

PLANNING APPLICATIONS COMMITTEE

Tuesday, 24th July, 2012

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Tuesday, 24th July, 2012, at 10.00 am
Council Chamber, Sessions House, County
Hall, Maidstone

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

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

Membership (18)

Conservative (16): Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman),
Mr R E Brookbank, Mr A R Chell, Mr T Gates, Mr W A Hayton,
Mr C Hibberd, Mr P J Homewood, Mr J D Kirby, Mr J F London,
Mr S C Manion, Mr R F Manning, Mr R J Parry, Mrs P A V Stockell,
Mrs E M Tweed and Mr A T Willicombe

Liberal Democrat (1): Mr M B Robertson

Independent (1) Mr R J Lees

UNRESTRICTED ITEMS

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

A. COMMITTEE BUSINESS

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 12 June 2012 (Pages 1 - 4)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application SW/12/444 (KCC/SW/0098/2012) - Retrospective application for the construction and use of a 40m long and 6m wide concrete pad and ancillary 2.4m high steel palisade fence and gates at Ridham Dock Road, Iwade, Sittingbourne; Countrystyle Recycling Ltd (Pages 5 - 16)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal DO/11/993 (KCC/DO/0477/201) - Change of use of agricultural land to horticultural learning centre and demolition of existing buildings and erection of replacement new building at Archers Low Farm, Sandown Road, Sandwich; Governors of Stone Bay School (Pages 17 - 32)

2. Proposal CA/12/464 (KCC/CA/0100/2012) - Replacement of 16 white painted, soft wood timber vertical sash windows with pine wood clad with white powder coated aluminium facing profile at St Alphege CEI School, Oxford Street, Whitstable; KCC Property and Infrastructure (Pages 33 - 42)
3. Proposal SW/12/470 (KCC/SW/0155/2012) - Retrospective application for the provision of external storage space for both outdoor play equipment and maintenance equipment at Tunstall CE (Aided) School, Tunstall Road, Tunstall, Sittingbourne; Governors of Tunstall CE (Aided) School (Pages 43 - 56)
4. Proposal TW/12/1694 (KCC/TW/0192/2012) - Section 73 application to vary Conditions 27 and 28 of Permission TW/10/4051 to allow an alternative floodlighting specification relating to the previously permitted floodlit Multi Use Games Area on Site 1 at The Skinners Kent Academy, Blackhurst Lane, Tunbridge Wells; KCC Property and Infrastructure Support (Pages 57 - 76)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 77 - 82)
2. Consultations on applications submitted by District Councils or Government Departments
3. County Council developments
4. Screening opinions under Environmental Impact Assessment Regulations 1999
5. Scoping opinions under Environmental Impact Assessment Regulations 1999 (None)

F. OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

EXEMPT ITEMS

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

Peter Sass
Head of Democratic Services
(01622) 694002

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

Monday, 16 July 2012

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, 12 June 2012.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr R E Brookbank, Mr H J Craske (Substitute for Mr W A Hayton), Mrs V J Dagger (Substitute for Mr S C Manion), Mr T Gates, Mr C Hibberd, Mr P J Homewood, Mr J D Kirby, Mr R J Lees, Mr J F London, Mr R F Manning, Mr R A Pascoe (Substitute for Mrs E M Tweed), Mr M B Robertson, Mrs P A V Stockell and Mr A T Willicombe

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

UNRESTRICTED ITEMS**38. Membership**

(Item)

The Committee noted the appointment of Mrs P A V Stockell in place of Mrs V J Dagger.

39. Minutes - 8 May 2012

(Item 4)

RESOLVED that the Minutes of the meeting held on 8 May 2012 are correctly recorded and that they be signed by the Chairman.

40. Site Meetings and Other Meetings

(Item A4)

(1) The Committee had previously been informed that the meeting would be followed by a presentation by the County Council's Waste Management Group on the County Council's Role and Responsibilities in Waste Management and Closed Landfill sites.

(2) The Committee noted that the site visit and public meeting in relation to the proposed aggregates recycling facility at Ham Hill, Snodland would now be held on Thursday, 28 June 2012.

(3) The Committee Members were asked to the afternoon of Tuesday, 24 July free for a possible site visit and public meeting in respect of an educational establishment.

41. Application KCC/TM/0094/2012 - Renewal of Permission TM/08/2654 (Change of use of land to use as a skip hire waste transfer and recycling station along with the construction of a weighbridge, diesel and oil storage tanks, portacabin offices and industrial building) at Any Waste Solutions Ltd. The Brook, Sortmill Road, Snodland; Any Waste Solutions Ltd
(Item C1)

(1) The Head of Planning Applications Group reported the views of the Local Member, Mrs S V Hohler raising no objection to the application whilst expressing the hope that the applicants would address local concerns in the application itself.

(2) A representative from BNP Paribas Real Estate had indicated that she wished to speak to the Committee on behalf of the Royal Mail in opposition to the application. Even though she did not attend the meeting, Mr Lee May from Brachers was present in order to exercise the applicants' right of reply. The Chairman therefore agreed to vary the Committee's public speaking arrangements by permitting Mr May the opportunity to comment on the Royal Mail's objection.

(3) RESOLVED that permission be granted to the extension of the time limit for the implementation of Permission TM/08/2654 for a further 3 years subject to those conditions previously imposed, including conditions covering a timescale for implementation; a contamination risk assessment; restriction on waste types; all waste being handled inside the building; no external storage of waste; a restriction on waste throughput; a restriction on vehicle access; a restriction on vehicle numbers to 174 (87 in/87 out) per day; a restriction on hours of operation; dust suppression measures; and an additional condition requiring provision of hard surfacing on land to the south.

42. Application CA/12/222 (KCC/CA/0492/2011) - Section 73 application to vary conditions 2 (approved plans) and 21 (landscaping) of Permission CA/09/1903 for the alteration and extension of the existing Household Waste Recycling Centre at Studd Hill HWRC, Westbrook Lane, Herne Bay; KCC Waste Management
(Item C2)

RESOLVED that permission be granted to the variation of Conditions 2 and 21 of permission CA/09/1903 subject to all other conditions previously imposed, including conditions covering the limitation of noise emissions; noise monitoring to ensure compliance; a Grampian condition regarding the redesign of the service access to discourage right turns out of the HGV access onto the Old Thanet Way; limits to the hours of use and operation; a limitation on times of use of the HGV service access; details of parking arrangements; details of parking and loading arrangements; dust mitigations measures; controls to prevent dirt and debris on the highway; site drainage controls; landscaping; nature conservation measures; the standard time limit for implementation; the standard condition limiting development to the approved plans; and two additional conditions specifying that the Household Waste Recycling Centre (HWRC) cannot be opened to public use until additional signage at the junction of Westbrook Lane and Whitstable Road is secured by agreement with KCC Highways & Transportation; and the submission and approval of outline arrangements to secure the HWRC operational area in the event that emergency

access is required to the portion of Westbrook Lane enclosed within the site and subject to the Transport Regulation Order.

43. Proposal MA/12/488 (KCC/MA/0044/2012) - Modular building to provide two classrooms and extension to playground at St Francis Catholic School, Queens Road, Maidstone; KCC Property and Infrastructure Support
(Item D1)

(1) Mr M B Robertson informed the Committee that although he had corresponded with the Head of Planning Applications Group about the application, he had not expressed a view about its merits. He was therefore able to approach its determination with a fresh mind. He asked the Committee to include an Informative that the updated School Travel Plan should include improvements in the management of the drop-off facilities. This was agreed by the Committee.

(2) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including covering the consent being for a temporary period of 5 years with the building being removed at the expiration of this period and the site being restored thereafter; the development being carried out in accordance with the permitted details; controls on the construction phase to minimise any impact on the public highway during this period; and the submission of an updated school travel plan; and
- (b) the applicants be informed by Informative that:-
 - (i) they should be aware of the Environment Agency's advice concerning best practice during construction;
 - (ii) Kent Highways and Transportation has commented that it would wish to review the highways and parking implications again if at the end of this temporary consent planning permission is sought to retain the building or to provide alternative permanent facilities; and
 - (iii) the updated School Travel Plan should include improvements in the management of the drop-off facilities.

44. Matters dealt with under Delegated Powers
(Item E1)

(1) The Committee noted that Permission SW/12/167 now enabled use of rail sidings at Ridham Dock for the importation and transfer of waste to the proposed Kemsley Mill Sustainable Energy Plant.

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

- (a) County matter applications;

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

SECTION C
MINERALS AND WASTE DISPOSAL

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

Item C1

SW/12/444 (KCC/SW/0098/2012) – Retrospective construction and use of a 40m long, 6m wide concrete pad and ancillary gates and fence for use by vehicles collecting recycled powdered gypsum from the materials recycling facility at Ridham Dock Road, Iwade, Sittingbourne, Kent

A report by Head of Planning Applications Group to Planning Applications Committee on 24 July 2012.

SW/12/444 (KCC/SW/0098/2012) –Retrospective application for the construction and use of a 40m long, 6m wide concrete pad and ancillary 2.4m high steel palisade fence and gates at Ridham Dock (MR. 921 674)

Recommendation: Permission BE GRANTED subject to conditions.

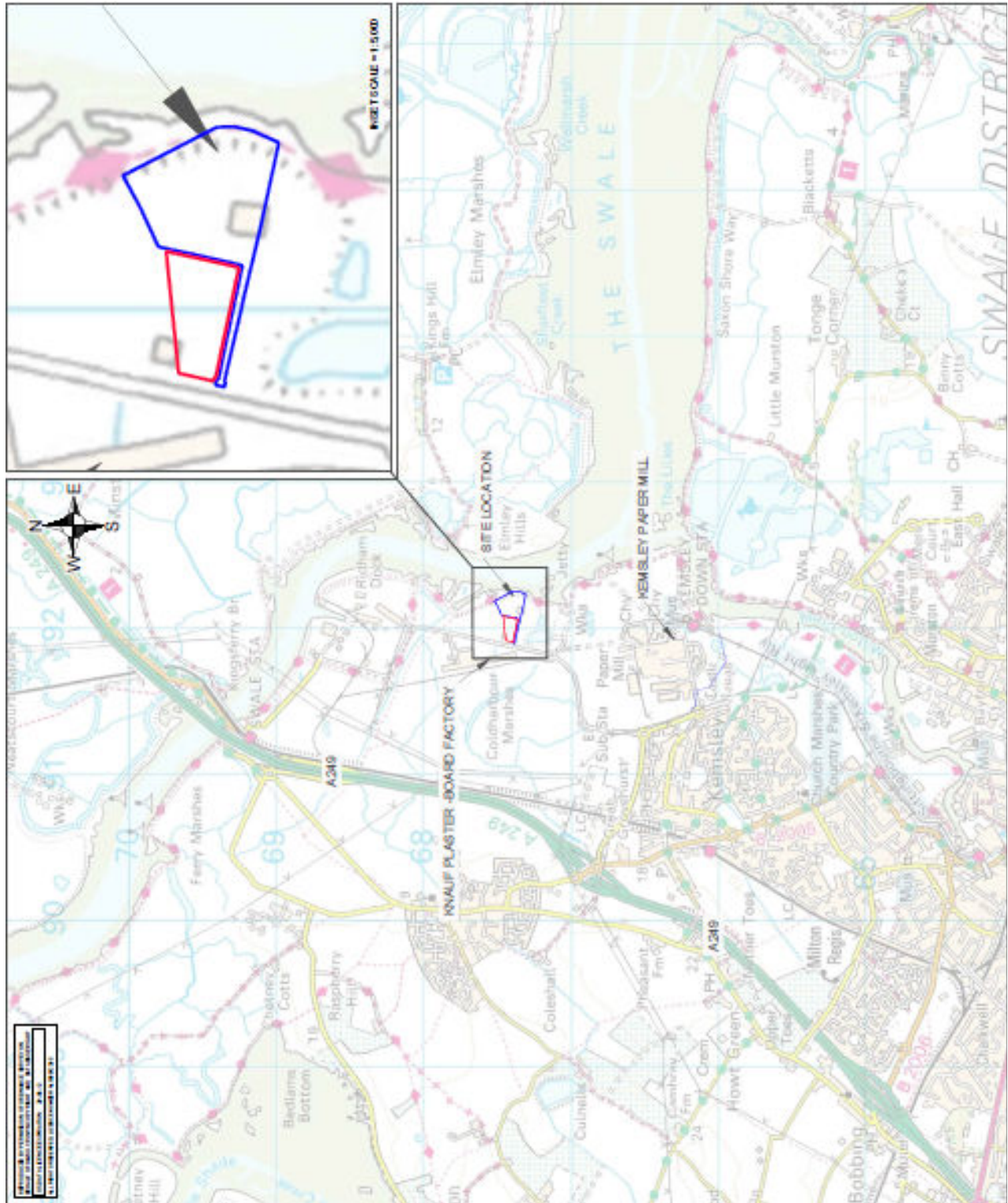
Local Member: Mr A Willicombe

Classification: Unrestricted

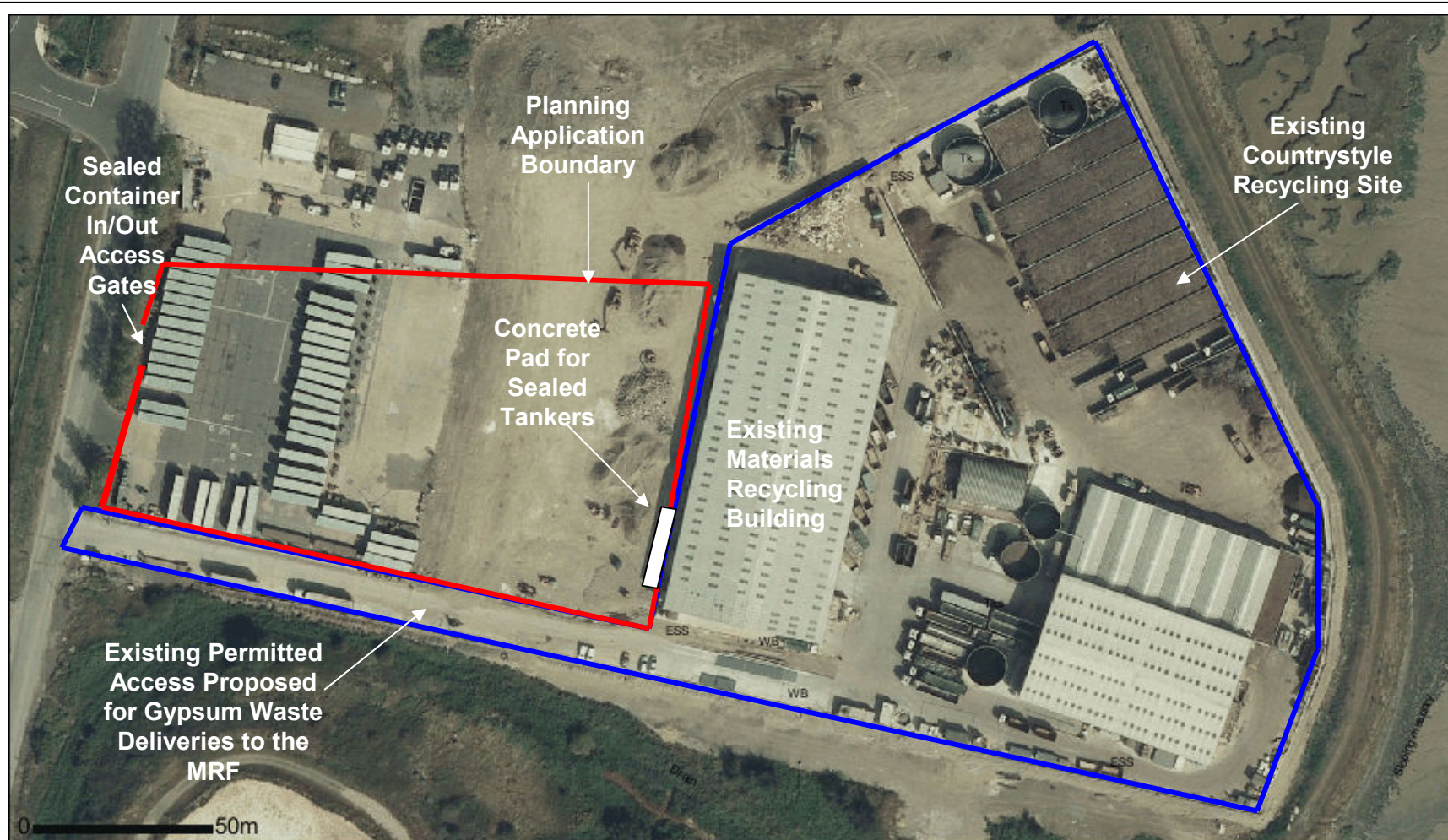
Background and Site Description

1. Planning permission was granted in 2006, for a material recovery facility (MRF), in-vessel composting facility and the continuation of secondary aggregate recycling operations at the Countrystyle Recycling site, Ridham Dock, under planning consent reference SW/05/1392 and has since been subject to a number of variations.
2. The site itself lies some 2km north of Kemsley, 2.1 km to the east of Iwade and 1.2km to the east of the A249. It lies close to habitats which form part of the Swale SSSI and the Medway Estuary and Marshes Ramsar site respectively. The closest residential properties are approximately 1.2km from the site. A site location plan is attached.
3. Following a routine monitoring visit to the site in November 2011, a number of planning issues were identified, which resulted in a report to the 24 January 2012 Regulation Committee for Members endorsement on appropriate action. One such issue related to the unauthorised construction of a concrete pad outside the existing planning permission boundary for the site.

SW/0098/2012 – Retrospective construction and use of a 40m long, 6m wide concrete pad and ancillary gates and fence for use by vehicles collecting recycled powdered gypsum from the materials recycling facility at Ridham Dock Road, Iwade, Sittingbourne, Kent



SW/0098/2012 – Retrospective construction and use of a 40m long, 6m wide concrete pad and ancillary gates and fence for use by vehicles collecting recycled powdered gypsum from the materials recycling facility at Ridham Dock Road, Iwade, Sittingbourne, Kent



Site Location Plan

Produced using KentView by Initials on Wednesday, 4 July 2012 at 10:18

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SW/0098/2012 – Retrospective construction and use of a 40m long, 6m wide concrete pad and ancillary gates and fence for use by vehicles collecting recycled powdered gypsum from the materials recycling facility at Ridham Dock Road, Iwade, Sittingbourne, Kent

Proposal

4. In order to regularise this unauthorised development the matter the applicants were formally requested to submit a retrospective planning application to the Waste Planning Authority for the implementation of a 40m long, 6m wide concrete pad with ancillary 2.4m high steel palisade fence and gates for use by vehicles collecting recycled powdered gypsum from the materials recycling facility (MRF). This element is one which is directly related to the existing permitted gypsum recycling activity at the site and which is summarised in more detail below.

Justification

5. The existing site already recycles gypsum waste within the permitted MRF building as covered by the existing planning permission. All deliveries arrive at the site by HGV tipping type vehicles and tipped onto the floor in designated areas within the fully enclosed MRF building. The applicant states that the gypsum processing line is bespoke for the purpose of recovering gypsum from used plasterboard. Material processing takes place as follows:
- i) plasterboard deliveries are directed to a location for pre-picking of the most obvious contamination, these contaminants are then placed into separate containers for onward processing;
 - ii) Plasterboard is then placed into a second location prior to placing into fixed plant;
 - iii) A crusher reduces the particle size down to a granular/shredded paper fraction;
 - iv) Materials then travel by conveyor through an enclosed aerated picking station, this is for the purpose of removing any smaller contamination such as wood/plastic/glass, and an overband magnet removes metals such as nails-screws-fixings;
 - v) Materials then travel through an agitating screen mesh system and a roller crushing mill, this equipment produces the following products:
 - Gypsum fines suitable for onward use in Knauf board manufacturing plant;
 - Small paper and granular gypsum suitable for special animal bedding products;
 - Shredded paper currently used in bedding, however potential for energy plants; and
 - Rejects such as plastics wood, metal all sent on for further materials recovery.
6. Vehicles delivering gypsum waste material access the site using the dedicated private Ridham Dock Road and via the existing internal haul road into the Countrystyle site. Once material is processed, it is then transferred from inside the MRF building via a fully contained chute directly into a sealed container/tanker vehicle positioned on the concrete pad, the subject of this planning application, which is located to the rear of the MRF on land adjoining the permitted site. Material is then transported off site via a maximum of 3 sealed containers per day and via a separate access located on the western boundary of the application site. On average it is proposed that 2 to 3 tankers visit the site per day.

SW/0098/2012 – Retrospective construction and use of a 40m long, 6m wide concrete pad and ancillary gates and fence for use by vehicles collecting recycled powdered gypsum from the materials recycling facility at Ridham Dock Road, Iwade, Sittingbourne, Kent

Planning Policy Context and Government Guidance

7. The key National and Development Plan Policies most relevant to the proposal are summarised below:
8. **National Planning Policy Framework, March 2012** - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. It is committed to ensuring that the planning system does everything it can to support economic growth whilst ensuring that development is sustainable. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.
9. **Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management** – Underlines the importance of planning for and consenting the necessary number and range of facilities in order to ensure that adequate provision is made for the future management of our waste.
10. The key aim of moving waste management up the 'waste hierarchy' forms the underlying objective of national policy. The proximity of waste disposed and 'self sufficiency' are also expected to represent the fundamental key to securing such objectives to ensure that communities take responsibility for their own waste.
11. Through more sustainable waste management, moving the management of waste up the 'waste hierarchy' through the descending order of reduction, re-use, recycling and composting, using waste as a resource of energy and only disposing of waste to landfill as a last resort, government aims to break the link between economic growth and the growth of waste.
12. **Waste Strategy 2007** – aiming to reduce waste by making products with fewer natural resources, breaking the link between economic growth and waste growth; products should be re-used or their materials recycled.
13. **South East Plan (2009)** – The most relevant policies are: W3 (Regional Self Sufficiency), W4 (Sub-Regional Self Sufficiency), W5 (Targets for Diversion from Landfill), W6 (Recycling) W8 (Waste Separation), W17 (Location of Waste Management Facilities), CC1 (Sustainable Development), CC2 (Climate Change), CC3 (Resource Use), CC4 (Sustainable Design and Construction), NRM4 (Sustainable Design and Construction), NRM5 (Conservation and Improvement of Biodiversity), NRM9 (Air Quality).
14. It should be noted that the South East Plan remains part of the development plan although the Government's intention to abolish regional spatial strategies is a material consideration and the weight given to it is a matter for the decision maker.

