

**PLANNING APPLICATIONS COMMITTEE**

**Wednesday, 17th July, 2013**

**10.00 am**

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





## **AGENDA**

### **PLANNING APPLICATIONS COMMITTEE**

**Wednesday, 17th July, 2013, 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 (10): Mr J Davies (Chairman), Mr C P Smith (Vice-Chairman),  
Mr M J Angell, Mr M A C Balfour, Mr T Gates, Mr P J Homewood,  
Mr S C Manion, Mr R J Parry, Mr C Simkins and Mr J N Wedgbury
- UKIP (4) Mr M Baldock, Mr M Heale, Mr T L Shonk and Mr A Terry
- Labour (3) Mr T A Maddison, Mrs E D Rowbotham and Mr R Truelove
- Liberal Democrat (1): Mr I S Chittenden

### **UNRESTRICTED ITEMS**

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

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

1. Substitutes
2. Declarations of Interests by Members in items on the Agenda for this meeting.
3. Minutes - 7 June 2013 (Pages 1 - 8)
4. Site Meetings and Other Meetings

#### **B. GENERAL MATTERS**

#### **C. MINERALS AND WASTE DISPOSAL APPLICATIONS**

#### **D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL**

1. Proposal GR/13/0118 (KCC/GR/0024/2013) -Perimeter fencing at Rosherville CE Primary School, London Road, Northfleet; Governors of Rosherville CE Primary School (Pages 9 - 16)
2. Proposal MA/13/898 (KCC/MA/0132/2013) - Six classroom extension, hall extension and 16 car parking spaces at St John's CE Primary School, Provender Way, Grove Green, Maidstone; KCC Property and Infrastructure (Pages 17 - 34)
3. Proposal SH/13/415 (KCC/SH/0139/2013) - Two timber framed classrooms at Highview School, Moat Farm Road, Folkestone; Governors of Highview School (Pages 35 - 46)

4. Proposal MA/13/0582 (KCC/MA/0064/2013) - Floodlights to existing multi-use games area (MUGA) at Madginford Park Junior School, Egremont Road, Bearsted; Governors of Madginford Park Junior School (Pages 47 - 58)

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

1. County matter applications (Pages 59 - 62)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None)
4. Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (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.)*

Tuesday, 9 July 2013



## KENT COUNTY COUNCIL

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### PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Friday, 7 June 2013.

PRESENT: Mr J Davies (Chairman), Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr I S Chittenden, Mr T Gates, Mr M Heale, Mr P J Homewood, Mr T A Maddison, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mr C P Smith, Mr A Terry, Mr R Truelove and Mr J N Wedgbury

ALSO PRESENT: Mrs M E Crabtree

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Team Leader - County Council Development), Mr J Hammond (Strategic Transport and Development Planner), Ms V Judge (Senior Solicitor) and Mr A Tait (Democratic Services Officer)

### UNRESTRICTED ITEMS

#### **32. Election of Vice-Chairman**

*(Item A3)*

The Chairman moved, seconded by Mr T A Maddison that Mr C P Smith be elected Vice-Chairman of the Committee.

*Carried with no opposition*

#### **33. Dates of meetings in 2013**

*(Item A4)*

The Committee noted the following dates for its meetings in 2013:-

Wednesday, 17 July 2013;  
Wednesday, 14 August 2013 (provisional);  
Wednesday, 11 September 2013;  
Wednesday, 9 October 2013;  
Wednesday, 6 November 2013; and  
Wednesday, 11 December 2013.

#### **34. Minutes**

*(Item A5)*

RESOLVED that the Minutes of the meetings held on 10 April 2013 and 23 May 2013 are correctly recorded and that they be signed by the Chairman.

#### **35. Site Meetings and Other Meetings**

*(Item A6)*

(1) The Committee noted that there would be a site visit to Bishops Down Primary School in Tunbridge Wells during the afternoon of Wednesday, 19 June 2013 and to

Dungeness during the afternoon of Tuesday, 2 July 2013. There would also be a training session on Waste Planning issues and Highways matters during the afternoon of Wednesday, 17 July 2013.

**36. Oaken Wood Public Inquiry**  
(Item B1 )

(1) The Head of Planning Applications Group informed the Committee that a decision from the Secretary of State for Local Government and Communities on the westerly extension to Hermitage Quarry, Aylesford (Minute 2011/37) was still outstanding.

(2) The Chairman agreed to write to the Secretary of State for Local Government and Communities requesting a decision on this matter at his earliest convenience.

**37. Application AS/12/1041/ (KCC/AS/0306/2012) - Scrap metal recycling facility for the processing and storage of End of Life Vehicles (ELV) with some waste electrical and electronic equipment, construction of a concrete slab base, processing building, weighbridge, portacabin and welfare facilities, and use of a mobile crane and crusher at Glebe Farm, Duck Lane, Shadoxhurst; Highview Park Ltd**  
(Item C1)

The Committee noted that this application had been withdrawn.

**38. Application AS/12/1322 (KCC/AS/0033/2012) - Change of use from warehousing storage to waste transfer station/ waste segregation and storage of non-hazardous waste streams at Unit 2, Thomas R Hills Ltd Site, Cobbs Wood Industrial Estate, Brunswick Road, Ashford; B Ball Contractors**  
(Item C2)

(1) Mr J N Wedgbury addressed the Committee as the Local Member. He took no further part in the decision making process for this application.

(2) The Head of Planning Applications Group undertook to inform the Minerals and Waste Planning Policy Team of Mrs E D Rowbotham's concerns about the use of fresh water for dust suppression. This would form a part of the emerging Kent Minerals and Waste Local Plan consultation process.

(3) RESOLVED that permission be granted to the application subject to conditions including conditions covering the time limit for implementation; the development being carried out strictly in accordance with the application plans and details; restrictions on the types of waste and throughput; hours of operation; use of equipment within the building; safeguarding areas for the storage of skips, containers, parking and manoeuvring; a restriction on the number of HGVs; the submission of a landscape plan including details of the existing trees and shrubs, the retaining wall and French drain; and adherence to the Dust Management Plan.

**39. Application SW/12/1184 (KCC/SW/0310/2012) - variation of Condition 9 of Permission SW/05/1203 to amend permitted stockpile heights at Ballast Phoenix Incinerator Bottom As (IBA) Recycling Plant, Ridham Dock Industrial Complex, Iwade, Sittingbourne; Ballast Phoenix Ltd**  
*(Item C3)*

(1) Mr R Truelove informed the Committee that he had previously considered this matter in his capacity as a member of Swale Borough Council. He therefore addressed the Committee as the Local Member and took no further part in the decision making process for this application.

(2) The Head of Planning Applications reported correspondence from Mr Ben Stokes (a Member of Swale BC) giving his explanation of the reasons for the Borough Council's recommendation that permission should be granted for a trial period of 2 years.

(3) Mr Stephen Plumb from Iwade PC addressed the Committee in respect of his Parish Council's remaining concerns about the application. Ms J Holland (Ballast Phoenix) spoke in reply.

(4) Mr T Gates moved the recommendations of the Head of Planning Applications Group, seconded by Mr J N Wedgbury.

(5) Mr M Baldock moved an amendment (seconded by Mr A Terry) that permission be granted for a temporary period of 2 years.

*Lost 3 votes to 11*

(6) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 11 votes to 3.

(7) RESOLVED that permission be granted to the application subject to conditions, including conditions covering a 5 year implementation period; the development being carried out in accordance with the submitted details; implementation of the Fugitive Emissions Management Plan and Risk Assessment submitted 12<sup>th</sup> March 2013; monitoring and maintenance of the dust management system; and the inclusion of all other conditions relevant to the existing Permissions SW/05/1203 and SW09/198.

**40. Proposal SE/13/487 (KCC/SE/0039/2013) - Single storey building to accommodate 5 classrooms and associated works at Lady Boswell's CEP School, Plymouth Drive, Sevenoaks; KCC Property and Infrastructure Support**  
*(Item D1)*

(1) Mrs M E Crabtree was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) The Head of Planning Applications Group reported correspondence from the Knole Paddock Residents' Association, Ms Julie Courtney (a local resident on behalf of Knole Paddock Residents' Association), the Sevenoaks DC Environmental and Operational Services Officer and from Mr Henry Pound (a local resident) raising concerns about the Proposal.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee asked for an additional Informative that it wished the revised Travel Plan to include a commitment to keep the top gate open for longer periods to enable pedestrian access associated with after school activities. It also specified that there should be a restriction on the delivery of construction materials before the school opened and at the end of the school day.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; the submission of a scheme of landscaping; tree protection measures; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey; surface water drainage and infiltration to ground; land contamination; the submission of a revised School Travel Plan within 6 months of the date of this permission, its implementation and ongoing review. *This document to be prepared in liaison with local residents, and should include mechanisms for ongoing liaison in the future. Continuation and expansion of the parent permit scheme and increased supervision of the drop-off at the Suffolk Road car park should also be included;* hours of working during construction and demolition being restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a Construction Management Strategy, including the location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities, community liaison & contact arrangements, and details of any construction accesses & management of the site access to avoid peak school times, including a restriction on the delivery of construction materials before the school opens and at the end of the school day; the submission of pre construction and post construction road condition surveys, and the making good of any damage; and measures to prevent mud and debris being taken onto the public highway; and
- (b) the applicant be advised of the following Informatives:-
  - (i) account should be taken of Environment Agency's advice relating to surface water drainage, waste and pollution prevention;
  - (ii) the potential for biodiversity enhancements should be explored; and
  - (iii) the revised Travel Plan should include a commitment to keep the top gate open for longer periods to enable pedestrian access associated with after school activities.

**41. Proposal GR/13/146 (KCC/GR/0032/2013) - Two storey building, additional car parking and parents' drop-off at St Botolphs CEP School, Dover Road, Northfleet; Governors of St Botolph's CEP School and KCC Property and Infrastructure Support**  
*(Item D2)*

(1) The Head of Planning Applications Group informed the Committee that Sport England had withdrawn its objection to the proposal, and referred to a petition received from local residents objecting to the proposal prior to the submission of the amendments. There would therefore be no need to refer the proposal to the Secretary of State if the Committee was minded to grant permission.

