping.
- Noise may cause dogs to bark – again waking up children and residents.
- Elderly residents may feel more at risk or insecure.
- There is an existing parking problem in Sewell Close and this development would make the situation worse.
- It appears to us that no consideration has been given to the quality of life of those people/rate payers who live near the school, only those people who do not.
- We moved to this quiet cul-de-sac on retirement and do not want noise from multi games until 9pm at night.

**Discussion**Introduction

7. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Whilst the provision for educational and community needs are acknowledged by Structure Plan Policy QL11 and Local Plan Policy CF1 the proposal must also be considered against the other relevant Development Plan Policies and policy guidance including PPG17 Planning for Open Space, Sport & Recreation, PPG24 Planning & Noise and any other material planning considerations arising from consultation and publicity.
8. When the application was originally submitted it sought to construct the MUGA in the north eastern corner of the school playing field adjacent to the Year 6 building, the end of the proposed MUGA would have been 15m from the rear façade of the nearest residential property and 7m from the boundary. The original positioning prompted objections from Jacobs Noise, who considered that in terms of reducing noise impact on the nearest residential receptor the proposed MUGA would have to be at least 25m from the rear façade. The applicant took the decision to alter the position of the proposed MUGA to that which is currently before the Planning Applications Committee.
9. The proposed MUGA would be around 36m away from the rear façade of the nearest residential property (as shown on page D2.3), whilst the nearest residential properties along the western and southern boundaries are between 60m and 80m away. The proposed MUGA would measure 36m by 18.3m and would be finished in a green colour sprayed porous macadam with play lines for netball, five-a-side football and tennis. It is proposed for the MUGA to be surrounded by green weldmesh ballstop fencing, measuring on the sides 3.08m and at the ends 4.08m.
10. There is an existing gradient over the playing field, falling away from the boundary along Sewell Close, which would be reduced over the area of the MUGA. The eastern end of the MUGA would be set into the ground by between 75mm and 475mm and the western end would be raised by between 75mm and 525mm above the level of the existing

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playing field. The applicant has advised that there is an existing change in level between the garden of the nearest residential property and the playing field. Combined with the proposed reduction in level it would create an approximate level difference of 2m. The top of the existing 1.8m high boundary fence would therefore be approximately 3.8m above the level of the proposed playing surface, which would help to visually screen activity on the MUGA.

11. There are 6 floodlight columns proposed which would each measure 8m in height and are designed in a manner to minimise light spillage outside the play area, I will comment in greater detail on the technical specification of the proposed floodlighting in due course. The proposed and recommend hours of use for the MUGA are outlined in paragraph(s) 2 & 3 above.
12. During normal school hours the MUGA would only be used by school pupils and staff, which would not result in an increase in traffic, out of school hours the main entrance and 39-space car park would be available for users of the MUGA. There would be no requirement for additional car parking spaces or access improvements. Pedestrian access out of school hours would be from the existing car park only, via a new path designed for pedestrian and wheelchair access adjacent to the main school buildings. There would be no pedestrian access to the site from Sewell Close, which would prevent car parking in these surrounding residential roads with a view to further reducing disturbance to local residents.
13. Prior to the application being formally submitted, I met with representatives of the School and contractors on site. The original concept was for the MUGA to be oriented with its sides adjacent to the boundary with Sewell Close. I advised that it would be preferable to orientate the MUGA so that the shorter end would be closest to residential properties and to move the MUGA in a south easterly direction so that it would be adjacent to the school buildings, but be sited in a more central area of the field, and for it to be approximately equidistant from the north, south and western boundaries.
14. The original submission was not in my view acceptable; this was supported by the views of Jacobs Noise consultants. Following consultation, the applicant took the decision to alter the position of the MUGA to that which is currently proposed.

#### Location and Orientation

15. The proposed MUGA would be sited in a position similar to that were discussed in the initial pre-application site visit, adjacent to an existing hedge line that extends at right angles from the school buildings to the rear of 34 Sewell Close (see drawing on page D2.3). I would have preferred to see the MUGA located further south-east in order for it to be as centrally located in the playing field and approximately equidistant from the surrounding residential properties. However, this needs to be balanced against siting the MUGA further to the south east which would require more extensive paths to be constructed to facilitate disabled access and would prevent the rest of the playing field from being used for other sporting activities.
16. Members will note that the majority of the objections were received from residents of Mellanby Close (see site plans on page D2.2), the nearest properties that back on to the School's playing field are in excess of 70m away. The boundary treatment along the rear gardens of these properties comprises a mix of hedging, shrubs and trees, some of which are mature. In my view, given the distance that properties in Mellanby Close would be from the proposed development, there would be little benefit gained by

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increasing the amount of boundary screening. Therefore, I do not consider that the amenity of residents in this area would be unacceptably compromised.

17. Since the proposed location of the MUGA would be adjacent to an existing hedge, which would provide additional visual screening to the nearest residential properties in Sewell Close and that the MUGA would be excess of 30m from that boundary, I do not consider the proposal to be contrary to Development Plan Policies and would not raise objection to the proposal on the grounds of its location and orientation.

Residential Amenity – Noise & Lighting Impacts

## Noise

18. Following consultation on the original positioning of the MUGA, concerns were received from Jacobs Noise consultants on the grounds that the construction of the MUGA would formalise and concentrate the use in that particular area of the sports field, around 7m from the boundary. It was recommended that a noise assessment be undertaken to determine the potential noise impact and to recommend suitable mitigation measures to ensure no adverse impacts occur. A noise assessment was subsequently carried out and submitted. Recommendations were made in the noise assessment to erect a 2m high acoustic barrier fence along the boundary with Sewell Close to attenuate intrusive noise impacts. It was acknowledged in the report that it was unlikely that the proposed fence would offer any noise attenuation to the upper elevations of the nearest properties.
19. Following the submission of the noise assessment, Jacobs continued to have concerns and advised that even with the introduction of an acoustic barrier, noise emanating from the MUGA would be likely to result in adverse impacts at the nearest residential properties. Clarification was sought from Jacobs Noise as to what the minimum distance from neighbouring residential properties that the MUGA could be located that would not result in unacceptable noise impacts. This distance was adjudged to be 25m from the rear façade of the nearest property, 36 Sewell Close.
20. The applicant took the decision to relocate the MUGA to the position shown on page D2.3. Members will note that the location of the proposed MUGA is 36m from the rear façade of 36 Sewell Close, some 11m further away than minimum distance recommended by Jacobs. Based on the advice given by Jacobs, and the noise attenuation measures proposed by the applicant, I would not raise objection to the proposal in terms of noise impact and consider the application to be in accordance with Structure Plan Policies QL1 and NR5 and Local Plan Policies EP1 and EP6.

## Lighting

21. The MUGA would be lit using 400-lux luminaires, which would be located on six 8m high columns finished in 'Holly Bush Green'. It is necessary to consider the effect of the lighting on nearby residential properties and on the local area. Details submitted with the application show that when the MUGA is lit, all of the surface illuminance would be restricted to within the school site (see lux spill drawing on page D2.4). The submitted plans demonstrate that there would be no surface illuminance at the closest residential gardens and on the façades of the nearest residential properties. Of the properties in Sewell Close, only 47 & 49 would get a full view from the front of their properties of the site from a distance of some 65 metres, but there would be no light spill on either their front gardens or the façade of their properties.

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22. Although there would be no light spill on to the closest residential properties, the question of light glare from the six columns should also be considered. The luminaires are a box shape design with the top and four sides encasing the lamp so that light is directed in a downwards direction only. I consider that the opportunity for light glare to be minimised due to the luminaire design and the distance, in excess of 36 metre away, that the closest residential property would be located. I would not therefore consider there to be any discernible loss of amenity in terms of lighting impacts on these properties and the surrounding area. I consider the lux levels to be acceptable in terms of the light spill effects on neighbouring properties and judge the application to be in accordance with Structure Plan Policies NR5 and Local Plan Policy EP9.
23. Whilst the glare light and spill levels on the ground appear acceptable, it is necessary to also consider the impact of the location of the floodlights and whether their relatively close proximity to residential properties would result in a visually intrusive form of development, which would be harmful to the character and appearance of the surrounding area. The diagram on page D2.6 shows what the floodlight columns would look like. These columns are similar to ones used at other Kent school sites. The column widths are relatively narrow measuring 101.6mm and when viewed from the south and west would have minimal impact on the landscape. Coupled with the proposed colour treatment and the fact that when viewed from these directions the columns would be lower than the existing school buildings behind and residential properties in Sewell Close, I do not consider the development to be overly visually intrusive. Therefore I do not consider the development to have an unacceptable impact on the character and appearance of the surrounding area, and consider it to be generally in accordance with Development Plan Policies.

Hours of Use

24. This development proposes community use of the facility after school hours and during the holidays and concerns have been raised about this. Members will note from the hours of use below that the hours of use proposed are not overly excessive. Outside of normal school use, the MUGA would only be permitted for use by organised community groups until 2100 on weekdays and until 1700 at weekends. During winter months when lights are required, the lights would not be used after 2100 Monday to Friday and after 1700 on weekends and Bank Holidays. Given the details discussed above with regards to noise and lighting impacts, and coupled with the proposed hours of use, I do not raise concern over this aspect of the proposal and recommend that should Members be minded to permit, a condition restricting the hours of use of the floodlighting be included on the planning permission.

<b>Day</b>	<b>Hours Being Sought</b>	<b>Number</b>	<b>Hours Recommended</b>	<b>Number</b>
Monday	08:00 – 21:00	13	08:00 – 21:00	13
Tuesday	08:00 – 21:00	13	08:00 – 21:00	13
Wednesday	08:00 – 21:00	13	08:00 – 21:00	13
Thursday	08:00 – 21:00	13	08:00 – 21:00	13
Friday	08:00 – 21:00	13	08:00 – 21:00	13
Saturday	10:00 – 17:00	7	10:00 – 17:00	7
Sunday	10:00 – 17:00	7	10:00 – 17:00	7
<b>Total Hours</b>		79		79

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Need

25. Due to the nature of the objections received, the question of need becomes a factor. It is my understanding that the School has been encouraged to include community provision of sports facilities on site, which has been supported by Thanet District Council. The MUGA would only be available for use by organised groups from within the community, in accordance with a new lettings policy, which would be approved by the School's Governing Body. The Thanet School Sport Partnership has identified local sports clubs through its school-club links programme and Sport4NRG have indicated that they would bring their social inclusion and active pursuits programmes to Birchington should the MUGA be approved. It is considered therefore, that there is good potential for the proposed facility to provide new activities for children and young people in Birchington. The floodlighting aspect of the proposal is required to accommodate this and to aid extra-curricular activities, although the lighting is not generally required for the school use.

**Conclusion**

26. Overall, I believe that the School would benefit from having the facility, which would provide better access to a wider range of sporting activities. The site currently forms part of the playing field and could therefore be used for recreational purposes without the need for any further planning consent. The provision of this outdoor facility would outweigh the detriment caused by the loss of the grass playing field. Furthermore in my view it is unlikely that by installing the MUGA and floodlighting on the proposed site that the amenity of local residents would be unacceptably compromised. Any potential noise and lighting impacts would be minimised by the existing boundary treatment, the lowering in ground levels and the erection of a 2m acoustic fence. Should Members be minded to permit, I would recommend that conditions controlling the hours of use of the MUGA and floodlighting be imposed. Consequently, I consider that the proposed development would be in accordance with the aims and objectives of the relevant Development Plan Policies.

**Recommendation**

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

- The standard time limit;
- The development to be carried out in accordance with the permitted details.
- Hours of use for the MUGA to be restricted to between the hours of 0800 and 2100 Monday to Friday and 1000 and 1700 at weekends and Bank Holidays.
- Erection of a 2m acoustic fence to the rear of properties in Sewell Close.
- Details of the design and materials of the 2m acoustic fence.
- Floodlighting shall only be used outside of daylight hours and between the hours of 1500 and 2100 Monday to Friday and 15:00 and 17:00 at weekends and Bank Holidays.
- The floodlighting shall be completely extinguished when the MUGA is not in use.

Case officer – Adam Tomaszewski	01622 696923
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Background documents - See section heading
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**Item D3****Demolition of existing school buildings and erection of a new academy, at New Line Learning Academy, Boughton Lane, Loose, Maidstone – MA/08/1700**

A report by Head of Planning Applications Group to Planning Applications Committee on 4 November 2008.

Demolition of existing school buildings, erection of a new academy, including erection of new 6 court sports hall, erection of vocational centre (indicative footprint only), re-provision of outdoor playing pitches, new 6 court MUGA, 153 car parking spaces, 150 bicycle spaces, strategic landscaping works and associated circulatory access roads at the New Line Learning Academy, Boughton Lane, Loose, Maidstone - MA/08/1700

Recommendation: permission be granted subject to conditions.