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15. **Kent Waste Local Plan (1998)** – The most relevant saved policies are: W3 (Locational Criteria), W6 (Consideration of need), W9 (Waste separation and transfer), W18 (Noise, Dust and Odour), W19 (Groundwater protection), W21 (Nature Conservation), W22 (Provision for adequate access arrangements), W25 (Plant and Buildings) and W31 (Visual Impact and Landscaping).

16. **Swale Borough Local Plan (2008)**

Policy SP2: In order to provide a robust, adaptable and enhanced environment, planning policies and development proposals will protect and enhance the special features of the visual, aural, ecological, historical, atmospheric and hydrological environments of the Borough and promote good design in its widest sense. Development will avoid adverse environmental impact, but where there remains an incompatibility between development and environmental protection, and development needs are judged to be the greater, the Council will require adverse impacts to be minimized and mitigated. Where a planning decision would result in significant harm to biodiversity interests, which cannot be prevented or adequately mitigated against, appropriate compensation measures will be sought.

Policy E12: Sites designated for their importance to biodiversity or geological conservation.

Policy B2: Providing for new employment.

Policy B10: Ridham as an existing committed employment site.

17. **Consultations**

Swale Borough Council: No objection is raised.

Iwade Parish Council: the parish council raise concerns that the planning application is 'retrospective' and queries the time taken to remedy breaches on the site. The Parish Council objects to the proposed concrete pad construction as it may 'open the floodgates' for similar retrospective planning applications. They further state:

"Members note in the attached documentation that HGV tipping vehicles will be delivering the plasterboard, which will be 'tipped onto the floor within the MRF'. The supporting documentation goes on to state that this action will produce a 'small amount of dust' and 'best efforts' will be made to reduce dust by only tipping in a designated area. The Parish Council would like to see dust suppression measures installed to reduce this risk to as near 'nil' as possible in light of the nearby residential area and the Ramsar/SSSI sites. Iwade village has suffered with fall out from gypsum dust for several years and any deviation away from the

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original planning application could possibly have contributed to the problem.

It is noted that the recycled gypsum is loaded into a sealed containers on the concrete pad. Members would like reassurance that the practice of using containers is strictly adhered to and that regular spot checks are made to enforce this.”

Environment Agency: No objection is raised.

Biodiversity Projects Officer: No comments to make.

Jacobs (Noise, Dust, Odour): No objection is raised “*from the information provided, it is demonstrated that the concrete pad was constructed for use by vehicles collecting powdered gypsum, which is fed directly into sealed tankers from the existing waste management facility, in order to minimise dust nuisance. Effective dust control measures and good housekeeping practices, as provided within the Application, would limit dust generation and dust disturbance in the area of operation and access road. Considering the nature of the development site and its existence within the wider industrial area, it is not considered that the concrete pad would be likely to have any significant adverse impacts.”*

Transport Planning (Kent Highways and Transportation): No objection is raised.

Local Member

18. The Local County Members, Mr A Willicombe and Mr M Whiting were notified of the application on 2 April 2012.

Publicity

19. The application was publicised by the posting of a site notice and advertisement in the local newspaper.

Representations

20. No letters of representation have been received to date objecting to the proposal.

SW/0098/2012 – Retrospective construction and use of a 40m long, 6m wide concrete pad and ancillary gates and fence for use by vehicles collecting recycled powdered gypsum from the materials recycling facility at Ridham Dock Road, Iwade, Sittingbourne, Kent

Discussion

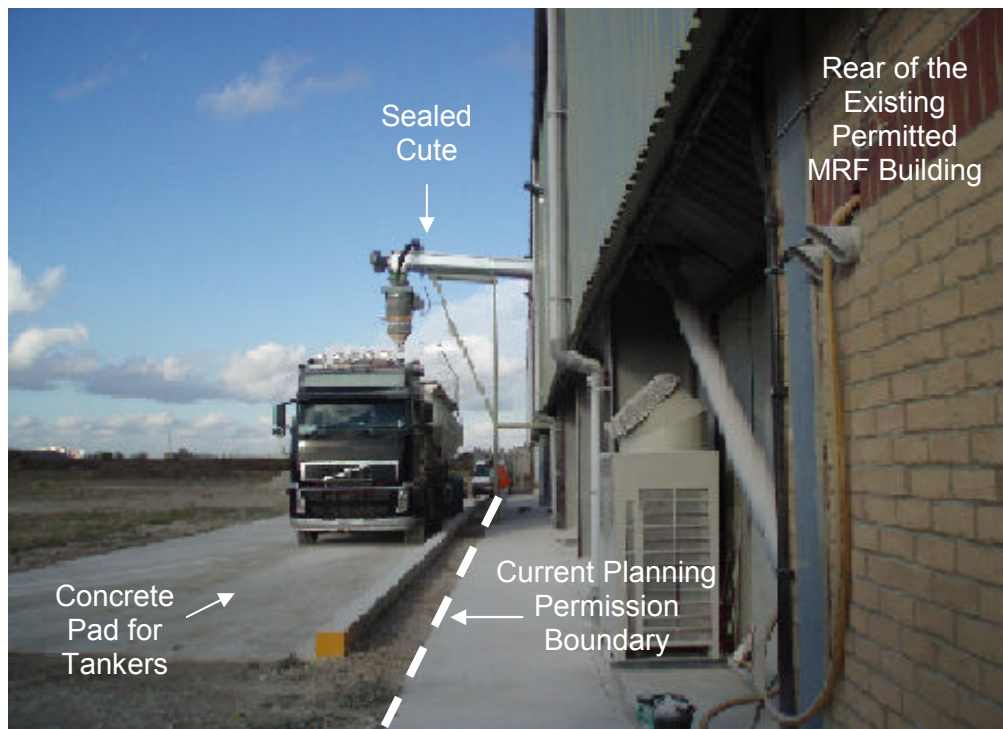
21. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. Material planning considerations include the recently adopted National Planning Policy Framework (NPPF) which promotes sustainable development and the regional and local plan policies set out above together with PPS10. It should be noted that the South East Plan remains part of the development plan although the Government's intention to abolish regional spatial strategies is a material consideration and the weight given to it is a matter for the decision maker.
22. Given the nature of the proposal the NPPF should be read together with PPS10 which is to remain in place until new waste policies are published alongside the new National Waste Management Plan for England. However the presumption in favour of sustainable development which lies at the heart of the NPPF still applies. In order to achieve this objective the NPPF identifies a number of key areas, which in my view are of specific relevance namely: Delivering Sustainable Development, Part 1 – Building a strong, competitive economy; Part 7 – Requiring good design; Part 10 – Meeting the challenge of climate change, flooding and coastal change and Part 11 – Conserving and enhancing the natural environment.
23. Policy W9 of the Kent Waste Local Plan identify the locational criteria against which individual proposals will be considered, whilst policies W18 to W22 and W25 set out the operational criteria. The site is identified under Policy W9 as being suitable in principle for waste transfer and recycling and is an existing operational waste management facility currently run by Countrystyle Recycling as an In-Vessel Composting and material recycling facility (MRF).
24. Whilst the site already accepts gypsum waste via the existing MRF facility, under the terms of the existing consent, the operator began to explore other methods for handling and transporting this particular waste stream in a more sustainable and effective manner. Upon making a routine monitoring visit to the site during November 2011, it was found that the operator had installed a concrete pad to the rear of the existing MRF building in order that sealed container vehicles could collect recycled gypsum directly from the MRF via a specially designed sealed chute which seeks to prevent the escape of gypsum dust. The concrete pad was found to be constructed outside the permitted site boundary which is a breach of the existing planning permission. This breach is also reflected in the objections to the planning application by Iwade Parish Council who raise particular concern that the consideration of retrospective planning applications could 'open the floodgates' for similar applications in the future.
25. Having identified the breach on site and following a report to Members of the Regulation Committee by the Head of the Planning Applications, the operator was formally requested to regularise this breach and advised that it would require separate permission. As required by the Regulation Committee, a planning application was thus submitted by the

SW/0098/2012 – Retrospective construction and use of a 40m long, 6m wide concrete pad and ancillary gates and fence for use by vehicles collecting recycled powdered gypsum from the materials recycling facility at Ridham Dock Road, Iwade, Sittingbourne, Kent

operator in March 2012. Members of this Committee will be aware that retrospective applications are determined on their planning merits and as if the development had not been implemented.

Amenity Impacts

26. The site already imports gypsum for recycling and processing via the existing permitted MRF building albeit it is a relatively new operation at the site. In recognition of the nature of the material handled at the site, it is necessary for the existing roller shutter doors to be kept closed, with the exception of times when vehicles require access to the building to deposit waste. This requirement is reflected by the imposition of a planning condition on the existing planning consent.
27. Gypsum waste is delivered to the site via the existing Countrystyle haul road, vehicles then deposit waste into dedicated areas within the building following the closure of the roller shutter doors. Once gypsum waste has been processed using dedicated on site processing equipment, the finished product is fed directly into sealed tankers via a chute, which is located to the rear of the MRF building. The chute itself is sealed and designed to fit directly into the collection tankers in order to ensure dust is fully contained. The applicant seeks retrospective permission for the concrete pad in order that those tankers may gain access to the chute (as shown below).



(Photograph: sealed chute to the rear of the MRF building and concrete pad for sealed collection tankers)

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28. The Parish Council have also raised concerns in relation to dust nuisance which they consider may be associated with the gypsum recycling process. They have particular concerns that vehicles delivering gypsum to the site simply tip plasterboard onto the floor of the MRF building and would wish to see dust suppression measures employed at the site. They also raise concerns that the Iwade village has suffered with fall out from gypsum dust for several years and emphasise that any deviation from the original planning permission at the Countystyle site could have contributed to this ongoing problem. Gypsum dust has been a concern in the local area and having visited the Ridham area during particularly dry periods I consider that the main source is connected to the nearby Knauf factory which stores gypsum in the open.
29. In relation to the application site, dust mitigation measures are already employed at the site under the terms of the existing planning consent. These include the use of dampening down measures and the closure of the roller shutter doors except when deliveries are taking place. Dust emissions are also covered under the site's Environmental Permit therefore in my view can continue to be monitored and controlled at this site under the terms of both the existing planning permission and the Permit.
30. In relation to the concrete pad itself and the associated activity of the gypsum collection via the sealed chute, I have sought advice from Jacobs, the County Council's independent advisors on such matters and they have raised no objection on dust grounds. Whilst I accept the Parish Councils concern in relation to consideration of applications retrospectively, I am of the view that the method for removing recycled gypsum in this case is the most appropriate one in order to minimise dust nuisance given the nature of the product involved.
31. I agree with Jacobs that the method of recycled gypsum removal is effective and that the concrete pad is necessary to enable vehicles carrying the sealed containers to access the rear of the MRF. Provided effective dust mitigation measures and good housekeeping practices remain in place, dust generation and disturbance would in my view be limited. I therefore consider that the dust can continue to be controlled in accordance with policy W18 of the KWLP and SP2 of the Swale Borough Local Plan as well as meet the objectives set out in Part 7 - minimising impacts on the environment and Part 11 - through good design, of the NPPF. As a result it is not considered that the concrete pad itself would have any significant adverse impacts and in the event that Members resolve to grant permission I would recommend a condition be placed on any planning permission requiring that only sealed tankers be used to collect recycled gypsum waste and that dust be monitored on the remainder of the site in accordance with the existing planning permission.
32. Having regard to the fine nature of the gypsum and the sites close location to the designated SSSI and Ramsar I am of the view that the method proposed by the operator to remove processed material via a sealed chute and sealed container vehicles is the most appropriate one in order to ensure no impacts on nearby designations.

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33. Finally given the past history of the operator at this particular site and taking the concerns raised by the Parish Council I would advise that this site should continue to be closely monitored in order to maintain planning control.

Conclusion

34. In conclusion, I am of the opinion that the proposal is consistent with the policies set out in the NPPF, South East Plan and Kent Waste Local Plan. In my opinion provided any future permission contains appropriate conditions, particularly those required to mitigate any adverse impacts on the nearby designated sites the development would not result in any adverse impacts on the local amenity and having regard to the objectives in the NPPF, the method proposed in my view represents sustainable development through good design. I therefore recommend accordingly.

Recommendation

35. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO CONDITIONS covering amongst other matters vehicle number restrictions to no more than 3 sealed container vehicles per day, dust mitigation measures. I also recommend that the existing site continue to be monitored in accordance with the existing planning permission.

Case Officer: Angela Watts

01622 221059

Background Documents: See Section Heading

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SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

Change of use of agricultural land to horticultural learning centre Sandwich – DO/11/993 (KCC/DO/0477/2011)

A report by Head of Planning Applications Group to Planning Applications Committee on 12 July 2012.

Application by Stone Bay School for change of use of agricultural land to horticultural learning centre and demolition of existing buildings and erection of replacement new building at Archers Low Farm, Sandown Road, Sandwich, Kent, CT13 9NU – DO/11/993 (KCC/DO/0477/2011)

Recommendation: Permission be granted subject to conditions

Local Member: Mr Leyland Ridings

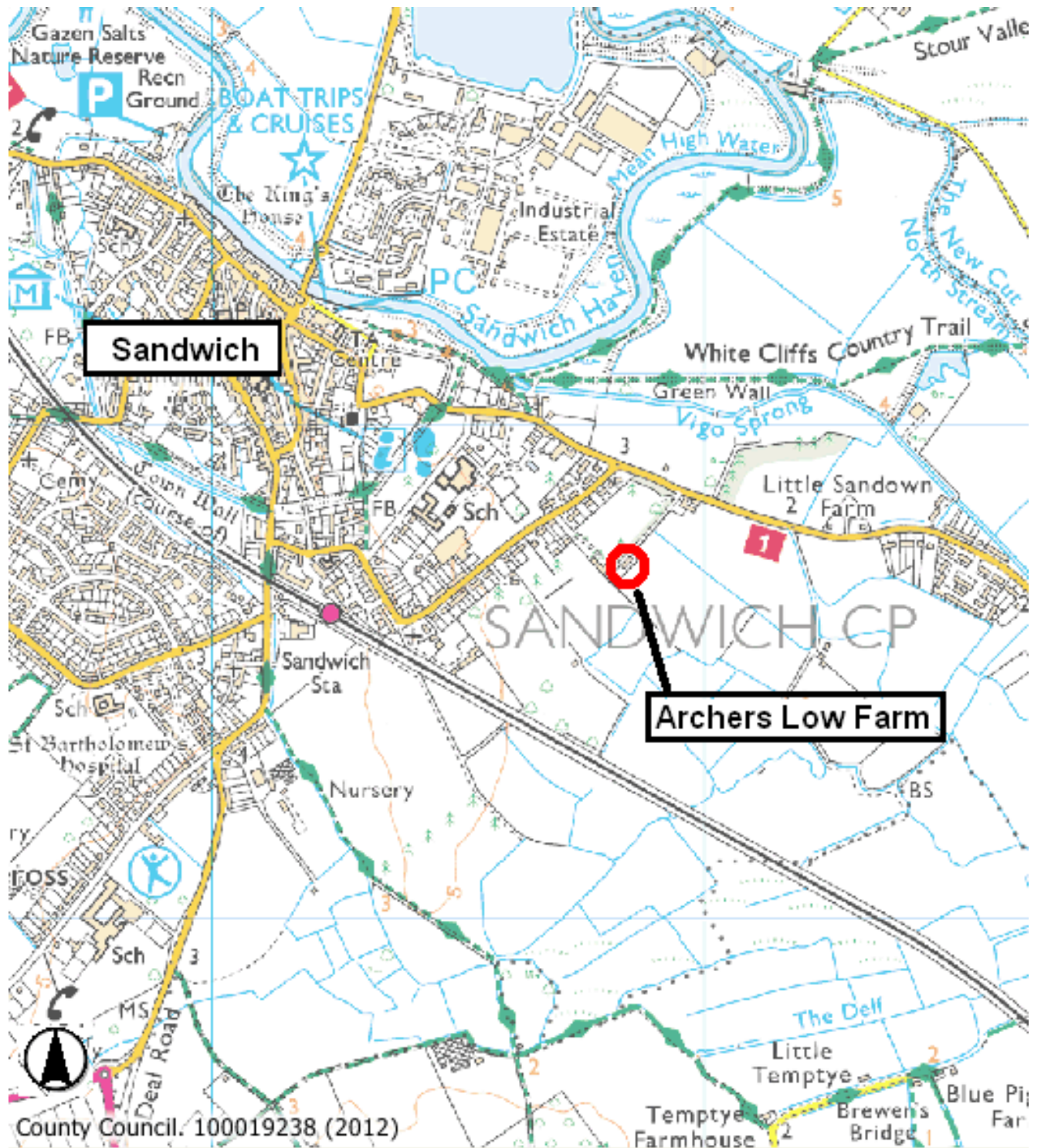
Classification: Unrestricted

Site

1. The proposal site is a 1300m² plot of land known as 'Archers Low Farm', located to the south eastern side of Sandwich, approximately 100m from edge of the extent of built development as defined by the development boundary within the Dover Core Strategy Proposals Map. It is a rectangular plot bounded by agricultural land to the south and east, an orchard to the north east, business units and the access road to the north and west. The site is currently in agricultural use, although is enclosed by fencing, separating it from operating farm and is not used by the farmer.
2. The site is accessed via a 160m track leading off Sandown Road, which leads to Sandwich and the surrounding primary road network. The access track runs passed a residential property, 'Poplar Farmhouse', and is shared by the occupiers of the adjacent warehouse/storage and office building.
3. The site itself has previously been used as a storage area in conjunction with the agricultural use, with a number of storage sheds and garages comprising the built development on site (proposed for demolition). These units have become overgrown, and some have collapsed or are unusable. Two of the units are currently still be used for storage. The rest of the site is kept mown to amenity grassland, and is surrounded by a variety of trees and hedgerows. The south eastern boundary is a wire fence separating the site from arable fields.