(2) In agreeing the revised recommendations of the Head of Planning Applications Group, the Committee specified that there should be a restriction on the delivery of construction materials before the school opened and at the end of the school day.

(3) RESOLVED that: -

- (a) permission be granted subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; a scheme of landscaping, including details of species, source, location of saplings to be planted as well as mitigation and visual impact information be provided, and hard surfacing, its implementation and maintenance; an investigation of the landscaping to the northern boundary of the school, near to the proposed extension; measures to protect those trees to be retained; mitigation measures for potentially roosting, foraging and commuting bats; lighting being designed to have minimal impact on any bats; the development according with the recommendations of the Ecology Survey; no tree removal taking place during the bird breeding season; replacement trees being planted to compensate for the ones lost as a result of the development; hours of working during construction being restricted to between the hours of 0800 and 1800 Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; measures to prevent mud and debris being taken onto the public highway; the submission of a Construction Management Plan, including access, parking and circulation within the site for contractors and other vehicles related to construction operations; details being submitted and approved, including the location of dropped kerbs, the extent of the parking restriction, the boundary of the adopted public highway and the extent of the footway along the back of the drop off parking bays; a scheme to deal with the risks associated with the contamination of the site being submitted and approved in writing by the County Planning Authority; a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of that remediation being submitted to and approved in writing by the County Planning Authority; no infiltration of surface water drainage into the ground being permitted other than with the express written consent of the County Planning Authority; the submission of a revised School Travel Plan within 6 months of the date of this permission, its implementation and

ongoing review; and a restriction on the delivery of construction materials before the school opens and at the end of the school day; and

- (b) the applicants be advised by Informative that any works carried out providing a dropped kerb crossing as part of the Dykes Pit housing development needs to be co-ordinated and not affected by the proposed drop off area.

**42. Proposal MA/13/0091 (KCC/MA/0436/2012) - Multi use games area (MUGA) at Roseacre Junior School, The Landway, Bearsted; Governors of Roseacre Junior School**  
(Item D3)

RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with submitted details; a restriction on construction hours; details of the temporary construction compound and storage areas; hours of use being restricted to term time only; restriction to School's own use; a restriction to prevent the use of floodlighting at the proposed site; the submission of landscaping and planting proposals for the site; and tree protection measures; and
- (b) the applicant be advised by Informative that opportunities should be sought to improve biodiversity at the site.

**43. Proposal SE/13/1206 (KCC/SE/0137/2013) - Single storey extension to provide 2 classrooms at St John's CEP School, Bayham Road, Sevenoaks; KCC Property and Infrastructure Support**  
(Item D4)

(1) Mrs M E Crabtree was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(2) Mr Chris Dance (the neighbouring local resident) addressed the Committee in respect of his concerns over the proposed landscaping scheme. Mr Stephen Coomber (HMY Architects) spoke in reply.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee noted the applicant's willingness to discuss tree planting with Mr Dance and agreed that the tree planting condition should take full account of the correct species, location and maintenance. It also specified that there should be a restriction on the delivery of construction materials before the school opened and at the end of the school day.

(4) RESOLVED that permission be granted to the proposal subject to conditions, including conditions the standard time limit; construction materials being

limited to those proposed; tree protection and planting measures being implemented as proposed; the submission of a landscaping scheme, including the incorporation of tree planting to the site boundaries and provision for good arboricultural practice in terms of design, implementation and maintenance; hours of construction; a restriction on the delivery of construction materials before the school opens and at the end of the school day; measures to prevent mud on the highway; the provision of beacon light to the school signs; and a revised School Travel Plan.

#### **44. County matters dealt with under delegated powers**

*(Item E1)*

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

- (a) County matter applications;
- (b) County Council developments;
- (c) Screening opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011; and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (None).

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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**

**Perimeter fencing, Rosherville C of E Primary School,  
London Road, Northfleet – GR/13/0118 (KCC/GR/0024/2013)**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 July 2013.

Application by Rosherville C of E Primary School for the erection of 2.4m high weldmesh fence along the western boundary of the hard play area. Rosherville C Of E Primary School, London Road, Northfleet, Gravesend, Kent, DA11 9JQ – GR/13/0118 (KCC/GR/0024/2013).

Recommendation: Permission to be granted

**Local Members:** N. Thandi and S. Howes

**Classification:** Unrestricted

**Site**

1. Rosherville School, Northfleet is located on the south side of London Road within a predominately residential area, adjacent to the Northfleet embankment. The school is comprised of the original Victorian, flint clad building plus a modern, single storey extension of brick construction and a modular classroom building. There is a hard play area and small car park at front of the school, which shares a boundary to the west with one residential property. There are playing fields to the rear of the school which adjoin the gardens of several residential properties along the western boundary. To the east of the school there is a wooded area and cliff top.
2. Approximately 65% of the site is bordered by 2.7m high, green palisade fencing; it forms a barrier between the hard play area and car park at the front of the school and runs along the length of the eastern and southern boundaries. Currently a 3.2 - 3.5m chain link perimeter fence is in place along most of the western boundary. There are pedestrian and vehicle gated access points to the site within the front brick wall with iron railings, of approximately 1.5m in height, facing onto London Road. A site location plan is attached.

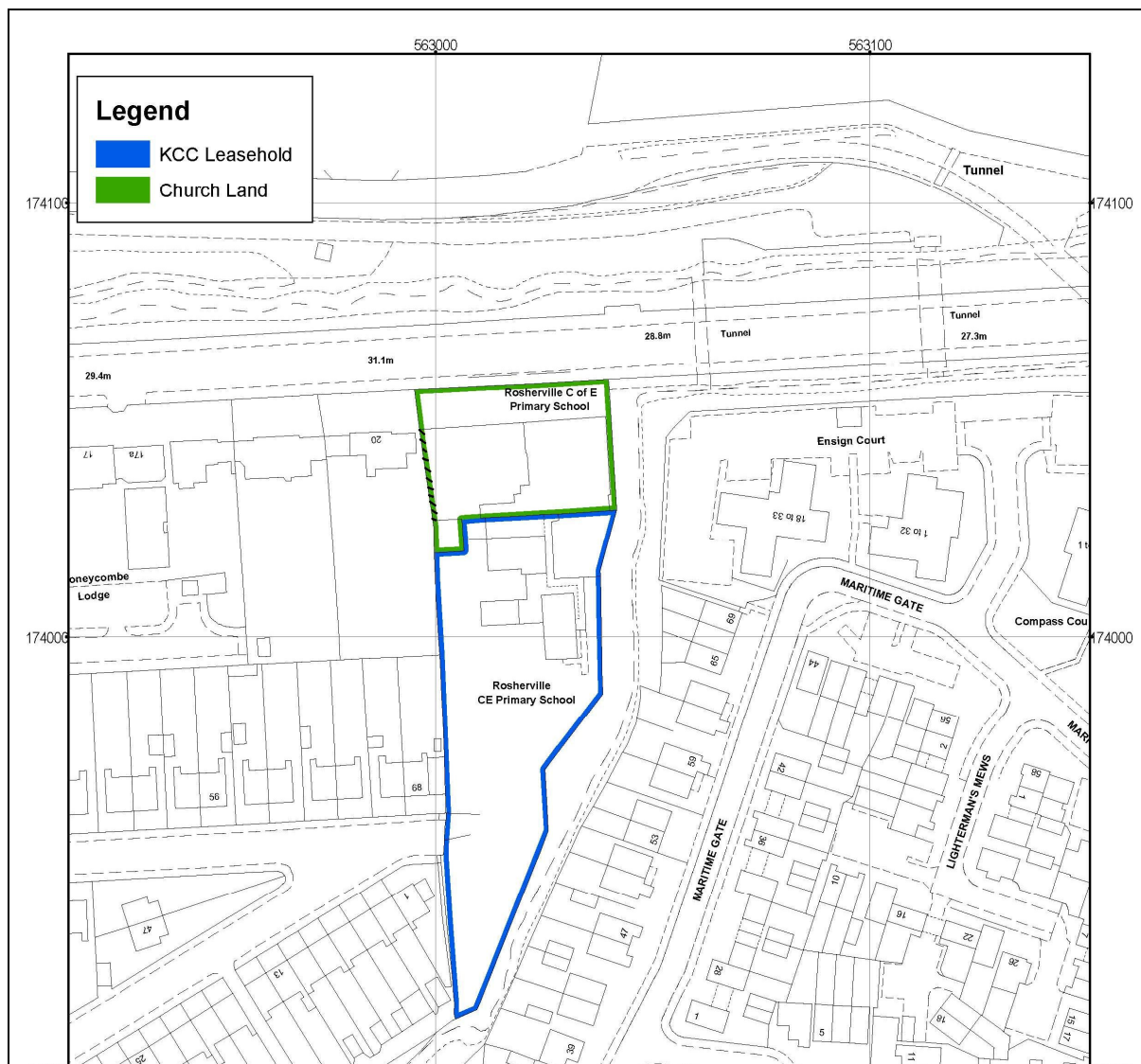
**Background and Proposal**

3. The proposal area is a section of fencing at the front of the school along the western perimeter of the hard play area, adjacent to a residential property (see the *Site Location Plan*). The applicant reports that there have been an increased number of break-ins on local schools, and that members of staff have been previously called out by the School's monitoring alarm company because the alarm has been set off, often in the early hours of the morning. The applicant states that the 3m plywood fence previously in place along the western boundary of the hard play area, erected in 2009, had become 'unsafe' and was subsequently taken down for this reason in December 2012.

**Perimeter fencing, Rosherville C of E Primary School, London Road, Northfleet – GR/13/0118 (KCC/GR/0024/2013)**

4. A planning application for a permanent replacement was submitted in January 2013, proposing a 2.7m high, green palisade fence to match most of the perimeter fencing around the school. Currently there is still an existing 3.2 – 3.5m chainlink fence and a boundary wall in place in the proposal area, which was situated between the previous plywood fence and the neighbouring property. See *photographs (a) and (b) of the application site*. The chainlink fence would be taken down if the proposed fence receives planning permission. Following negotiations during the planning process, the proposal has been amended to address local concerns. The application before Committee therefore seeks a 2.4m high section of weldmesh fence, painted green, for a distance of 21.5m to replace existing chainlink fencing.