**Local Members:** Mr A Chell and Mr E Hotson

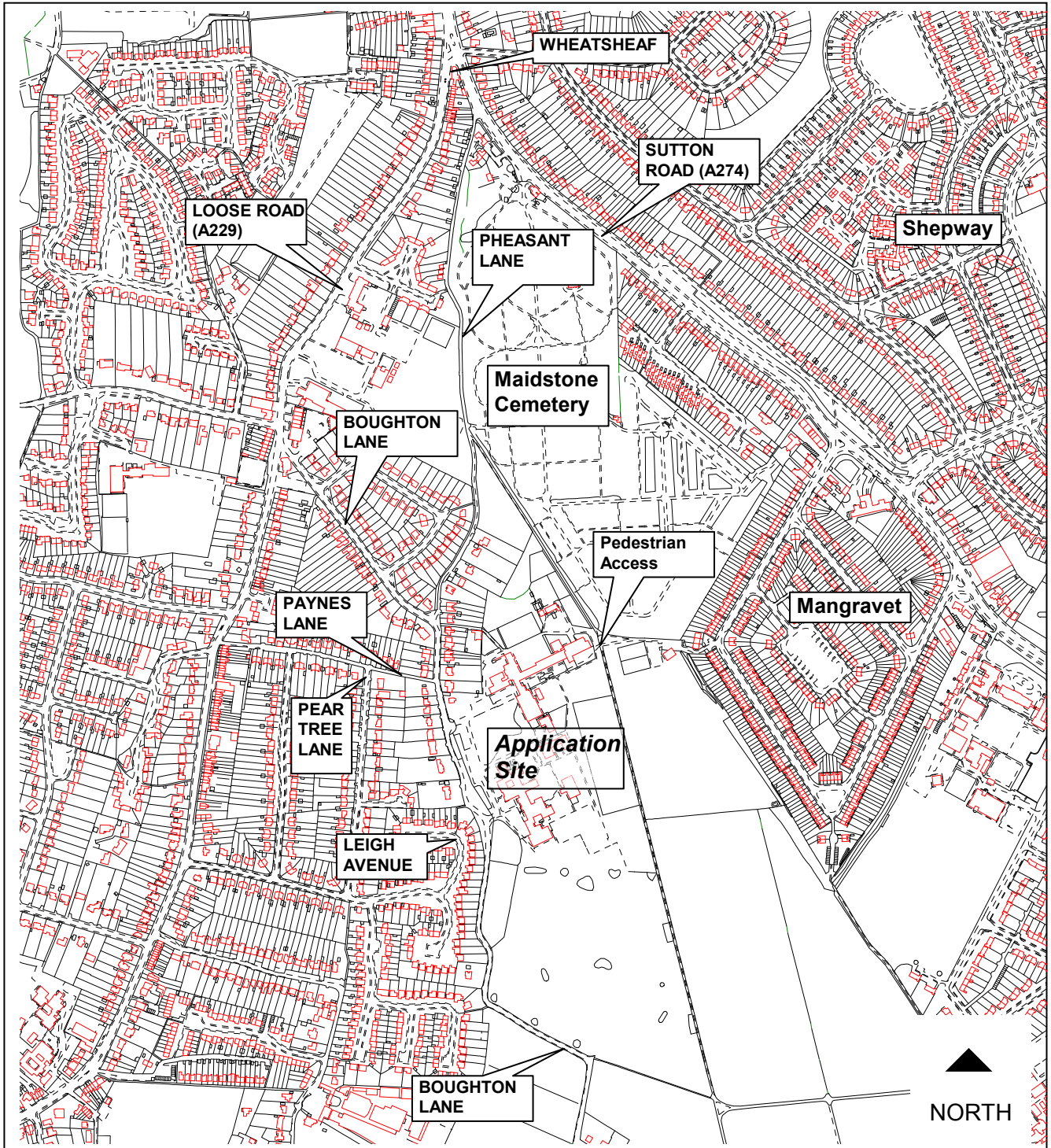
**Classification:** Unrestricted

**Site**

1. The New Line Learning Academy, formally Oldborough Manor Community School, is located approximately 2.5km to the south/south-east of Maidstone Town Centre. It is within an urban-rural fringe location. To the west is the Loose residential area comprising mainly of houses in mature grounds. To the east are the Maidstone Cemetery, a recreation ground and fields, the latter which continue to the south. These areas form a green wedge of land within the urban area between the school and the residential areas of Mangravet, Park Wood and Shepway, where the majority of the School's pupils live. A Public Right of Way runs along the eastern and southern boundaries of the site. The Maidstone-Wide Local Plan shows the whole site to be within the boundary of the urban area but also within the 'southern anti-coalescence belt,' a designation that seeks to maintain the separation of the rural settlements around Maidstone with the urban area and with each other. *A site location plan is attached.*
2. Vehicular access to the school is from Boughton Lane, which connects onto the Loose Road, one of the main routes into Maidstone from the south. This access to the site is laid out with a separate entrance and exit for vehicles. There is a separate pedestrian access to a gate at the north-eastern corner of the site via Mangravet and a path across the recreation ground. A very high proportion of pupils walk to the school from the above housing estates using this route.
3. The site was developed for school use in the 1950s and 1960s with a mixture of 1 and 2 storey school buildings, the use of which has subsequently evolved with a number of other institutional uses, and some additional buildings being added as a result. The total site area is 16.7 hectares of which approximately 50% includes built development (the Northern part of the site) and 50% playing field land/open land (Southern Part). At the northern end of the site is the School Farm and the original 1950s school building(s), with the 1960's buildings to the south of this, with some later, mainly temporary type, buildings between. The New Line Learning Academy, with the exception of the gym which is in the 1950's accommodation, mainly occupies the 1960's buildings. The existing buildings are also occupied by a number of independent uses including Five Acre Wood Special Needs School, Asquith Nursery, Zeroth Active Zone Gym, a Vocational Centre and Loose Baptist Church.

**Erection of a new academy at New Line Learning Academy,  
Boughton Lane, Loose, Maidstone – MA/08/1700**

**SITE LOCATION PLAN**



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**Erection of a new academy at New Line Learning Academy, Boughton Lane, Loose, Maidstone – MA/08/1700**

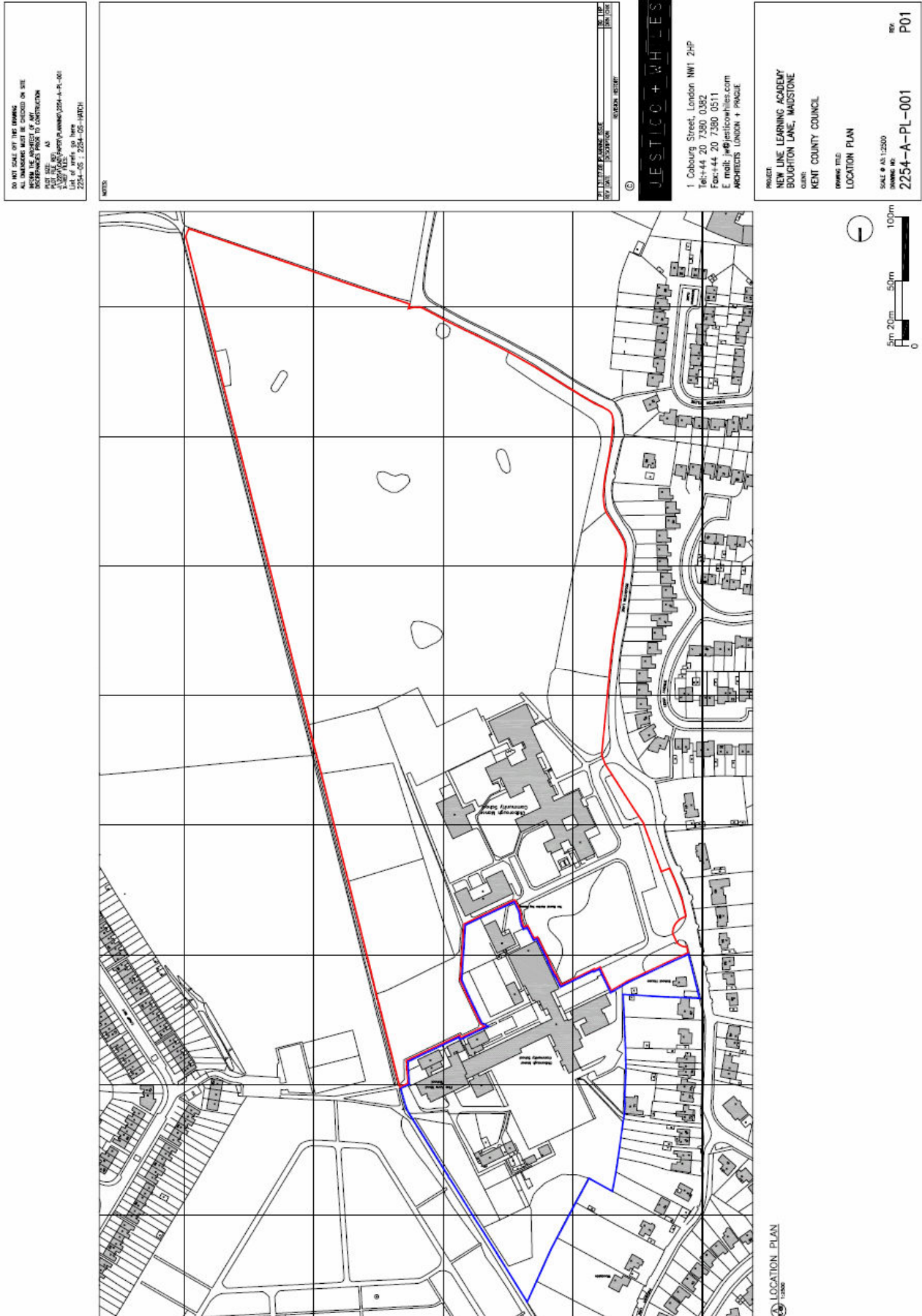
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4. The southern part of the site comprises school playing fields. Along the western boundary is an extensive tree belt, including Five Acre Wood, which is subject to a Tree Preservation Order (TPO) identified as woodland consisting of Oak, Sweet Chestnut, Ash, Birch and Field Maple. Dotted around the open area are also a number of mature trees of varying ages and condition, which impart a parkland feel to parts of the site.

**Background**

5. KCC Children, Families and Education were granted outline planning permission to construct a new school on the Oldborough Manor Community School site in 2007. This formed part of DfES proposals to make Oldborough Manor Community School/Senacre Technology College and Cornwallis School sites a 'double academy' post July 2007. The size and location of Oldborough Manor Community School meant that it was the applicant's/Academies Trust's preferred location to develop a new single site school academy within a campus setting for Oldborough Manor Community School and Senacre Technology College. The new academy proposals would replace the 1960s buildings with a new, state of the art, high technology school development within an attractively landscaped, campus style setting. A group of Planning Application Committee Members visited the application site on the 19 June 2007 to acquaint themselves with the outline proposals, the site, and the issues that planning application raised.
6. The new Academy was formed in September 2007 by the amalgamation of Senacre Technology College and Oldborough Manor Community School, and is expected to increase its intake over the coming years to 1050 pupils (ages 11 to 16). The applicant advises that the Academy will share its sixth form (up to 550 students) with the sister Academy at Cornwallis School in Hubbards Lane, Maidstone. The Senacre Technology College students moved to the Oldborough Site in June 2008. The amalgamated Academy now comprises both Oldborough and Senacre students (880 pupils in total and 170 staff), and occupies a combination of existing school buildings and temporary accommodation until the new Academy building is completed. The temporary accommodation on the site was subject to a separate planning application, and was granted permission early 2008. Upon completion of the new building the existing school buildings would be demolished. It is proposed that the Senacre Technology College site will be redeveloped for housing to help fund the new Academy proposal. This was subject to a separate outline planning application for approximately 350 houses considered by the Borough Council.
7. The New Line Learning Academy at Boughton Lane would be constructed by Carillion, who are currently the preferred bidder for Kent County Council's New Line Learning Academy and the Kent Batched Academies Programme. Carillion is a framework contractor for the Government's Academies programme, which forms part of the wider Building Schools for the Future Programme (BSF). It is intended that the new Academy building would be constructed by September 2010, including enhanced sporting facilities to compensate for the loss of the Senacre site.
8. The applicant has chosen not to submit reserved matters applications pursuant to the outline consent. As such, the proposal, which will be described and discussed throughout this report, is a new full detailed planning application and must be considered and determined as such.

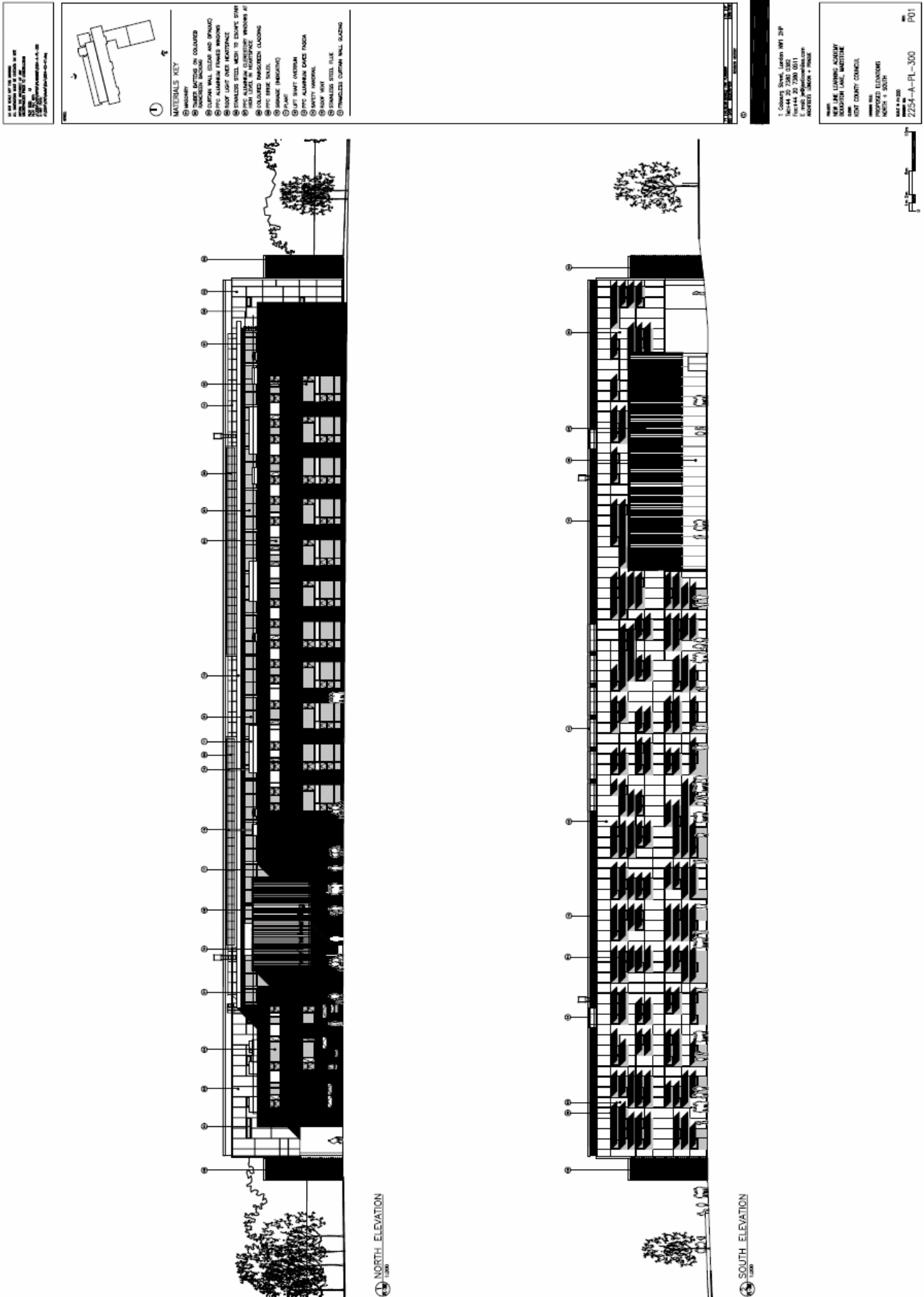
**Erection of a new academy at New Line Learning Academy, Boughton Lane, Loose, Maidstone – MA/08/1700**