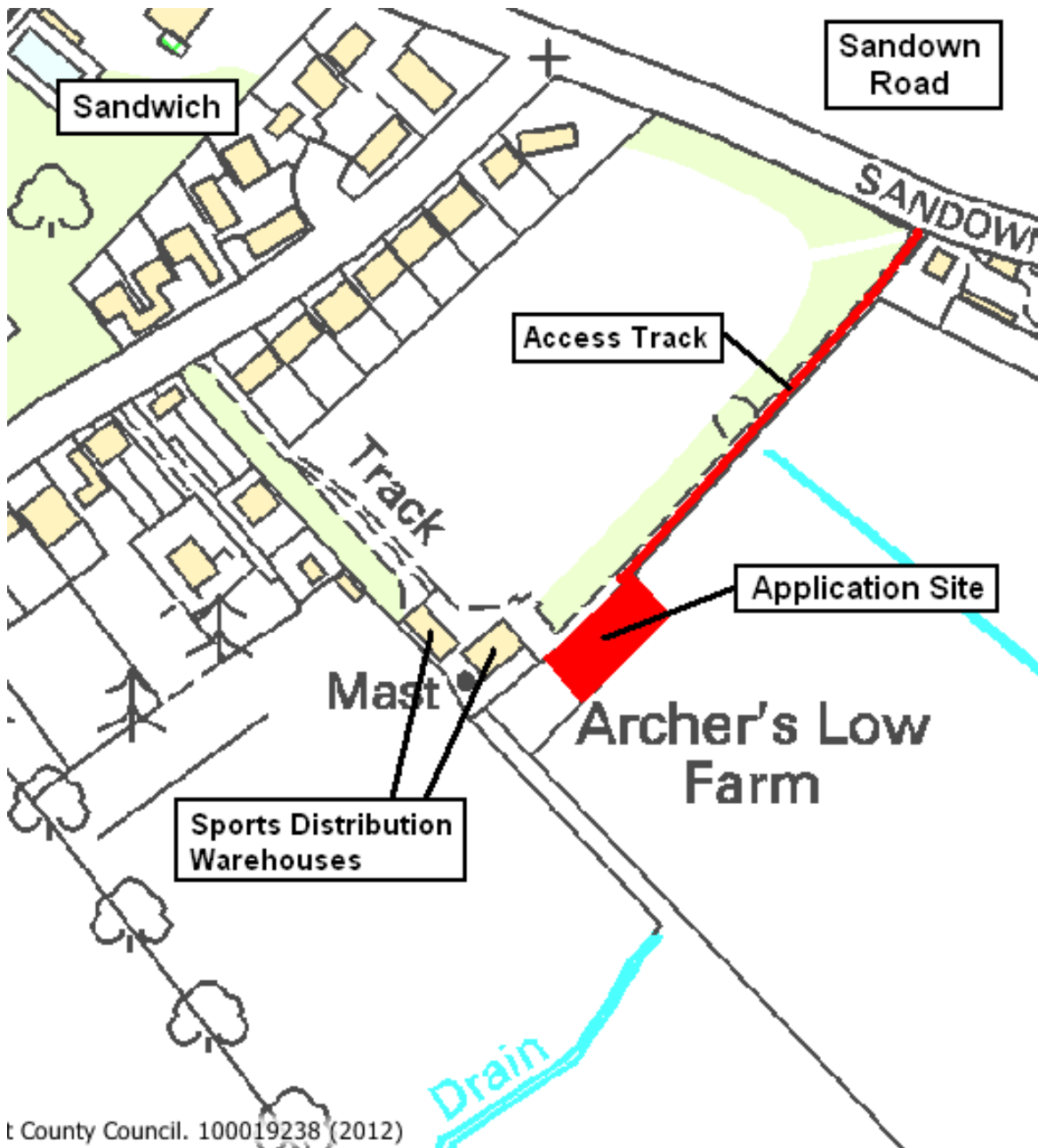
Single storey horticultural education building – Archers Low Farm

General Location Plan



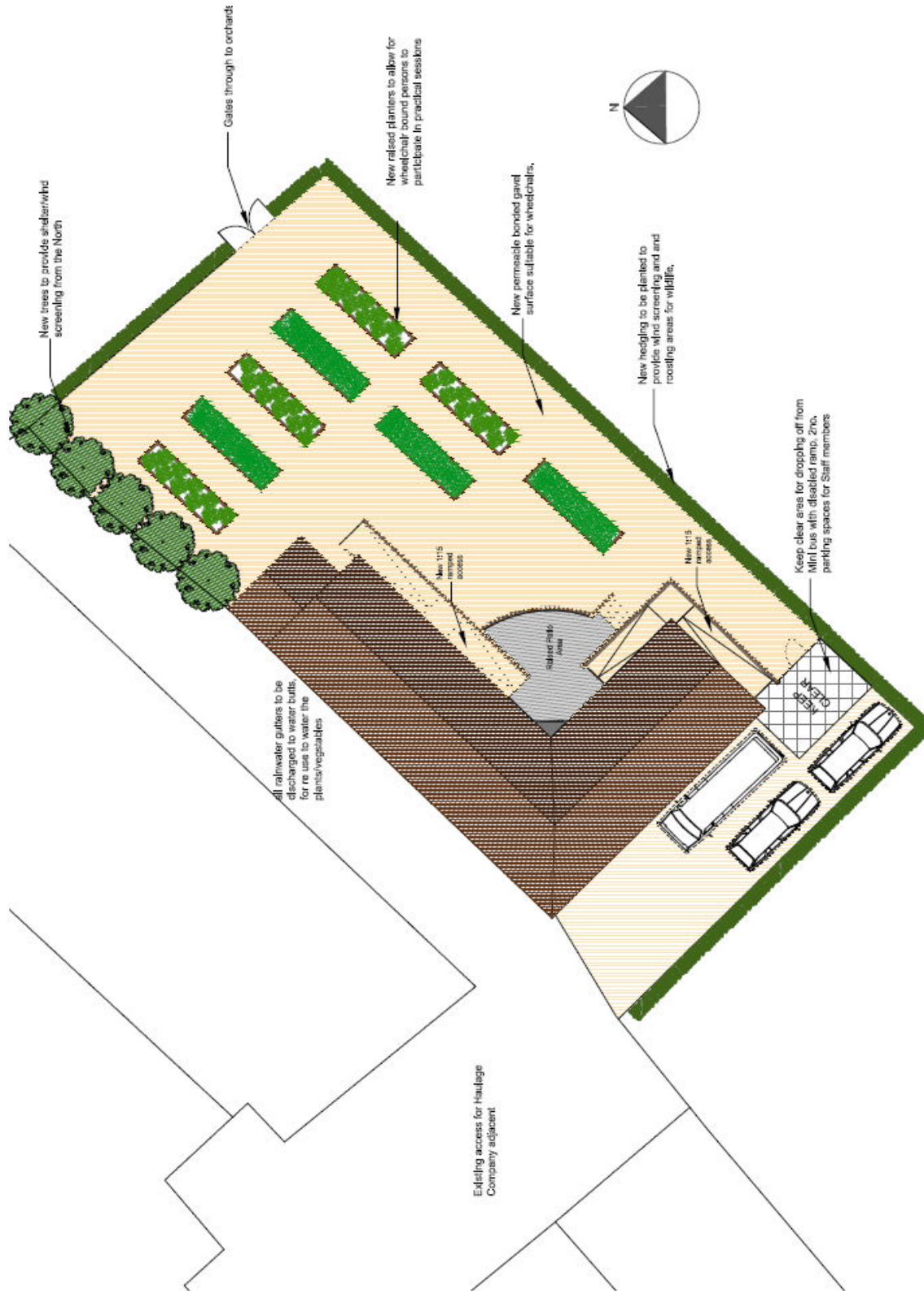
Single storey horticultural education building – Archers Low Farm

Site Location Plan



Single storey horticultural education building – Archers Low Farm

Site Plan

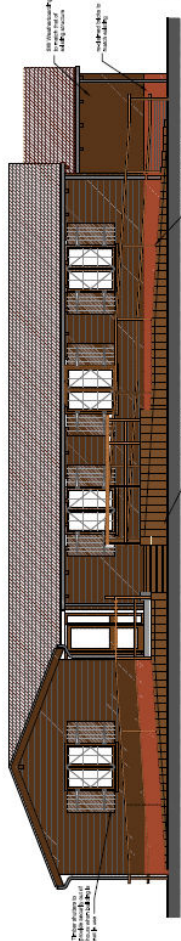


Single storey horticultural education building – Archers Low Farm

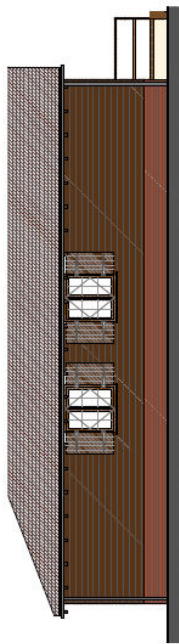
Elevations



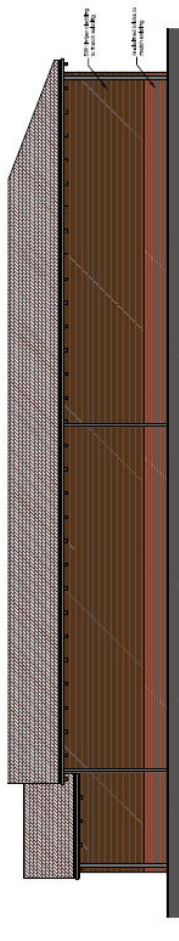
North East Elevation



South East Elevation



South East Elevation



North West Elevation



Single storey horticultural education building – Archers Low Farm

Background and Proposal

Development Proposal

4. Stone Bay School is a residential special school for students who have Autistic Spectrum Disorder, some with communication difficulties, aged 9 – 19 years. The majority of pupils have severe learning difficulties and behavioural issues, and also physical disabilities. The main school is located in Broadstairs.
5. The School are proposing to demolish the sheds and storage units within the site, and build a single storey building to be used by groups of pupils sent by Stone Bay School. The building would comprise 148m² of floorspace, laid out in an 'L' shaped design, with low eaves and a maximum height of 4m at the apex of the roof. The building would incorporate a reclaimed brickwork dwarf wall, with timberboard cladding on the external walls, and grey slate to the roof. All windows and doors are proposed to be double-glazed and timber frame with an oak finish, and also incorporate timber shutters.
6. Access to the site would be made via the existing shared track leading to Sandown Road. Parking would be arranged to provide space only for the users to the site which the applicant explains would be limited to a minibus, and space for staff cars. The parking area will be finished in grasscrete and enclosed by boundary hedges.
7. The application proposes to develop the works detailed above within a 600m² portion of the site, with border landscaping of hedgerows. On site landscaping would involve the creation of 8 raised planting beds (at a height enable wheelchair users to engage with activities) and a permeable bonded gravel surface surrounding enabling wheelchair access.

Use

8. The applicant proposes the finished development to be used by pupils from the Stone Bay School in Broadstairs, to enable them to engage in outdoor based education (horticulture and wildlife) in a secure and accessible environment. The 'horticulture unit' would provide work-based learning opportunities for children with complex needs who are otherwise unable to access vocational placements within the local community. Pupils would be brought to the site by minibus or minivans – the parking provision on site would be limited to space for two normal sized vehicles and one minibus, and is included within the site plan. Trips to the site would be involve up to eight children and six staff members, resulting in a maximum of 14 at the site at any one time. The applicant states that this would involve the use of two people carriers, or a minibus – with two visits a day made five days a week (morning and afternoon sessions). There is a bus stop nearby and a train station in nearby Sandwich. The School state that they educate and encourage travel by public transport.

Planning History

9. The most recent and relevant planning application is DO/10/225, for a similar proposal to the current application, which was refused following submission to Dover District Council on the following grounds:
 - 1) *The application site is located in the countryside, outside the town confines of Sandwich. In the absence of any policy support and justification for the use and*

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scale of the proposal the change of use of the site and the erection of a classroom building and associated works would be contrary to policy objectives to restrict unjustified and unsustainable development in the countryside. The proposal would thereby be contrary to Dover District Core Strategy Policies DM1, DM11, DM15 and DM16 and PPS1 and PPS7.

- 2) *The proposed building, if permitted, due to its scale, size height, design and location, would appear as a prominent and unsympathetic development, which would not relate well to its surroundings, but would instead detract from the rural character and appearance of the area. The proposal would thereby be contrary to Dover District Core Strategy Policies DM15 and DM16 and PPS1.*
 - 3) *The potential for intensification of the use and the activities, together with the creation of car parking spaces, would be likely to generate a level of activity and visual intrusion that would result in harm to the rural character and appearance of the surrounding countryside. Constant use of the access track would exacerbate this impact. The proposal would thereby be contrary to Dover District Core Strategy Policies DM1, DM13, DM15 and DM16 and PPS1 and PPS7.*
 - 4) *Insufficient information has been provided to indicate the level of vehicle movements to the site or the intended hours of use of the site. The proposed development, if permitted, would generate travel beyond any urban or village confine. In the absence of any policy justification for the development, the proposal would be contrary to the policy objectives relating sustainable development and highway safety and in particular Dover District Core Strategy Policies DM1, DM11, DM13 and PPS1, PPS7 and PPG13.*
 - 5) *In the absence of sufficient information supplied with the application, the Local Planning Authority has been unable to apply the Sequential Test (set out PPS25) to establish whether the development could be sited in an area at a lower risk of flooding. In the absence of information to the contrary, the development, if permitted, may increase risk to human safety and property from flooding, and accordingly would be contrary to Planning Policy Statement 25 – Development and Flood Risk.*
10. Other relevant planning history includes the approval of a replacement building (144m²) for the storage and distribution of sports equipment (DOV/11/418) on the adjacent site which utilises the same shared access
 11. The application now submitted varies to DO/11/418 by lowering the height and bulk of the building, and incorporating 'more sensitive' design and materials. Additional information has also been submitted relating to vehicle movements, use of the building, justification for the development and flood risk assessment.

Justification

12. The application is supported by a planning statement justifying the proposed development. The reasons given for the development of a horticulture building is for the development of opportunities for pupils to expand their knowledge and learning focussing on practical skills. Other sites were considered by the applicant using a sequential approach – max. 10 mile radius, max. 30 minute journey time. The planning statement states that there was difficulty in identifying sites within development boundaries, which had the necessary

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characteristics. The needs of the children were given great weight in the selection process, and the purpose of creating an outdoor horticulture centre.

13. The School justifies development of the site as a rural setting would be required, both for practical and operational reasons. The centre would focus on horticulture and wildlife, therefore requires a rural setting. The specific needs of the pupils require an environment without over-stimulation or distractions which can affect behaviour; therefore the proposed site was selected as it would potentially provide a peaceful and secluded location, whilst being close to settlement confines and transport network, and is available for development with a landowner supportive of the use.
14. The applicant states that two sites in Cliftonville were identified, but rejected on security grounds. Agricultural land at Manston and Quex Park was rejected due to the difficulties and costs in connecting services. Other potential sites near Faversham were rejected due to the distance and time of travel to and from Stone Bay School.

Biodiversity and Reptiles

15. Following consultation and discussions regarding protected species the applicant submitted a scoping survey on 16 February 2012, which identified the need for surveys to take place within the site. The relevant survey was submitted on 22 June 2012 and identified low numbers of viviparous lizard, and recommended mitigation methods to be adopted prior to the commencement of works on site.

Flood Risk

16. The development site is located within Flood Zone 3a, therefore a Flood Risk Assessment (FRA) has been submitted with the application which recommends the use of a Sustainable Urban Drainage System in order to attenuate flows, and prevent contamination of groundwater. The FRA concludes that mitigation proves that the development can pass the Exception Test required by policy, and is therefore appropriate within Zone 3a. This is discussed in detail further below.

Planning Policy

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

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

National Planning Policy Framework – Presumption in favour of sustainable development. In terms of delivering sustainable development in relation to this development proposal, the following NPPF guidance is particularly relevant:

- Chapter 1 (Building a strong, competitive economy);
- Chapter 4 (Promoting sustainable transport);
- Chapter 7 (Requiring good design);
- Chapter 10 (Meeting the challenge of climate change, flooding and coastal change);

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- Chapter 11 (Conserving and enhancing the natural environment);
- Chapter 12 (Conserving and enhancing the historic environment); and
- Accompanying Technical Guidance.

The Framework also requires that local planning authorities should look for solutions rather than problems. It states that those determining applications should seek to approve applications for sustainable development where possible.

Policy Statement on Planning for Schools Development - There should be a presumption in favour of the sustainable development of state-funded schools, as expressed in the National Planning Policy Framework.

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

Policy CC1 Seeks to achieve and maintain sustainable development within the region.

Policy CC4 Expects that all development will adopt and incorporate sustainable construction standards and techniques.

Policy CC6 Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.

Policy S6 States that local planning authorities, taking into account demographic projections, should work with partners to ensure adequate provision of pre-school, school, and community learning facilities.

Policy BE1 In managing an Urban Renaissance, Local Authorities will promote and support design solutions relevant to context and which build upon local character and distinctiveness and sense of place

(iii) The adopted **Dover District Core Strategy** Policies:

Policy DM1 Development should be within settlement boundaries unless it is justified by other plan policies or functionally requires such a location.

Policy DM11 Location of development and managing travel demand.

Policy DM13 Provision for parking

Policy DM15 Protection of the countryside

Policy DM16 Landscape character protection

Consultations

18. **Dover District Council: Objects** to the proposal on the following grounds:

- 1) A number of reasons of refusal relating to the previous application have not been overcome:

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- 2) The application site is in the countryside and outside the town confines. It is not considered that the information submitted adequately demonstrates that the proposal could not be accommodated elsewhere. The change of use of the site and the erection of a classroom building and associated works would be contrary to policy objectives to restrict unjustified and unsustainable development in the countryside.
 - 3) The potential for intensification of use and activity at the site, together with the creation of car parking spaces would be likely to generate a level of activity and visual intrusion that would result in harm to the rural character and appearance of the surround countryside. Constant use of the access track would exacerbate this impact.
 - 4) The proposed development would generate travel beyond an urban or village confine. In the absence of any policy justification for the development, the proposal would be contrary to the policy objectives relating to sustainable development and highway safety.
 - 5) The practice guide to PPS25 states that the developer should provide sufficient and reasoned information for the location of the development. The proposal fails to define a search area, fails to show it has fully searched for any other reasonably available sites with a lower flood risk. It is considered that the information submitted fails to comply with the requirements set out in PPS25 and the Guidance Notes, for the developer to provide to enable the Sequential Test to be carried out.
19. **Sandwich Town Council:** No objections.
20. **Environment Agency:** No objections subject to conditions relating to land contamination and drainage. Also recommend that the mitigation measures recommended in the Flood Risk Assessment are incorporated.
21. **KCC Biodiversity Projects Officer:** No objections subject to mitigation for reptiles being carried out prior to works on site; vegetation to be removed outside of breeding birds season (if not possible then works accompanied by ecologist); implementation of precautionary mitigation for bats; lighting adhere to UK guidance on bats; enhancements for biodiversity be included.
22. **KCC Highways & Transportation:** No objections subject to the following conditions:
- 1) Use of the site limited specifically to pupils and staff of Stone Bay School.
 - 2) Provision of 2m by 43m visibility splay to the east of the access with no obstructions over 1.05m above the carriageway level.
 - 3) Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.
 - 4) Provision and permanent retention of minimum of 2 secure, covered cycle parking spaces prior to the use of the site commencing in accordance with details to be submitted to and approved by the County Planning Authority.

Local Member

23. The local County Member for Sandwich, Mr Leyland Ridings, was notified of the application on 11 November 2011.

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Publicity

24. The application was publicised by the posting of a site notice and the individual notification of 2 residential properties and businesses.

Representations

25. In response to the publicity, no letters of representation have been received.

Discussion

26. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (17) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004), states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In my opinion the key planning considerations relate to the location in the countryside; the design and materials; sustainable development; highways; flood risk; use; and biodiversity.
27. This application has been brought for determination by Members of the Planning Applications Committee following the objections of Dover District Council in paragraph (18) above. These objections are based upon policy grounds and relate to the location of the development outside the Sandwich town confines; the intensification of use creating levels of traffic and travel outside town or village confines; impacts to highway safety resulting from increased traffic; the design and materials causing material harm to countryside, and; insufficient information to enable a sequential flood risk test. Dover DC had previously considered, and refused, a similar application in 2010. They consider that the current application as submitted, does not meet the reasons for refusal on the 2010 application. In my opinion, the application must be considered afresh, on the basis of the information provided, current policy and guidance, other material considerations and issues arising from consultation.

Location in the countryside

28. The District Council's principal reason for objection is that the proposed development would constitute development outside any town or village confines, contrary to policy, and insufficient information has been submitted to justify such a location and demonstrate that it could not be constructed elsewhere. Policy DM1 of the Dover District Core Strategy states that development outside urban boundaries and rural settlements will not be permitted unless justified by other plan policies, or *'it functionally requires such a location'*. In my opinion, the locational objection does not fully assess the functional needs of the proposed development, nor attach sufficient weight to special needs of the users and the purpose of the development.
29. The proposal site is not allocated for development within the local plan, and currently has permission for agricultural use with a number of storage buildings (mostly derelict). The plot is otherwise unused. It is outside the development boundary of Sandwich, however it

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is adjacent to a storage and distribution facility, and has previously been developed (although in my opinion only two of the storage sheds are capable of use). The site is on the edge of the physical limits of development of Sandwich, and the visual appearance is of strip of grass and trees, with sheds with overgrown vegetation, providing juxtaposition between the built development and the arable fields to the south and east.

30. The planning statement submitted with the application seeks to justify the development in this location on policy grounds, and due to other overriding material considerations. The applicant states that the nature of the development, as a horticultural education facility, functionally requires it to be in a rural setting and it would not be able to be located within an urban area, thereby otherwise meeting the requirements of Policy DM1 of the Dover Core Strategy. Furthermore, the applicant highlights a number of alternative sites investigated, which were ruled out due to location, availability and security reasons, or not meeting other specific criteria. One such criterion relates to the special requirements of the pupils of Stone Bay School, who would be the users of the facility. The students have Autistic Spectrum Disorder with Communication Difficulties, and therefore the ideal site would be in a quiet environment, with few external distractions. The site would also need to be secure and accessible for those with physical disabilities.
31. I am of the opinion that the exception to the Policy DM1 requiring development to be located within settlement boundaries is met by the specific requirements of this proposal. A horticulture centre is appropriate to be located adjacent to agriculture, and is close to the development boundary and existing development, i.e. a rural fringe location rather than being in a remote location. Further to this, I am of the opinion that the special requirements of the pupils should be given great weight in selecting development sites, and are overriding in this particular case. The National Policy Statement on Schools Development states that planning authorities should seek solutions and incorporate a presumption in favour of sustainable state school development. Sustainable development seeks to improve the quality of life of vulnerable people, and this development would go some way to improving education and opportunities for a disadvantaged group of society. Therefore I am of the opinion that the proposal represents a sustainable development with characteristics which weigh in its favour over locational policy presumptions.

Design and materials

32. A reason for objection was given based upon the design and materials not being appropriate as they would detract from, and be harmful to, the countryside setting. Whilst design issues have an element of personal preference, in this location a higher standard is suitable. However, consistent with the NPPF the County Council as planning authority should seek solutions to this requirement rather than problems. Therefore, it is possible to condition the submission of material samples to ensure they are appropriate to the sensitive location. Notwithstanding this, in my opinion, the proposed design is appropriate in this location. The plans demonstrate a sensitive and considered approach, both in the design thought and with the materials selected, which is sympathetic to the agricultural and countryside setting.
33. The proposal site is largely screened from public view. As can be seen from the location plan (D1.3), the site occupies a plot which takes a small rectangular wedge out of a large arable field, which is bounded on all sides by mature hedgerow and trees. The nearest

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residential properties are 80m to the east, but any view is interrupted by conifers, mature trees and the adjacent sports equipment distribution building. The site is not visible from any public road or Public Right of Way. There are no publicly accessible views to the site from the wider landscape, given the flat topography, agricultural planting and mature trees and hedgerows.

34. I am of the opinion that the proposed building is a good design for this location. It is low profile, being 4m at its highest point and 2.6m at the eaves. The 'L' shaped design, and timber boarding to the external walls, would in my opinion give the building the appearance of an agricultural building such as a stable or hay store. That attribute is accentuated by the incorporation of timber shutters over doors and windows. The inclusion of timber oak finished double-glazed windows and doors improve the sustainability of the building, and are the preferred materials for this location. The roof would be finished with grey slate, which is also considered to be a suitable material. The quality of the materials can be ensured through the imposition of conditions requiring submission before commencement of the development. Therefore, in my opinion, there are no overriding design considerations which weigh against the proposal, which cannot be mitigated by ensuring appropriate materials are used.