**Rosherville C of E Primary School Site Location Plan**



**Item D1**

**Perimeter fencing, Rosherville C of E Primary School,  
London Road, Northfleet – GR/13/0118 (KCC/GR/0024/2013)**

*(a) Application site: previous plywood fence in place from 2009 until the end of 2012.*



*(b) Application site in January 2013: existing chainlink fence adjoining the fronting palisade fencing*



**Perimeter fencing, Rosherville C of E Primary School,  
London Road, Northfleet – GR/13/0118 (KCC/GR/0024/2013)**

**Planning Policy**

5. The following National Planning Policy guidance and Development Plan Policies summarised below are relevant to the consideration of the application:

- (i) **National Planning Policy Framework (NPPF)** March 2012, sets out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. In determining applications the NPPF states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are relevant:

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

- (ii) **Gravesham Local Plan Second Review (Deposit Version) 2000:**

**Policy BE1** Seeks to give priority to conserving and enhancing the built environment in both the urban and rural areas, particularly the design of new development.

**Consultations**

6. Gravesham Borough Council raises no objection to the proposal, and commented that the fencing would improve the security of the school site and match with the existing boundary treatments.

**Local Member**

7. The previous local County Members, Mr. L. Christie and Mr. H. Craske, were notified of the application on the 5 February 2013. The current local County Members, Mr N. Thandi and Mrs S. Howes, were notified that the application would be reported to the Planning Applications Committee on 28 June 2013.

**Publicity**

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

**Representations**

9. I have received one representation from a resident of the adjoining property to the west of the proposed fence. An objection is raised on the basis of the following material concerns:
- The visually intrusive security style of palisade fencing adjoining the resident's property.
  - The loss of light to the resident's property.

**Perimeter fencing, Rosherville C of E Primary School,  
London Road, Northfleet – GR/13/0118 (KCC/GR/0024/2013)**

- The proposed height of the fence given that the resident's property is set at a lower ground level than the school.
10. The resident also objected on the grounds of the failing structural integrity of the existing adjoining wall located on the resident's side of the application area. As a result, a Structural Engineer surveyed the boundary in March 2013 and recommended that the wall is rebuilt with some remedial work to the concrete base it sits on. I was advised that the recommended works to the wall were completed on 5<sup>th</sup> June 2013.

**Discussion**

Introduction

11. This proposal has arisen as the result of a need for improved quality of perimeter fencing, in terms of both appearance and safety, and the overall security of the school site. The representation received has raised issues relating to the height and design of the proposed fence, as summarised in the paragraph above. The proposal needs to be considered in the context of the relevant Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In brief, the relevant planning policies promote sustainable development, seek a high standard of design, and have regard to local context and the amenity of nearby properties and the surrounding area.

Design

12. The neighbouring resident originally requested that the planning application was amended from palisade fencing to a renewed chainlink style of fencing. However, as the existing chainlink fence is now in a poor condition both structurally and visually (as shown in photograph (b)), the applicant considered that chainlink fencing would not be robust enough to meet the security requirements of the School.
13. In order to address the objection raised over the appearance of the fence, the applicant initially proposed a change to a rounded top style of palisade known as 'bull nose' to soften the appearance of the fence. However, this was still considered too visually intrusive by the resident and so the proposal was then amended to a 'weldmesh' style of fencing, which was more acceptable to the resident. *See photograph (c) the proposed weldmesh fence.* To maintain some visual continuity around the school, the proposed weldmesh fence would still be green to match the existing palisade fencing which it would adjoin at the front of the school at the boundary of the car park.
14. Following the amendment to weldmesh fencing, I do not consider that the proposal would be unacceptable in design terms and consider it would be far less visually intrusive than the palisade originally proposed.

Light Amenity

15. The amended proposal of weldmesh fencing would be more open and allow more light to penetrate through the boundary than the original proposal of palisade fencing, and significantly more than the previous 3m high plywood fence which was in place for about four years (as shown in photograph (a)). I am therefore of the opinion that the proposal as now amended would not cause an unacceptable impact on the light amenity of the neighbouring property.



**Perimeter fencing, Rosherville C of E Primary School,  
London Road, Northfleet – GR/13/0118 (KCC/GR/0024/2013)**

*(c) Twin Wire Weldmesh Systems Fence*



Fence Height

16. I viewed the proposal area from the resident's property on 10<sup>th</sup> May 2013. The ground level on their side of the boundary is lower than the school site by approximately 0.9m. Photographs (d) & (e) show the views of the school site including the 3.2 - 3.5m chainlink fence due for removal and retaining wall from the neighbouring property. Given the difference in ground level, the applicant agreed to further amend the proposal to a reduced height of 2.4m. The resident's subsequent request for a further reduction to 2.1m is not accepted by the applicant, who is of the view that a lower fence would not provide an adequate prevention or deterrent to potential intruders given that the proposal area is visible from the highway, nor be as useful for ball- stop purposes.
17. The amended fence height is a reduction of 0.6m from the 3m plywood fence previously in place; I do not consider that a further reduction of 0.3m would make a significant difference on the amenity of the neighbouring property. Given the more open nature of the weldmesh fence, I would not therefore raise an objection to the fence at the proposed height of 2.4 metres.

**Perimeter fencing, Rosherville C of E Primary School,  
London Road, Northfleet – GR/13/0118 (KCC/GR/0024/2013)**

(d) View of the proposal area along side the neighbouring residential property



(e) View of the proposal area from neighbouring property's back garden



**Perimeter fencing, Rosherville C of E Primary School,  
London Road, Northfleet – GR/13/0118 (KCC/GR/0024/2013)****Conclusion**

18. The applicant's reasons for replacing the existing fence will be noted. I am of the opinion that the erection of the proposed fence, as amended to 2.4m weldmesh, would not have a significant, detrimental impact on residential amenity. Although the height of the fence is not as low as would be desirable to the adjoining resident, the amended proposal offers improvements in terms of light amenity and visual impact from the previous boundary fencing while meeting the School's security needs, therefore I do not consider that a planning objection would be warranted in this particular case. The proposal accords with the general aims and objectives of the relevant Development Plan policies and the National Planning Policy Framework guidance and is in my view sustainable development. I therefore recommend that planning permission be granted subject to the conditions set out below.

**Recommendation**

19. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering the following aspects:

- The standard time limit; and
- The development to be carried out in accordance with the submitted details, plans and specifications.

Case Officer – Rachel Cutler	01622 696815
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Background documents - See section heading
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**Item D2****6 classroom extension, hall extension, and 16 car parking spaces at St John's CofE Primary School, Grove Green, Maidstone – MA/13/898 (KCC/MA/0132/2013)**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 July 2013.

Application by Kent Council Children Property and Infrastructure Support for the construction of a 6 classrooms extension, hall extension, internal alterations, and the provision of 16 additional car parking spaces, a grass-crete access road to the side and rear of the school and additional hard play space, at St John's CofE Primary School, Provender Way, Grove Green, Maidstone – MA/13/898.

Recommendation: Permission be granted subject to conditions.