**Erection of a new academy at New Line Learning Academy, Boughton Lane, Loose, Maidstone – MA/08/1700**



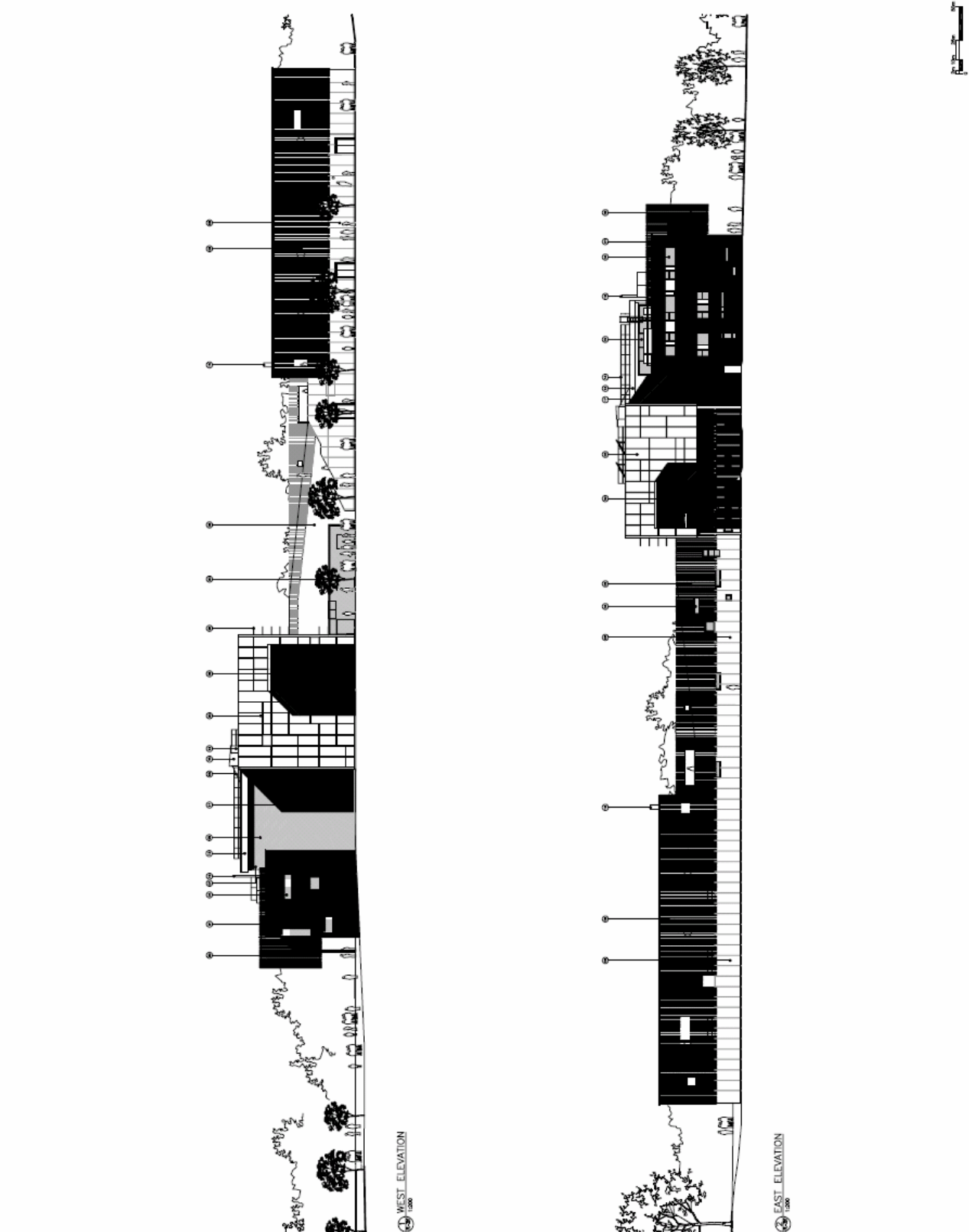
**Erection of a new academy at New Line Learning Academy, Boughton Lane, Loose, Maidstone – MA/08/1700**

NO SCALE FOR THIS DRAWING. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

**MATERIALS KEY**

- ① BRICKWORK
- ② BRICKWORK IN COLOURED FINISHES
- ③ CURVED WALL CLADDING AND DRYWALL
- ④ CURVED WALL CLADDING
- ⑤ ROOF LIGHT OVER ENTRANCE
- ⑥ SPANLED STEEL WITH 75mm SPANG
- ⑦ SPANLED STEEL WITH 100mm SPANG
- ⑧ SPANLED STEEL WITH 150mm SPANG
- ⑨ SPANLED STEEL WITH 200mm SPANG
- ⑩ SPANLED STEEL WITH 250mm SPANG
- ⑪ SPANLED STEEL WITH 300mm SPANG
- ⑫ SPANLED STEEL WITH 350mm SPANG
- ⑬ SPANLED STEEL WITH 400mm SPANG
- ⑭ SPANLED STEEL WITH 450mm SPANG
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- ⑯ SPANLED STEEL WITH 550mm SPANG
- ⑰ SPANLED STEEL WITH 600mm SPANG
- ⑱ SPANLED STEEL WITH 650mm SPANG
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- ⑳ SPANLED STEEL WITH 750mm SPANG
- ㉑ SPANLED STEEL WITH 800mm SPANG
- ㉒ SPANLED STEEL WITH 850mm SPANG
- ㉓ SPANLED STEEL WITH 900mm SPANG
- ㉔ SPANLED STEEL WITH 950mm SPANG
- ㉕ SPANLED STEEL WITH 1000mm SPANG

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**Erection of a new academy at New Line Learning Academy, Boughton Lane, Loose, Maidstone – MA/08/1700**

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**Proposal**

9. This application has been submitted by Kent County Council Children, Families, Health and Education, and proposes the demolition of the existing school buildings and the erection of a new academy and associated facilities. The new school proposals comprise:
- Demolition of 7,527 sq m (gross) of existing school buildings used by the former Oldborough Manor Community School (other buildings would be retained for the current uses and users);
  - A new academy of 10,450 sq m (gross) on the Oldborough Manor Community School site for up to 1,050 pupils, including a new 6 court indoor sports hall;
  - An indicative location for a new vocational centre of approximately 2,500 sq m (gross);
  - A new Multi Use Games Area (MUGA);
  - New Senior, Medium and Junior grass Playing Pitch provision to meet DfES and Sport England Standards, including community use;
  - Replacement of existing YMCA playing pitches on site;
  - New car parking provision, circulatory access and pedestrian access points; Vehicular access would continue to be from Boughton Lane using the existing in and out arrangement and the main pedestrian access would be the gate to the east to allow access via Mangravet;
  - New strategic landscape provision to create a campus style setting;
10. The main objective of this project is to provide a radically transformed education experience for the young people of South Maidstone through the provision of completely new facilities for the two newly created Academies. The ambition is for an educational provision that integrates buildings with service delivery, a new Information and Communication Technology infrastructure, a new model of learning, and more efficient and effective use of public resources. The principal component of the Design Brief is to create Learning Plazas, which are intended to 'deliver the innovative and highly personalised curriculum on offer....which will promote and enhance the ethos and culture of learning, and also facilitate pastoral engagement.' These spaces are learning environments for up to 120 students in 7FE year groups. For most non-practical subjects such as English, Maths, and Humanities, learning would take place in these year based learning plazas, where students would spend around 60-70% of their time. The plazas need to be large flexible spaces, having large, small and individual work spaces, areas where staff can work with small groups and prepare lessons, and would serve as a 'home base' for each year groups 90 – 120 students. The plazas are designed to act as learning areas during lesson time and social areas at break times. The intention is that the learning Plazas, food court and adjoining interaction zones should not look or feel institutional, nor like a traditional school.
11. The overall site area is 16.7ha, of which 13.5ha is proposed for re-development as part of this application. A key characteristic of the sites development masterplan is the requirement to work around the existing school buildings, including the temporary buildings currently on site. In addition, the buildings and farm to the north of the site are to be retained, and are not included within this planning application. Although the site appears sizeable, the designation of the anti-coalescence belt means the open space to the south of the site needs to be retained, and opportunities for development are limited and concentrated around the centre of the site, adjacent to the existing school buildings. In addition, the pitch requirements stipulated by Sport England, to compensate for the loss of sports facilities at Senacre, are a key constraint, taking much of the existing

**Erection of a new academy at New Line Learning Academy, Boughton Lane, Loose, Maidstone – MA/08/1700**

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undeveloped site. The other principle components of the masterplan are the requirements for 153 car parking spaces, storage for 150 bicycles, the need to provide a Vocational Centre (2500 sq m) and the MUGA.

12. It is proposed to construct the Academy on the existing tarmac playground in part, stretching between the sports hall and the eastern boundary fence. The 'L' shaped building would then project to the south, parallel to the site's eastern boundary. The northern limits of the proposed development site are dictated by the location of the science block, which must be retained until the new building is completed. The southern limits of the development are constrained by playing field provision and the site's location within the 'southern anti-coalescence belt'. Once the new building is complete, the students would relocate into the new Academy, and the old buildings would be demolished and the temporary buildings removed. With the proposed building pushed to the eastern side of the site, wrapping around the existing buildings, the forecourt area in front of the new building would become important in landscaping terms and has the potential to become a civic style entrance plaza.
13. The schedule of accommodation based on the DfES Building Bulletin 98 guidelines generates a gross internal building area of 9,421 sq m for the 1,050 students. This application integrates the new school and sports facilities into a single building of 10,450 sq m, including a dedicated unit for the physically disabled and visually impaired, and a CACHE training centre, which would accommodate 60 vocational students training for childcare qualifications and a capacity for up to 35 nursery places. In addition to the above, the Academy would comprise of a range of teaching facilities, including 10 Learning Plazas; a Specialist Plaza containing science laboratories, multi-material laboratory, food technology area, art studios, music rooms; a Food Court; a Dance/Activity Studio, 6 court Sports Hall and associated changing accommodation; a Lecture Theatre; administration areas and a central atrium known as the 'heartspace'.
14. The design brief's aspiration to have no traditional corridors has largely been achieved, with only a single open walkway on the upper level of the specialist block, and short corridors serving administration areas, music and other specialist areas. The Learning Plazas have been designed as double-height volumes to promote natural lighting and ventilation, and accommodate a more intimate teaching environment in mezzanine areas. The plazas would be stacked on top of each other, and extend in an east-west direction, accessed via the 'heartspace' area to the north of them. It is suggested that Year 7 are located on the lower level, and Year 11 on the upper level, and on the eastern end of the building, adjacent to a roof terrace area, signifying progression through the school.
15. The entrance to the school is proposed on the north side of the building, and would be signified by a 'floating' lecture theatre, which would hover over the entrance lobby, denoting a single point of access. The entrance would be adjacent to the central plaza, which would act as a collecting point for pedestrians arriving from the east, as well as vehicle passengers and pedestrians from the west. Pupils, staff and visitors would all share the Academy entrance, which would also provide evening and weekend access to facilities (e.g. the sports hall, MUGA, lecture theatre) by the local community.
16. The applicant advises that the proposed building has been designed to minimise the impact on surrounding residential areas. In particular, the siting of the new school building means that it would be screened from residential properties to the west and long-distance views only would be afforded from the east. The applicant states that the increase in storey height is compensated for by setting the new building further back

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from the site's western boundary to minimise its visual impact from Boughton Lane. The Learning Plaza block is proposed to be broadly equivalent to four storeys in height, whereas the Specialist Plaza would be only two storeys in height. However, the lower floor of the Specialist Plaza would be double-height so that the floor levels align for ease of access from the Learning Plaza block. The CACHE training centre, physically disabled and visually impaired units, and the AEN facilities would all be accommodated within three levels to the north-east of the building, flanking the entrance. The sports hall, located at the southern end of the Specialist Plaza would be lower in height than the Learning Plaza block, at approximately the equivalent to three storeys in height.

17. The Specialist Plaza would accommodate the Academy's entrance and, subsequently, the convergence area for pedestrian flows. This northern facing elevation is, therefore, seen as the more public side to the building and the applicant proposes to use a light coloured masonry to reflect its civic nature. The masonry is proposed to reflect the hues and textures from the local historical and geological context of ragstone, originally quarried in the locality. The Learning Plaza to the south has been developed to take reference from the green landscape. A proprietary framed curtain walling system is proposed to create a random pattern of solid and void, to reflect natural field patterns and the dappled colour variation viewed through mature foliage. Projecting brise-soleil would protect the internal learning environment from solar gain. The Sports Hall and projecting Lecture Theatre would be finished in a proposed timber veil, installed in front of a system of terracotta coloured panels. The buildings, branding, signage and logos would have the look and feel of a business environment, expressing the specialism of business and enterprise.
18. This application also includes a Vocational Centre, although only an indicative footprint of this building is indicated on the submitted plans. The construction of a 2,500sq m Vocational Centre is a long term aspiration for the site, and a separate application for planning permission would be made for this building once funding has been secured and the design developed.
19. Immediately to the north of the new school building a new 6 court Multi-Use Games Area (MUGA) was originally proposed. The MUGA was located to the west of the site, adjacent to the proposed Vocational Centre. However, the MUGA as originally proposed extended to the north and would have occupied land immediately adjacent to Five Acre Wood Special School. Five Acre Wood School objected to this element of the proposal (as outlined in para. 31 of this report) as the green space that would have been occupied by the MUGA is the only outdoor informal and formal recreational space that the Specialist School had immediate access to. As a result of this objection, the applicant has amended the positioning of the MUGA, and is now proposing two separate 3 court MUGA's as opposed to the single 6 court as originally proposed. Both of the 3 court MUGA's would be sited to the north of the proposed Academy - the first to the west of the proposed vocational skills centre, and the second to south of the first MUGA, located to the west of the central plaza and to the east of the proposed car parking and landscape area. This layout of the MUGAs leaves an area of open green space for use by Five Acre Wood Special School.
20. The open playing field area has been laid out to accommodate the School's requisite requirement for playing pitch provision, including summer time track and field provision and cricket pitch provision. The layout enables a number of mature trees to be retained within the body of the open playing field site and would retain the dense woodland belt along the site's western boundary. The applicant also states that the proposals have been designed to allow increased usage of the indoor and outdoor sports facilities by

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local community groups. It is intended that that new Academy would support the wider social, environmental and economic regeneration of the area. This would be achieved through community learning and access to the new facilities. The Academy would offer a range of extended school facilities, including access to the sports hall and pitches, and lettings (e.g. the performance or lecture space) by community groups, and adult education classes. In order to maximise extended and community use of the building and its site, including the sports pitches and MUGA, all areas would be accessible from the front entrance plaza, via the main Academy entrance. Hours of community use have not been provided by the applicant.

21. In analysing the landscape context to the site, as well as the site's historical uses, landscape elements like hedgerows, shelterbelts and orchards feature as local landscape elements and have been used to inform the structure of the sites masterplan proposals. A simple path network around the site would facilitate navigation and direct access for students and staff. In addition, the site has 3 main activity zones, sport and play, recreation and relaxation, and external study and research. The landscape masterplan draws together these 3 primary layers to form a coherent masterplan which addresses the Academy's setting in terms of the landscape context, its operations in terms of site access and movement, and its primary role of education through use of different activity spaces. Existing woodland planting and hedgerows would be retained, reinforced and consolidated where possible, and new stands of trees would be planted in suitable areas. As far as possible, plant species would be of local provenance.
22. Vehicular access to the site would remain as existing, via Boughton Lane, which connects with Loose Road. The existing 'in and out' one way system would be retained, and where primary pedestrian routes cross vehicular access or parking areas contrasting colours and textures of materials would be provided. A very high proportion of pupils walk to school from the adjacent housing estates, via Mangravet and across the recreation ground to a gate at the north eastern corner of the school site. Under this proposal, it is envisaged that this would remain the preferred route of choice for pupils either walking or cycling to school.
23. Along the western boundary of the site, 153 car parking spaces are proposed, plus 4 disabled parking bays located in close proximity to the buildings entrance. Cycle parking for 150 bicycles is proposed, for use by pupils, staff and visitors. There would also be parking facilities for up to 6 motorbikes, 2 light goods vehicles and 4 minibuses. The proposals also allow for improved vehicle circulation to enable pupils to be dropped off and picked up during the morning and evening periods. It is proposed that 'parent zones' are clearly identified, and reinforced by signage and road markings to prevent misuse of staff parking and other essential users.
24. In determining the Outline Planning Application a number of highway improvements were agreed to following discussions between the applicant and Kent Highway Services. These highway improvements have formed conditions on the Outline Planning Permission and the Planning Permission for temporary accommodation on site. The applicant is currently working with Kent Highway Services to ensure that the agreed highway improvements are implemented at the earliest opportunity.
25. The applicant advises that the project would achieve a minimum 'Very Good' rating under BREEAM for schools. The building would include a number of sustainable features including a ground source heat pump, solar water heating panels, photovoltaics and would use insulation to secure a thermal performance 15% beyond current standards.