Use

35. Intensification has been raised as an issue warranting an objection by the District Council. This is on the grounds that the proposed use would result in a level of activity and traffic which would harm the rural character of the area. The site is located down a private lane, away from view from the general public, and set against trees and an existing warehouse building. Therefore, I am of the opinion that controls could be put in place to ensure levels of activity do not lead to a level of disturbance which would harm the local area. Traffic is raised as such an issue, however the applicant states that the site would be used by a maximum of 8 children and 6 staff members at any one time, and they would arrive at the site in pooled transport, with one session in the morning and one in the afternoon. I am of the opinion that this minimal level of use would not be noticeable to the wider locality, and any outdoor activities conducted by pupils would relate to horticulture, which is compatible with the surrounding land uses, and in my opinion would not harm the general character of the area as being edge of an urban settlement leading into industrial agricultural fields.
36. A key planning control that would be required is to restrict the planning use of the site strictly to pupils sent from Stone Bay School. Combined with limits on pupil numbers, this would prevent activity at the site developing beyond that proposed.

Highways

37. The proposed use, as discussed above, has raised an objection on the basis that it would lead to an increased level of traffic which would impact upon highway safety. Kent County Council Highways & Transportation were consulted on the application, and responded by stating that they had no objections subject to conditions being imposed which:
- Restrict the use of the site to the School
 - Secure visibility splays at the junction of the access track and Sandown Road
 - Provision and permanent retention of parking spaces prior to use of the site
 - Provision and retention of two covered cycle spaces.

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38. In my opinion, limiting the use of the site – opening hours, user numbers, use only by Stone Bay School, parking – would enable sufficient controls to ensure the levels of activity do not approach a level which would cause disturbance to the locality. The site plan and supporting statement indicate that parking would be provided for two cars and a minibus, which would prevent uncontrolled numbers of vehicles visiting the site, and thereby not lead to the 'constant use' of the access track, as highlighted as a reason for objection. This control, in conjunction with a condition requiring the applicant to secure improvements to the visibility splay prior to first use, would in my opinion allay any concerns that arise from a highway safety perspective.

Sustainable Development - Transport

39. The issues of highways safety and location of the development raise questions regarding the sustainability of the development. The District Council is of the opinion that, as the development would lead to travel outside any village or town confines, then it is incapable of being regarded as sustainable. In my opinion this is one factor amongst many, and certain controls can be put in place to improve the sustainability of the development on transport grounds. One such method has been put forward by the applicant, which is to encourage transport to the site by public transport. There is a bus stop on Sandown Road and a train station nearby in the town of Sandwich, however I would question the ability of Stone Bay School to fully utilise this method in order to get their pupils and staff to the site. I recommend that the School produces a Travel Plan which clearly outlines a strategy for ensuring road journeys are kept to a minimum, and that visitors to the site are restricted to those coming from the main school site. Another method recommended by Highways & Transportation is to require the construction of a covered cycle shelter. I would support this recommendation as it would contribute to sustainable transport objectives by ensuring the appropriate infrastructure is in place for those who wish to cycle to the site.
40. Whilst the development site is not located within the development boundary of Sandwich, it is very close to the urban area, and located up an existing access track, which is shared by a warehousing land use. It would create journeys slightly outside any town or village confines, however this is mitigated by the limited parking space, the use of a minibus, and would be further mitigated by the imposition of a Travel Plan and the requirement to provide a covered cycle shelter.

Sustainable Development – Socio-economic

41. The development of the horticulture facility would create a valuable asset for the community, in particular to the students of Stone Bay School. The applicant states that the facility would provide vocational training enabling the development of on-site work-based learning providing practical skills, Health & Safety training, and to help develop understanding of responsibility and overall employability in the future. There is a shortfall of this type of facility (a view reinforced by support from the KCC Inclusive Access Team). Opportunities for children with the complex needs of those who attend Stone Bay School are limited within the local community, and therefore this adds great weight as a material consideration for the development in contributing to sustainable development objectives of social cohesion and economic growth, in accordance with the NPPF and South East Plan Policy CC1(v) – *achieving safe, secure and socially inclusive communities across the*

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region, and ensuring that the most deprived people also have an equal opportunity to benefit from and contribute to a better quality of life.

Flood Risk

42. Dover District Council objected to the scheme on the grounds that the proposal lies within Flood Zone 3a and the information submitted does not allow the decision maker to adequately apply the sequential test. The FRA submitted with the application acknowledged the location within Zone 3a – an area with high probability of flooding either by sea or river (Technical Guidance, NPPF). Following consultation with the Environment Agency, I was informed by the EA that the proposal site in fact lies within Flood Zone 1 (low probability of flooding), and the applicant and the District Council had been working from out of date Flood Zone maps. *NB: I have had this confirmed with the Environment Agency for the avoidance of doubt.* The proposed development is classified within the technical guidance as a land use which is 'more vulnerable' to flooding, but as the site is within Flood Zone 1 the development is appropriate. However, in these areas Local Authorities are advised to seek development which reduces overall flood risk and the appropriate application of sustainable drainage systems.
43. The Environment Agency, within its response, did not suggest any specific conditions regarding flood risk, however included an informative recommending that the mitigation methods suggested within the applicant's FRA are incorporated. Conditions were recommended relating to land contamination and controlling pollution and drainage. I am therefore satisfied that the Flood Risk to the development is acceptable, provided that the applicant submits a Sustainable Urban Drainage Scheme consistent with the recommendations within their FRA.

Biodiversity and Ecology

44. The application was submitted with information concluding that development of the site was unlikely to result in the loss of ecological habitats. A Bat Scoping Report was conducted which concluded that bat activity in the area was low, and transient in nature. Following the planning officer assessment of the site, and consultation with the KCC Biodiversity team, the conclusion was reached that there was a high probability that the site would be suitable for protected species, and therefore the relevant surveys would need to be carried out. The applicant willingly conducted a further scoping and consequent reptile survey which identified that viviparous lizards were present within the site, as well as the potential for breeding birds. The survey recommends mitigation methods which are supported by the KCC Biodiversity Officers, along with supporting a commitment to provide enhancements such as bird boxes. Therefore, I am satisfied that, subject to the appropriate conditions ensuring mitigation and enhancement are carried out, there are no outstanding ecological issues warranting refusal of the application.

Conclusion

45. Whilst the District Council have continued to raise some genuine planning policy concerns over the development of this site, I am firmly of the view that the latest application now incorporates sufficient measures and reasoning to address the potential planning policy conflicts, in particular, the justification made by the applicant regarding the need for the

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facility at this location, concerns over flood risk, information on vehicle movements and an amended design. Moreover it stands to reason that a horticultural educational operation involving autistic children demands a fairly discreet, semi-rural location, close to but not remote from an urban centre. Accordingly, I would recommend that planning consent should be granted, but subject to conditions necessary to control the use and operation of the centre.

Recommendation

I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- The standard time limit condition
- Development to be completed in accordance with approved plans
- Approval of external materials
- Submission of travel plan
- Details and provision of cycle parking
- Incorporation of flood risk mitigation methods and submission of SUDS
- Environment Agency recommended conditions: drainage and land contamination
- Ecological mitigation and enhancements
- Use limited to use proposed and to users from Stone Bay School
- Parking restricted to three vehicles
- Hours of use restricted to proposed

Case Officer: Jeff Dummett

Tel. no: 01622 221058

Background Documents: see section heading

Item D2**Proposed replacement of windows St Alphege CE Infant School, Whitstable, CA/12/464 (KCC/CA/0100/2012)**

A report by Head of Planning Applications Group to Planning Applications Committee on 24th July 2012.

Application by Kent County Council Property and Infrastructure for the replacement of 16 white painted, soft wood timber vertical sliding sash windows with pine wood clad with white powder coated aluminium facing profile at St Alphege CE Infant School, Oxford Street, Whitstable CA/12/464 (KCC/CA0100/2012).

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mr M Harrison & Mr M Dance

Classification: Unrestricted

Site

1. St Alphege CE Infant School is located in Oxford Street within the Whitstable Town Conservation Area. A map showing the location of the site in relation to its surroundings is included.

Proposal

2. This minor development proposal is for replacement of 16 windows to the Oxford Street elevation of the school building. The existing windows are currently softwood, white painted, double hung sliding sash windows and it is proposed to replace these with high quality factory engineered units. The proposed replacement units are formed in a white finish pine timber and clad externally in white powder coated aluminium facing profile. Details of the proposal are shown below.

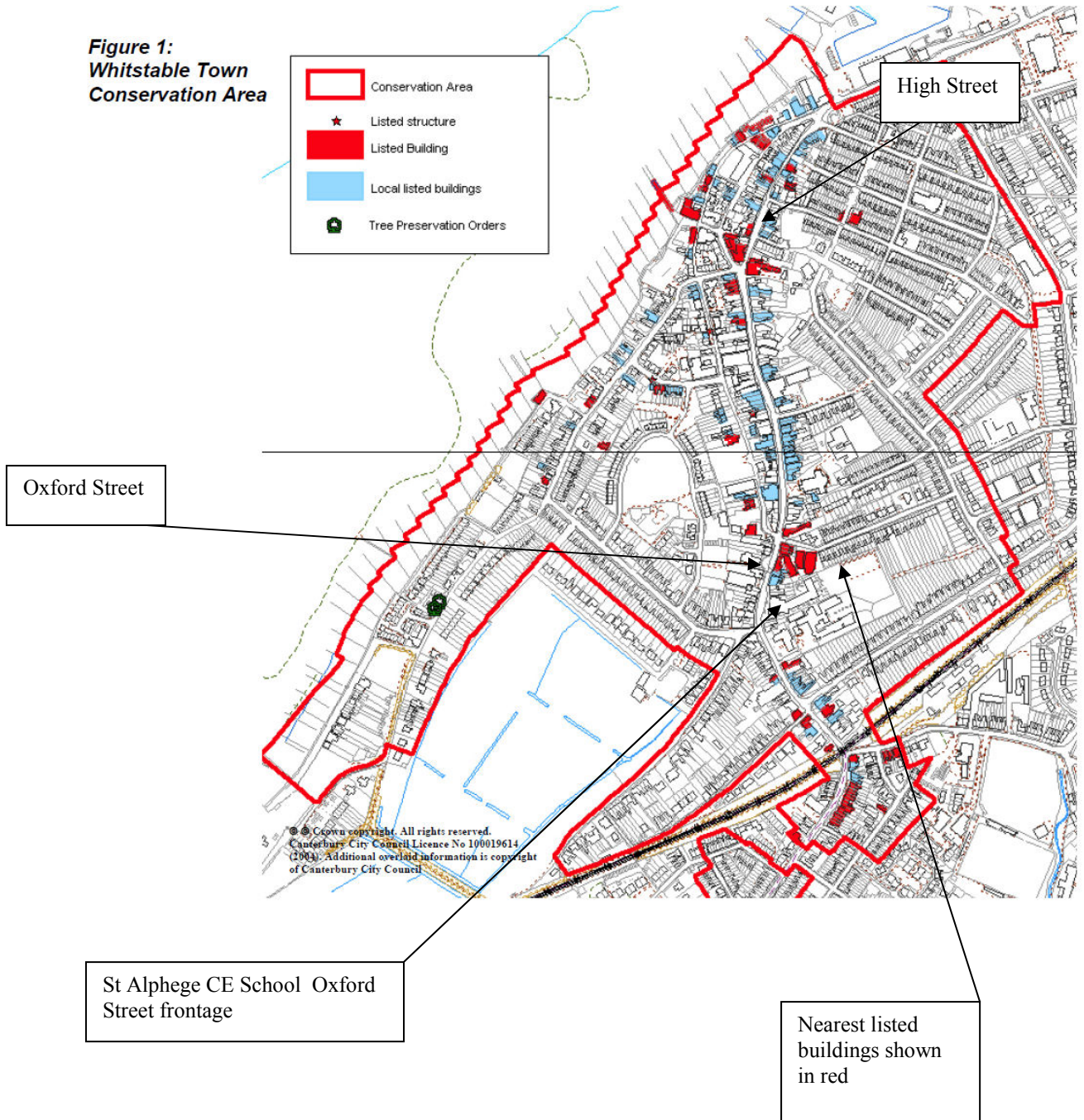
Background

3. This proposal is for replacement windows on a relatively new building for which planning permission was granted in 1998 (CA/98/229). It is of traditional design and construction. Details of the external materials were approved in March 1999 and allowed for vertical sliding sashes in timber painted white along the Oxford Street elevation.
4. Despite their age, the current windows along the Oxford Street elevation show signs of decay and rot and have been identified by the applicants survey as in need of replacement. A photographic survey report is included in the application.
5. The setting of this proposal in a Conservation Area requires special consideration of whether the proposal is likely to affect the character and appearance of the Conservation Area or to any listed buildings in the locality.
6. Given the Conservation Area location, pre-application discussions have taken place with the applicant concerning the need for replacement windows which would need to be sympathetic in appearance to the existing window arrangements on the Oxford Street elevation.

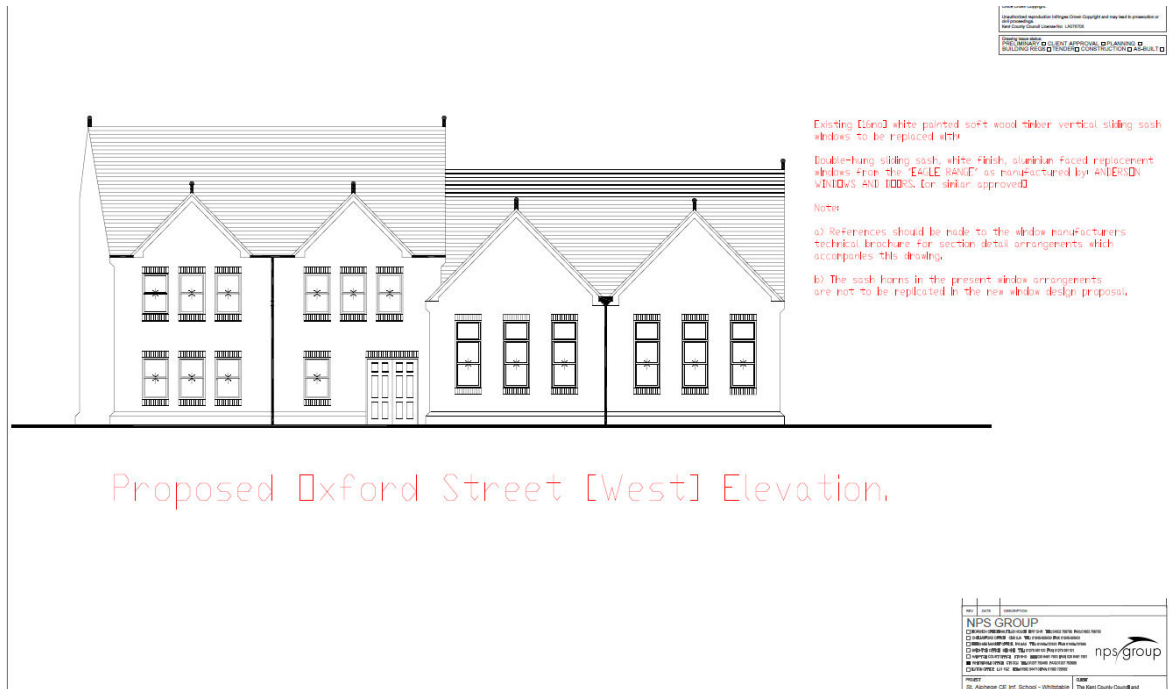
Proposed replacement of windows at St Alphege CE Infants School

Location Plan – Whitstable Town Conservation Area

Figure 1:
Whitstable Town
Conservation Area



Proposed replacement of windows at St Alphege CE Infants School



View of street scene and context looking toward the school to the east of Oxford Street



Proposed replacement of windows at St Alphege CE Infants School

Planning Policy

7. National policy guidance relevant to consideration of this application is contained in the National Planning Policy Framework (NPPF) which presumes in favour of sustainable development. The NPPF guidance on good design and conserving and enhancing the historic environment is relevant to delivering sustainable development and in relation to this development proposal.
8. The NPPF guidance for good design seeks to ensure that developments will function well and add to the overall quality of the area not just for the short term but over the lifetime of the development and to create attractive and comfortable places to live, work and visit. The guidance states that replacing poor design with better design in order to achieve positive improvements in the quality of the built environment can contribute to sustainable development. Conserving and enhancing the historic environment is regarded not just in relation to the visual appearance of development but also in terms of integrating new development into the natural, built and historic environment. A core planning principle is that heritage assets be conserved in a manner appropriate to their significance.
9. For decision-taking the NPPF defines the presumption in favour of sustainable development as meaning approving development proposals that accord with the development plan without delay unless material considerations indicate otherwise and where the development plan is absent, silent or relevant policies out of date granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policy guidance in the NPPF or specific guidance (eg land designations or heritage) in the NPPF indicate that development should be restricted.
10. Regional policy is contained within the South East Plan 2010. This policy document is due to be revoked as set out in the Localism Act 2011 but remains in place until it is deleted by secondary legislation. The relevant policies to this application are:

Policy CC1	Seeks to achieve sustainable development.
Policy CC3	Seeks to ensure via design the efficient use of resources.
Policy CC4	Seeks to achieve sustainable design and construction.
Policy CC6	Seeks to promote sustainable communities and respect the character of the environment.
Policy BE1	Seeks to improve the quality of the built environment.
Policy BE6	Seeks to protect, conserve and where appropriate enhance the quality of the historic environment
11. Local Development Plan policies are contained in the Canterbury District Local Plan 2006. The policies summarised below are relevant to consideration of the application.

Policy TC1	Seeks to add viability and vitality to town centres.
Policy BE1	Seeks to achieve high quality design which responds to the objectives of sustainable development.
Policy BE7	Seeks to preserve and enhance features that contribute to the character and appearance of a Conservation Area.

Proposed replacement of windows at St Alphege CE Infants School

Supplementary Planning Guidance is contained in the document Heritage, Archaeology and Conservation (Canterbury City Council, 2007) which provides detailed guidance in relation to development and Conservation Areas. This states that replacement windows should be appropriate for the proposed style and form of building.

Whitstable Town Conservation Area Appraisal (2010) is a background paper to the Local Development Framework. This describes the key elements that contribute to the special architectural and historic character of the area and the key features of the area that are desirable to preserve or enhance.

Consultations

12. **Canterbury City Council** raises no objections to the proposal.

Kent County Council **Heritage and Conservation** raises no objections to the proposal.

Kent County Council **Highways and Transportation** raises no objections to the proposal.

Local Member(s)

13. The local County Member(s) Mr Mark Dance and Mr Michael Harrison were notified of the application on the 5th April 2012. Following some initial concerns over the need and proposed solution, Mr Harrison has since responded in recognition of the current condition of the windows and wishes the school well with the project.

Publicity

14. The application has been advertised by newspaper notice, the posting of a site notice and by the individual notification of a number of neighbouring properties.

Representations

15. One neighbour representation has been received regarding the proposal with concerns about consistency in decisions relating to planning applications for the replacement of windows in the Conservation Area. This individual appears to have had a planning application refused for replacement windows to a shop front.

Discussion

16. Decisions on planning proposals are required to be in accordance with the Development Plan unless material considerations indicate otherwise. The development plan together with planning policy guidance (contained in the NPPF) and other material planning considerations provides the framework for making decisions. The relevant development plan policies are set out above and require proposals to be acceptable in terms of the context, design and impacts. In my opinion, the main determining issues for this application relate to the context and design of the proposal and the impact on the character or appearance of the

Proposed replacement of windows at St Alphege CE Infants School

Whitstable Town Conservation Area and in particular the character area of Oxford Street.

17. The Supplementary Planning Guidance contained in the document Heritage, Archaeology and Conservation (2007) and the Whitstable Town Conservation Area Appraisal (2010) are particularly relevant and material to consideration of this proposal. The need for the development proposal, the context, design and impacts are considered below.

Need

18. The applicant has undertaken a condition survey of the existing timber windows at the site and identified "serious and extensive wet rot" which they attribute to the use of poor quality timber which provided inadequate resilience to the weather.
19. It has been identified by the applicant that replacement rather than repair is necessary because of the condition of the windows. The six larger hall windows are in a worse condition than the smaller windows to the north of the building. Whilst repair rather than replacement may have been an option in relation to some but not all of the windows, in my view a uniform and consistent elevation would be better achieved by replacement of all of the windows at the same time. A photograph showing the typical condition of the hall windows is included above. In my opinion, there is a need for replacement of the windows, and replacement rather than a mixture of repair and replacement would be preferable in visual and design terms.

Context

20. The Whitstable Town Conservation Area Appraisal (2010) describes the character of Oxford Street in relation to the visual interest resulting from the curved streetscape and continuity of frontages. It is the streetscape as a whole rather than the quality of individual buildings within Oxford Street that characterises the particular Area in which this proposal is located. A photograph of the streetscape is included above. Planning policy relating to the Conservation Area requires change and development (including alterations to existing buildings) to positively respond to the Area's character and setting ie the streetscape and continuity of frontages which characterises the Oxford Street area.
21. Consideration therefore needs to be given to the design proposed and the impact of the proposal on the streetscape and continuity of frontages. The age of this building, in relation to its surrounding also needs to be taken into account. There are also a number of listed buildings in the locality, although in my view the proposal does not impact to any significant degree on the setting of these.

Design

22. The current windows on the Oxford Street elevation of the school are modern timber sliding sash windows. Given concerns regarding the durability of the existing wooden frames, the applicant has proposed replacement windows which have a wood frame but an external aluminium weather facing. The applicant states the proposed new windows would follow faithfully the sight lines and fenestration detailing of the existing windows and that they will fit directly into existing un-disturbed brick openings.