**Local Member:** Mr Paul Carter

**Classification:** Unrestricted

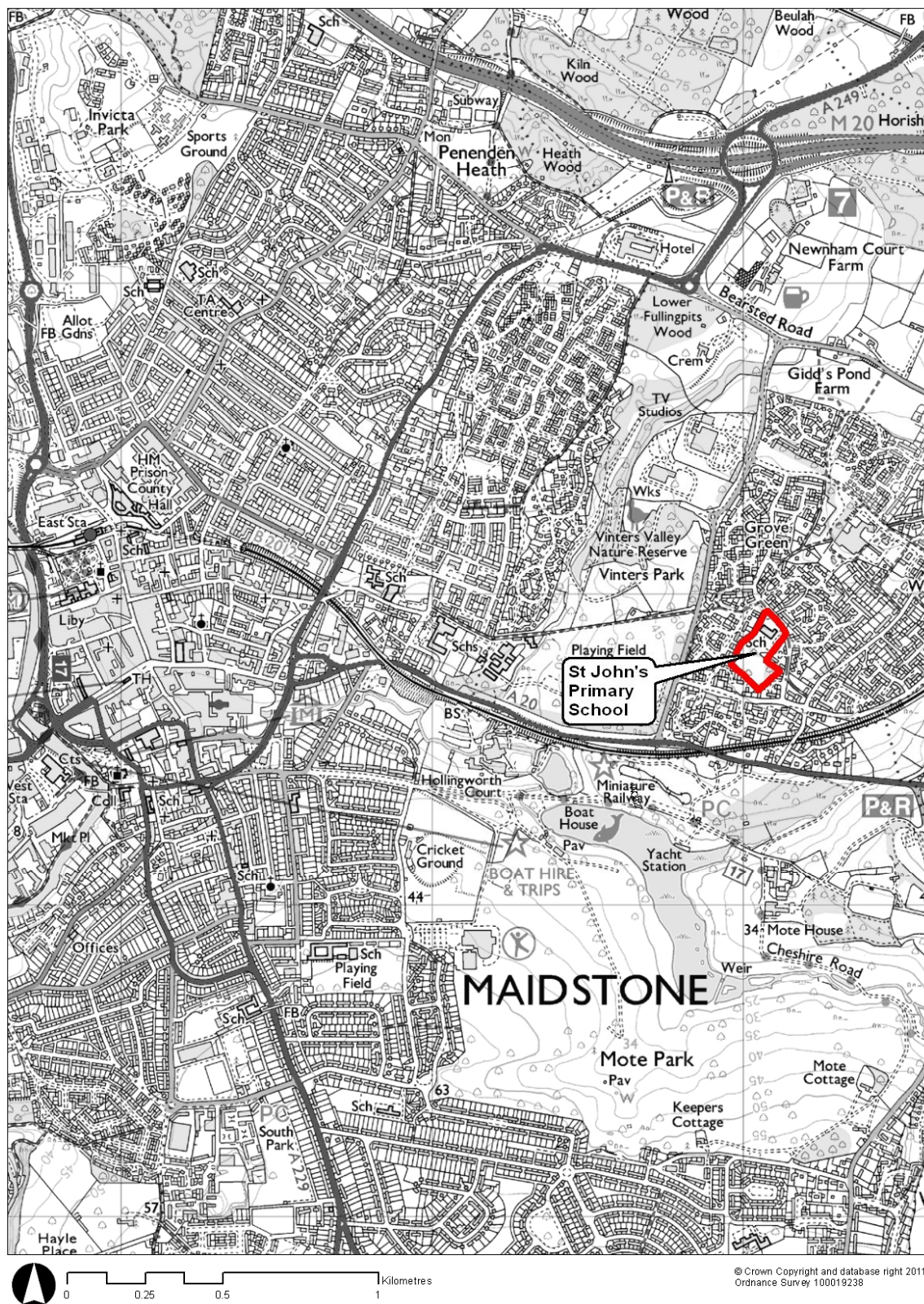
**Site**

1. St John's CofE Primary School is a well established and high achieving primary school serving the Grove Green estate, which lies to the east of the town of Maidstone. The school is accessed via Provender Way, a main route through the Grove Green development. The application site is approximately 2.45ha in total, and is entirely bound by residential development, with facing properties in Provender Way to the north, and a number of small residential 'closes' to the south, east and west. Built in 1987, the Primary School has undergone minor alterations in recent years, and has had a 2 classroom extension in 2008 to replace temporary mobile accommodation on site. Consisting mainly of mono-pitched roofs with shallow falls finished in copper and dark red/brown facing brickwork, the single storey school building has a contemporary appearance. The school building also hosts a joint Anglican and Methodist church congregation on Sundays, as well as the usual activities associated with a primary school during the week.
2. The school building is located to the north of the site, with playing fields extending to the south. Landscaping is well established, with many of the trees on site planted when the school was originally constructed. Hard play areas wrap around the building from the reception class onto a larger tarmac area, incorporating play equipment, located immediately to the south of the building. There are no Listed Buildings on the site, or in close proximity to it, and the site is not within a Conservation Area, or subject to any other Development Plan designations. A Public Right of Way runs along Provender Way, to the north of the site boundary.

*A site location plan is attached.*

**6 classroom extension, hall extension, and 16 car parking spaces at St John's Primary School, Maidstone – MA/13/898**

Wider Location Plan







**6 classroom extension, hall extension, and 16 car parking spaces at St John's Primary School, Maidstone – MA/13/898**

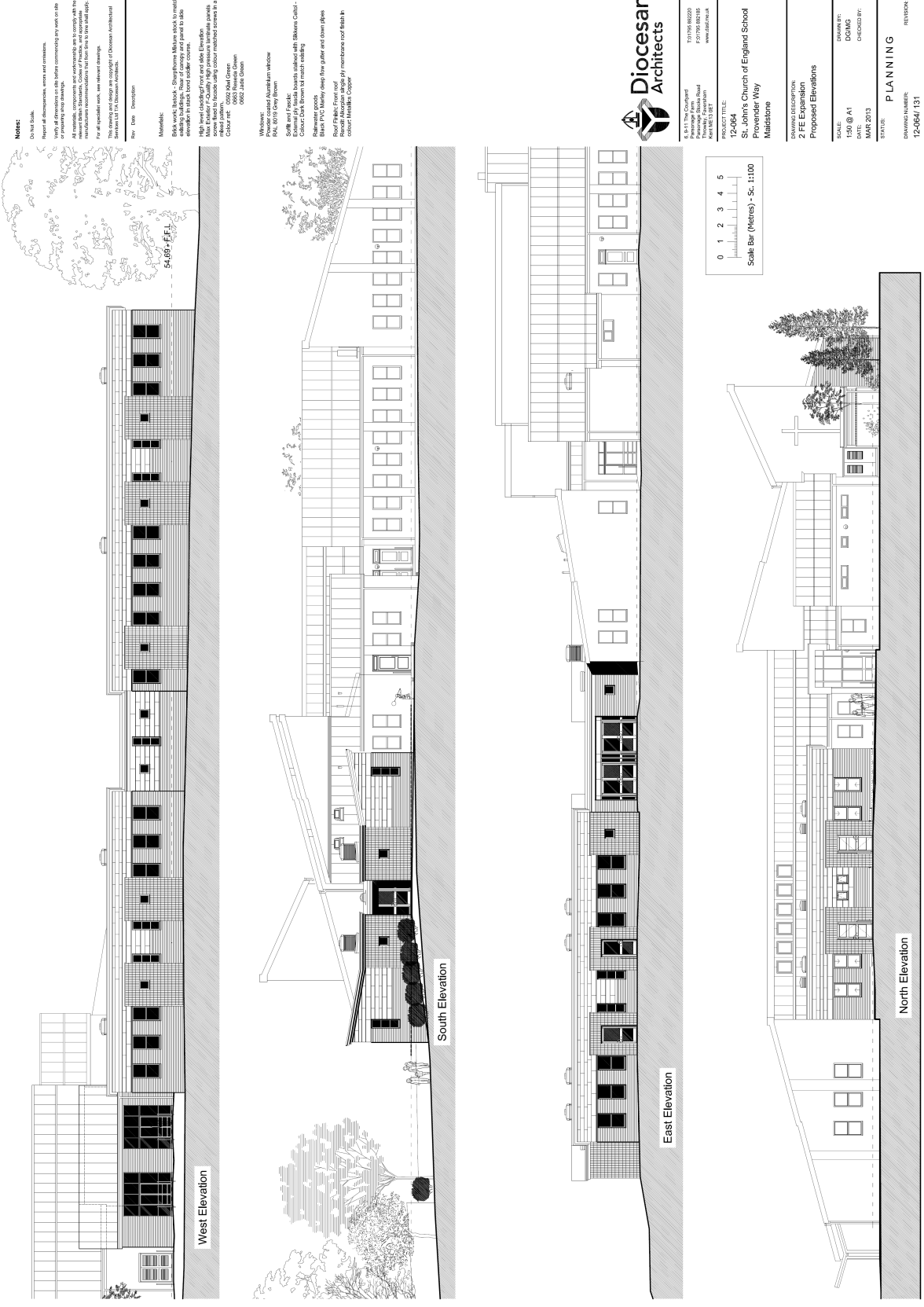


**6 classroom extension, hall extension, and 16 car parking spaces at St John's Primary School, Maidstone – MA/13/898**





### Item D2

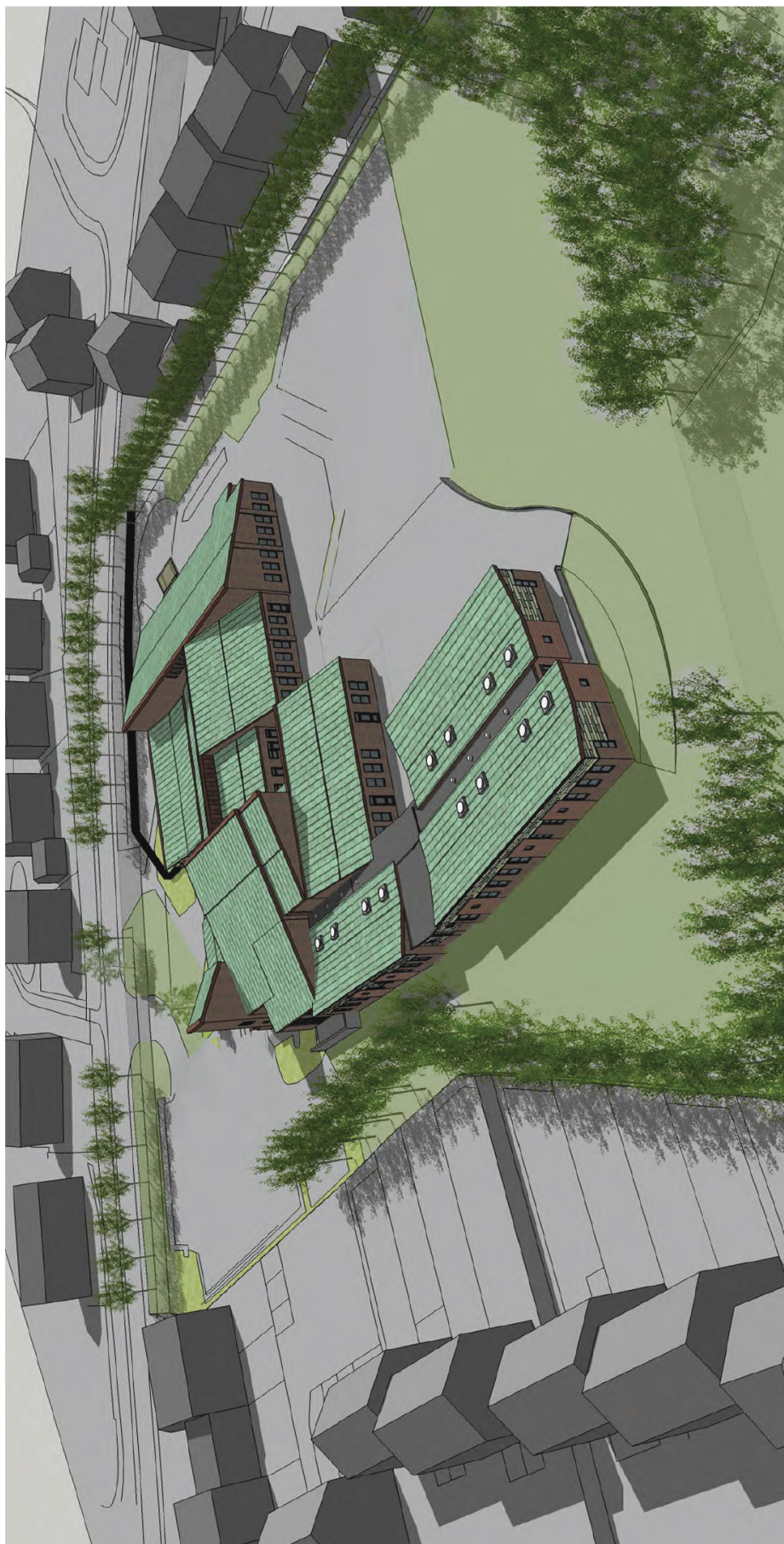


**6 classroom extension, hall extension, and 16 car parking spaces at  
St John's Primary School, Maidstone – MA/13/898**

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St Johns Maidstone  
Phase Two - Two Form Entry Extension - 12-064/151 - A  
April 2013



**6 classroom extension, hall extension, and 16 car parking spaces at St John's Primary School, Maidstone – MA/13/898**

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**Background**

3. The applicant advises that currently there is an increasing demand for school places in the Bearsted/Weaving/Grove Green area, as is the case in many urban and rural areas across Kent. St John's CofE Primary School has recently attained Academy status and has been designated for expansion to a 2FE school. Although the County Planning Authority would not normally process planning applications for development at this type of Academy school, the development proposed is part of the County wide Basic Needs Programme, funded and promoted by Kent County Council. As the County Council is the applicant in this particular case, the County Planning Authority was deemed to be the appropriate determining Authority.
4. This application proposes the second phase of building works on the site to complete the accommodation required for the 2FE expansion. The first phase of the development was considered by Members of the Planning Applications Committee on the 13 March 2013, and planning permission was subsequently granted. That application, consent reference MA/13/15, proposed a 2 classroom extension to the front of the school, with associated internal alterations and a new playground area. That phase of the development is currently under construction.