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

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

**Development Plan Policies**

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

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

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|-------------|---|
| Policy SP1  | States that the primary purpose of Kent's development and environmental strategy will be to protect and enhance the environment and achieve a sustainable pattern and form of development.  |
| Policy NR5  | The quality of Kent's environment will be conserved and enhanced, including the visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.<br>Development should be planned and designed to avoid, or adequately mitigate, pollution impacts.<br>Development which would result in, or significantly contribute to, unacceptable levels of pollution, will not be permitted. |
| Policy QL1  | Requires that all development should be well designed and be of high quality. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings. Development which would be detrimental to the built environment, amenity, functioning and character of settlements or the countryside will not be permitted.   |
| Policy QL11 | Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.  |
| Policy EN9  | Seeks to maintain tree cover and the hedgerow network. Additionally, states they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats. Ancient and semi-natural woodland will be protected and, where possible, enhanced.  |
| Policy TP15 | States that development which generates significant increases in traffic, especially heavy goods vehicles, will not be permitted if it is not well related to the primary and secondary road network, or if it would result in a significant increased risk of crashes or traffic delays unless appropriate measures to mitigate the effect of the development have been secured.   |
| Policy TP19 | States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council.  |

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

Policy ENV22 In dealing with applications to develop existing open areas within the urban areas and village settlements, the Borough Council will have regard to:

- (1) The visual contribution which the existing site and the proposed development will make to the urban or village landscape; and
- (2) The need to uphold and improve the appearance of the locality, with particular emphasis in more densely developed areas; and
- (3) The need to conserve wildlife habitats.

Policy ENV32 Within the southern anti-coalescence belt as defined on the proposals map, development which significantly extends the defined urban area or the built up extent of any settlement, or which, as a result of infilling, consolidates existing areas of development, will not be permitted.

Policy CF9 The Borough Council will seek to ensure, where appropriate, the providers of educational facilities to make provision for dual use of facilities in the design of new schools and will encourage the dual use of educational facilities (new and existing) for recreation and other purposes. Development proposals which incorporate dual use will be permitted except where the increased level or duration of activities is incompatible with local residential amenity.

Policy T13 Car parking provision.

**Consultations**

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

**Boughton Monchelsea Parish Council** has not commented in the proposal.

**The South East England Development Agency** supports the application and considers that the development would assist in delivering smart growth. In addition, the application is well aligned to the Regional Economic Strategy.

**The South East England Regional Assembly** makes the following observations:

“On the basis of the information provided, it is considered that the proposed development would not materially conflict with or prejudice the implementation of the Regional Spatial Strategy (RPG9 and Alterations) or the Secretary of States Proposed Changes to the Draft South East Plan (July 2008).”

It is considered that the County Council should use appropriately worded conditions to:

- i) secure an appropriate package of transport infrastructure and other measures to promote alternatives to the car, and an up-to-date Travel Plan;
- ii) secure an appropriate level of car and cycle parking;

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- iii) secure the incorporation of water and energy efficiency measures and the promotion of renewable energy and sustainable construction;
- iv) secure a design relevant to context that promotes a high quality of environment;
- v) secure an appropriate package of measures to prevent and mitigate against air and noise pollution; and
- vi) ensure an appropriate package of protection and mitigation measures to protect and enhance the biodiversity of the site and the surrounding area.

**The Commission for Architecture and the Built Environment** has no comment on this application.

**The Campaign to Protect Rural England – Kent Branch** make a number of comments regarding the site layout, building design and access and conclude that CPRE Maidstone supports the proposal. They consider the proposal to be an exciting educational project to enthuse students of school age and adults to grasp the educational opportunities on offer at the NLL Academy. CPRE Maidstone recommends that conditions of consent are imposed to ensure that the quality of design, layout and materials is delivered as proposed; that students are given the opportunity to learn from their environment; that management ensures that there is a high standard of maintenance of those new facilities, especially of the various types of green space for the Academy students, the local community and wildlife so that the Academy is sustainable financially and environmentally and in terms of community support.

**The Divisional Transportation Manager** does not object to this proposal, subject to conditions concerning construction traffic management, and the submission of an up to date Travel Plan. In addition, the programme of previously conditioned highway improvements (on the Outline and Temporary Accommodation Consents) should be updated. The previous condition required the off-site works (with the exception of the Loose Road signals and the pedestrian phase at St Saviours Road) to be completed before September 2008. This date has now passed and the works are still being designed. The Divisional Transportation Manager states that “Ideally these should be in place by the start of the next term i.e. January 2009, but the backstop condition should tie them to the same deadline as the signals works i.e. before the start of the Summer Term 2009.”

**County Council’s Landscape Adviser’s** comment as follows:

“The tree survey for the site is only partially complete and this does make it difficult to comment on the car parking layout and site office location. Although the applicant is keen that these matters are dealt with by Conditions, this would not be a particularly satisfactory way forward. We naturally wish to see as many of the better quality trees as possible retained within the layout and we need to see the applicant’s assessment of the impact on trees as a result of the car park layout and site office location before commenting fully.

In respect of tree number 170 we accept that it cannot be accommodated within the playing field layout.”

The applicant has submitted further tree survey work, and has made minor amendments to the car parking layout in order to retain trees of high quality and worth. This information has been sent to the County Landscape Advisor and further comments are awaited.

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**The County Archaeologist** has requested that a condition be imposed to secure archaeological field evaluation works before the development takes place and following evaluation any necessary safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording.

**The County Council's Biodiversity Officer** has recently been consulted on additional information and final views are awaited. However, a number of conditions of consent are requested concerning bats, trees, badgers, reptiles, birds, biodiversity and habitat enhancement, monitoring and management, and contractor site briefing.

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

**Sport England** does not raise an objection to the proposed development. However, comments on the amended MUGA design and siting are awaited.

**Kent Police Architectural Liaison Officer** comments on the fencing and external lighting and would appreciate further contact with the applicant prior to the commencement of any building work.

**Public Rights of Way Officer** has no objection to the proposals. The Officer has made the applicant aware of the following advice:

“The contractors should be aware that the public have access to the other side of the boundary fences and should safeguard the public from any activities that may cause them harm, such as the erection of screening if necessary. Any work to replace or repair the boundary fences should be carried out mainly from the school side where possible to minimise disruption to the use of the path.”

**North Loose Residents Association** comment as follows:

“The increase in student numbers has now occurred together with associated increase in the amount of traffic generated by teaching staff and taxis. Unfortunately, nothing has been done regarding the access from Boughton Lane and, especially in the afternoon, this causes blockages to the residents of the area. Neither has any action been taken about the identified problems with Pheasant Lane.

We ask that time limits be put on construction work and that monitoring takes place to ensure that these are enforced, with limited works on Saturdays and none on Sundays and bank holidays. We also ask what safeguards will be in place for local residents once heavy traffic starts to use Boughton Lane, and that an inspection of the roads takes place beforehand, so that any damage caused to the roads would not be paid for by tax payers.

The documents mention an intention to encourage community use of the redeveloped premises. We request that this be carefully controlled in terms of types of use and with time controls, and monitored, to ensure minimal disturbance to neighbours.

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The woods to the front of the school that exist should be fully retained and strengthened by infilling if necessary, in order to limit light and noise pollution to local residents.”

**Local Member**

28. The local County Members, Mr Chell and Mr Hotson, have been notified of the application.

**Publicity**

29. The application was publicised by the posting of 6 site notices and the individual notification of 60 neighbouring properties. The amended siting of the MUGAs and the minor amendments to the car parking layout were publicised by the posting

**Representations**

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

- Local residents already have daily experience of what Loose Road traffic is like now and can imagine, fearfully, what the affect will be of a huge increase in traffic turning in and out of Boughton Lane;
- A resident saw some indicative plans of the scheme last year and comments that the design of the building is very futuristic with some unusual finishes. Concern is expressed that such a building would not fit in with its traditional surroundings and that in 10 years time such a building would look faded;

Prior to the revised MUGA layout, I also received a letter of objection from the Governing Body of Five Acre Wood School with regards to the MUGA as originally proposed. A summary of the main planning issues raised/points made is set out below:

- The Planning Application does not accurately reflect the current use of the area of land designated for the MUGA;
- Five Acre Wood School has used the area of land where part of the MUGA is proposed to stand for 19 years;
- Five Acre Wood School use the grassed area for outdoor education activities, sporting activities, breakout activities, and sports days. The close proximity to and immediate access of this area to the pupils is essential;
- Noise and disruption from use of the MUGA would distract pupils;
- Access to and use of the grass area is fundamental to the operation of Five Acre Wood School. Should this application be approved the school would not be able to function.

The applicant amended the layout and siting of the MUGA as a direct response to this objection (as outlined in para. 19 of this report). As a consequence, Five Acre Wood School has formally withdrawn its objection.

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**Discussion**Introduction

31. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (26) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include siting & design, lighting, secured by design, sustainable construction, archaeology, landscaping and biodiversity, community use and sports provision, drainage and transport and access issues.
32. Policy QL1 of the Kent and Medway Structure Plan requires new developments to be of a high quality and well designed, and not to lead to a loss of residential amenity. Policies ENV22 and ENV32 of Maidstone Borough Local Plan seek to protect existing open areas and protect the functioning of the southern Anti-coalescence belt in terms of preventing the significant extension of the defined urban areas or the built up extent of any settlement. Further, consideration should be given to the Kent and Medway Structure Plan Policy QL11 and the Maidstone Borough Local Plan Policy CF9 that encourage decision makers to make provision for community facilities. In conjunction with these and other relevant policies, these issues are considered and discussed below. In principle, I see no overriding objection on land use planning grounds, on the basis that site is already well established for the accommodation of educational services and outline permission has already been granted for an Academy providing a similar amount of accommodation to that proposed.

Siting and design issues

33. The site has extensive playing fields and generous green spaces around and between the main areas of built development. These areas all make a significant contribution to the setting of the school and to the local area, including the southern anti-coalescence belt, as well as their use for education, recreation and sport. The protection afforded to the anti-coalescence belt by the Borough Wide Plan Policy ENV32, Development Plan Policies that seek to protect, conserve and enhance the environment, and the protection afforded to playing fields, have been major influences in the master plan that has evolved now forming a basis for this application. It follows consultation with, amongst others, the Borough Council and Sport England, including with regard to the impact of the development on the anti-coalescence belt and the playing fields, respectively.
34. In simple terms, the proposal would involve the re-arrangement of the buildings, hard surfaces and green spaces within the central part of the site. Whilst the gross floor space of buildings would increase, the area of land take would be minimised with a building, in part, the equivalent of 4 storeys in height compared to the existing two storey buildings. The main building and multi-use games areas would be located on the eastern half of this part of the site, an area that at present is occupied by two playing pitches used by the YMCA and the school's hard play area. Once demolished, the current buildings would be replaced in part by a new parking area and a landscaped approach to the new buildings. The balance between built development and green spaces is broadly similar although in this part of the site there would be loss of land for playing field use, i.e. the eastern strip of land with the two YMCA playing pitches. The main playing field area to the south would be similar in area overall but there would be a reordering in the

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way it is laid out so that the space is used more effectively. This would allow for relocation of the two YMCA pitches and meet the summer and winter sport requirements for the new academy.

35. The comparisons described above relating to the existing and proposed layout will also be noted from drawings included within this report. In my view the site layout proposed establishes an acceptable pattern of development within the site so that there is no conflict with objectives of the anti-coalescence belt designation subject of Local Plan Policy ENV32. Indeed the proposal would not result in a significant change to the extent of the built development within the site, retains an appropriate balance of green spaces, provides for enhanced landscaping of the site and maintains the integrity of the main playing field to the south. In these respects, I also consider that it would accord with the other Development Plan Policies that seek to protect, conserve and enhance the environment, and ensure that developments respect their setting and relate sympathetically to their site context. The site as a whole would therefore continue to contribute to the visual character and quality of the area, as well as to the physical separation of the built up areas of Loose and Mangravet.
36. The buildings in the proposed location would be set back from the housing to the west side of Boughton Lane, and would be screened by existing trees and proposed planting. The buildings would also be separated from the housing to the east in Mangravet by the adjacent recreation ground. Proposed planting along the boundary would soften views of the buildings across and from the recreation ground and from the public right of way adjoining the boundary. The new buildings would also sit comfortably within the site between the existing buildings to the north and the playing fields to the south, and allow the new Academy to be constructed whilst the school operates within its existing buildings and temporary accommodation.
37. Taking account of the above factors I would not object to the scale or massing of the proposed buildings. Although the building would be the equivalent of up to 4 storeys in height, I consider that there are benefits to keeping the footprint of the buildings as compact as possible and to reducing land take. In addition, I consider the provision of a single building to accommodate the Academy to be a vast improvement over the dated piecemeal development which currently houses the school, which, in my view, is neither aesthetically pleasing or fit for modern educational purpose. However, although considered to be acceptable in terms of massing and scale, a high quality of design and detailing would be essential.
38. Paragraph 17 of this report outlines the applicant's intentions with regards to design and external materials. Masonry, glazing, curtain walling, brise-soleil and a 'timber veil' are some of the materials proposed by the applicant, which would be used to identify various elements of the building, whilst being sympathetic to the surrounding landscape. The projecting lecture theatre is an important element of the design and would highlight and emphasise the Academy's entrance, performing an important function as well as being a design feature. The building's branding, signage and logos would have the look and feel of a business environment, expressing the specialism of business and enterprise. This is appropriate for the site and reflects the aspirations of the applicant in terms of the environment they wish to create.
39. No objections have been raised to the design of the school building, and I do not have concerns over the design as proposed. However, further details of external materials, including colour finishes, and further details of window/door reveals should be submitted for approval pursuant to planning conditions. Subject to the imposition of these

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conditions, I do not consider that the design, massing, or scale of the building would have a significantly detrimental impact upon the amenity of the locality and, therefore, would be acceptable.

External lighting

40. No details have been provided on external lighting for the development. That can often be a cause for concern raised by neighbouring residents. If permission is granted, it would therefore be appropriate to reserve details by condition so that the type and position of any external lighting can be controlled to ensure any potential nuisance from light pollution can be minimised and to accord with Structure Plan Policy NR5. In addition, for the avoidance of doubt, it would be conditioned that no floodlighting shall be installed on site without the submission and determination of a full planning application.