Proposed replacement of windows at St Alphege CE Infants School

23. There are however some design differences including the sash horn detail which would not be reproduced; the trickle ventilation strip at the top of the window which would not be needed; a fixed top light above the opening sash windows to the hall; and some minor frame measurement differences. These are regarded as minor variations to the existing window design which, in my opinion, would not detrimentally affect the overall appearance.
24. The supplementary planning guidance (2010) seeks to encourage windows that are appropriate for the proposed style and form of building. This building is relatively modern having been constructed in 2002 and is of traditional design and construction and currently respects its setting. In my view, replacement of these windows would achieve functional improvements whilst not adversely impacting or materially altering the appearance of the school frontage and therefore the setting would still be respected. Replacement would also impact on efficiency of the building in terms of heat retention within the building and sound insulation. These positive aspects need to be balanced against the Conservation Area objectives for Oxford Street. The significance of a change from wood to a wood and powder coated aluminium within this proposal needs to be further considered in relation to the impact to the visual appearance on the Oxford Road streetscape and also in terms of consistency in the application of the Conservation Area objectives.

Impacts

25. Local Development Plan policy BE1 seeks to achieve proposals that have high quality design and which respond to the objectives of sustainable development including with regard to the need for the development, local distinctiveness and character, visual impact, architecture and form, the need to keep buildings in use and fit for purpose as well as having regard to the supplementary planning guidance. Policy BE7 requires particular consideration to retention of architectural details that contribute to the character or appearance of the area and the removal of unsightly or negative features. The school has an obvious 20th century façade and the current windows are a modern interpretation of a traditional window. The applicant states that they do not match any of the other nearby window arrangements on Oxford Street. Given that the proposed windows are designed to maintain the existing glazed aperture and fenestration, the visual appearance in my view would not be unduly affected. The main issue therefore seems to be whether it is appropriate in policy terms to replace modern timber frame windows with a timber frame which has a modern protective exterior coating to assist with maintenance, durability and sustainability. The Conservation Area objectives do not prescribe that the replacement window should be of the same material as the original windows in these particular circumstances. Taking this into account, in my view the proposal would not be against the Conservation Area objectives.

Consistency

26. The issue of consistency has been raised within neighbour representation, in particular in relation to the use of aluminium. There are a range of buildings and uses within Oxford Street. Planning applications for the replacement of windows for shop fronts in the Whitstable Town Conservation Area would be dealt with by Canterbury City Council but with reference to the same policy documents that apply in relation to this proposal. All planning proposals would be considered in relation to the impacts of what is being proposed on the character and appearance of the

Proposed replacement of windows at St Alphege CE Infants School

building and on the street scene. This planning proposal which proposes the replacement of wood frame windows with a white finish pine timber clad externally in a white powder coated aluminium facing profile, needs to be considered on its own merits (as discussed in terms of needs context and impacts above), and determined in accordance with the policy documents referred to above.

27. The proposed window replacement is in my view of high quality design. In my view the proposal is suitable for the age of this building and the context of the Oxford Street elevation. I do not consider there to be detrimental visual amenity impacts from the proposal nor detrimental impact to the curvature of the streetscape, consistency of frontages or character of the area and therefore in my view the proposal would not adversely impact on the streetscape nor listed buildings in the locality. Taking into account that there are no objections from Canterbury City Council or the County Council’s Conservation and Design Architect, in my view a recommendation for approval of this proposal would be consistent with, and not undermine, planning policy and/or objectives for management of the Conservation Area.

Conclusion

28. Having considered the need and the proposed design together with the site context and the likely impacts, together with the neighbour notifications received and responses from consultees, I conclude that the proposal is sustainable, in accordance with the development plan and that there are no material considerations that indicate that the decision should be other than to grant permission.

Recommendation

29. I RECOMMEND that the application BE PERMITTED, SUBJECT TO conditions covering the following aspects:

- the standard time condition that the development be commenced within 5 years;
- that the development approved is carried out in accordance with the approved plans.

Case officer – H Mallett	01622 221075
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Background documents - See section heading
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Item D3**Retrospective application for the provision of external storage space - Tunstall CofE School, Sittingbourne – KCC/SW/0155/2012 (SW/12/740)**

A report by Head of Planning Applications Group to Planning Applications Committee on 24 July 2012

KCC/SW/0155/2012 – Retrospective application by Tunstall CE (Aided) School for the provision of external storage space for both outdoor play equipment and maintenance equipment at Tunstall CE (Aided) School, Tunstall Road, Tunstall, Sittingbourne

Recommendation: Permission be granted subject to conditions

Local Member(s): Mr M.Whiting, Mr A.Willicombe

Classification: Unrestricted

Site

1. Tunstall Church of England Primary School is located within the village of Tunstall, on the edge of Sittingbourne, along the main road from the town which leads southwards towards Bredgar. The site lies wholly within the Tunstall Conservation Area, and is bounded by the main road to the south east, residences to the south west, and agricultural fields and the grounds of the village hall to the north east and west. The main building to the school is Grade II Listed, dating from the 19th Century. The adjacent residence 'The Oast', to the south and west, is also Grade II Listed.
2. The school building is set back from the road and there is a low level fence (which was the subject of a recent planning application that was reported to Members in March of this year) and another higher fence within the school site which runs parallel to the school building. A series of 6 sheds, varying greatly in size and height have been erected over a period of 3 years in various locations along the perimeter of the school site, but are mostly obscured from view by the boundary treatment. However all of these sheds are located within the curtilage of the Listed Building

Background

3. The Planning Applications Group received a telephone call in December 2011 informing that the existing chestnut fencing at the front of the school was being replaced without permission. A retrospective planning application (KCC/SW/0009/2012 and SW/12/92) was subsequently submitted and reported to Members at the 13 March 2012 Committee Meeting. However as a result of this telephone call and application, the Planning Authority was also alerted to the fact that over a period of 3 years, a series of 6 sheds, of varying size and height, have been erected in various locations along the site perimeter. Under the circumstances the School were advised to prepare an inventory of all of the sheds and to submit a retrospective planning application to test the planning merits of this development.

External storage space, Tunstall Primary, Sittingbourne – SW/12/740



Site Location Plan

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

Notes:
 Do Not Scale.
 Report all discrepancies, errors and omissions.
 Verify all dimensions on site before commencing any work on site or preparing shop drawings.
 All materials, components and accessories are to comply with the relevant British Standards, Codes of Practice, and appropriate manufacturers recommendations that form the basis of this specification.
 For all specialist work, see relevant drawings.
 This Area has not been seen by the architect or Diocesan Architectural Services Ltd (A Diocesan Architects).

Rev	Date	Description



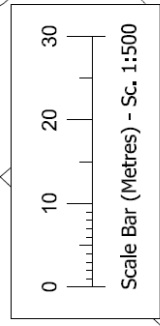
6, 8 & 11 The Cornyard
 Pennington Farm
 Pennington, Stocke Road
 Sittingbourne, Kent ME13 9ET
 Tel: 01795 862220
 Fax: 01795 862186
 www.diocesanarchitects.co.uk

PROJECT TITLE:
 12-030
 TUNSTALL C OF E
 PRIMARY SCHOOL
 EXTERNAL STORES

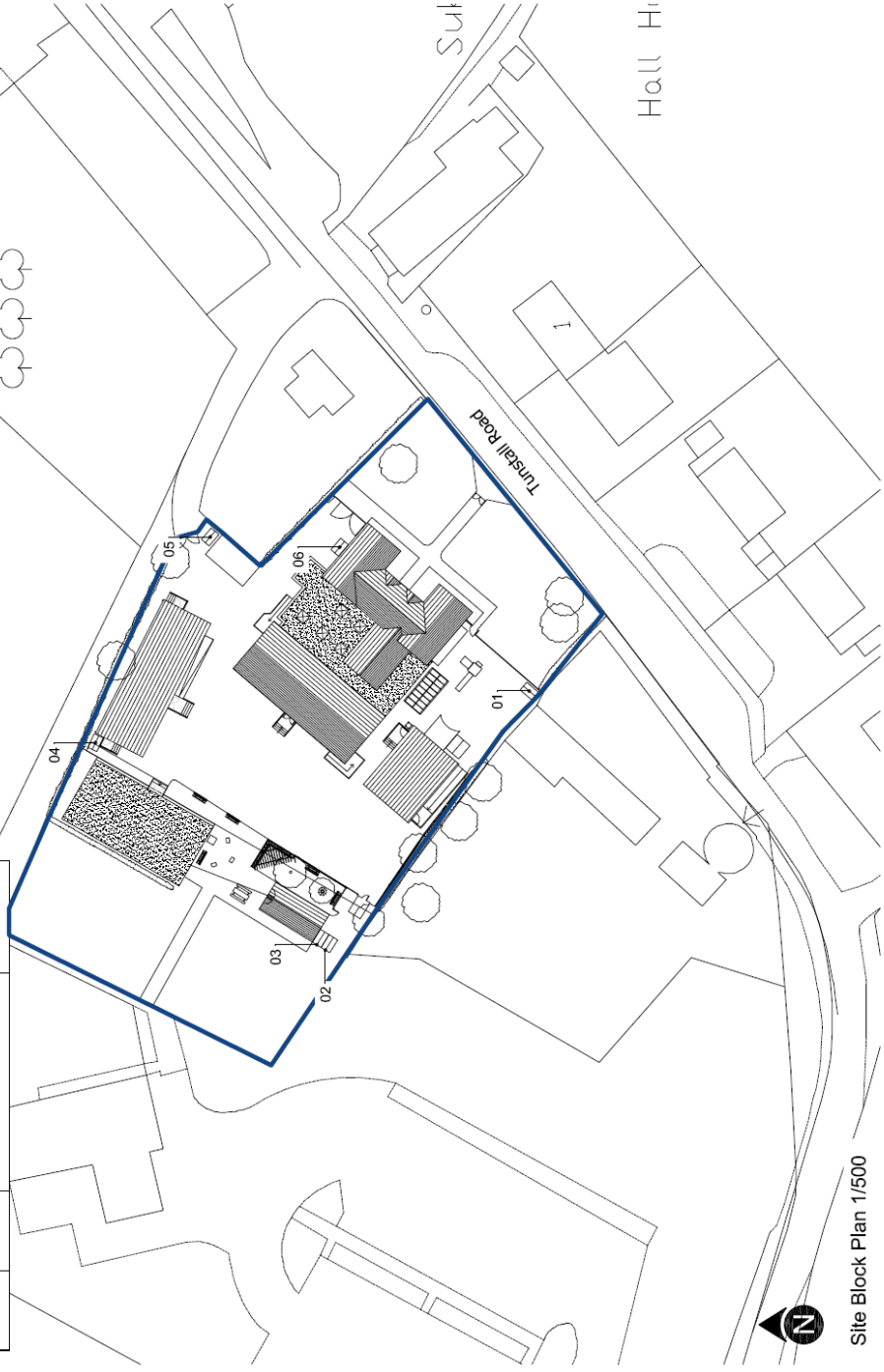
DRAWING DESCRIPTION:
 SITE PLAN

SCALE:
 1/500 @ A3
DATE:
 MAR 2012
DRAWN BY:
 MG
CHECKED BY:
 (blank)

STATUS:
 PLANNING
DRAWING NUMBER:
 12-030/01
REVISION:
 (blank)



Shed Key			
Number	Size	Use	Materials
	3.6 x 2.4m	External Play Equipment Store	Timber
	21.8 x 1.2m	Caretakers maintenance store	Timber - Painted
	31.8 x 1.2m	File store	Timber - Painted
	41.2 x 0.6m	Gardening Equipment Storage	Green Plastic
	51.8 x 1.2m	Staging Store	Timber
	61.8 x 1.2m	Cleaning Equipment Store	Timber



Site Block Plan 1/500

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

12-030/03



Shed 01



Shed 02 & 03 (Front Elevation)

12-030/03



Shed 02 & 03 (Rear Elevation)



Shed 04 (Generic Image)

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

12-030/03



Shed 05



Shed 06

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

Proposal

4. Tunstall CE School is applying for retrospective planning permission for the installation of a series of 6 external storage sheds. These sheds are fulfilling a shortfall in space to store the educational and maintenance equipment required to teach the students and maintain the school buildings. The sheds have been installed on the site for a period of between 1 and 3 years and have been placed on the site in close relation to their intended purpose. All of these locations are to the perimeter of the school site and are mostly obscured from external view by the boundary treatment, apart from the largest shed (shed no.1) which can be just seen over the school fence. The sheds are not bespoke designed units but are instead standardised designs. Tanalised timber cladding has been used for the newer sheds with the older sheds being painted green in recent years. The sheds vary in size with the smallest shed having a footprint of 1.2m x 0.6m and the largest being 3.6m x 2.4m.

Planning Policy

5. The most relevant Government Guidance and Development Plan Policies summarised below are appropriate to the consideration of this application:
 - (i) **National Planning Policy and Guidance** – the most relevant National planning policies and policy guidance are set out in:

National Planning Policy Framework (March 2012) sets out the Government's planning policy guidance for England and as guidance is a material consideration for the determination of planning applications. It does not change the statutory status of the development plan which remains the starting point for decision making. The NPPF replaces the majority of the Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs).

The NPPF contains a presumption in favour of sustainable development. The new Framework also refers to the UK Sustainable Development Strategy Securing the Future which sets out 5 guiding principles for sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society, achieving a sustainable economy; promoting good governance and using sound science responsibly. In terms of the planning system, the NPPF identifies that there are 3 dimensions to sustainable development which create 3 overarching roles in the planning system - economic, social and environmental. These roles are mutually dependent. Within the over-arching roles there are 12 core principles that planning should achieve. These can be summarised as:

- be genuinely plan-led;
- a creative exercise in finding ways to enhance and improve the places people live their lives;
- proactively drive and support sustainable economic development;
- secure high quality design and a good standard of amenity;
- take account of the different roles and character of different areas, including protecting Green Belts, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities;
- support the transition to a low carbon future, taking account of flood risk and coastal change and encourage the reuse of existing resources and the development of renewable energy;
- contribute to conserving and enhancing the natural environment and reducing pollution

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

- encourage the effective use of land by reusing brownfield land, providing that it is not of high environmental value;
- promote mixed use developments;
- conserve heritage assets;
- manage patterns of growth to make fullest use of public transport, walking and cycling; and focus significant development in locations which can be made sustainable; and
- take account of strategies to improve health, social and cultural well being, and deliver sufficient community and cultural facilities and services to meet local needs.

In terms of delivering sustainable development in relation to this development proposal, the following NPPF guidance is particularly relevant:

- Chapter 4 (Promoting sustainable transport);
- Chapter 7 (Requiring good design);and
- Chapter 8 (Promoting healthy communities);

The Framework also requires that local planning authorities should look for solutions rather than problems. It states that those determining applications should seek to approve applications for sustainable development where possible.

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

- Policy CC1 Seeks to achieve and maintain sustainable development in the region.
- Policy CC4 Seeks new development to adopt sustainable construction standards and techniques.
- Policy CC6 Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
- Policy S3 Seeks to ensure the adequate provision of pre-school, school, and community learning facilities.
- Policy S6 States that local planning authorities, taking into account demographic projections, should work with partners to ensure adequate provision of pre-school, school, and community learning facilities.
- Policy BE1 Seeks new development to help improve the built environment with design solutions relevant to local character, distinctiveness and sense of place.

Important note concerning the South East Plan:

Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers. Members will note that the Localism Bill has now been enacted; however the SEP remains in effect until such time as the Government complete the formal process of revoking the Plan

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

(iii) The adopted Swale Borough Local Plan (Saved Policies) 2008

- Policy SP7 Community services and facilities:
- To satisfy the social needs of the Borough's communities, planning policies and development proposals will promote safe environments and a sense of community by:
 - Increasing social networks by providing new services and facilities;
 - Safeguarding essential and viable services and facilities from harmful changes of use and development proposals.
- Policy C1 Existing and new community services and facilities:
- The Borough Council will not permit proposals that involve the loss, or change of use, of a local community facility, where this would be detrimental to the social wellbeing;
 - The Borough Council will grant planning permission for new or improved community services and facilities.
- Policy E1 General development criteria, proposals should:
- Accord with the development plan unless material considerations indicate otherwise;
 - Reflect positively characteristics and features of the site and surroundings;
 - Protect and enhance the natural and built environments.
- Policy E6 The countryside – Development proposals will only be permitted when:
- Providing a service that enables rural communities to meet their needs locally; or
 - It provides for essential community infrastructure.
- Policy RC2 Retaining and enhancing rural services and facilities.
- Policy E14 Development involving listed buildings:
- Proposals will only be permitted if the building's special architectural or historic interest, and its setting, is preserved.
- Policy E15 Development affecting a Conservation Area:
- Development should preserve or enhance the special character of the conservation area.
- Policy E19 Design Criteria:
- Development proposals should be of high quality design and respond positively to design criteria.

Consultations

6. **Swale Borough Council:** Raises no objection, subject to the application being granted 2 years temporary planning permission.

Tunstall Parish Council: Raises no objection, subject to the same conditions being attached as to the temporary classrooms

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

KCC Conservation Architect: Has raised reservations only about sheds no 1 and 6, where these are sited without consideration of the adjacent historic buildings. The siting of these two sheds is not only unsympathetic to the immediate setting of historic buildings but is also a fire risk to the adjacent buildings. If locations for these two sheds could be found away from these buildings, then no further adverse comments would be raised. It has been further suggested that due to the accumulation of ad hoc sheds and outbuildings that has accrued over a period of time, that at some point in the future the School needs to consider a comprehensive review of storage and consolidating these sheds into fewer storage units of a unified design, such as feather edged timber framed buildings of matching colour.

Local Member

7. The local County Members, Mr M.Whiting and Mr A.Willicombe, were notified of the application on 22 May 2012.

Publicity

8. The application was advertised by the posting of a site notice, the notification of 13 neighbours, and an advert was placed in the Kent on Sunday on 27 May 2012.

Representations

9. Four letters of representation have been received from local residents. Two letters were objecting to the application and two were in support. The following comments raised by local residents are summarised below:

Objections

- There is yet another retrospective planning application.
- It is alleged that if the application was submitted in advance then likely to be rejected but by continuing developing in the hope that a retrospective application will be dealt with more sympathetically.
- The number of external sheds is indicative of the fact that there is not enough storage space internally.
- Not fair on pupils and teacher as it has the effect of taking up again more playground space in an already cramped village school.
- Detrimental to the setting of a Grade II Listed Building as well as being in a Conservation Area.
- These sheds are an obvious sign that the school cannot run with the number of pupils it has.
- If planning permission is granted it should be conditioned with a maximum of 2 years permission, coinciding with the removal of the mobile classrooms, giving the School, the Diocese and Kent County Council sufficient time to consider the current number of intakes in this village school.

In Support

- The school is on a very small site and these sheds are vital.
- Live directly next door at The Oast and one of the sheds abuts my house but I have no problems with it.
- The sheds are discreet and only one is visible from the road.
- The sheds are completely unobtrusive and essential in view of the serious limitations under which the school operates.
- There is not enough room for the children let alone storage facilities.

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

- The school needs some plaudits for coping as well as it does on a difficult site that is not appropriate for teaching in the 21st century.

Discussion

10. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (4) 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, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
11. This application has been reported for determination by the Planning Applications Committee following the receipt of objections from two local residents. The main issue relating to this application is the visual impact the sheds have upon the setting of the Listed Building, and the character and appearance of the Conservation Area.
12. The application has been submitted as retrospective, as the six storage sheds have already been on the school site for between 1 and 3 years. All of these locations are to the perimeter of the school site and are mostly obscured from view by the boundary treatment apart from the largest shed (shed no.1) which can be just seen over the school fence. The sheds are not bespoke designed units but are instead standardised designs. Tanalised timber cladding has been used for the newer sheds with the older sheds being painted green in recent years. The sheds vary in size with the smallest shed having a footprint of 1.2m x 0.6m and the largest shed having a footprint of 3.6m x 2.4m.

Location and design

13. The sheds have been placed on the site in close relation to their intended purpose and all are along the school's periphery. The sheds vary in size and height as it depends on the purpose that they are required for and on their design. Two of the sheds abut Listed Buildings (the school building and the neighbouring house) and the Conservation Officer has commented that they are unsympathetic to the adjacent historic buildings. However due to the various constraints that the School has to operate under, including a school building that cannot accommodate play and maintenance equipment, playgrounds that have been further reduced in size to accommodate additional temporary buildings and an increasing school roll, the School has struggled to accommodate all the equipment required to run a school. The School has been asked to investigate if there is a suitable alternative location within the school site for the two sheds that currently abut the school Listed Building and the neighbouring Listed Building. However the School has confirmed that they are unable to accommodate any changes to these two sheds due to the restricted nature of the site. Therefore in this instance the recommendation from the Conservation Officer cannot be implemented without seriously affecting the outside playing area for the school children
14. The six storage sheds have been located so as not to encroach upon the school's playground any more than is necessary. Under normal circumstances a shed would not require planning permission as it would be permitted under Part 32 of Permitted Development. However in this circumstance, all six sheds are located within 5 metres of the school's periphery and therefore would require planning permission. Additionally these Permitted Development Rights do not apply within the curtilage of a Listed Building. However it needs to be borne in mind that this is a relatively minor planning application and most of these storage sheds are not publicly visible from the road to the front.

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

15. The designs of the six storage sheds vary from a small plastic portable storage box to timber sheds, three of which have been painted green. There is no consistency to the size, design, material or colour of the storage sheds. All have been chosen according to the purpose that they will be used for and where they will be located.