**Proposal**

5. This application has been submitted by Kent County Council Property and Infrastructure Support and proposes the construction of a 6 classroom extension, hall extension, internal alterations and the provision of 16 additional car parking spaces, a grass-crete access road to the side and rear of the school, and additional hard play space. The application would provide 675m<sup>2</sup> of additional floor space, which in conjunction with the phase 1 development currently under construction, would provide the floorspace necessary to accommodate a 2 Form of Entry.
6. Due to the single storey nature of the existing primary school building, the extension proposed is also single storey. The applicant advises that a key aspect of the design was to make use of an under used area of the school site, between the existing school building and the western site boundary. A narrow floor plan was developed to ensure that the addition of an extension here would not block access to the rear of the school, or affect the vegetated site boundary. The southern end of the classroom extension is angled at 10 degrees, to increase the distance between the development and neighbouring residential properties which back onto the site. The angle in the floor plan also provides relief to the western elevation, which would otherwise be a long straight line. Internally, the extension would accommodate a hall extension, 6 classrooms with associated storage and WC facilities, and a specialist resource room.
7. The proposed extension would be of a timber frame construction, with facing brickwork to match the existing school building, and light weight high level cladding panels in various muted shades of green. The roof is proposed to be finished with a single ply membrane, with welded joints, coloured and textured to replicate copper, to match the existing building. The applicant advises that due to the current high level re-sale of copper, its use would not be possible within the building budget. The 'wing' or 'V' shaped roof design allows roof plant to be located along the centre of the roof, whilst not being visible when viewed from the ground.
8. A Transport Assessment has been submitted in support of this application. Reference is made to the original feasibility design of the scheme, which included a drop off area



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within the school site. Further discussion and research led to the conclusion that such a facility was unnecessary as it is considered (by the Applicant and their Transport Consultant) that the existing drop-off procedure on Provender Way is functioning efficiently. This matter will be discussed in more detail later in this report (see paragraph 19). However, the additional space made available by the removal of the drop off bay from the application prior to submission has been used to provide additional parking facilities within the school site. The site currently has 25 car parking spaces, 4 of which would be lost due to the remodelling of the layout. 16 new spaces are proposed, taking the total to 37, two of which would be disabled bays. The 10 covered cycle parking spaces provided under phase 1 would be retained on site, but relocated.

9. An additional 900m<sup>2</sup> of 'hard' surfacing is proposed, including an extended hard play area to the east of the proposed extension and to the west of the existing playground, and a grass grid access path. The access path is proposed to run from the car parking area at the front of the school to the playing fields at the rear, located between the site boundary and the proposed extension. The access would be used by gang mowers for maintenance of the playing fields, and would also provide access to the rear of the school for fire tenders.
10. A total of 4 trees would be affected by the construction of the extension to the rear of the school, although these trees would not be removed. The layout of the remodelled and extended car park has taken into account the location of several mature trees, although 4 trees would require removal. Three of these have, however, already been significantly reduced as part of the enabling works for the construction of phase 1.

*The application is accompanied by a Design and Access Statement, Transport Assessment and Travel Plan.*

**Planning Policy**

11. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:
  - (i) **National Planning Policy Framework (NPPF)** March 2012, sets out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning application but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications the NPPF states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

- consideration of whether the opportunities for sustainable transport have been taken up and safe and suitable access to the site can be achieved for all people;

## **6 classroom extension, hall extension, and 16 car parking spaces at St John's Primary School, Maidstone – MA/13/898**

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- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
  - the great importance that the Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to create, expand or alter schools; and
- (ii) **Policy Statement – Planning for Schools Development** (15 August 2011) which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.
- (iii) The adopted **Maidstone Borough Wide Local Plan 2000:**
- Policy ENV6** In appropriate cases the Borough Council will require a landscape scheme, including surfacing and boundary treatments, to be carried out as part of development proposals.
- Policy EN26** Planning permission will not be granted for development affecting any Public Right of Way, unless the proposals include either the maintenance or the diversion of the Public Right of Way as a route no less attractive, safe and convenient for public use.
- Policy CF9** The Borough Council will seek to ensure, where appropriate, the providers of educational facilities to make provision for dual use of facilities in the design of new schools and will encourage the dual use of educational facilities (new and existing) for recreation and other purposes. Development proposals which incorporate dual use will be permitted except where the increased level or duration of activities is incompatible with local residential amenity.
- Policy T13** Refers to appropriate parking standards.
- (iv) **Maidstone Local Development Framework: Core Strategy (2011) Public Consultation Policies**
- Policy CS1** Seeks new development to be focused within and next to Maidstone's urban areas and infrastructure to be brought forward in a timely way to provide for the needs arising from development.
- Policy CS3** Seeks development within the urban boundary of Maidstone that contributes positively to the locality's distinctive character.
- Policy CS6** Seeks sustainable design and development that responds positively to and maintains local distinctiveness and townscape.
- Policy CS7** Seeks to guide the location of development in order to reduce the need for private transport and maintain highway safety, and ensure the highways, public transport, walking and cycling needs arising from development are satisfied.

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**Consultations****12. Maidstone Borough Council** comments as follows:

"The need for the additional accommodation is accepted. Though encroachment of the grounds is taking place, the area remaining still looks that the site is left with a viable playing field area.

The key impact will be on the houses close to the west site boundary but the submitted plans show an existing tree belt retained along this boundary. The site in general looks to be generally well enclosed by trees.

The linked monopitch buildings have a low profile and low height. Taking into account their distance from the boundary with intervening tree screening, and that they are overshadowed by the bulk and height of the existing school building/s, the impact of the additional built mass appears nominal.

In design terms, given the low profile of the buildings in what appears to be a relatively well screened site, it appears unlikely that they impact on the street scene or outlook of adjoining houses. As such no objection is identified on design grounds subject to the boundary trees being safeguarded and supplemented by additional screening where appropriate.

Regarding the parking area, as the proposed area is already used for vehicle parking and circulation, the laying out of a more formal space allowing for parking of additional vehicles is considered acceptable, subject to boundary planting where the site abuts adjoining houses being made denser.

As such NO OBJECTION is raised to the submitted details, subject to conditions imposed requiring additional boundary landscaping."

**Boxley Parish Council** wishes the application 'be approved'.

**Kent County Council Highways and Transportation** raise no objection to this application, subject to the imposition of conditions regarding the provision of parking, loading/unloading and turning facilities on site for vehicles associated with construction, wheel washing facilities, and the provision and permanent retention of the car parking, covered cycle parking and turning/loading/unloading areas as shown on the submitted plans.

**The County Council Transport Planner (Schools)** confirms that the submitted School Travel Plan meets the criteria required by the County Council.

**Environment Agency** has no objection to the application, and no further comments to make.

**Public Rights of Way Officer** no comments received to date.

**Local Member****13. The local County Member, Mr Paul Carter, was notified of the application on the 15 May 2013.**

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**Publicity**

14. The application was publicised by an advertisement in a local newspaper, the posting of 3 site notices and the individual notification of 43 neighbouring residential properties.

**Representations**

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

Highways/Access

- Existing car parking and highway problems will be made worse by the expansion of the school;
- Disappointed that a drop off area within the school site is not proposed;
- Parents park in local roads, which is a nuisance to residents, blocks driveways, and is very dangerous;
- Parents need to be 'educated' in responsible parking, and road safety;
- Double yellow lines should be introduced on the corners of local roads to prevent parking in these areas, maintaining visibility;
- The behaviour and attitude of some parents towards local residents is poor and not neighbourly. A little common sense and courtesy is required;

General amenity matters

- Trees within the school site/along the site boundary need to be reduced in height;
- Boundary fencing should be replaced;
- Questions whether the building would be close to residential properties, in which case considers it could be imposing.

**Discussion**Introduction

16. This application seeks planning permission for the construction of a 6 classroom extension, hall extension, 16 additional car parking spaces, a grass create maintenance/fire access road, and additional hard play space, at St Johns CofE Primary School in Grove Green, Maidstone. In considering this proposal regard must be had to the Development Plan Policies referred to in paragraph (11) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include access and highway issues, and general amenity impacts.
17. In this case the key determining factors, in my view, are the impact upon the local highway network and local amenity, and the policy support for the development of schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on amenity and other material considerations. In the Government's view the creation and development of schools is strongly in the national interest and planning authorities should support this objective, in a manner consistent with their statutory obligations. In considering proposals for the creation, expansion and alteration of schools, the Government

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considers that there is a strong presumption in favour of state funded schools, as expressed in the National Planning Policy Framework. Planning Authorities should give full and thorough consideration to the importance of enabling such development, attaching significant weight to the need to establish and develop state funded schools, and making full use of their planning powers to support such development, only imposing conditions that are absolutely necessary and that meet the tests set out in Circular 11/95.