Secured by Design

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

Sustainable construction

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

Vocational Skills Centre

43. This proposal includes the erection of a vocational centre, although only an indicative footprint is indicated on the submitted plans. The construction of a 2,500 sq m Vocational Centre is a long term aspiration for the Academy, although funding is not available at this time. The footprint indicated within the application documents is adjacent to the eastern boundary of the site, which is some distance from the closest residential properties (although wider views would be afforded across the recreation ground). The indicative footprint would not prejudice the provision of playing pitches, and is adjacent to the central plaza, suggesting that the building would be an integral part of the site and its overall design strategy. A separate application for planning

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permission would be made for this building once funding has been secured and the design developed. The merits of the future application must be considered at that time. However, subject to the appropriate massing and design of the Vocational Centre, I consider that the indicative footprint sought is acceptable.

Landscaping and Biodiversity

44. Some trees in the central part of the site would have to be removed as a result of the proposed development and a mature tree would be lost as a result of re-ordering the pitches on the playing field. However the intention is to retain trees within the site as far as possible, including the woodland to the west of the playing field and perimeter trees. Furthermore the landscape strategy put forward aims to reinforce the surrounding landscape pattern with new areas of planting, including shelter belts between pitches on the playing field, as well as to strengthen the existing boundary planting where that is necessary, to create a campus style setting. The new planting would be of significant benefit to the site and locality, as well as helping to absorb the new development into its surroundings. The County Council's Landscape Advisor has accepted the loss of the mature tree to accommodate the sports pitches, and has not raised objection to this application. However, further survey work to cover the north west of the site, proposed to house to car parking area, has been requested. The applicant has undertaken this survey work and, subsequently, the car park layout has been amended slightly in order to retain trees of high quality and worth. This information has been sent to consultation with the County Council's Landscape Advisor and further comments are awaited.
45. The woodland to the west of the site is subject to a TPO and, although the applicant is not proposing to undertake works to this area, the protection of the woodland is fundamental. In the event that works to the woodland area are to be undertaken, the applicant should satisfy itself that consent for works to protected trees is not required. In addition, survey work has established that the woodland is home to Badgers, and the applicant should also ensure that further consent in respect of badgers, and other protected Species, is not required from Natural England should works to the woodland be envisaged. Maidstone Borough Council and the County Council's Biodiversity Officer have requested the submission of a Habitat/Biodiversity enhancement strategy, to include the protected woodland and the remainder of the site, and I consider that this should form a condition of consent. This would enhance the ecological value of the site, and improve the local educational and recreational environment.
46. In light of the above, and subject to receiving any further comments before the Committee Meeting, I do not consider that the proposed development would have a detrimental impact on trees. Subject to conditions ensuring that trees to be retained are protected in accordance with BS5827: Trees in relation to construction, that no unauthorised works are undertaken to the TPO woodland, the submission of a Habitat/Biodiversity enhancement strategy, and a scheme of landscaping and tree planting, I see no reason to refuse this application on the grounds of tree related matters. In addition, Maidstone Borough Council has requested that an Arboricultural Method Statement be submitted pursuant to condition, which should include details of any works or operations in the vicinity of retained trees, detailing construction or installation methods to avoid damage to trees, including their roots. Given the fact that a woodland to the west of the site is subject to TPO and a number of mature trees are found within the site, I consider that an Arboricultural Method Statement should also be submitted pursuant to planning condition.

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47. With regards to Biodiversity issues, an ecology report has been submitted with the application and indicates that survey work for protected species has been carried out, in particular for bats, badgers and reptiles. However, the further information has been requested by the County Council's Biodiversity Officer with regards to reptile and trees with the potential to house bats. This further information has been submitted by the applicant and sent to the Biodiversity Officer for comment. Further views on this information are awaited. However, the Biodiversity Officer has already requested a number of conditions of consent with regards to bats, trees, badgers, reptiles, birds, biodiversity enhancement monitoring and management, and contractor site briefing. The imposition of the required conditions would protect wildlife and mitigate against any negative impacts of the development, minimising any disturbance and/or risk to protected species as far as practicably possible. I therefore consider that these should form the basis of conditions of consent should permission be granted.

Transport and access issues

48. The previous Outline Planning Application raised a number of issues relating to transport and access because it involved combining the Senacre and Oldborough Schools on the application site. Following the granting of planning permission for temporary accommodation on site, this amalgamation occurred in June 2008. Both the Outline Planning Application, and the Planning Application for temporary accommodation on site to house the additional pupils until such a time as permanent accommodation for the amalgamated school became available, met with objections on highways grounds. As a result of local objection, and an initial holding objection from Kent Highway Services, the applicant agreed to a number of off site highway improvements and measures be carried out to address increased traffic generation and highway safety, and to cater for walking and cycling. Following discussions, the applicant agreed to undertake certain works, which formed conditions of approval on both the Outline Planning Permission and the Planning Permission for temporary accommodation. These works would however need to be subject to technical approvals and safety audits in due course. The highway works included:

- (i) A contribution towards provision of traffic signals at the junction of Boughton Lane/Loose Road on the basis that they would be part funded by another developer (for the YMCA site in Loose),
- (ii) The existing 30 mph speed limit along Boughton Lane to be extended past the egress from the Oldborough site subject to consultation,
- (iii) A footway on the grass verge fronting the site on Boughton Lane to link into the school site,
- (iv) Widening the footway to the south of the Boughton Lane entrance,
- (v) Improvements to pedestrian/cycle facilities along the A274 Sutton Road and Mangravet Avenue, including a pedestrian cycleway between St. Saviours Road and Grove Road; a pedestrian phase to the existing traffic lights at the A274/St.Saviour's Road junction; alterations to the radius of Queen Elizabeth Square and a raised pedestrian crossing on Mangravet Avenue, and
- (vi) Two pedestrian crossing facilities in Wallis Avenue, Parkwood.

49. It should be noted that the applicant is in the process of trying to secure the delivery of the above highway improvements, and is in dialogue with Kent Highway Services in order to gain the relevant approvals/agreements. However, the time frame specified in the previous conditions of consent have slipped in some instances. The Divisional Transportation Manager is not raising an objection to this application on the basis of the delivery of the above improvements and measures. Therefore, should permission be

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granted, it would be conditioned that the above works be completed and operational by September 2009.

50. The Divisional Transportation Manager and Maidstone Borough Council also consider that an updated Travel Plan should be submitted for approval. Thereafter it should be implemented as approved, and be subject to ongoing monitoring and review. In addition, I consider that conditions should be imposed to ensure that the access, parking and turning areas shown on the submitted drawings be completed and fully operational prior to the first occupation of the development. A similar condition would also be imposed to ensure that cycle parking be provided. Subject to the conditions outlined above, I do not consider that the proposed development would have a significantly unacceptable impact upon the local highway network. I see no reason to refuse the application on highway grounds.

Community use and sport provision

51. It is proposed that there would be community use of the school buildings and the associated sports facilities, a principle which is supported by Kent & Medway Structure Plan Policy QL12 and wider Government aspirations for extended school use and community activities. However, at this stage there are few details against which to assess the potential impact. Maidstone Borough Council has suggested that a condition of consent be that the buildings/pitches are not used for community use before 08.00am or after 10.00pm. However, this could be too restrictive for events such as theatrical plays/shows, which may take place in the evening, albeit not on a regular basis. However, the amenity of neighbouring residents must be protected, and the North Loose Residents Association has specifically requested that community use be controlled to ensure minimal disturbance to neighbours.
52. In light of this, and in order to protect the amenities of nearby residential properties, it would be appropriate for details of community use to be submitted for approval pursuant to planning condition. These details would need to include proposed hours of use for indoor and external facilities, the types of uses proposed and the frequency of use, as well as detailing how use of the facilities by the local community would be managed. The submitted details would be sent to consultation with relevant consultees to ensure that the proposed community use would not have a detrimental impact on the amenities of the locality. Once considered acceptable and approved, the community use of the facilities must strictly adhere to the hours of use and details given. Subject to the imposition of such a condition, I consider that community use of the development would not have a significantly detrimental impact upon the amenities of the locality.
53. Sport England has raised no objection to this application and is satisfied that the required number of indoor and outdoor sports pitches/facilities can be provided on site. However, the layout and siting of the MUGA has been amended post receipt of Sport England's comments on the application. Details of the amended MUGA layout and siting have been sent to consultation with Sport England and any further views will be reported verbally to Members at the Planning Application Committee Meeting.

Drainage and protection of water resources

54. The Environment Agency and the Borough Council have both requested that details of drainage be submitted pursuant to condition. The Environment Agency initially objected to this application on the grounds that the submitted Flood Risk Assessment had not adequately dealt with the issue of drainage, and requested a Drainage Assessment be

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submitted in accordance with PPS25. The applicant submitted this information and the Environment Agency subsequently withdrew its objection, stating that they have no objection in principle to the surface water drainage system proposed. However, it is recommended that a detailed scheme for the provision of surface water drainage be submitted. It is considered that this is required to prevent the increased risk of flooding by ensuring a satisfactory means of surface water disposal.

55. In addition to the Environment Agency, Maidstone Borough Council has raised no objection to the proposed development subject to the imposition of conditions, three of which concern drainage. A scheme for the disposal of foul waters is required, in addition to surface waters, and it should be ensured that there would be no discharge of foul or contaminated drainage from the site into ground water or any surface waters. Therefore, should permission be granted, conditions would be imposed covering the matters raised above. This would ensure that the development would not result in an unacceptable level of pollution, in accordance with the principles of Policy NR5 of the Kent & Medway Structure Plan. In addition, the Environment Agency's advice regarding foul and surface water drainage, and contaminated land would be covered by an informative.

#### Archaeology

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

#### Construction

57. Given that there are nearby residential properties, if planning permission is granted it would, in my view, be appropriate in order to protect residential amenity to impose a condition restricting hours of construction and demolition. I would suggest that this should be between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also normal on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.
58. Maidstone Borough Council and the Divisional Transportation Manager have requested that details of a construction management scheme be submitted for approval prior to the commencement of development. The Borough Council considers that this should include details of the methods and hours of working, location of site compounds and operative/visitors parking, and details of site security and safety measures. I consider that this scheme must also include details of any construction access. Should permission be granted these details would be required under condition.
59. In addition, Loose Resident's Association request that local roads are inspected prior to the commencement of the development, and any damage be made good at the cost of the applicant. I consider that, subject to the imposition of a condition requiring the

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submission of a condition survey prior to the commencement of the development, and the making good of any damage upon the completion of the development, that the development would not have a significantly detrimental effect on the condition of local roads.

60. In addition to the above, should permission be granted conditions of consent would ensure that dust, noise, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

**Conclusion**

61. In principle, I see no overriding objection to the proposed development. In particular, the application proposes new Academy buildings on a well-established education site. The proposal would provide a welcome increase in the provision of new and modern education & community facilities. Subject to any further views received before the Planning Applications Committee Meeting, particularly with regards to the revised MUGA location and revisions to the parking layout, I am satisfied that subject to the imposition of conditions, this proposal would not have a significantly detrimental effect on the amenity of local residents, the character of the local landscape or the local highway network. In my view it would not give rise to significant material harm and is in accordance with the general thrust of relevant Development Plan Policies. There are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that various conditions be placed on any planning permission, including those outlined below.

**Recommendation**

62. SUBJECT TO any further views received before the Committee Meeting, I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- the standard time limit;
  - the development to be carried out in accordance with the permitted details;
  - the submission of details of all materials to be used externally;
  - the submission of details of door and window reveals;
  - details of all external lighting;
  - a scheme of landscaping, including hard surfacing, its implementation and maintenance;
  - measures to protect trees to be retained;
  - an Arboricultural Method Statement;
  - the need for a bat survey to be undertaken prior to demolition of the existing school buildings;
  - habitat/biodiversity enhancement strategy, including monitoring and management;
  - protection of badgers from construction activities;
  - no tree removal during the bird breeding season;
  - development to accord with the recommendations of the ecological survey;
  - contractor site briefing;
  - details of fencing, gates and means of enclosure, including colour finishes;
  - archaeological works;
  - Secured by Design principles to be adopted;
  - a BREEAM rating of 'Very Good' to be achieved;
  - the playing field provided and marked out as shown on the proposed site plan;

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- a community use agreement relating to use of the indoor and outdoor facilities, including hours of use;
- implementation of offsite highway improvements and measures before September 2009, including the provision of traffic signals at Boughton Lane, Loose Road junction;
- preparation, submission for approval, implementation and ongoing review of a revised School Travel Plan;
- details of foul and surface water drainage;
- control of discharge of foul/contaminated drainage;
- no flood lighting shall be erected on the multi-use games area, or elsewhere on the site, without the written permission of the County Planning Authority;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- construction management plan, including access, parking and circulation within the site for contractor's and other vehicles related to construction and demolition operations;
- road condition survey;
- measures to prevent mud and debris being taken onto the public highway.

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

- It is recommended that Sport England be consulted by the applicant to ensure that the proposed sporting facilities are designed to satisfactory technical standards. Attention is also drawn to the relevant Sport England Guidance Notes providing technical advice on the appropriate standards for the sports facilities.
- Account should be taken of the comments made by the Environment Agency relating to drainage, contamination, and storage of fuel, oil & chemicals.
- Account should be taken to the comments made by Maidstone Borough Council relating to construction activities.
- The applicant should ensure that further consents regarding works to TPO trees and/or protected species are not required from other Authorities.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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**Item D4****Modular building for use as a community Children's Centre,  
on Land to the corner of Rushenden Road and First Avenue,  
Queenborough – SW/07/1184**

A report by Head of Planning Applications Group to Planning Applications Committee on 4 November 2008.

Application by Kent County Council Children, Families & Education for a single storey modular building for use as a community Children's Centre, including a canopied entrance, external storage units, fencing, landscaping, hard surfacing and car parking on Land to the corner of Rushenden Road and First Avenue, Queenborough (SW/07/1184).

Recommendation: Planning permission be Refused.

Local Member(s): Angela Harrison

Classification: Unrestricted

**Site**

1. The site for development is on the corner of Rushenden Road and First Avenue in Queenborough. It is currently a grassed amenity area with planted borders. There is an existing crossover from First Avenue which provides vehicular access to the rear of properties in First and Second Avenue. The site had previously contained a number of garages, which had been in a poor state of repair, and the area had been used for the dumping of rubbish. The works to transform the site into the green area that it currently is was a combined effort between Swale Borough Council and the local community, a large sign was installed on the site to welcome visitors to Rushenden (which would be retained as part of this proposal) and bollards were erected to prevent further rubbish dumping on the site. Overhead power lines run along the perimeter of the site. *A site location plan is attached.*
2. The site is within a mixed industrial and residential area. The north-east and south-east elevations of the proposed development front on to light industrial units with the other two elevations fronting onto residential properties. The site is not within any conservation or heritage designations and it does not affect any Listed Buildings. The site is located on the boundary of Flood Zone 3 of the Environment Agency's flood risk map. Flood Zone 3 represents areas of potential significant flooding where the statistical likelihood of flooding is equal to or more than 0.5% in any one year.