Heritage Impact

16. As discussed above, the application site lies wholly within the Tunstall Conservation Area and the six storage sheds are within the curtilage of a Grade II Listed Building. The designs of the various sheds are considered to be not in keeping with the locality, nor the settings of the Listed Buildings. Nevertheless, the implications of removing the storage sheds on the efficient operating of the School would be incommensurate with the degree of harm in visual terms that the setting of the Listed Buildings and Conservation Area are experiencing. It also needs to be borne in mind that other buildings in the Conservation Area, including Listed Buildings, have similar minor outbuildings and are able to site such under Permitted Development Rights without the need for planning consent regardless of any detrimental visual impacts. However I would not wish to encourage further similar development because there would come a time when the cumulative impact of all the minor outbuildings would be sufficiently adverse to warrant refusal of planning consent.

Continued Retention

17. The six storage sheds, as mentioned above, have existed on the site for between 1 and 3 years. They have been placed around the school's periphery close to where they are needed, as a result of insufficient storage facilities within the school building. In considering this planning application it now has to be decided whether these sheds are acceptable and should be granted permanent planning permission or whether they are not acceptable and should be removed. As discussed in paragraph 16, if the six storage sheds are deemed to be acceptable from the outset then they should be equally acceptable on a permanent basis. If the overall harm is acceptable now then there is little logic in granting a temporary planning consent with a view to them being removed in 5 years time, if they are judged to be acceptable now and subsequently in the future.
18. Under normal circumstances, when a storage shed is erected in a residential garden, then this is done so on the understanding that this shed will not have to be removed in a number of years time. A permanent solution is sought from the outset. In this case, the six storage sheds in question erected around the school are of a permanent design to solve a permanent or ongoing storage problem. When Members are considering granting temporary planning permission for mobile classrooms, then that is usually a temporary solution and design intended to be rectified in the future with the building of a permanent facility. In this case, the solution to the chronic storage problem at this school has been solved with the six permanent storage sheds.

Conclusion

19. The retrospective planning application is for a relatively minor development which has been brought about due to circumstances and the constraints of the site, and therefore I do not see any planning reason why permission should be refused. In particular, the extent of the harm to the Listed Building and Conservation Area from the sheds is not as substantial as to warrant an outright refusal of consent, even though their detrimental impact must be acknowledged. The storage sheds have been deemed acceptable from the outset and so permanent planning consent should be granted.

External storage space, Tunstall Primary, Sittingbourne – SW/12/740

Recommendation

20. I RECOMMEND that PERMISSION BE GRANTED subject to the following condition:

- The units to be removed from the site in the event of the units no longer being needed for storage purposes.

Case officer – Lidia Cook	01622 221063
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Background documents - See section heading
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Item D4

Section 73 application to vary conditions (27) and (28) of planning permission TW/10/4051 to allow alternative floodlighting specification to floodlit MUGA on Site 1 at The Skinners Kent Academy, Tunbridge Wells – TW/12/1694 (KCC/TW/0192/2012)

A report by Head of Planning Applications Group to Planning Applications Committee on 24 July 2012.

Section 73 application to vary conditions (27) and (28) of planning permission TW/10/4051 to allow an alternative floodlighting specification relating to the previously permitted floodlit Multi Use Games Area on Site 1 at The Skinners Kent Academy, Blackhurst Lane, Tunbridge Wells, Kent, TN2 4PY - TW/12/1694 (KCC/TW/0192/2012).

Recommendation: Planning permission be granted subject to conditions.

Local Member: Mr. J. Tansley

Classification: Unrestricted

Site Description and Background

1. Members of the County Council's Planning Applications Committee will recall that they resolved to grant planning permission for the redevelopment of Skinners Kent Academy (SKA), subject to conditions, at their Meeting on 15 March 2011. A decision notice granting planning permission was issued in accordance with Members' resolution on 30 March 2011. The planning consent contains some 41 planning conditions covering, amongst other matters, the control of development, the submission of details for prior approval of the County Planning Authority, the timing of works, off site highway junction improvement works, the specification for floodlighting associated with the Multi Use Games Area (MUGA) on Site 1 and hours of use of Academy and community facilities. Members may also recall that they resolved to approve details relating to the heights of ground levels and a scheme of surface water drainage of the development on Site 2 at the Meeting of the Planning Applications Committee on 6 September 2011 and details of site fencing, gates and railings, hard surfaces and acoustic fencing of the development on Site 2 at the Meeting of the Planning Applications Committee on 14 September 2012.
2. Skinners Kent Academy is situated just north of the Pembury Road (A264), the main arterial route connecting Tunbridge Wells town centre with the A21, Pembury Village and other outlying villages further east of the town centre. The site is accessed principally from Blackhurst Lane, with a secondary entrance off Sandown Park. Both are residential roads leading north from Pembury Road. The centre of Tunbridge Wells is located some 2.4km west where Tunbridge Wells railway station is located, whilst the suburban centre of High Brooms and its railway station are located some 2.7km north west. The A21 is situated approximately 1.6km to the east of the application site and provides the only direct road access to the M25 from Tunbridge Wells.
3. The SKA site, extending to approximately 5.3 hectares in total area, is split into two distinct areas, known as "Site 1" (the main campus containing old school buildings due to be demolished, the new Academy building currently under construction and a newly built floodlit Multi Use Games Area) and "Site 2" (a sports field where a recently constructed All Weather Pitch has been constructed as part of the Academy redevelopment). Additional land owned by the Academy is located to the south of

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Pembury Road (known as “Site 3”). The matters which are the subject of this Committee Report relate to the specification of floodlighting associated with the newly constructed Multi Use Games Area on Site 1.

4. Construction works on the Academy redevelopment are now well underway with the contractor, Willmott Dixon, having commenced activities at the site in late July 2011. The main structure of the new Academy building on Site 1 is nearing completion with the roof and windows soon to be finished making the building watertight. A new floodlit Multi Use Games Area on Site 1 has been completed but to date has not yet been able to be used during night time periods for sports activities owing to issues with the floodlighting specification, the subject of this report. A new non-floodlit All Weather Pitch has been constructed on Site 2 together with the installation of associated ball-stop and acoustic fencing. Further works on Site 2 are being progressed, including the levelling and seeding of a grass sports pitch and running track. Works to upgrade an existing underground subway between Sites 2 and 3 are shortly due to commence.
5. Prior to the start of construction activities on Site 1, the County Planning Authority received and considered (including a period of public consultation) details required by the planning permission relating to (amongst other matters) external materials for the new buildings, ground levels and finished floor levels of the development on Site 1, details of a foul and surface water drainage scheme, ground contamination, a Code of Construction Practice, details and specification of acoustic fencing surrounding the MUGAs on Site 1 and a programme for the implementation of off-site highway junction improvement works. Those details were formally approved under delegated powers on 14 July 2011 prior to the commencement of construction activities. Details of the ground levels and a scheme for the disposal of surface waters, both relating to Site 2, were approved at the Meeting of the Planning Applications Committee in September 2011, whilst details of site fencing, gates and railings, hard surfaces and acoustic fencing of the development on Site 2 at the Meeting of the Planning Applications Committee on 14 September 2012.
6. Members may recall that as part of the Academy redevelopment proposals (permitted at the Meeting of the County Council’s Planning Applications Committee in March 2011) permission was given for the replacement of old existing sports pitch lighting for a new Multi Use Games Area. This element of the wider Academy redevelopment proposals proved controversial and attracted a significant number of objections. Controls were placed on the planning consent stipulating that the specification of the floodlighting to be installed could only be that approved, that the applicant had to undertake post-installation lighting testing to ensure that the lighting levels as installed met those set out in their application and controls on the hours in which the MUGAs could be used. There are a number of specific conditions attached to the Academy redevelopment consent (reference TW/10/4051) which are worthy of note here, as set out below:

Condition (24) states that: *“The floodlit Multi Use Games Areas (Site 1) shall only be used between the hours of 08:00-22:00 Monday to Friday; 08:30-21:00 Saturday; and 08:30-20:00 Sunday and Bank Holidays”.*

Condition (27) states that (in summary): *The floodlighting associated with the Multi Use Games Area (Site 1) shall be installed and set up as detailed in the application and before it is first brought into use it shall be checked by an independent lighting engineer to ensure compliance with the approved scheme [...] and before it is first*

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brought into use the County Planning Authority shall be provided with written evidence that the lighting meets the requirements of the approved lighting scheme.

Condition (28) states that: "The lighting illumination and spill levels associated with the Multi Use Games Area (Site 1) shall not exceed those specified within the planning application.

7. The Multi Use Games Areas on Site 1 were constructed as one of the first stages of the wider Academy redevelopment, comprising the laying of a new porous macadam pitch surface, ball stop and acoustic fencing and the installation of 16 (8 metre high) flood lighting columns with flat glass type fittings specified to minimise light spill. After the construction works associated with the MUGAs were completed the applicant arranged for the installed floodlights to be tested by a lighting engineer, with testing taking place in December 2011. The results of the post-installation lighting testing (as required under the terms of condition 27 of planning permission TW/10/4051) were provided to the County Planning Authority for approval shortly after the testing. However it soon became apparent that when comparing the details of the permitted floodlighting scheme to that installed on site there were a number of key differences. These differences included an alternative specification of lighting column/lamps to those previously permitted, resulting in variations to the previously approved lighting levels across the MUGA pitch surface and the spill levels beyond the perimeter of the edge of the pitches. As a result of these changes, it was concluded that the matter could not be dealt with by an approval pursuant to the terms of condition (27) given that the lighting levels differed, albeit not substantially, from those specified within the planning application, therefore contrary to the terms of planning condition (28).
8. Following the identification of a number of differences between the "as-permitted" and "as-installed" lighting schemes discussions took place between the applicant and County Planning Authority as to an appropriate course of action to rectify the breach of planning control. The applicant undertook to make additional adjustments to the installed floodlights, by way of the installation of shields (on 6 lighting columns adjacent to Blackhurst Lane) to prevent the back-spill of light towards Blackhurst Lane and The Lodge – a problem which was identified by the occupier of The Lodge when the new floodlights were first switched on. Further adjustments were made to the angle of the lighting units to overcome concerns expressed by residents in Ospringe Place regarding 'glare' issues. Whilst these technical adjustments made have gone a considerable way to resolving some of the issues raised by residents, the changes between the "as-permitted" and "as-installed" floodlighting meant that an approval could not be issued pursuant to the terms of condition (27) of the main planning consent simply due to the fact that the luminaires installed were not those originally granted permission for. The resulting impact meant that whilst the pitch was fully constructed, it could not be used for floodlit sports games as the applicant was not able to demonstrate compliance to the County Planning Authority that it had met the illumination and spill levels as specified by the planning permission. Taking this factor into account, the applicant was advised on the best way to proceed in planning terms. It was requested that either the applicant revert to the previously permitted lighting scheme by removing the current lighting equipment and installing that previously permitted, or they formally apply to vary the lighting details by a fresh planning application. The applicant has chosen to proceed with the second option, and submitted a planning application in May 2012 to allow an alternative floodlighting specification to be retained.

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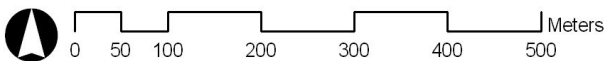
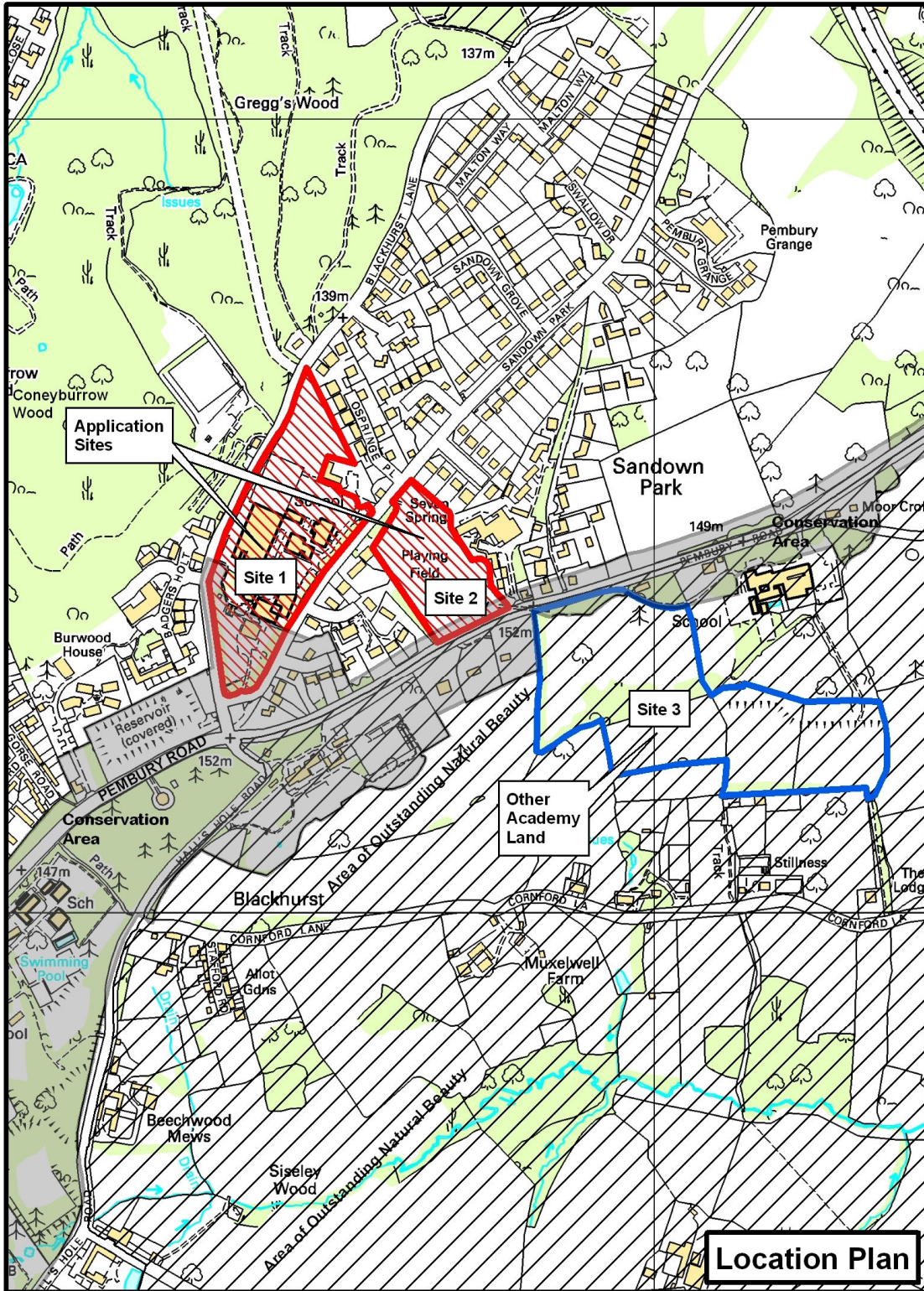
9. A consultation with key stakeholders (including the Borough Council and our own Lighting Engineer) was undertaken on the new planning application, together with the notification of all properties which shared a common boundary with this site. This application has met with concerns from the local community, as set out in paragraphs (22) below and is therefore being reported to the Planning Applications Committee due to these objections.
10. Members should be aware that this Report considers only the merits of the alternative floodlighting scheme associated with the MUGA on Site 1. It does not consider any other matters which were considered by this Committee under the main planning consent. These are not matters that Members can reconsider as part of this determination.
11. A site location plan identifying Sites 1, 2 and 3 together with the key landscape and heritage designations can be found on page D4.5. Plans showing light spill details associated with the current proposals are also attached to this report. Copies of these plans will be available at a larger scale for Members to view at the Committee Meeting itself.

Proposals

12. As detailed above, this matter relates to an application to allow an alternative floodlighting specification to be retained on Site 1 in connection with the recently constructed Multi Use Games Area (MUGA). This situation has arisen as a result of a different specification of floodlighting equipment being installed by the construction contractor to that permitted by the main Academy redevelopment consent without the prior knowledge of the County Planning Authority. Specifically, the proposals seek permission to formally vary the terms of conditions (27) and (28) of the main Academy redevelopment planning permission (TW/10/4051) which, as set out above, state that the floodlighting installed on site should only be in accordance with those details permitted within the planning consent.
13. This report considers the merits of the retention of the alternative specification of floodlighting only, and does not consider other matters relating to the wider redevelopment project, as previously considered in determining the main planning application. The principle of floodlighting associated with the MUGAs and their hours of use is already established within the base permission.
14. The application details that the lighting specification and output of the installed floodlighting differs slightly from the detail that was approved by the main Academy redevelopment consent in the following ways:
 - a. the original lighting specification approved showed the lighting columns located within the court. This presented a safety issue for users and a maintenance issue in terms of the potential for damage whilst the courts are in use. It is a standard requirement that no luminaires should be positioned over the principal area for tennis and for netball above a 4 metre diameter circle around the baskets. The lighting columns have therefore been located outside of the courts rather than within;
 - b. the fittings installed are from a different manufacturer to those approved. Sharp cut-off luminaires are preferable for tennis court floodlighting because they include accurate light output control, a restriction in light overspill and a reduction in direct

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Site Location Plan

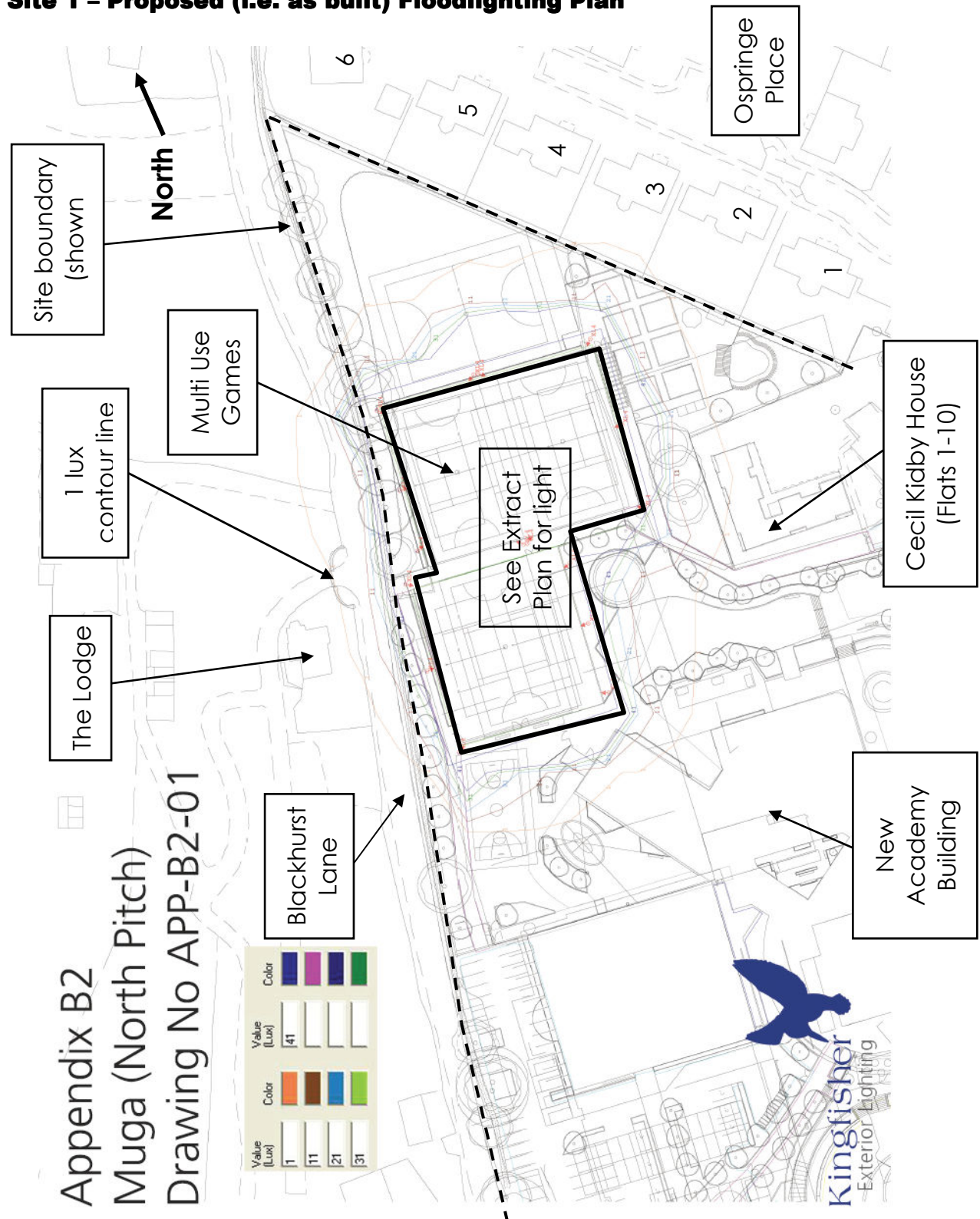


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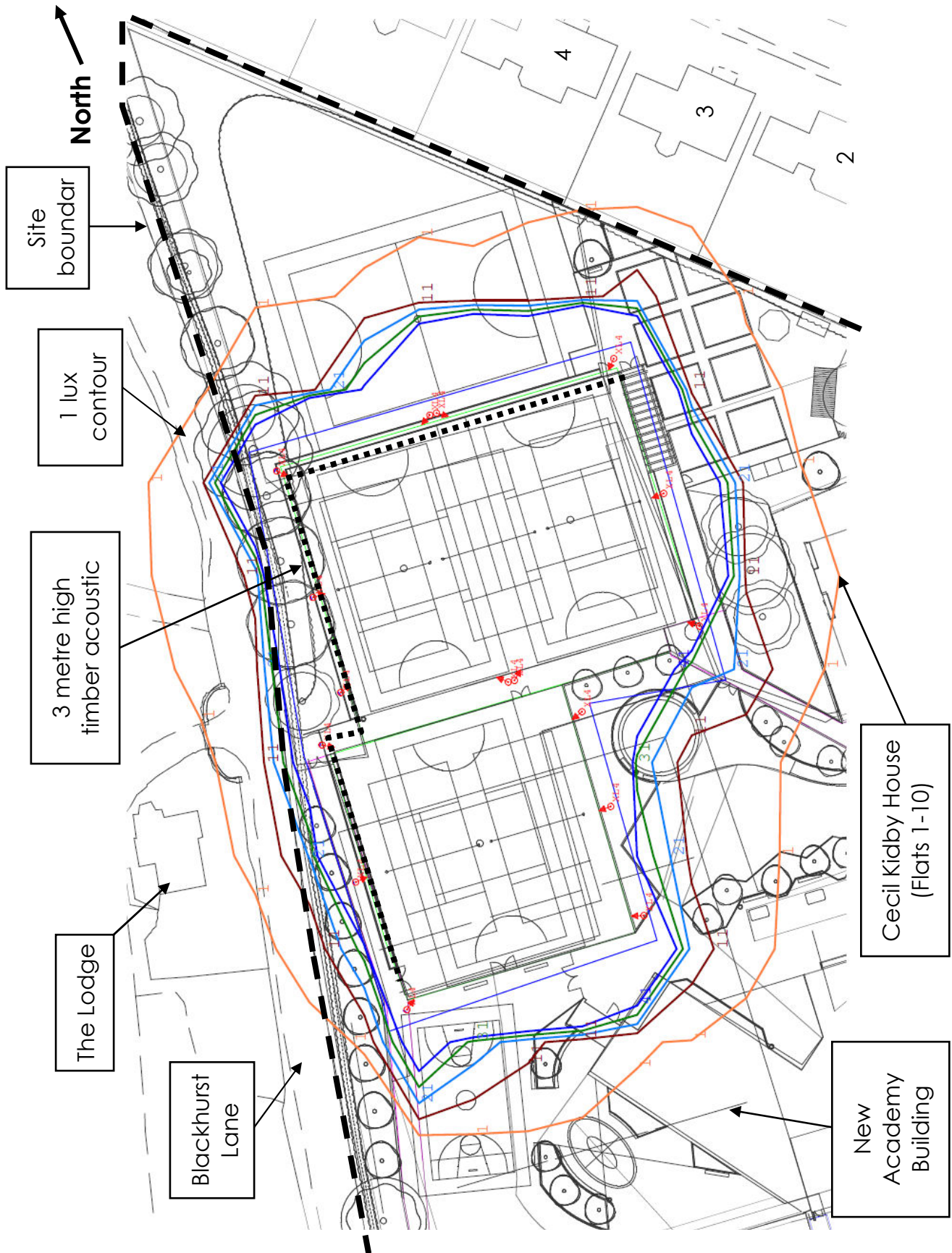
Site 1 - Proposed (i.e. as built) Floodlighting Plan