Access and highways

18. Some local residents have expressed concern regarding this application on the grounds that the increase in staff and pupils would exacerbate existing highway and access problems. As outlined in paragraph 14 of this report, local residents are disappointed to note that a drop-off area within the site is not proposed, and are frustrated by parents parking inconsiderately in local roads. This application was accompanied by a Transport Assessment and a School Travel plan, and the highway and access implication of the application have been considered and addressed in detail by Kent County Council Highways and Transportation, who raise no objection to the development subject to the imposition of conditions. However, the points raised by the local community need to be considered and discussed.
19. First, with regard to the provision of a pick-up/drop-off facility within the site, it should be noted that at the feasibility stage, such a facility was included in the scheme which would have provided 6 spaces for drop off and collection. Space for a larger facility on the school site is limited as the school has a constrained frontage area with level differences, some areas of school playground and, in addition, the loss of further trees would be undesirable. Kent County Council Highways and Transportation (the Highway Authority) do not consider that the provision of a 6 space pick-up/drop-off is appropriate or necessary at this site, and therefore the facility was removed from the scheme design prior to submission of the planning application. The Highway Authority considers that the provision of the pick-up/drop-off area would lead to the introduction of traffic movements by parents within the site which could potentially conflict with pedestrian movements. In addition, the relatively short site frontage and limited space available within the site could have led to cars queuing onto Provender Way, creating more congestion than is currently the case. In addition, the Highway Authority considered that the provision of an area within the school site where pupils could be dropped off and picked up would not encourage parents to use more sustainable modes of transport. Highways and Transportation have also advised that the local Police Community Support Officer, and the School itself, recommended that the pick-up/drop-off area was removed from the scheme due to concern regarding potential vehicle and pedestrian conflict within the school site, in this particular case.
20. The decision not to include the pick-up/drop-off area within this application is therefore, supported by the Highway Authority. I also consider that the potential negative impacts of the facility would not outweigh the positives, and see no reason to refuse this application on the ground that a pick-up/drop-off facility is not provided on site. In addition, the decision not to provide such a facility has enabled the applicant to use the space on site to provide additional car parking for staff and visitors. As outlined in paragraph 8 of this report, St John's Primary School currently has 25 car parking spaces on site. This application proposes to remodel the car park, resulting in the removal of 4 of the existing spaces, and the provision of 16 new spaces, taking the total on site to 37, including 2 disabled bays. 10 covered cycle spaces would also be retained on site.

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21. The revised car parking layout would result in the removal of 4 trees, and this aspect of the proposal will be discussed later in this report. The Borough Council would also like to see additional planting between the car park and neighbouring properties and, again, this will be discussed below. With regard to car parking provision however, Kent County Council Highways and Transportation consider that sufficient spaces are provided to accommodate the increase in staff associated with the expansion, and also confirm that the car park is laid out to the required standards with regard to size of spaces, aisle widths and turning areas. I therefore consider that the provision of a total 37 parking bays is acceptable. However, should Members be minded to permit, I would wish to impose conditions regarding the provision and permanent retention of the car parking, covered cycle parking and turning/loading/unloading areas as shown on the submitted plans.
22. Although it is recognised that parents of pupils do park on the local highway, which can be a nuisance for local residents, Kent County Council Highways and Transportation are of the opinion that this proposal would not significantly increase on-street car parking over and above the existing. Unfortunately, parents parking in local roads is an issue associated with all schools and, although considered by some local residents to be dangerous and a nuisance, in this instance Kent County Council Highways and Transportation do not consider it to be a highway safety concern. Congestion at peak school times is for a limited period, and although this causes inconvenience and delays to through traffic, particularly for local residents, the Highway Authority confirms that it has not resulted in a road safety problem. I am advised that there have been no injury related crashes within the last 3 year period along Provender Way and, in addition, the Highway Authority consider local roads are sufficiently wide enough here to accommodate parking without causing obstruction. In addition, the School Travel Plan has been updated and includes initiatives and incentives to encourage more walking to school, and the Highway Authority expect the expansion of the school to lead to additional pedestrian movements, as local children should gain places here, within walking distance, rather than schools further afield.
23. With regard to the behaviour of a small number of parents, who may park irresponsibly, blocking drives and reducing visibility for other road users, and in some instances being rude to local residents, this is not a matter which the Planning Authority can control. However, the County Council's School Travel Planner and the School may be able to provide information to parents explaining the importance of safe parking and general highway safety. This is an important message that the School should relay to parents, in addition to the need to consider local residents when parking. The updated School Travel Plan meets the criteria required by the County Council, and includes a mechanism for ongoing monitoring and review. The County Council's School Travel Planner is in the progress of launching an electronic system which would enable the Travel Planner and individual Schools to update and monitor progress towards achieving School Travel Plan Targets within the time frames specified. This should ensure the ongoing increase in pupils travelling to school by more sustainable modes of transport, reducing reliance on the car, and subsequently easing pressures on the local highway network.
24. This application also proposes the construction of a grass-crete access road to the side of the school, enabling access from the car park to the playing fields at the rear. This 'road' would be used by gang mowers and emergency vehicles only. Given the grass-crete surface proposed, and the infrequent use of the route, I am satisfied that this element of the development is acceptable.

**6 classroom extension, hall extension, and 16 car parking spaces at St John's Primary School, Maidstone – MA/13/898**

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25. In considering the above, and in light of the views of the Highway Authority, I consider that subject to the imposition of conditions regarding the provision and permanent retention of the car parking, covered cycle parking and turning/loading/unloading areas as shown on the submitted plans, that the development would not have a significantly detrimental impact overall on the local highway network. I therefore see no justification to refuse the application on this ground.

Design, siting and massing

26. Development Plan Policies promote high quality design, sustainable development, and significant improvements to the built environment. Although no objections to the design and general principle of the proposed development have been received, it is important to discuss these matters to ensure that the proposal is in accordance with the general design principles expressed in Development Plan Policies. The proposed single storey extension would be located to the rear of the existing school, to the west of the main building, and would provide an additional 675 m<sup>2</sup> of floor space. A local resident queried the distance between the proposed extension and their property, which the applicant estimated to be 37 metres. Due to the angle of the proposed building, the boundary line of the school, and the angle of adjoining properties, the distance between the proposed building and local properties would vary, but the boundary is well screened with mature trees, and the school extension has been designed in such a way as to reduce its visual impact, with a low roof profile and a good degree of separation from the site boundary. Although a local resident did question whether the boundary trees could be reduced in height, and new fencing provided (due to the state of repair of the existing), this is not a matter to be considered in the determination of this application. In addition, it is important to note that the boundary trees offer significant screening between the school and local properties, and its removal and/or reduction may not be considered acceptable by others.
27. I consider that the proposed location of the classroom extension would not be particularly prominent from surrounding residential properties and the scale and massing as proposed is, in my opinion, appropriate and acceptable, complementing the existing school buildings. The location of the extension also links well with the existing building on site, with only minor internal alterations needed to modify the space to meet the accommodation requirements of the School.
28. The extension has been designed to respect the individual design features of the existing school building. The proposed 'V' shaped wing design roof would be finished in a single ply membrane, with welded joints, coloured and textured to replicate the copper of the existing building, with facing brickwork to match the existing and high level cladding panels in various muted shades of green. In my view, the extension would complement the existing school, and would read as part of the original building when completed. Subject to the imposition of a condition requiring the submission and approval of all materials to be used externally, I consider the design of the building to be acceptable and in accordance with Development Plan Policies.

Landscaping

29. The car parking layout as proposed would result in the removal of 4 trees, 3 of which are acers, and one a willow. It should be noted that three of these trees have been heavily pollarded as part of the phase 1 construction programme. However, the trees to be removed are internal to the school site, and their removal would not detract from the character of the site or the street scene, and would also not reduce boundary

**6 classroom extension, hall extension, and 16 car parking spaces at St John's Primary School, Maidstone – MA/13/898**

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screening. I therefore have no objection to the removal of the trees as proposed. However, I do consider that replacement tree planting should be provided elsewhere on site to compensate for the loss, and the Borough Council would also like to see additional planting between the car park and neighbouring properties. I therefore consider it appropriate in this instance to require details of a scheme of landscaping and replacement tree planting to be submitted pursuant to condition, should permission be granted. I also consider that details of tree protection methods, to protect trees to be retained from construction activities, should be submitted pursuant to condition in order to ensure retained trees, particularly those to the western site boundary, are not damaged or adversely affected by the development.

**Construction**

30. Given that there are neighbouring residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction to protect residential amenity. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also good practice on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.
31. In addition, I consider it appropriate that details of a Construction Management Strategy be submitted for approval prior to the commencement of development. The strategy should include details of the methods of working, location of site compound and operative/visitors parking, details of site security and safety measures and details of any construction accesses and lorry routing. Such a Strategy would cover all of the matters that Highways and Transportation required to be conditioned with regard to construction. Therefore, should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy.
32. In addition to the above, should permission be granted, conditions of consent would ensure that dust and mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

**Conclusion**

33. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies. In addition, the development is in accordance with the principles of the National Planning Policy Framework and the Planning Policy Statement for Schools (2011). I consider that, subject to the imposition of appropriate planning conditions, this proposal would not have a significantly detrimental effect on the local highway network or local amenity. In my view the development is sustainable and there are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that various conditions be placed on any planning permission, including those outlined below.



**6 classroom extension, hall extension, and 16 car parking spaces at St John's Primary School, Maidstone – MA/13/898**

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**Recommendation**

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

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the submission of details of all materials to be used externally;
- details of all external lighting;
- a scheme of landscaping, including replacement tree planting, and additional screening to the west of the car park area, its implementation and maintenance;
- measures to protect trees to be retained;
- no tree removal during the bird breeding season;
- the provision and permanent retention of the car parking, covered cycle parking and turning/loading/unloading areas as shown on the submitted plans;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations, and a restriction on traffic movements at peak school times;
- measures to prevent mud and debris being taken onto the public highway.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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**Item D3****Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**

A report by Head of Planning Applications Group to Planning Applications Committee on 17 July 2013

Application by Highview School for provision of two timber framed classrooms, Highview School, Moat Farm Road, Folkestone Kent, CT19 5DJ – SH/13/415 (KCC/SH/0139/2013).