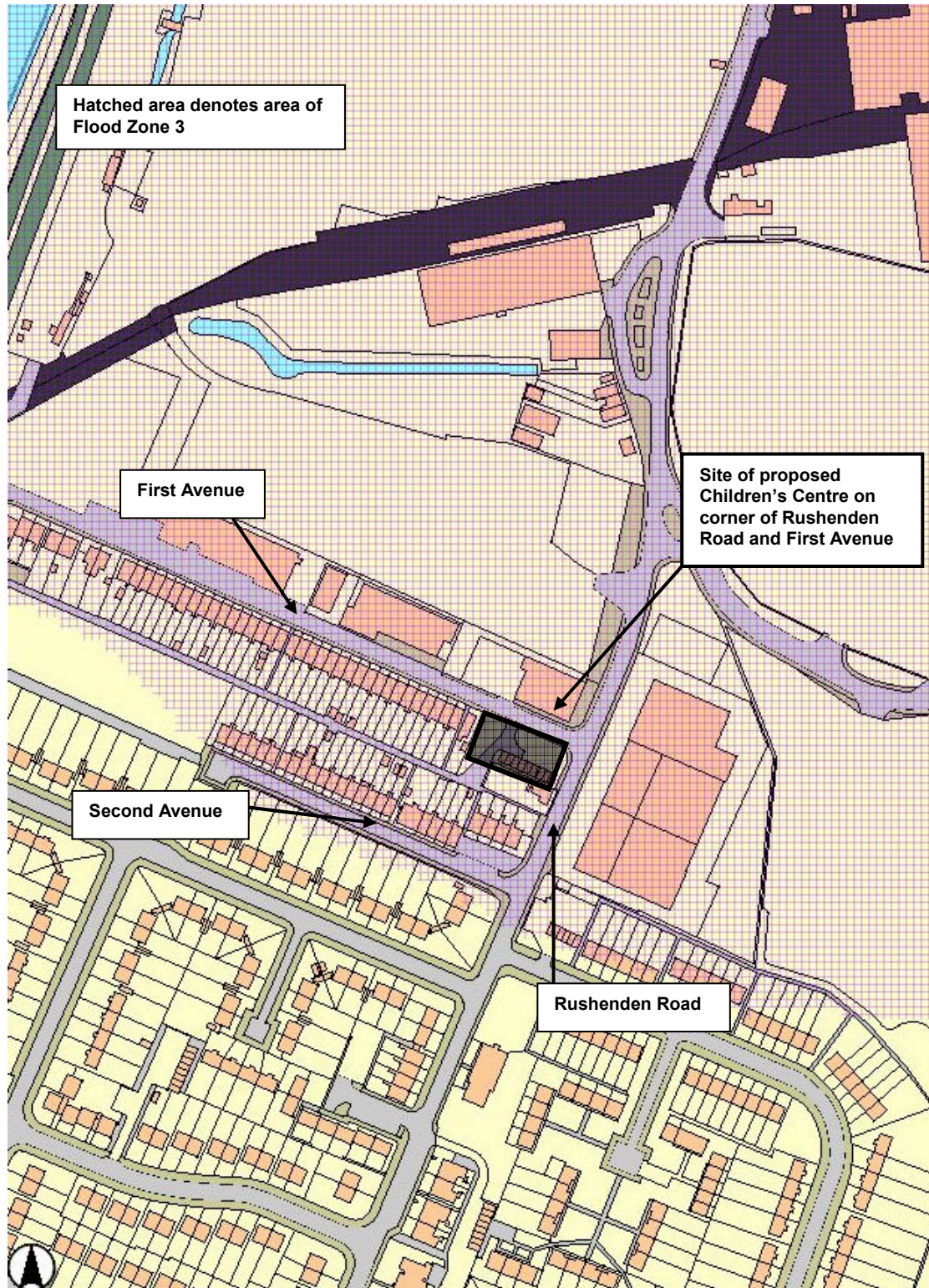
**Background and Proposal**

3. This application proposes the creation of a half core Children's Centre on part of grassed land adjacent to First Avenue. The half core Children's Centre is to provide a community facility with a canopied entrance, crèche, meeting room, staff accommodation & facilities, together with external works including the provision of buggy and toy stores, an outdoor play area and the provision of 5 car parking spaces and 1 disabled space.

## Item D4

**Modular building for use as a community Children's Centre, on Land to the corner of Rushenden Road and First Avenue, Queenborough – SW/07/1184**

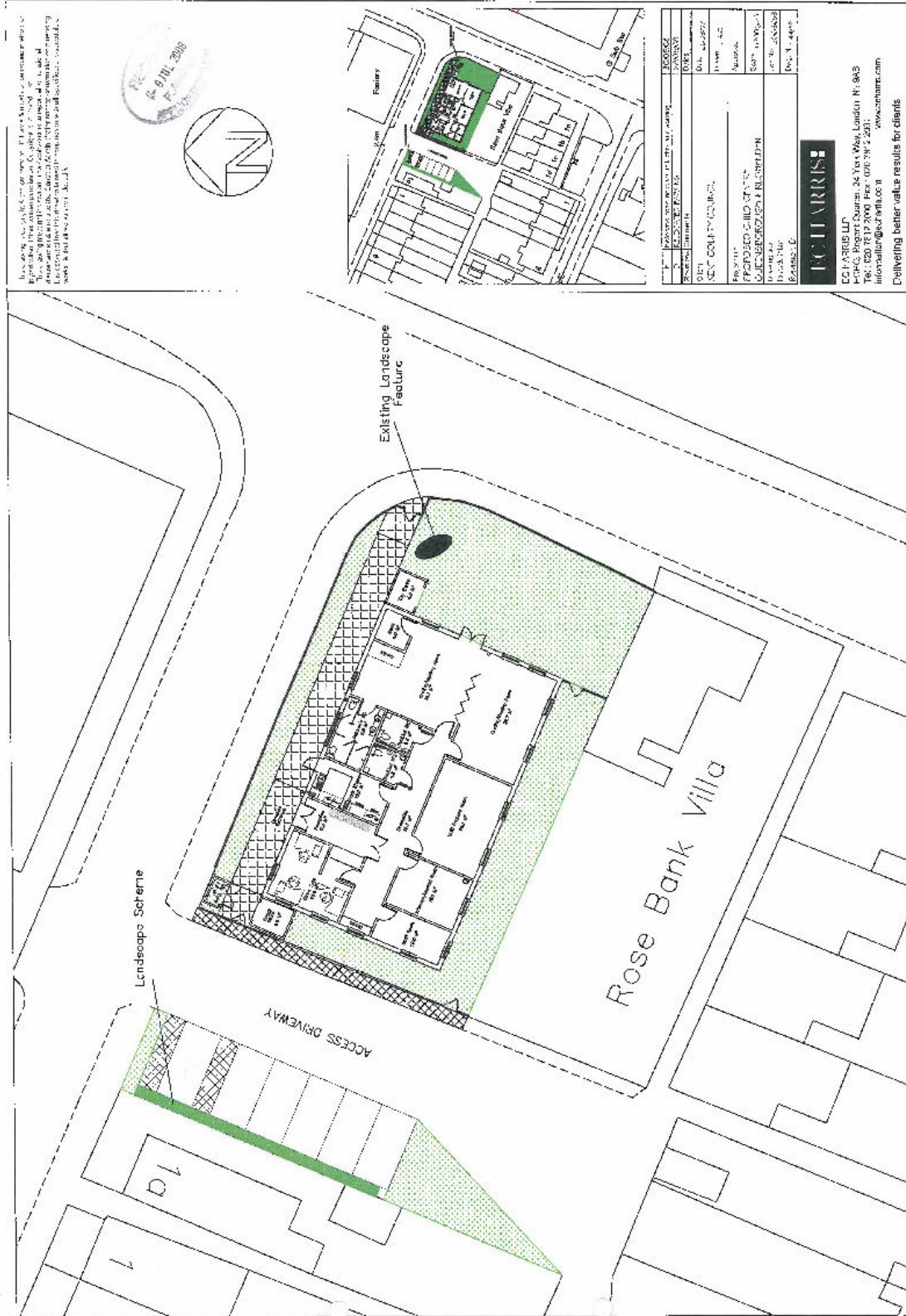
### Site Location Plan



Scale 1:2500

**Modular building for use as a community Children’s Centre, on Land to the corner of Rushenden Road and First Avenue, Queenborough – SW/07/1184**

**Site Location Plan**







**Modular building for use as a community Children's Centre, on Land to the corner of Rushenden Road and First Avenue, Queenborough – SW/07/1184**

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4. The application has been made on behalf of the County Council's Children, Families and Education Directorate. The scheme is one of a number of similar applications being proposed across the County as part of Central Government's National Sure Start Programme, funded by the Department for Education and Skills (DfES). The main aim of the Sure Start Programme is to increase the availability of childcare for all children, improve health and emotional development for young children and support parents in their aspirations towards employment. The aim of the Children's Centre is to offer a range of health, adult education and family support services for the local community.
5. The application proposes that the Centre would be open from 08:00 to 18:00 hours, Monday to Friday, 48 weeks of the year. The Centre would employ 3 members of staff on a regular basis with the number rising for special events. The application states that the Centre is expected to generate up to 30 visitors in a normal day, spread out over the 10 hours of operation. It has been stated that only when a particular event, such as a seminar is being provided, would there be a number of people arriving at any one time.
6. The proposed Children's Centre is of a modular building type and would be constructed in major sections off-site and shipped to site and fixed on pre-constructed foundations. The unit has been amended by the applicants to benefit from an 'enhanced' design which proposes vertical cedar cladding wrapped around the corners of the unit with a willow (green) coloured plasticol panelling finish to the rest of the building. The roof is proposed to be a metal flat deck. A plan showing the proposed elevations of the modular Children's Centre can be found on page (D4.5).
7. The application sets out that staff employed at the Centre would be employed from within the surrounding area and would be encouraged to walk to / from work. In addition the application states that where staff would be expected to drive in they would be offered a parking space adjacent to the centre. It is noted that the application states that the Centre has been located to minimise travel distances by being located within the community it is intended to serve, and visitors therefore would be encouraged to walk.
8. The application proposes that the Children's Centre site be surrounded in green powder coated 1.8m high weld mesh fencing. In addition, it should be noted that as part of the current proposals the application seeks the removal of 4 tree saplings, which would, where possible, be retained elsewhere on the site. The existing shrubs to the boundary of the site would also be retained.
9. When the application was originally submitted there were no details relating to flood prevention or protection measures. Following initial consultation with the Environment Agency who raised objection to the proposal, the following statement was made by the applicant:

*Due to the location of the centre in an area classified as Flood Zone 3a (High Risk), a Management Plan will be implemented in order to mitigate against this risk. In the event of a flood warning, an automatic alert would be sent from the Environment Agency to the Children's Centre (usually by telephone). A Flood Warning Response Plan will be put in place to ensure that the staff and visitors to the centre will know how to respond to a flood warning; usually by evacuation from the building. This is a procedure, which is already successfully in operation elsewhere where buildings are located in areas categorised at high risk of flooding.*

**Modular building for use as a community Children's Centre, on Land to the corner of Rushenden Road and First Avenue, Queenborough – SW/07/1184**

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Consequently there have been two Flood Risk Assessments (FRA) submitted in support of the application, this report is based on the information contained in the latest FRA.

**Planning Policy**

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

(i) The emerging **South East Plan**:

**Policy NRM3: Sustainable Flood Risk Management:**

The sequential approach to development in flood risk areas set out in PPS25 will be followed. Inappropriate development should not be allocated or permitted in zones 2 and 3 of the floodplain or areas with a history of groundwater flooding, or where it would increase flood risk elsewhere, unless there is over-riding need and absence of suitable alternatives.

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

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

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

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

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

**Policy QL12** – Provision for New Community Services and Infrastructure – New community services will be located where they are accessible by walking and cycling and by public transport from the area they serve. Whenever practical they will be located in town, district or local centres.

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**Policy NR10** – Development will be planned to avoid the risk of flooding and will not be permitted:

- if it would be subject to an unacceptable risk of flooding or where it would increase the risk of flooding elsewhere;
- where it would prejudice the capacity and integrity of flood plains or planned flood protection or coastal defence measures;
- where it will hinder the implementation of future flood protections or coastal defence measures;
- if it would adversely affect the ability of the land to drain.

Where development is necessary in areas at risk of flooding it should be designed and controlled to mitigate the impact of flood risk.

**Policy TP3** – Local planning authorities should ensure that development sites are well served by public transport, walking and cycling, or will be made so by as a result of the development.

(iii) The adopted 2008 **Swale Borough Council Local Plan**

**Policy SP1** - In meeting the development needs of the Borough, proposals should accord with principles of sustainable development that increase local self-sufficiency, satisfy human needs, and provide a robust, adaptable and enhanced environment.

**Policy E1** - The Borough Council expects all development proposals to:

- accord with the policies and proposals of the Plan unless material considerations indicate otherwise;
- include information sufficient to enable the Council to determine the application;
- respond positively by reflecting the positive characteristics and features of the site and locality;
- accord with adopted Supplementary Planning Documents;
- protect and enhance the natural and built environments;
- be both well sited and of a scale, design and appearance, that is appropriate to the location with a high standard of landscaping;
- meet the highest standards of accessibility and inclusion so that all potential users, regardless of disability, age or gender can use them safely and easily;
- cause no demonstrable harm to residential amenity and other sensitive uses or areas;
- provide safe vehicular access, convenient routes and facilities for pedestrians and cyclists and, where appropriate, enhanced public transport facilities and services;
- integrate security and safety measures within their design and layout; and provide parking and servicing facilities in accordance.

**Policy E4** - The Borough Council will not grant planning permission where acceptable sites, consistent with wider sustainability objectives and at lesser risk of flooding, are available to accommodate the development. Where there is considered to be a risk of flooding, the Borough Council will not grant planning permission where the degree of risk of flooding, either to, or arising

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from, the development, would give rise to adverse impacts upon, or increased risk to, human life, ecosystems, habitats and development, including those resulting from:

1. The impedance of, or increase in, flood flows;
2. The loss of storage volume in the floodplain;
3. The loss of integrity of the flood defences; and
4. Increased surface water run-off from the creation of large impermeable areas.

Where there is considered to be a risk of flooding, development proposals will be accompanied by a flood risk assessment and should:

- a) Incorporate, where necessary, sustainable drainage systems within development proposals and
- b) Include, when necessary, new flood defence and alleviation measures installed and maintained by the developer(s).