Site 1 - Extract from Proposed (i.e. as built) Floodlighting Plan

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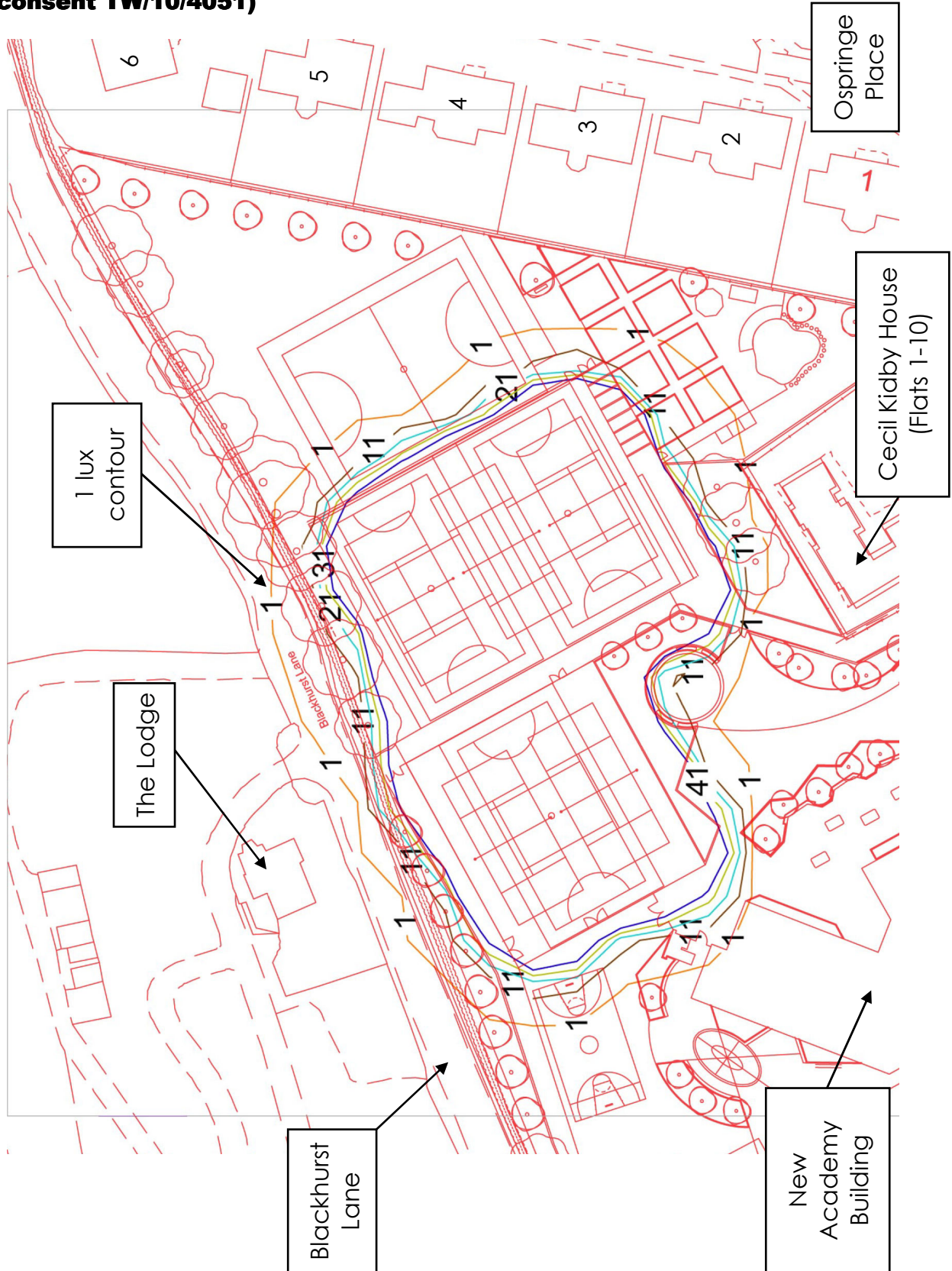
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Site 1 - Previously approved floodlighting spill levels (as permitted under consent TW/10/4051)



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glare from players. The approved SILL fittings have been replaced with Kingfisher fittings because they meet these criteria but distribute light more evenly than the SILL fittings. The Kingfisher fittings have similar properties to the SILL fittings and comparable output with more even light distribution characteristics and indeed have been successfully used in other floodlit sports facilities at Kent schools. Technical information supplied with the planning application shows that whilst the two light fittings are not exactly the same, the two fittings are very similar;

- c. the combination of moving the columns outside of the courts and the installation of the Kingfisher light fittings (as opposed to approved SILL fittings) means that the resultant lux levels on the courts is inevitably different to the originally approved details. The original details indicated that lighting would present a maximum of 300 lux average across the MUGA court (within the perimeter fencing), whilst the “as-installed” lighting presents a maximum average of 276 lux taking into account maintenance and depreciation factors in the same way as the originally approved details did. The overall change in light spill levels (beyond the edge of the MUGA perimeter fencing) result in a 1 lux spill level extending further northwards across Blackhurst Lane towards The Lodge, and further eastwards towards Cecil Kidby House, and further eastwards towards Ospringe Place with the 1 lux contour dropping off just within the rear garden of No. 3 Ospringe Place and just inside the driveway to The Lodge. Members should note that copies of drawings comparing light spill levels between the lighting scheme previously permitted and that now the subject of this application will be available at the Committee Meeting itself.
15. In its justification for the retention of the alternative floodlighting specification, the applicant details that the light readings do not exceed 5 lux, the originally approved planning application requirement and the recommendation of the Institute of Lighting Engineers’ Guidance on Obtrusive Light. The applicant has also demonstrated that by installing shielding plates on all lights along Blackhurst Lane they have delivered a significant reduction in lux readings from the back-spill of light towards Blackhurst Lane and The Lodge. Whilst the applicant appreciated that it is not possible for the requirements of conditions (27) and (28) of the main planning consent to be met as the lighting installed presents different column locations, light fittings and resultant changes to on-court lux levels and off-court light spill, they claim that the effect of the new light fittings is not significantly different to that originally approved. Furthermore, the applicant considers that that when applying the six tests of a planning condition in Circular 11/95 [necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects] it would be unreasonable for conditions (27) and (28) to continue in their current form on the basis that they have demonstrated a safety need to change the locations of the lighting columns and that the new lighting specification would present the same or an improved impact upon neighbouring residential properties as the specification originally approved.

Planning Policy

16. The key National and Development Plan Policies most relevant to the proposal are summarised below:
- (i) **National Planning Policy Framework (March 2012)** sets out the Government’s planning policy guidance for England and as guidance is a material consideration for the determination of planning applications. It does not change the statutory status of the development plan which remains the starting point for decision

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making. The NPPF replaces the majority of the Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs).

The NPPF contains a presumption in favour of sustainable development. The new Framework also refers to the UK Sustainable Development Strategy 'Securing the Future' which sets out 5 guiding principles for sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. In terms of the planning system, the NPPF identifies that there are three dimensions to sustainable development which create three overarching roles in the planning system - economic, social and environmental. These roles are mutually dependent. Within the over-arching roles there are twelve core principles that planning should achieve. These can be summarised as:

- be genuinely plan-led;
- a creative exercise in finding ways to enhance and improve the places people live their lives;
- proactively drive and support sustainable economic development;
- secure high quality design and a good standard of amenity;
- take account of the different roles and character of different areas, including protecting Green Belts, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities;
- support the transition to a low carbon future, taking account of flood risk and coastal change and encourage the reuse of existing resources and the development of renewable energy;
- contribute to conserving and enhancing the natural environment and reducing pollution;
- encourage the effective use of land by reusing brownfield land, providing that it is not of high environmental value;
- promote mixed use developments;
- conserve heritage assets;
- manage patterns of growth to make fullest use of public transport, walking and cycling; and focus significant development in locations which can be made sustainable; and
- take account of strategies to improve health, social and cultural well being, and deliver sufficient community and cultural facilities and services to meet local needs.

In terms of delivering sustainable development in relation to this development proposal, the following NPPF guidance is particularly relevant:

- Chapter 7 (Requiring good design);
- Chapter 8 (Promoting healthy communities); and
- Chapter 11 (Conserving and enhancing the natural environment).

The Framework also requires that local planning authorities should look for solutions rather than problems. It states that those determining applications should seek to approve applications for sustainable development where possible.

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(ii) The **South East Plan (2009)** – the most relevant policies are:

- Policy CC1** Seeks to achieve and maintain sustainable development in the region.
- Policy CC6** Promotes the creation of sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
- Policy S1** Supports measures for developing and shaping healthy sustainable communities, including: community access to amenities such as open spaces and physical recreation activity; and healthier forms of transport.
- Policy S3** States that, local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities.
- Policy S5** Increased and sustainable participation in sport, recreation and cultural activity should be encouraged by Local Authorities.
- Policy S6** Encourages the mixed use of community facilities in order to make effective use of resources and reduce travel and other impacts, and requires community facilities to be located and designed appropriately.

Important note regarding the South East Plan:

Members will already be aware of the relevant South East Plan (SEP) policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers. Members will note that the Localism Bill has now been enacted; however the SEP remains in effect until such time as the Government complete the formal process of revoking the Plan.

(iii) The **Tunbridge Wells Borough Core Strategy (2010)** – the most relevant policies are:

- Policy CP5** Requires all new development to employ sustainable design and construction standards and techniques and to make efficient use of water resources, comply with the sequential test set out in PPS25 in respect of reducing flood risk, have regard to and implement the renewable energy and energy efficiency targets sets out in the South East Plan, manage and seek to reduce air, light, soil and noise pollution and be designed to reduce waste creation and disposal. Developments should also be of high-quality design which will create safe, accessible, legible and adaptable environments, and conserve and enhance the public realm.
- Policy CP8** Seeks to maintain and enhance where appropriate the capacity, quality and accessibility of community facilities and importantly pledges specific support for the provision of additional facilities where there is a continuing demonstrable need and this will be provided on a single site or provide multi-use facilities.

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Policy CP9 Reaffirms the priority of conserving the town's built and natural heritage and landscape assets. Requires new development to respect and where necessary contribute to an integrated approach to improving movement into and around the town including promoting improved cycling and walking routes and increase use of public transport.

(iv) The **Tunbridge Wells Borough Local Plan** (Saved Policies) – the most relevant policies are:

Policy EN1 Requires all proposals for development to satisfy certain criteria, including: no unacceptable loss of/effect on amenity; respect for the context of the site; no loss of significant buildings, related spaces, trees, shrubs, hedges or other features important to the character of the area; no significant adverse impact on highway safety; services for foul and surface water sewerage and water supply have sufficient capacity/can be improved; no significant adverse effect on any features of nature conservation importance; and design, layout and landscaping take account of the security of people and property.

Policy EN8 Proposals for new outdoor lighting must present the minimum lighting necessary and should be unobtrusively sited or well screened by landscape or other site features. The specification of the lighting should minimise glare and light spillage having regard to local character, visibility of the night sky, residential amenities of surrounding and adjoining occupiers and public safety.

Policy EN14 Development proposals which would affect the habitat of a protected species will only be permitted where it would not have a detrimental effect on the nature conservation of the site.

Policy RF1 Land to the north east of Site 1/Blackhurst Lane is identified on the Proposals Map as Rural Fringe.

Consultations

17. **Tunbridge Wells Borough Council:** raises no objections to the proposals subject to: -

- additional tree planting (along the boundary of the acoustic fencing facing Blackhurst Lane and Ospringe Place);
- all other terms and conditions as set out in the original planning consent (TW/10/4051);
- subject to the views of the County Council's Lighting Advisor regarding the acceptability of the light spillage calculations and observations; and
- all landscaping works being carried out in accordance with the approved details and implemented prior to the first use of the MUGAs (or in accordance with a timescale agreed in writing by the County Planning Authority).

18. **County Council's Lighting Advisor:** raises no objections to the proposals, making the following key points: -

He notes that the revised lighting scheme involves changes to the lanterns and reposition of the columns, however considers that this is not significantly different to the original proposal. The relevant British Standard for Sports Lighting recommends average

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lighting levels of 300 lux for tennis and 200 lux for basketball for club standard competition.

The average lighting levels (as granted permission by the main Academy redevelopment consent) were shown to be 290 lux for the basketball courts and 300 lux for the tennis courts. The currently installed lighting specification is shown to deliver a maintained lighting level of 255 lux to 276 lux, based on actual site readings and applying a maintenance factor of 0.71. He considers that the maintenance factor of 0.71 applied by the applicant is reasonable and is based on the reduction in light output of a lamp through service and the degradation of the lantern output caused by dirt and ageing of reflective materials. He notes that whilst this maintenance factor can change based on lamp cleaning and bulb changing, 0.7 is a typical factor that is commonly applied to sports floodlighting and considers that it would have been the figure applied to the lighting within the original planning application documents.

He notes that steps in lighting requirements for outdoor lighting for changing standards are about 50% in street lighting and at least 50% in sports lighting as the eye does not see much difference in lesser step changes due to its adaptability to very large changes in lighting levels.

He notes that in this instance there is an increase in spill light outside the playing areas, however the spill light is reduced to 5 lux part way across Blackhurst Lane (towards The Lodge), 1 lux at the driveway to The Lodge and 1 lux just inside the boundary of the garden of the nearest property in Ospringe Place (No. 3 Ospringe Place). These levels are below the recommended levels set out in the Institute of Lighting Engineers best practice.

Considers that the lighting levels proposed on the playing surface are acceptable, noting that they are actually lower (on average) than those previously approved. Also notes that the source intensity in the direction of adjacent properties is shown to be less than half the recommended limit and in most cases about a third of the maximum value.

He notes that the calculations provided in respect of this application have been carried out assuming no barriers other than the 3 metre high timber acoustic fencing around the MUGAs. However, The Lodge on Blackhurst Lane, which is single storey, has a substantial hedge along the roadside and the front of the house is actually set at right angles to the pitches. On the school side of the road there are also substantial existing trees providing screening. He considers that all of these barriers will lessen the spill and visibility of the lights to a greater or lesser degree depending upon the season.

He notes that concerns have been raised regarding the direct view of a couple of floodlights when driving out of The Lodge and considers that additional screening would help minimise this isolated issue.

19. **Kent Highways and Transportation:** raises no objections to the revised floodlighting scheme.

Local Member

20. The recently elected local County Member, Mr. J. Tansley was notified of the application on the 20 June 2012.

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Publicity

21. The application was publicised by the posting of three site notices and the individual notification of 19 neighbouring properties. A copy of the application was sent to the Sandown Park and Blackhurst Lane Local Community Group, as well as being made accessible online for inspection via the County Council's website.

Representations

22. To date I have received 4 letters of objection to the planning application. The main points of objection are summarised below:

- as the lights have hardly been on so far (not at all since January) it is very difficult for residents to comment and as we are not lighting specialists it is even more difficult to understand the impact these changes would in fact have;
- request that a report be produced by an independent lighting engineer, with full practical testing of the lights, who could then properly assess the effect of this new lighting proposal on nearby residents, detailing exactly how much variation there is from the original planning permission;
- in their letter of support of the application the contractor assures us that the changes would still keep within the conditions set out in the original planning permission with regard to spill and glare – if this is so why is there any need to change conditions (27) and (28)?
- if the light spill/glare/lux/trespass exceeds the parameters set down by the planning permission it is completely unacceptable to us residents to increase the light intensity we are going to have to live with;
- it would appear that the lux levels will be increased by around 10% - we find it hard to understand how this will not impact on us. We understand that the point of the changes is to increase the intensity of the light falling directly on the courts but surely there is a direct correlation between the brightness of the light and the area it lights up?
- at the Planning Applications Committee last year [March 2011] residents were given assurances by the Head of Planning that this lighting scheme would be 'much better' than the old one – it would seem that this will now not be the case;
- the supporting paperwork suggests that the luminaire maintenance factor is calculated at 71%. This implies that the light spill could be considerably in excess of the design calculations for a very long period of time which would be a totally unacceptable position for residents. From reading the details submitted, the light spill into some residential gardens is already in excess of the original application and they are relying on the maintenance factor to reduce this – from our understanding this will take over 4,000 hours to achieve. Even if the lights were on for 6 hours a day this would take over 650 days to reach and when you considered that the lights are not used in the summer, this equates to about 4 years and then we assumed the light bulbs would be replaced and the whole process of brighter lights starts over again;
- have no objection to the lighting columns being located outside of the acoustic fence as consider this to be much safer for users of the MUGAs;
- already the residents of Ospringe Place have to deal with building noise and dust right next to us and have experience of noise from the playing fields. We now have the extra worry of glare from bright floodlights;
- during the pre-application exhibition, post application exhibition and the consultation period of the original planning application concerns were expressed to Skinners Kent Academy, Max Fordham (the applicant's lighting engineers), Willmott Dixon and Kent

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County Council (as the Applicant and Planning Authority) that the floodlighting on Site 1 was too close to nearby properties (specifically being directly opposite The Lodge and its vehicular entrance) and Blackhurst Lane. All parties gave assurances that the latest technology luminaires, reflectors, hoods and canopies would be used and promised that the application specification would be met. The Planning Authority imposed two planning conditions to ensure that this was the case;

- quite clearly, due to the extreme close proximity of this installation to boundary trees, Blackhurst Lane and The Lodge, the promised specification and therefore conditions (27) and (28) of the planning permission cannot be complied with, confirming initial concerns expressed previously. Bearing in mind that the County Planning Authority imposed these conditions to protect amenity of neighbouring properties, it would be wholly and fundamentally wrong for them to relax them now. This would increase the impact on The Lodge and further erode the enjoyment of this property;
- the current installation directly opposite the vehicular entrance to The Lodge onto Blackhurst Lane has a cluttering effect when in use at night causing disability glare and impairing vision when manoeuvring a vehicle from the private driveway onto Blackhurst Lane – this has serious road safety implications for vehicles leaving The Lodge or for any pedestrians or motorists on Blackhurst Lane in the vicinity of the floodlights. I am sure that you are aware that it is an offence under the Highways Act to knowingly impair the vision of a motorist.