Recommendation: Permission be granted subject to conditions.

**Local Member:** Mr. F. McKenna

**Classification:** Unrestricted

**Site**

1. Highview School Folkestone is located in a predominantly residential area at the end of Moat Farm Road, a cul-de-sac linked to Park Farm Road to the west via Downside. Plans showing the wider and more immediate location are attached. Public Rights of Way run along the southern boundary and part way along the eastern, northern and western boundaries as shown on the location plan. In addition to boundary fencing, most of the school site is also enclosed by hedgerows. On the south side of the school and Public Right of Way there is a playing field (belonging to the nearby Mundella Primary School) but the school is otherwise surrounded by residential properties. Part of the school site and the playing field to the south are identified in the Shepway Local Plan as School Playing Fields subject to Policy LR12 which provides for their protection. A site location plan is attached.

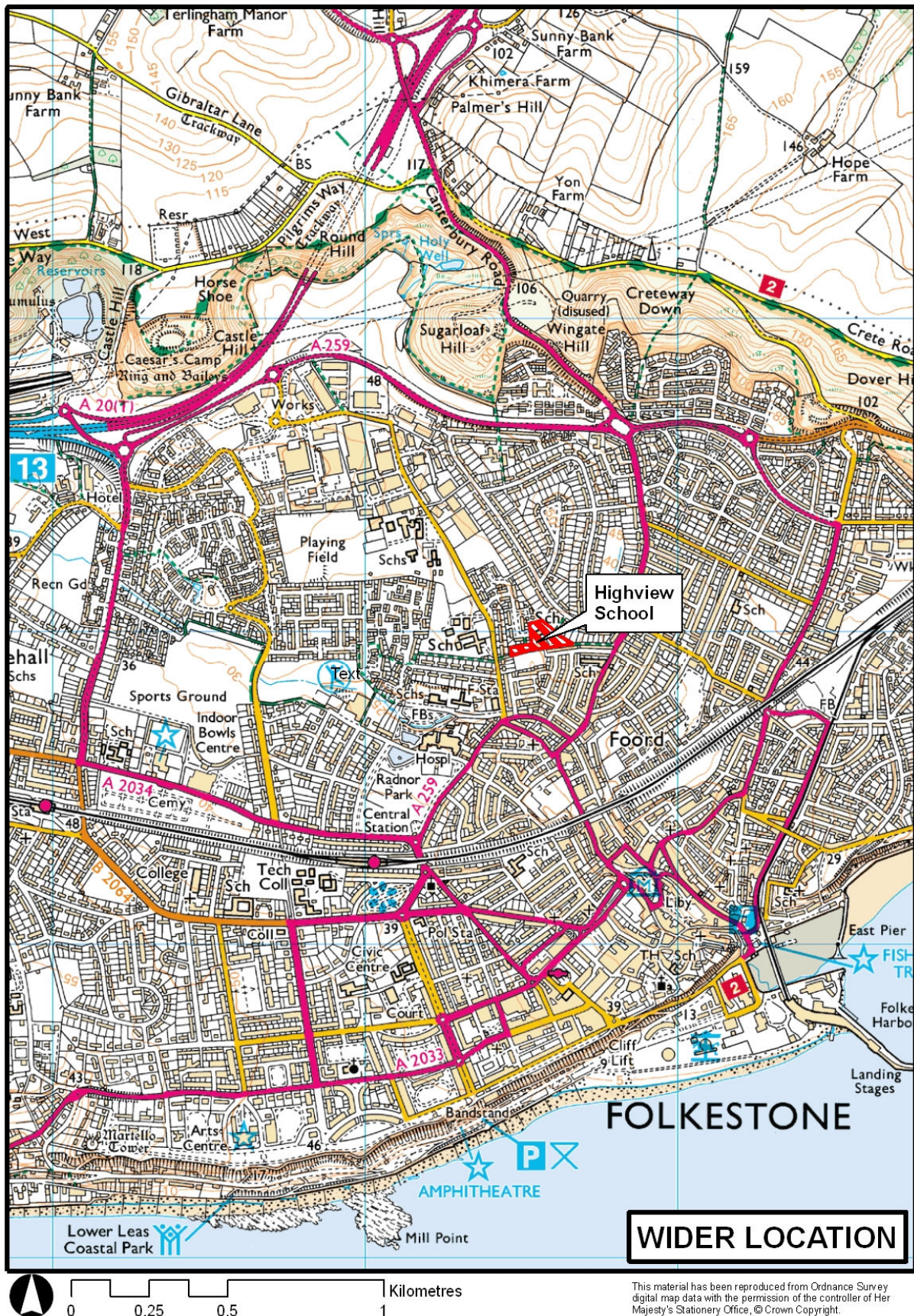
**Background**

2. Highview School is a special school catering for pupils from age 4 to 18 and has been federated with Foxwood School, Hythe, since 2008. The applicant advises that it is intended to rebuild the Foxwood and Highview Federation on a new site and that both of the current sites will not be required in the near future. The present position is that feasibility work for a new building is being carried out and Foxwood and Highview are included in a programme in the County Council's budget which is intended to be delivered in due course.
3. Over recent years a number of temporary planning permissions have been granted for mobile/modular accommodation to cater for an increase in the school roll. The latest of these proposals was considered by Members at the April 2012 Committee Meeting under planning reference SH/12/109 (KCC/SH/0543/2011). This was for a double modular building and 8 additional on site parking spaces, and did not propose any increase in the number of staff or pupils, and was to enable pupils to be moved out of the Therapy Room into their own classroom and for the Therapy Room to be used for that purpose. Members were minded to grant temporary planning permission for the double mobile classroom for a period of 4 years and not the usual 5 years. Furthermore, there are currently eight temporary buildings on the site, the three most recent of which provide double classroom accommodation. Several of these buildings are located in a row linked by a walkway, in the narrow part of the site and formerly playing field land.



## Item D3

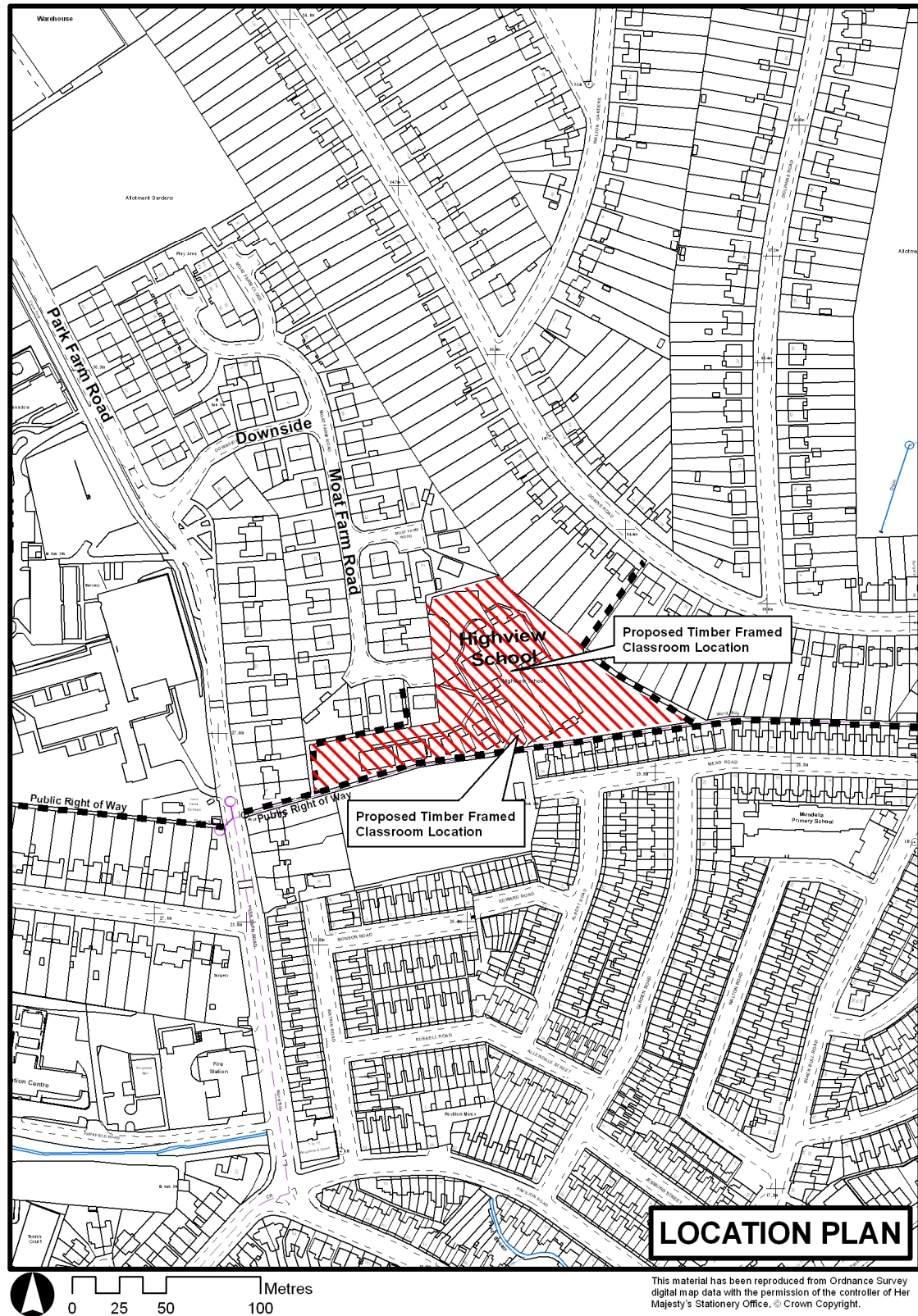
**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**