**Policy E19** - The Borough Council expects development to be of high quality design. Development proposals should respond positively to the following:

- creating safe, accessible, comfortable, varied and attractive places;
- enriching the qualities of the existing environment by promoting and reinforcing local distinctiveness and strengthening the sense of place;
- making safe connections physically and visually both to and within developments, particularly through use of landscape design, open space to retain and create green corridors for pedestrians, cyclists, and plants and animals;
- making efficient and prudent use of natural resources, including sensitively utilising landscape, landform, biodiversity and climate to maximise energy conservation and amenity;
- providing native (regional or local) plant species for soft landscaping and hard landscaping, surface and boundary treatments that respond positively to the character of the locality.
- providing features and management intended to encourage biodiversity;
- providing a mix of uses through building form, use, tenure and densities;
- providing development that is appropriate to its context in respect of scale, height and massing, both in relation to its surroundings, and its individual details;
- making best use of texture, colour, pattern and durability of materials;
- ensuring the long-term maintenance and management of buildings, spaces, features and social infrastructure;
- achieving flexibility to respond to future changes in use, lifestyle and demography; and
- maximising opportunities for including sustainable design and construction techniques including the use of recyclable materials and sustainable drainage systems, and minimising waste.

**Consultations**

11. **Swale Borough Council:** Raises no objections.

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**Queenborough Town Council:** Whilst the provision of a children's facility in the Rushenden area of the town is to be generally welcomed, there are several points of concern:

- Disappointment at the chosen site – this is a grassed and planted area, which was set aside and developed as a green space with considerable community involvement.
- It is felt that there are more suitable sites available, not least, the adjacent corner plot on Rushenden / Manor Road. Consultation with SEEDA might pave the way to a less sensitive site being made available.
- Serious concerns were raised over the lack of parking space. To mitigate this more onsite parking could be provided if the centre was two storey.
- Access to the rear of properties on First and Second Avenue must be in no way diminished.

**Divisional Transportation Manager:** has no highway objection to this proposal providing there are safeguards imposed on any planning consent to provide car parking, cycle parking and the provision of pedestrian visibility splays.

**Environment Agency:** Raises Objection. The EA advises that it is not opposed to the principle of the development at this site, however, the proposal would need to be subject to the Sequential Test in accordance with Planning Policy Statement 25 (PPS 25), the Government's guidance on Development and Flood Risk. Table D.2 (PPS25): Flood Risk Vulnerability Classification classifies the development as 'more vulnerable' and so it would therefore be subject to the Exceptions Test in accordance with Table D.3 (PPS25): Flood Risk Vulnerability and Flood Zone Compatibility. Furthermore, the application should also be accompanied by a Flood Risk Assessment (FRA), as there has been no FRA submitted with this application, the Agency is obliged to object.

Finished floor levels for such developments should be placed at a minimum of 5.4m ODN to take into account the impacts of climate change and sea level rise which is required by PPS25. The FRA should include at minimum a topographical survey in order to establish what floor levels are achievable. The Agency recognises the physical constraints there may be in achieving these floor levels due to the low lying nature of the land, however we are unable to make further comment without knowing the ground levels of the site, which should be demonstrated by a topographical survey contained within the FRA. A Breach Analysis may indicate that a lower flood level is more applicable to the site from which Finished Floor Levels can be based upon. In any case, of primary consideration would be the occupants of the building. Provision should be made for a safe, dry escape route where feasible. Where this is not possible, there should be a safe refuge room appropriate for the numbers of staff and allowing a means of rescue, any safe refuge room should be placed above 5.4m ODN.

The FRA should also include details of flood proofing measures as well as details of any evacuation plans to ensure the safety of workers on site. Floodproofing measures that can be taken to reduce the damage to buildings / property are becoming more common in areas that are subject to flooding. These measures include bringing all electrical services down from the ceilings, raising slab levels, covers for doors / airbricks, solid stone / concrete floors with no voids underneath and no studwork partitions on ground floors.

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Following the initial response above a Flood Risk Assessment was submitted on this the EA responded as follows:

The Environment Agency **objects** to this application because the flood risk Sequential Test submitted with the application fails to demonstrate that the Sequential Test has been adequately applied. The proposed development also falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. Furthermore, it has failed to meet the requirements of part (c) of the flood risk Exception Test. We recommend that the application should be refused planning permission on this basis.

**EDF Energy Networks:** has no objections to the proposal, providing their rights regarding access and maintenance to any of their cables within the site is maintained at all times.

#### **Local Member**

12. The local County Member, Angela Harrison was notified of the application on the 9 October 2007.

#### **Publicity**

13. The application was publicised by posting a site notice and the individual notification of 28 neighbouring residential properties.

#### **Representations**

14. I have received 4 letters of representation in respect of this application and the main planning points raised are summarised below:
  - Disappointment was expressed over the location chosen for the centre;
  - The pedestrian access to the centre should not be adjacent to the vehicular entrance; can it not be moved to the front of the site?;
  - Concern was raised that if any alterations were made to the existing access road that it could mean access for residents to the rear of First and Second Avenue being diminished;
  - Important to ensure that access for residents was maintained throughout construction;
  - The comment in the supporting information that the area of land is derelict is untrue. The project to remove the derelict and dangerous garages cost nearly £10,000 and local children undertook all of the planting.

#### **Discussion**

##### Introduction

15. The application seeks planning permission for a community Children's Centre on an area of green amenity space in Queenborough. The application is being reported to the Planning Applications Committee as a result of the objections received from the Environment Agency, Queenborough Town Council and local residents. In considering

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this proposal, regard must be had to the Development Plan Policies outlined in paragraph (10) 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 including PPS25 Development and Flood Risk and other material planning considerations arising from consultation and publicity.

16. The proposed Centre is one of 52 similar facilities being applied for by KCC's Children, Families and Education Directorate across the County. The aim of the Children's Centre is to offer a range of health, adult education and family support services to provide for the needs of that particular local community.
17. The application proposes some associated external works in connection with the Centre to include the provision of an external buggy, bin and toy store, a canopied entrance, fencing, outdoor play space and provision of 6 car parking spaces including one disabled space. In order to site the Centre on its proposed location the application proposes the removal of 4 sapling trees which would be replanted elsewhere on the site.
18. The main issues for Members to consider in the determination of this application are the location and siting of the proposed Children's Centre, design, parking / access and the flood risk issues.

#### Location

19. The site of the proposed development is to the south of the main built up area of Queenborough in the semi-industrial / residential area of Rushenden. The site plan on page D4.2 shows that the site is surrounded on two sides by industrial buildings and on the two sides to the south by residential properties. The area to the south is largely the residential area known as Rushenden, there are also some light industrial units and a number of business / industrial estates to the east and south-east.
20. The site is in a prominent location and would be clearly visible when entering the area from the north, representations from local residents have raised the point that there are more suitable locations within the general locality for such a facility. In response to this the applicant has responded as follows:

*"The criteria set by the Sure Start Unit means that the area must be served by a Children's Centre offering the full range of services to 0-5s and their parents. The Area Education Officer was unable to identify any school facility in the area with surplus accommodation that might be used for a Children's Centre. An attempt was then made to use part of the old Jewson's warehouse on Rushenden Road. Due to that site being in an old light industrial area and coupled with a large number of logistical difficulties the site was subsequently dropped. After many discussions with SEEDA it became clear that they were not in a position to offer any site for a 25-year period as required for the Children's Centre, at such an early stage in their overall planning and regeneration strategy for the area. Following consultation with Swale Borough Council and the Sure Start Local Programme in Sheerness, the currently, proposed site was identified as potentially suitable and capable of serving the local community."*

**Modular building for use as a community Children's Centre, on Land to the corner of Rushenden Road and First Avenue, Queenborough – SW/07/1184**

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21. Although the applicant has not definitively ruled out any alternative or available sites in the area, a variety of alternative sites have been considered in the site selection phase. The site is well located to serve the community and meets the applicant's selection criteria. I consider that despite the unfortunate loss of the green amenity space, the longer-term community benefit of the proposal outweighs the negative impact associated with the proposal. Additionally, the major concern from neighbouring residents in relation to the siting and location was that the access to the rear of their properties remained free of obstruction. This point will be addressed later in the Discussion. Therefore in terms of location and siting, whilst I acknowledge the loss of an area of valuable green space in an area of a semi light-industrial nature, I consider that this development is beneficial in meeting the wider needs of the community and is in accordance with Structure Plan Policies SP1, QL11 and Swale Borough Local Plan Policy SP1 relating to sustainable development and provision for the development and improvement of local services in existing residential areas.

Design

22. Members will note that the proposed Centre benefits from an 'enhanced' design of modular building comprising vertical close-boarded oiled cedar panels, extending approximately 450mm above the main roofline and a willow coloured plasticol-panelling finish for the external walls. The roof would be profiled insulated composite steel roof decking, the applicant believes that the combination of materials would give a more 'contemporary and stylish' solution whilst balancing the financial restraints imposed on them. It is noted that this specific design approach has been adopted on a number of such Centres across the County located in sensitive or prominent locations. I am of the opinion that although the building remains fundamentally modular in its construction, the 'enhanced' design improves the external appearance of the proposed building, and accordingly I would not wish to raise objection on design grounds. I recommend that the exact details of any external materials could be secured by planning condition.
23. In addition to the proposed Children's Centre, the application proposes the inclusion of a 1.8m green powder-coated weld-mesh fencing, in design terms I would not seek to raise objection to this element. I am of the opinion that the design and external materials of this proposal are in accordance with Structure Plan Policy QL1 and Swale Borough Local Plan Policy E19 relating to quality of design and the provision of the proposed building would facilitate well the range of health, adult education and family support services that it aims to do in accordance with Structure Plan Policies QL11 & QL12.

Car Parking and Access Issues

24. Members will note that representations were received from two nearby residents of the site who benefit from vehicular access to the rear of their properties which is accessed through the site of the proposed Children's Centre. The representations largely focussed on the need for access to the rear of their properties remaining unrestricted before during and after construction of the proposed Centre. The existing access way would be slightly repositioned to the east of its current position but the applicant has stated that access would not be impeded in any way to the rear of properties in First and Second Avenue. The proposed car parking (see plan on page D4.3) would extend across a section of existing grass space but would not alter the width of the access road at the rear of 1A First Avenue thus not making access any different to the current

**Modular building for use as a community Children's Centre, on Land to the corner of Rushenden Road and First Avenue, Queenborough – SW/07/1184**

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arrangements. There would be a strip of landscaping retained between the proposed car parking and the boundary with 1A First Avenue.

25. From a policy point of view, it is considered that the proposal meets the requirements of Policies TP3 and QL12 which require that community facilities be grouped together to reduce the need for travel, be easily accessible by walking and public transport. Bearing in mind the views expressed by the Divisional Transportation Manager in paragraph 11 above, I would not raise objection on highway grounds.

#### Flood Risk Issues

26. Members will note the initial objections received from the Environment Agency detailed in paragraph 11 which outlined that whilst they are not opposed to the development in principle, it needs to demonstrate compliance with PPS 25 - Development and Flood Risk. That includes the need to be subject to the Sequential Test outlined in PPS25. PPS25 states that the Sequential Test must be undertaken in areas at risk of river or sea flooding and that preference should be given to locating new development in Flood Zone 1. If there is no reasonably available site in Flood Zone 1, the flood vulnerability of the proposed development can be taken into account in locating development in Flood Zone 2 and then Flood Zone 3.
27. The proposed development has been classified as 'more vulnerable' (non-residential uses for nurseries and educational establishments) in table D.2 of PPS25 Annex D. This means that the proposed development is also subject to the Exceptions Test, PPS25 states that for the development to meet the Exception Test three key criteria should be met, summarised as follows: a) the development provides wider sustainability benefits to the community that outweigh flood risk; b) the development should be on previously-developed land; c) a Flood Risk Assessment (FRA) must demonstrate that the development will be safe, without increasing flood risk elsewhere and where possible, reduce flood risk overall. The Exception Test should only be applied after the Sequential Test has been undertaken and in the circumstances when 'more vulnerable' development cannot be located in sites within Flood Zones 1 or 2.
28. The original comments received from the EA clearly outlined for the applicant's benefit what details were required in order to potentially make the development acceptable in terms of flooding. However the applicant has not fully taken into account this advice and has not undertaken the Sequential Test or the Exceptions Test as requested by the EA. A basic Flood Risk Assessment was produced, but it did not address the issues raised by the EA causing their original objection to remain.
29. The EA consider the submitted FRA to fail primarily on two points. First, it fails to have passed the Sequential Test. The submitted FRA has used an example of residential development granted under application number SW/03/1011 as justification that the development site is consistent in location type and scale with an allocated site from a development plan which has already been sequentially tested. However the example quoted in the FRA was for 8 residential properties in First Avenue that pre-dates the December 2006 publication of PPS25. They have therefore not been sequentially tested in accordance with PPS25, and there is no evidence within the FRA that other, lower risk sites have been considered, although as stated in paragraph 20 consideration of other nearby sites has been undertaken but discounted.

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30. As stated in paragraph 27, paragraph D9 of PPS25 makes it clear that all three elements of the Exceptions Test must be passed for the development to be permitted. As mentioned earlier in the discussion there is a clear wider community benefit for the proposal to be permitted as the site was previously developed land. However it is deemed that the submitted FRA fails part C of the Exceptions Test on account that it does not:
- Demonstrate that the development is 'safe' because' the likely depth and impact of potential flooding has not been adequately assessed; nor
  - Address the opportunities presented by this development for reducing flood risk. For example, there are no flood mitigation or resilience measures proposed such as raised floor levels, safe refuge on an upstairs floor or flood resistant construction techniques.
31. The applicant suggests some flood risk mitigation methods in the submitted FRA but the measures are not considered sufficient or robust enough to satisfy the EA. These measures include the introduction of Sustainable Urban Drainage techniques (SUDS) on the development's surface water drainage system to control off-site flows, in order to limit the impact on local drainage systems; such methods could include green roofs and rainwater harvesting. These are considered to have limited scope for reducing site runoff during extreme events due to the small surface area of the proposed building. A Flood Action and Evacuation Plan was mentioned in the FRA that would be in accordance with The EA's Flood Warning Codes of:
- Flood Watch
  - Flood Warning
  - Severe Flood Warning
  - All Clear
32. The key trigger for activating a Flood Action Plan is the receipt of flood warnings from the EA, although these cannot be guaranteed during extreme weather conditions. These flood warnings alert the site occupier to the imminent risk of flooding and allow actions to be undertaken. A Flood Action Plan would include a set of actions to be carried out when a Flood Warning is received and a Flood Evacuation Plan, which would be implemented as a matter of urgency when a Severe Flood Warning is issued. However, to date no formalised plans have been submitted.
33. Although the residential properties permitted under permission reference SW/03/1011 were permitted without the benefit of sequential testing it is worthy of note that whilst they are two storey, in my view it is considered unlikely that the risk to users of the proposed children centre would be any greater than residents of these 8 properties. However this cannot be confirmed due to the Sequential and Exceptions Test not being carried out. Members will note that the rationalised layout of the proposed Children's Centre (see plan on page D4.3), with all rooms located off a single main corridor, would not result in a particularly complex evacuation of the Centre, should the need arise in an emergency situation.
34. The FRA also mentions potential flood protection measures to aid the protection of people and places during a flood event, that could be employed at the proposed development including measures such as raising electrical sockets above flood level and raising floor levels to above flood levels. However, none of the suggested

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measures have been formalised as part of the proposal, and as such there are no formal flood protection measures proposed for the development.