Discussion**Introduction**

23. This application seeks planning permission to retain an alternative specification of lighting units to that previously permitted under the main Academy redevelopment planning consent, granted by the County Council's Planning Applications Committee in March 2011. The variation in the specification of lighting units has occurred as a result of a difference between the specification of lighting which planning permission was granted for and what the applicant's contractor installed on site. This difference was first highlighted to the County Planning Authority when a post-installation lighting test report was submitted to the Planning Authority by the applicant with a view to them trying to satisfy their requirement to demonstrate full compliance with the approved lighting scheme specified under the main planning consent. As a result of the information submitted at that time, a number of key changes between what was approved and what had been installed were identified. A new planning application was submitted by the applicant to rectify the breach of planning control, seeking to retain the lighting equipment that had been installed. The application is being reported to the Planning Applications Committee for determination as a result of the local residential objections received (as outlined in paragraph 22 above). These primarily relate to the principle of varying the lighting specification, difficulties in comparing what was previously approved to what is now in situ and issues of 'glare' and associated road safety concerns when exiting The Lodge by vehicle traffic.
24. In considering this application, regard must be had to the base permission for the redevelopment of Skinners Kent Academy, specifically in relation to the principle of floodlighting associated with the MUGAs on Site 1 together with the hours of use set down by that consent. Regard must also be had to the most relevant Government Guidance contained in the National Planning Policy Framework and adopted Development Plan Policies as outlined in paragraph (16), together with any other key material planning considerations relevant to take into consideration in the decision

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making process. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

25. As part of the consideration of this application, Members should be aware that it is only the merits of the alternative technical specification of the floodlighting that is being tested. The principle of floodlighting of the MUGAs and their associated hours of use have already been established in planning terms and are not subject to further consideration as part of this application. The key planning land use considerations in this particular case can be categorised under the following headings:
- consideration of the alternative floodlighting specification (as currently installed on Site 1) including how that differs from what was previously permitted by the main Academy redevelopment consent, specifically in terms of light intensity on the MUGA surface and light spill beyond the edge of the MUGA perimeter;
 - impacts on residential amenity arising from the alternative specification of floodlighting; and
 - any other relevant considerations as raised by consultees and/or local residents.
26. Members will also be aware that this application needs to be considered solely on its planning merits and not on a preference for a particular scheme.

Alternative floodlighting specification

27. The key differences between the originally approved lighting specification and that installed on site are identified in paragraph (14) above. In essence, these changes amount to different light fittings made by an alternative manufacturer, columns located outside of the MUGA surface and acoustic fencing, and a resultant variation in the luminance levels across the MUGA surface and spill levels beyond the boundary of the pitches. The key determining factor here is the nature of the difference between what was originally permitted and what is now on site in terms of luminance levels across the pitch surface and spill levels beyond the boundary of the pitches, in terms of acceptability in land use planning terms and upon surrounding residential amenity.
28. Luminance levels associated with the 'as-built' lighting specification are demonstrated in the planning application to be a maximum average of 276 lux over the entire MUGA area. When comparing these to the previously approved average levels across the MUGA pitch surface (300 lux) it is noted that the lighting levels are actually slightly lower than previously approved and not increased by around 10% as has been suggested. Both of these figures presented are average figures for lighting across the pitch surface, taking into account a standard 'maintenance' factor of (0.71) which the County Council's Lighting Advisor considers is a reasonable figure to apply to sports pitch lighting. The 'maintenance' factor is essentially a standard prediction on the reduction in light output of a lamp through service and the degradation of the lantern output caused by dirt and the ageing of reflective materials. Whilst it is acknowledged that at times (such as when a new bulb is installed or cleaning of the lanterns take place) lighting levels would exceed these 'maintained' levels, it is the purpose of an average figure to provide just that – an average light reading. I note that the County Council's Lighting Advisor has suggested that an increase of less than 50% in the brightness of outdoor sports lighting would not normally be easily identifiable by the human eye. In this instance however, I note that there is actually a small reduction in

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average maintained lighting levels across the pitch compared to the approved scheme and would therefore not raise any objection to this aspect of the proposals.

29. In terms of light spill levels beyond the edge of the MUGA surface (commonly referred to as the 'back-spill' of light) the application recognises that light spill levels are slightly increased towards Blackhurst Lane (and The Lodge) and towards Ospringe Place. To this effect, it should be noted that the 1 lux contour line extends to the driveway of The Lodge, whereas under the approved lighting scheme it only extended to mid-way across Blackhurst Lane. Similarly, the 1 lux contour line extends just inside of the rear garden of No. 3 Ospringe Place whereas under the approved lighting scheme the 1 lux contour fell away mid-way between the MUGA boundary and the rear boundary of properties in Ospringe Place. The application details that 'back-spill' light levels would range between 11 and 1 lux across Blackhurst Lane (moving away from the site boundary) whereas levels previously permitted were typically closer to 1 lux.
30. It should be noted however that the figures used as part of the lighting assessment rely on visual attenuation of the 3 metre high acoustic fencing running around the northern and western boundaries of the MUGA, yet does not consider visual screening afforded by existing trees along the site boundary with Blackhurst Lane. It should also be noted that the nearest residential property (The Lodge) is a single storey dwelling, has a substantial hedge along the roadside and that the front of the house is set at right angles to the pitches. The County Council's Lighting Advisor considers that all of these barriers which are not specifically referred to in the light spill assessment would deliver further reductions to lessen the spill and visibility of the lights to a greater or lesser degree depending upon the season.
31. Based on professional advice provided by our Lighting Advisor, I am satisfied that the increase in light spill, over-and-above that previously permitted, is acceptable in planning terms and would not give rise to an overriding or undue harm to surrounding residential amenity. The advice received from my Lighting Advisor is that the scheme as proposed (i.e. as installed) meets with the terms of best practice guidelines issued by the Institute of Lighting Engineers and therefore is acceptable in planning terms. I note that the Borough Council has raised no objection to the new floodlighting specification and that the Borough's Environmental Health Officer was involved with adjustments made to the lighting specification after it was first installed on site.
32. A site visit was undertaken to inspect the current floodlights on Wednesday 4 July 2012 between 22:00 and 23:00 hours, with an officer from Tunbridge Wells Borough Council's Planning Team also being present. That visit proved useful to witness first-hand the impact of the floodlighting in the context of the site's surroundings and nearby sensitive receptors. Photographs taken during that visit will be available for Members to view as part of the Officer introduction to the scheme at the Committee Meeting itself. As part of that visit light spill levels were witnessed between the edge of the MUGA and Ospringe Place, Cecil Kidby House and along Blackhurst Lane (particularly in the vicinity of The Lodge). The concerns raised by the owner of The Lodge in respect of 'glare' issues when exiting his drive were explored during that visit, and it was observed that two lighting units (located in the centre of the largest MUGA some 40 metres away and facing back towards The Lodge) were just visible above the top of the 3 metre high acoustic fencing and between the existing boundary tree screening. It is likely that these two lighting units are those which are resulting in the claimed 'glare' and 'serious highway safety' issues by the owner of The Lodge when exiting his property during night time periods. Having sought advice from my Lighting

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Advisor on this particular aspect, he considers that additional tree screening would help minimise this isolated issue. Additional tree planting between the acoustic fencing and the site boundary to bolster existing tree screening in this location would need to be of heavy standard (3.5 metre in height) to deliver any significant benefits. I have discussed this particular point with the applicant and they have agreed in principle to plant a couple of interspersed evergreen trees (Leyland Cypress) along this boundary of heavy standard (at least 3.5 metres in height) to help assist the concerns raised by the owner of The Lodge in this instance. I further note that the Borough Council's formal consultee response is that it raises no objection to the proposed floodlighting subject to (amongst other matters) additional landscape planting along the site boundary with Blackhurst Lane.

33. I propose that this additional interspersed tree planting be secured through the site wide landscaping scheme which is required to be agreed pursuant to the terms of condition (16) of the main planning consent. I have received a commitment from the applicant's agent that they are willing to undertake this additional planting, and therefore recommend that this be secured accordingly in any decision to grant planning permission. I recommend that this planting takes place during the first available planting season (generally between Autumn 2012 and Spring 2013) but would not require this prior to the first use of the MUGA.
34. Concerns have been raised by neighbouring residents that it is very difficult to comment on the proposals since the lights have been on very little since it was first installed, and that they are not qualified lighting engineers themselves to understand the key differences between what was permitted and what has now been installed. Requests have also been made as to whether an independent lighting engineer could properly assess the lights. It is noted that the lights have been on very little since they were originally installed, but this is due to the fact that the lights which were installed did not comply with the terms of the original planning consent and therefore the County Planning Authority was not able to agree to the School using the lights without first seeking a formal variation. I would also point out that any lighting report(s) produced by the applicant are customarily independently assessed by both the County Council's Lighting Advisor and the Borough Council in its statutory consultee role.
35. In respect of the earlier assurances given by the Head of Planning that the original lighting scheme (as approved at the Planning Applications Committee in March 2011) would be 'much better' than the old one which was in-situ at that time, it is still the case that the variant lighting scheme now being considered is of modern-type with flat glass type fittings designed to reduce the back-spill of light and light glare, and it remains a much preferable lighting scheme than the previous unshielded one that was in use prior to the Academy redevelopment and formed part of the then sports centre on site. Whilst it is acknowledged that the proposed lighting scheme as installed is proven to deliver a slight reduction in average lux levels across the MUGA surface and an slight increase in light spill beyond the edges of the MUGA, based on the professional advice provided to me I am satisfied that the lighting scheme proposed is acceptable in planning terms and therefore could be used by the Academy (and for wider community use) as currently set-up subject to planning permission being granted. In particular, I am wholly confident that had the currently installed lighting scheme been proposed at the outset, I would have recommended that planning permission be granted, and assessed the lights as notably more efficient and environmentally friendly than the former installation on the site.

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Conclusion

36. Having considered the key differences between the previously permitted and now proposed floodlighting schemes, the material planning considerations raised by surrounding residents and the technical and professional advice provided by consultees, I am satisfied that the proposed floodlighting scheme is acceptable in land use planning terms and would not cause overriding undue harm to surrounding residential amenity. I am therefore satisfied that the floodlights could now be used by the Academy (and for wider community use in accordance with the terms of the original planning consent) as currently set-up subject to planning permission being granted. Whilst it is acknowledged that the proposed lighting scheme would deliver a reduction in the average lux levels across the pitch surface and an increase in light spill beyond the edges of the pitch, based on the professional advice received I am advised that these lighting levels accord with best practice set down by the Institute of Lighting Engineers. Based on this scenario I accept the proposed lighting scheme as being suitable in this instance, and consider that it would be unreasonable to insist the applicant reverts to the previous lighting set up given this set of circumstances. Whilst noting the concerns of the residents, I would also point out that it is disappointing that the applicant chose to install a variant lighting scheme from that approved by the County Council without first seeking its approval.
37. Furthermore, I consider that the addition of interspersed evergreen heavy standard tree planting along the boundary with Blackhurst Lane would help in minimising the specific concerns raised from The Lodge in this instance. I therefore recommend accordingly as set out in paragraphs (38) and (39) below.

Recommendation

38. I RECOMMEND that PLANNING PERMISSION BE GRANTED for the alternative floodlighting specification, SUBJECT TO conditions (27) and (28) of planning permission TW/10/4051 being amended to read as follows: -

Condition (27)

The floodlighting associated with the Multi Use Games Area (Site 1) hereby approved shall be maintained at all times as currently set up and as detailed in the application. Should it subsequently be deemed necessary the applicant shall adjust the set up of the floodlighting and/or fit cowls, hoods, shades, shields and/or louvres, in agreement with the County Planning Authority, and thereafter the lighting shall be maintained as agreed;

Reason: In the interests of protecting surrounding residential amenity and pursuant to South East Plan Policy NRM10 and Local Plan Policies EN1 and EN8;

Condition (28)

The illumination and spill levels associated with the Multi Use Games Area (Site 1) shall not exceed those specified within this planning application;

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Reason: In the interests of protecting surrounding residential amenity and pursuant to South East Plan Policy NRM10 and Local Plan Policies EN1 and EN8;

AND that all other controls placed on planning permission TW/10/4051 remain unchanged, save for where they have since been updated by subsequent planning approvals.

39. I FURTHER RECOMMEND that the applicant BE REQUIRED to carry out additional interspersed landscape planting consisting of a couple of heavy standard evergreen trees (at least 3.5 metres high) along the site boundary with Blackhurst Lane. The final specification of this additional tree planting shall be agreed pursuant to the terms of a site wide landscaping scheme under the main Academy redevelopment consent and shall be implemented within the first available planting season following the date of this permission.

Case officer - Julian Moat 01622 696978
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Background documents - See section heading
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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

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

Background Documents - The deposited documents.

- AS/12/434 Upgrade of wastewater treatment works with new humus tanks and 'main control centre' kiosk.
Wye Wastewater Treatment Works, Bridge Street, Wye
- SW/95/1035 Details of additional plant and equipment submitted for approval pursuant to
R2 condition (2).
Faversham Quarry, Ham Road, Faversham

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

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

Background Documents - The deposited documents.

None

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

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

Background Documents – The deposited documents.

- AS/10/512/R23A Application to vary the details previously approved pursuant to condition 23 of consent reference AS/10/512: Proposed extension to hours of construction.
Repton Primary School, Former Rowcroft and Templar Barracks, Templar Way, Ashford

E.1

AS/11/20/R5,9&14	<p>Details of landscaping scheme (including landscape soil bunds), cycle parking facilities and external lighting pursuant to the terms of conditions 5, 9 & 14 of planning permission AS/11/20 for the new primary school wing.</p> <p>New Primary School Wing, The Wyvern School, Great Chart Bypass, Ashford</p>
AS/11/938/R9	<p>Details of travel plan pursuant to the terms of condition (9) of planning consent AS/11/938.</p> <p>Multi Agency Specialist Hub, The Wyvern School, Great Chart Bypass, Ashford</p>
AS/11/994/R3	<p>Details of all materials to be used externally pursuant to condition 3 of planning permission AS/11/994.</p> <p>Goat Lees School Site between Hurst Road, and Guernsey Way, Kennington, Ashford</p>
AS/12/442	<p>Provision of 7 new external canopies to provide covered areas to the adjoining primary school classrooms.</p> <p>New Wyvern Primary School, Great Chart Bypass, Ashford</p>
AS/12/568	<p>Provision of new modular two classroom building.</p> <p>Great Chart Primary School, Hoxton Close, Singleton, Ashford</p>
AS/12/590	<p>Construction of new care suite and respite room extension, widening of main entrance door, raising level of existing paving outside to give level access, renewal of ramped access to modular classroom building and siting of new timber shed.</p> <p>Brook Community Primary School, Spelders Hill, Brook, Ashford</p>
AS/12/598	<p>Provision of new modular two classroom building.</p> <p>Furley Park Primary School, Reed Crescent, Ashford</p>
AS/12/639	<p>Planning permission to install solar PV panels along the south facing roof of the Ashford Highway Depot building. The total array would be 23.735kwp and would incorporate 101x235 watt PV panels.</p> <p>Ashford Highway Depot, Javelin Way, Ashford</p>
CA/10/1790/R	<p>Application for a non-material amendment including;</p> <ul style="list-style-type: none"> - Updated landscaping plans; - Confirmation of provision of 2 storage containers; - Amendments to external services outbuildings; & - High level windows introduced to the north elevation of the sports hall. <p>Spires Academy, Bredlands Lane, Sturry</p>
CA/12/905	<p>Renewal of planning permission for 2 no mobile classrooms permitted under planning consent CA/06/1047.</p> <p>The Archbishops School, St Stephens Hill, Canterbury</p>
DA/11/1073/R	<p>Non-material amendment to enlarge bin store to hold 5no. 1100 litre bins (current approval to hold 2no. 1100 litre bins).</p> <p>West Hill Primary School, Dartford Road, Dartford</p>
DA/12/625	<p>Planning permission for a proposed temporary modular building.</p> <p>Oakfield Primary School, Oakfield Lane, Dartford</p>

DO/12/341	Retention of 2 No. mobile classrooms. Portal House School, Sea Street, St Margarets-at-Cliffe, Dover
DO/12/424	Enclosure of a first floor staff room balcony space. Dover Grammar School for Girls, Frith Road, Dover
MA/12/694	Construction of a new playground with pathway access, perimeter fencing and adjacent play area. Madginford Park Junior School, Egremont Road, Maidstone
MA/12/763	Install new tank housing on flat roof containing new cold water storage tanks. Five Acre Wood School, Boughton Lane, Loose, Maidstone
SE/11/980/R3	Details of a revised school travel plan pursuant to condition (3) of planning permission SE/11/980 for placement of one modular building. Seal CE Primary School, Zambra Way, Seal, Sevenoaks
SE/12/638/R4	Details of the foundation design of the front extension. Four Elms Primary School, Bough Beech Road, Four Elms, Edenbridge
SE/12/1290	To install 3 flagpoles – 1 of 9m, 2 of 7m in height. All will be in a hinged base plate. One flag to be union, one to be school flag and one to be decided, but no advertising to be permitted. Flag poles will not affect the site line of the building. Valence School, Westerham Road, Westerham
SE/12/1382	To construct a single storey extension, with pitched roof to existing key stage two building to provide a group room/multi purpose teaching area. Chevening St Botolph's CE Primary School, Chevening Road, Chipstead, Sevenoaks
SH/12/390	Erection of replacement fencing along New Road frontage and realignment of pedestrian access within site. Elham Church of England Primary School, Vicarage Lane, Elham, Canterbury
SH/12/530	Planning permission to install solar PV panels along the south easterly facing roof of the Broadmeadow residential care centre. The total array would be 18.565kwp and would incorporate 79 panels x 235 watt PV array. Broadmeadow, Park Farm Road, Folkestone
SW/12/554	Resubmission of expired permission SW/08/733 for the construction of a four classroom extension block, additional parking at the front of the school, repositioning of two mobiles during works and internal remodelling and roof adaptations to the existing school building to provide a pre-school facility. Bapchild & Tonge CEP School, School Lane, Bapchild, Sittingbourne
SW/12/697	Erect new palisade fencing 1.8 metre high powdered green (58 metres long) to east side of school's main entrance. Holywell Primary School, Forge Lane, Upchurch, Sittingbourne

TH/08/242/R10A	Details of a community use scheme pursuant to condition (10) of planning permission TH/08/242. The Charles Dickens School, Broadstairs Road, Broadstairs
TH/11/587/R	Application for a non-material amendment including; reduction in size of the sports pitch; and addition of a storage area to the west of the main pitch. (Ursuline College Sports Pitches), Sports Field between Ursuline College and King Ethelbert School, Canterbury Road, Birchington
TH/11/617/R14	Details of travel plan pursuant to the terms of condition (14) of planning consent TH/11/617. Garlinge Multi Agency Specialist Hub, Land annexed from Garlinge Primary School, Westfield Road, Margate
TH/12/335	Section 73 application to vary the terms of conditions (12) and (13) of planning permission TH/11/617 to allow the new multi agency specialist hub facility to open ahead of the community use scheme being submitted for approval by 31 December 2012 at Garlinge Multi Agency Specialist Hub (MASH) at land annexed from Garlinge Primary School, Westfield Road, Margate
TM/12/1332	Provision of new library and I.C.T suite in school courtyard. St Georges CE Primary School, Old London Road, Wrotham
TW/10/884/R3, 4, 5 & 6	Details of all materials to be used externally, external lighting, fencing, gates & means of enclosure and a scheme of landscaping. Frittenden C of E Primary School, Frittenden, Cranbrook
TW/10/4051/R21	Details of a pedestrian link across site 1 which users of sports facilities on site 2 would take between vehicle parking and site entrance on Sandown Park. The Skinners Kent Academy, Blackhurst Lane, Tunbridge Wells
TW/12/477/R3&R4	Details of fencing, gates and means of enclosure and details of the surfacing to the car park and access road pursuant to conditions 3 and 4 of planning permission TW/12/477. The Skinners School, St Johns Road, Tunbridge Wells
TW/12/1379	Proposed extension to staffroom within the school's existing quad. Bishops Down Primary School, Rydal Drive, Tunbridge Wells

E4 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS

Background Documents –

- *The deposited documents.*
 - *Town and Country Planning (Environmental Impact Assessment) Regulations 2011.*
 - *DETR Circular 02/99 – Environmental Impact Assessment.*
- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-

KCC/AS/0153/2012 – Proposed change of use from a skip depot to a waste transfer depot with construction of a new building, provision of a portacabin and a weighbridge at Woodleas Farm, Goldwell Lane, Aldington, Ashford

KCC/MA/0199/2012 - Application for the reorganisation of the main academy campus to include demolition of the east block and erection of a new two storey teaching building, retention of the west block, general teaching block and general purpose hall, provision of a new, two court floodlit multi games area, 59 car parking spaces, 56 cycle parking spaces, 6 motorcycle parking spaces and 1 mini bus parking space and provision of associated hard and soft landscaping. Creation of a new surfaced car parking area on academy land to the north of the main campus to provide 28 car parking spaces with associated hard and soft landscaping.
St Augustine Academy, Oakwood Park, Maidstone

KCC/SCO/SH/0168/2012 – Application to amend condition 9 of composite permission SH/03/62, SH/03/719, SH/04/1629, SH/05/792, SH/08/351 and SH/09/362 in order to extend the geographical area from which green waste may be sourced at Hope Farm, Crete Road East, Hawkinge, Folkestone

KCC/SE/0176/2012 – Application to vary conditions (29) and (30) of permission SE/98/234 to retain the Cowden Exploration Site, access and wellhead valve assembly for a further period of one year to allow time for the borehole abandonment and complete the site restoration at Cowden Exploration Site, Field No. 0002 Claydene Farm, Off Hartfield Road, Cowden, Edenbridge

KCC/SE/0205/2012 – To demolish a mobile classroom and rear extension to school building including existing toilets, changing rooms, corridor and store room and construct a new extension comprising a new multi-purpose hall, kitchenette and hall store, toilets plus a new classroom and link corridor at Ide Hill CE Primary School, Sundridge Road, Ide Hill, Sevenoaks

KCC/SW/0178/2012 – Change of use from wood storage to wood shredding. Unit 17, Ridham Dock, Iwade, Sittingbourne

KCC/TW/0212/2012 – Proposed single storey classroom extension.
Land at Broomhill Bank School, Broomhill Road, Rusthall, Tunbridge Wells

- (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 2011 – SCOPING OPINIONS ADOPTED UNDER DELEGATED POWERS

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

Background Documents -

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) Regulations 2011.*
- *DETR Circular 02/99 - Environmental Impact Assessment.*

None