35. Although in planning terms the proposed development is considered *minor*, for the purposes of PPS25 it is classified as *major* development and coupled with its status as a 'more vulnerable' use, should the application be approved against the advice of the EA, it must be referred to the Secretary of State for her to check the general compliance with PPS25 and to consider whether it would be appropriate to call it in for determination.
36. As detailed above, no Flood Action Plan, Flood Evacuation Plan or formal flood prevention methods have been submitted. However, should Members be minded to grant permission, the robustness of the mitigation measures mentioned in the FRA should be weighed against the potential increase to flood risk and whether the wider sustainability benefits to the community outweigh this flood risk.
37. PPS25 is explicit in its requirement for Local Planning Authorities to take into account all material considerations when determining planning applications including that of flood risk. Consequently there has been nominal information provided by the applicant to try and mitigate the flood risk concerns of the Environment Agency, namely by failing to provide a satisfactory FRA and carry out the Sequential Test and Exceptions Test. Therefore in view of the site's location within Flood Zone 3, I have to conclude that the application is contrary to the emerging South East Plan Policy NRM3, Structure Plan Policy NR10 and Swale Borough Local Plan Policy E4 in relation to development in areas of high flood risk. The information currently provided is insufficient to form a considered opinion on the potential flood risk and flood prevention measures and to satisfy the requirements of development plan policy and Government guidance. I therefore, recommend that the application be refused on these grounds.

**Conclusion**

38. In light of the above consideration, in my view, the proposed Children's Centre would be acceptable in terms of its location/siting, design, parking/access and I do not consider that it would result in an adverse impact on residential amenity. I do not under the circumstances consider the application to be contrary to Structure Plan Policies SP1, QL1, QL11, and Swale Borough Council Local Plan Policies SP1 and E19 relating to quality of design.
39. However, the application site is within Flood Zone 3 and accordingly stringent flood risk mitigation measures must be complied with. To date the applicant has provided insufficient information and an objection is maintained by the EA. Whilst it is acknowledged that the EA is not opposed to the application in principle, there is insufficient information available to reach a decision on the issue of flood risk, and thus, on balance I would echo the objections voiced by the EA and accordingly recommend that the application be refused on flood risk grounds.

## Item D4

### **Modular building for use as a community Children's Centre, on Land to the corner of Rushenden Road and First Avenue, Queenborough – SW/07/1184**

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#### **Recommendation**

40. I RECOMMEND that PLANNING PERMISSION BE REFUSED ON THE FOLLOWING GROUNDS

- i. The development is contrary to the emerging South East Plan Policy NRM3, Structure Plan Policy NR10 and Swale Borough Local Plan Policy E4 in relation to development in areas of flood risk.
- ii. The applicant has failed to satisfactorily demonstrate compliance with PPS25. In particular the Flood Risk Assessment produced does not satisfy the requirements of Sequential Test and Exceptions Test, in accordance with that set out in PPS25 for development sites with Flood Zone 3.

Case officer – Adam Tomaszewski	01622 696923
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Background documents - See section heading
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**E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS - MEMBERS' INFORMATION**

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

**Background Documents** - The deposited documents.

AS/08/1224	Construction of a temporary contractors compound required to facilitate sewer upgrade works in the Ashford area as set out in screening opinion reference DC29/07/AS/0002. Land to the east of Waterbrook Avenue, Ashford
AS/08/1365	Construction of four lightning conductor masts to protect the Gas Holder from lightning strikes. Ashford Sludge Treatment Centre, Canterbury Road, Ashford
TM/98/1886/R30 & 37	Submission of revised scheme of working and restoration pursuant to Conditions 30 and 37 of planning permission TM/98/1886. Wrotham Quarry (Addington Sandpit), Ford Lane, Trottscliffe, Addington
TM/00/552/R10, 32 & 38	Submission of revised scheme of working and restoration pursuant to Conditions 10, 32 and 38 of planning permission TM/00/552. Wrotham Quarry (Addington Sandpit), Ford Lane, Trottscliffe, Addington
TM/03/2782/R3	Details of pre-settlement levels pursuant to condition (3) of planning permission TM/03/2782. Hermitage Quarry, Hermitage Lane, Aylesford
TM/03/2784/R12	Details of pre-settlement levels pursuant to condition (12) of planning permission TM/03/2784. Hermitage Quarry, Hermitage Lane, Aylesford
TM/03/2787/R3	Details of pre-settlement levels pursuant to condition (3) of planning permission TM/03/2787. Hermitage Quarry, Hermitage Lane, Aylesford
TM/07/4294/R14	Details of pre-settlement levels pursuant to condition (14) of planning permission TM/07/4294. Hermitage Quarry, Hermitage Lane, Aylesford
TM/08/2893	Application for a temporary variation of condition 12 of planning permission TM/06/762 to allow up to 15,000 tonnes of waste to be imported from Essex for composting over the 18 month period from October 2008 to March 2010. Blaise Farm Quarry Composting Facility, Kings Hill, West Malling

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

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Since the last meeting of the Committee, I have considered the following applications and - decided not to submit any strategic planning objections:-

**Background Documents** - The deposited documents.

None

## **E3 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS MEMBERS' INFORMATION**

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

**Background Documents** – The deposited documents.

AS/08/408	Removal of 9 existing hitted classrooms and associated structures, and replacement with a single storey 9 classroom extension. Temporary location of 9 classrooms in mobile units elsewhere on site for duration of works. New pedestrian and emergency appliance access onto Upper Vicarage Road. Kennington C of E Junior School, Upper Vicarage Road, Kennington, Ashford
AS/08/740	New boundary fence adjacent to Silverhill footpath. Homewood School & Sixth Form Centre, Ashford Road, Tenterden
CA/06/1395/RA	Minor amendments to the layout of car parking and bin store location. Garage block off Brymore Road, Canterbury
CA/07/469/R6	Details of fencing pursuant to condition (6) of planning permission CA/07/469. Barton Court Grammar School, Longport, Canterbury
CA/08/922	Addition of a 4 bay modular building to provide accommodation for a single storey baby unit. St. Stephen's Junior School, Hales Drive, Canterbury
DA/05/462/R3	Details of a scheme for the disposal of foul and surface waters pursuant to condition 3 of planning permission DA/05/462. Dartford Campus, Heath Lane, Dartford

- DA/08/209/R3 & R10 Details pursuant to condition 3 (Surface Water Drainage) and condition 10 (Archaeological Work) of planning permission DA/08/209.  
Oakfield Junior & Infant School, Oakfield Lane, Dartford
- DA/08/228/R3, R10 & R11 Details of all materials to be used externally, details of a surface water drainage scheme and details of flood damage prevention measures.  
Rowhill School, Woodview Campus, Longfield
- DA/08/1256 Fenestration replacement programme, installing UPVC double glazed windows and door units in place of existing.  
St Anselm's Catholic Primary School, Littlebrook Manorway, Dartford
- DA/08/1308 Removal of existing canopy and installation of enclosed walkway linking early years classrooms.  
Sutton at Hone C of E Primary School, Church Road, Sutton at Hone, Dartford
- DA/08/1338 Renewal of planning permission for one mobile building.  
Wilmington Grammar School for Boys, Common Lane, Dartford
- DA/08/1351 Installation of a boiler plant enclosure and electric intake chamber.  
Our Lady's RC Primary School, King Edward Avenue, Dartford
- DO/07/1077/R3 Details of external materials pursuant to condition (3) of planning permission DO/07/1077 for single storey extension.  
Capel-Le-Ferne County Primary School, Capel Street, Capel-Le-Ferne, Folkestone
- GR/08/121/R4 Details of external materials pursuant to condition (4) of planning permission reference GR/08/121.  
St. John's Catholic Comprehensive School, Rochester Road, Gravesend
- GR/08/121/R5, R6, R7, R8, R9 Details pursuant to conditions (5) landscaping, (6 & 7) archaeology, (8) noise and (9) dust of planning permission GR/08/121.  
St. John's Catholic Comprehensive School, Rochester Road, Gravesend
- GR/08/121/R11 Details of existing community usage of the school facilities pursuant to condition (11) of planning permission GR/08/121.  
St. John's Catholic Comprehensive School, Rochester Road, Gravesend
- GR/08/138/R3 Details of external materials pursuant to condition (3) of planning permission GR/08/138 for replacement secondary school.  
Northfleet Technology College, Colyer Road, Northfleet, Gravesend
- GR/08/138/R5 Details of a landscape scheme pursuant to condition (5) of planning permission GR/08/138 for replacement secondary school.  
Northfleet Technology College, Colyer Road, Northfleet, Gravesend
- GR/08/138/R6 Details of fencing, walls, gates and railings pursuant to condition (6) of planning permission GR/08/138 for replacement secondary school.  
Northfleet Technology College, Colyer Road, Northfleet, Gravesend

GR/08/138/R7	Details of a scheme for the disposal of foul and surface waters pursuant to condition (7) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/138/R10	Details of a programme of archaeological work pursuant to condition (10) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/138/R11	Details of below ground excavation pursuant to condition (11) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/138/R12	Details of building recording pursuant to condition (12) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/138/R13	Details of cycle parking pursuant to condition (13) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/138/R15	Details of the construction site access and compound pursuant to condition (15) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/138/R16	Details of temporary parking during construction and accommodation of construction vehicles within the site pursuant to condition (16) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/138/R17	Details of noise and dust management plans during construction and demolition pursuant to condition (17) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/138/R18	Details of measures to control use of secondary grounds maintenance access pursuant to condition (18) of planning permission GR/08/138 for replacement secondary school. Northfleet Technology College, Colyer Road, Northfleet, Gravesend
GR/08/154/R3	Details of all materials to be used externally. Thamesview School, Thong Lane, Gravesend
GR/08/154/R9	Details of land contouring between the new school buildings and the southern boundary of the site. Thamesview School, Thong Lane, Gravesend
GR/08/154/R28	Details of construction traffic management measures. Thamesview School, Thong Lane, Gravesend

GR/08/229/R14	Details of construction site compound pursuant to condition (14) of planning permission GR/08/229 for the redevelopment of Northfleet School for Girls. Northfleet School for Girls, Hall Road, Northfleet, Gravesend
GR/08/734	Replacement of existing boundary wall with Barbican Imperial fencing. Cecil Road Primary and Nursery School, Cecil Road, Gravesend
GR/08/796	Provision of 2 mobile classroom units. Raynehurst Primary School, Cerne Road, Gravesend
GR/08/826	Renewal of planning permission for two mobile buildings which already exist on site. St George's C of E School, Meadow Road, Gravesend
MA/08/388/R4	Details pursuant to condition (4) - Details of the disposal of surface water from the new and existing car park. Marden Primary School, Goudhurst Road, Marden, Tonbridge
SE/07/1914/R2 & R3	Erection of new two storey teaching block. Extension to existing knoll block and erection of four new single storey residential blocks - Minor amendments to elevations of teaching block, details of materials for gable over entrance of teaching block and details of decking and handrails for residential blocks. Valence School, Westerham Road, Westerham
SE/08/2291	Provision of a mobile classroom. Seal CEP School, Zambra Way, Seal, Sevenoaks
SW/06/1210/R	Minor amendments to the footprint, siting and elevational treatment, including the introduction of brick piers. Land off Sumpter Way, Lower Road, Faversham
SW/06/1210/R3A	Amendments to the external materials (previously approved pursuant to Condition 3 of planning application SW/06/1210 on 21 May 2008). Land off Sumpter Way, Lower Road, Faversham
SW/07/469/R3	Details of all materials to be used externally pursuant to condition 3 of planning permission SW/07/469. Holywell Primary School, Forge Lane, Upchurch, Sittingbourne
SW/07/469/R	Minor amendments to the approved scheme including a change in footprint. Holywell Primary School, Forge Lane, Upchurch, Sittingbourne
SW/08/843	Application for a two storey extension to Caxton Block - Further education unit. Single storey athletics changing room and storage building. Multiple extensions to the sports building including a new double height specialist gymnastics hall, fitness and movement studios, club rooms, office and tutor spaces and new reception. Expanding the synthetic athletics track from 4 to 6 lanes and to provide floodlighting for the track only. Sittingbourne Community College, Swanstree Avenue, Sittingbourne

SW/08/930	Remodelling of the school to suit primary school requirements, the construction of an extension at the link between the two school buildings, enlargement of playground areas and the alteration to car parking with the formation of a drop-off and pick-up zone. The formation of temporary mobile village on existing tennis court by the re-siting of the schools' existing mobile classroom and the installation of two additional double mobiles. St. Georges C of E Middle School, Chequers Road, Minster on Sea, Sheerness
TH/08/167/R3,R4 R7,R11,R12&R13	Details pursuant to conditions (3) temporary classroom and ancillary accommodation, (4) contractors compound and temporary accommodation, (7) site levels, (11) landscaping scheme, (12) tree survey, (13) multi use games area – configuration and associated fencing; of planning permission TH/08/167. St Georges Church of England Foundation School, Westwood Road, Broadstairs
TH/08/167/R31	Programme of Archaeological Work. St Georges Church of England Foundation School, Westwood Road, Broadstairs
TH/08/1024	Construction of a single storey modular building on existing school playground for use as a Children's Centre, including canopied entrance with buggy storage, bow top fencing and tarmac play area plus creation of new entrance gate and path and re-provision of school playground. Callis Grange Nursery and Infant School, Beacon Road, Broadstairs
TM/08/2440	Retention and extension of an existing mobile classroom. Ightham Primary School, Oldbury Lane, Ightham, Sevenoaks
TW/07/3585/R4	External Lighting Scheme pursuant to Condition 4 of planning permission reference TW/07/3585. Cranbrook Primary School, Carriers Road, Cranbrook
TW/08/3156	Planning permission for 4 mobile buildings which already exist on site. Colliers Green C of E Primary School, Colliers Green, Cranbrook

**4 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 1999 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS**

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**Background Documents –**

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

- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-

DC29/08/AS/0001 Proposed development of a new road to form part of the proposed transport link known as The Victoria Way South of Ashford Town Centre

CA/08/Temp/0032 Application for the demolition of existing entrance lobby and formation of new extension to provide new entrance lobby and reception.  
Bridge & Patricbourne Primary School, Conyngham Lane, Bridge, Canterbury

DC29/08/MA/0002 Application for review of old mineral permission (ROMP) at Shepherds Farm Quarry, Lenham.

SH/08/Temp/0032 Application for amendments to approved scheme ref: SH/07/245 to include: Re-positioning of reception class building, simplified roof form and adjustments to elevational treatment; retention of existing extension to main school building & removal of approved single storey classroom extensions; re-organisation of external access slopes to conform to DDA requirements & boundary treatment; removal of P.E. store extension to the approved main hall, changes of floor level, inclusion of roof mounted natural ventilation system & amendments to elevational treatment.

Castle Hill Community Primary School, Sidney Street, Folkestone

DC29/08/TM/0001 Refurbishment and upgrade of Aylesford Wastewater Treatment Works, Bull Lane, Aylesford

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

None

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

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

**Background Documents -**

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

None

E.7

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