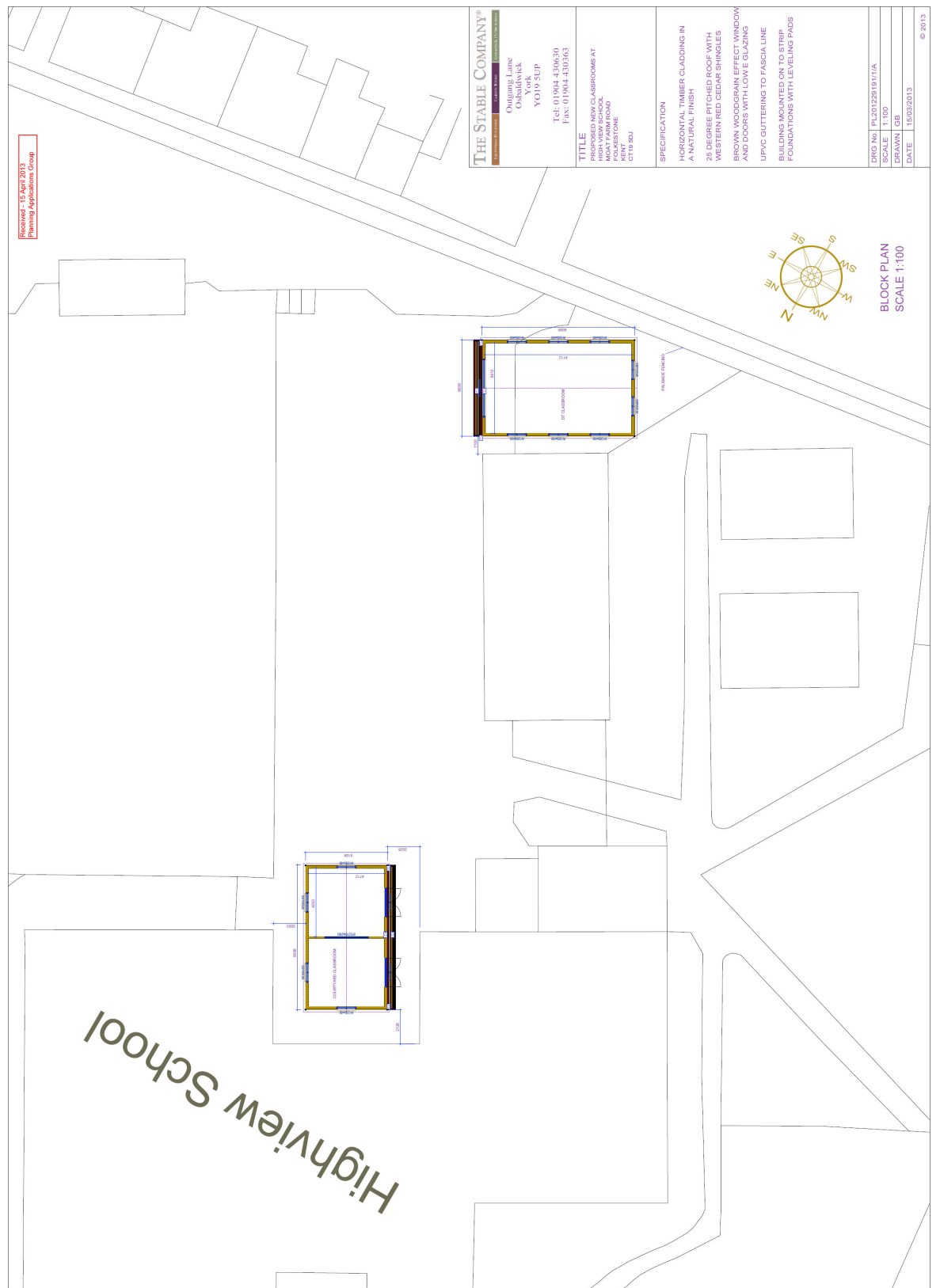
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**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**



**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**





**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**

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**Proposal**

4. The current application proposes two single storey timber buildings, consisting of a two classroom teaching space and a second separate teaching space. The first building, referred to as the 'courtyard classroom', is proposed to be located on a courtyard area and would be used as a large group teaching space, divided into two classrooms. The building would have a floorspace of 46sqm and measure 4 metres in height at the apex of the roof. The second building referred to as the 'DT classroom', is proposed to be located on an unused small area of grassland, near to the school's site boundary. This building would be used as a design and technology teaching space and would have a floorspace of 57sqm and measure 4.2metres in height at the apex of the roof. Both proposed buildings are modular in construction and constructed from timber. The proposed external cladding would be a horizontal tongue and groove weatherboard with cedar roof tiles, which would complement the surrounding school buildings. The School has confirmed that it contains significant amounts of play area and greenery for the pupils, therefore this proposal will not affect any existing amenity space. There is a Public Right of Way between the School's boundary fence and the nearest residential property in Mead Road and the Mundella Primary School sports field, which is located opposite the Highview School site.
5. The school is a Special Needs School, with 167 pupils on its roll and 33 full time and 23 part time members of staff. There is a variety of outside agencies such as social workers, doctors, nurses, physiotherapists, speech and language professionals and counsellors that work with the pupils. In order to facilitate these meetings and respect the confidential and professional nature of this work, the School requires a provision for these to be suitably catered for. The present arrangement at the school often results in pupils being assessed in corridors or shared spaces, which is regarded as far from satisfactorily. The School also has a sixth form provision on the site and many of the pupils follow a vocational curriculum which involves teaching in very small groups to ensure their complex needs are met. The proposed development **will not result in any additional pupils or staff numbers** as it is proposed to provide additional teaching space only for the existing number of school pupils.

**Planning Policy**

6. 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. However the weight given to the development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

The NPPF contains a presumption in favour of sustainable development, identifying 3 overarching roles in the planning system – economic, social and environmental, which are considered mutually dependent. Within the over-arching roles there are 12 core principles that planning should achieve. These can be summarised as:



**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**

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- 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 NPPF guidance and objections covering the following matters is particularly relevant:

- consideration of whether opportunities for sustainable transport have been taken up and safe and suitable access to the site can be achieved for all people;
- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- the protection provided for open space, including playing fields;
- the great importance that the Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to create, expand or alter schools; and
- 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.

**The Policy Statement on Planning for Schools Development (August 2011)** is also relevant, in so far as it identifies that there should be a presumption in favour of the development of state-funded schools.

**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**

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**7. Shepway District Local Plan Review adopted March 2006:**

- Policy SD1** All development proposals should take account of the broad aim of sustainable development - ensuring that development contributes towards ensuring a better quality of life for everyone, now and for generations to come.
- Policy BE1** A high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Development should accord with existing development in the locality, where the site and surrounding development are physically and visually interrelated in respect of building form, mass, height, and elevational details.
- Policy SC2** The District Planning Authority will grant planning permission for new or improved social and community facilities where the proposal meets set criteria relating to compatibility with surrounding land uses, accessibility by a range of transport alternatives to the car, access for disabled people and acceptability in highway, infrastructure and environmental terms.
- Policy TR12** Proposals for new development will only be permitted if provision is made for off street parking in accordance with the current maximum vehicle parking standards.
- Policy TR13** Applications for new or expanded school facilities should be accompanied by a School Travel Plan.
- Policy LR12** Proposals for new development will only be permitted in the case of school playing fields, where there would be sufficient alternative open space provision.

**Consultations****8. Shepway District Council** raises no objection, but wishes to make the following comment:

“It is recommended that a temporary permission be granted for the two timber framed classroom units to enable an assessment to be undertaken at the expiry of the relevant period to further consider the impact of the units within the surrounding built form.”

**Folkestone Town Council** – application has been noted and no concerns were raised.

**KCC Public Rights of Way Officer** – has written to confirm that as the proposal is within the school boundary and it does not affect any right of way, then the PROW team has no further comments to make.

**Local Member****9.** The local County Member, Mr. R. Pascoe, was notified of the application on the 26 April 2013. Due to the County Council elections which took place on 2 May 2013, the local County Member for this division changed. Mr Frank McKenna was accordingly notified on 18 June 2013.

**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**

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**Publicity**

10. The application was publicised by the posting of a site notice and the individual notification of 58 neighbouring residential properties.

**Representations**

11. Representations to the application have been received from residents of 3 nearby properties. The concerns and objections raised to the proposal can be summarised as:
- If installing two further classrooms means an increase in pupil numbers then it will make the current traffic and parking problems even worse.
  - The majority of pupils are either bussed in or brought in by car.
  - There is insufficient parking for staff and visitors which means the overflow park in Moat Farm Road.
  - As there are no parking restrictions haphazard parking often blocks the road to essential traffic.
  - Under no circumstances should the school be allowed to expand any further.
  - Local area is a complete 'no go' area from 8.30am to 9.10am and again from 14.30pm and 15.20pm Monday to Friday due to amount of traffic generated by teaching staff, parents/taxis and minibuses dropping off and collecting pupils.
  - Currently a minimum of six teachers cars parked in the road, limiting access for residents and service vehicles.
  - This School has no respect for the residents of the area and persists in expanding its own building footprint.
  - This school should be closed down and moved to the proposed site in Hythe where they have a suitable infrastructure.

**Discussion**Introduction

12. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph 6 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, including the National Planning Policy Framework (NPPF) and other material planning considerations arising from consultation and publicity. In summary, the relevant planning policies, as well as strongly supporting provision of education facilities, promote sustainable development, seek a high standard of design, have regard to local context, the amenity of nearby properties and the surrounding area, seek to protect playing field land and require adequate access and parking.
13. This application has been reported for determination by the Planning Applications Committee following the receipt of objections from three local residents. The main issues relating to this application are siting, design and residential amenity, and the residents' concern about an increase in staff and pupil numbers and the implications upon traffic and parking.

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Siting and design

14. No objection has been received to the proposed location of the two timber framed building, which would be sited on an existing courtyard area and on an area of unused grassland very close to the school's site boundary. Both buildings are also relatively small in size and should not create a loss of playing space, especially the timber framed building which is proposed to be located on an unused area of grassland. The proposed siting for the new two timber framed buildings sits within the existing buildings so as not to cause any further spread of built development.
15. In terms of sustainable design and construction, both buildings would have the same specification, appearance and finished quality. The buildings have been designed to complement their surroundings and are to be constructed from timber and supported on a foundation system. The external cladding would be a horizontal tongue and groove weatherboard, left in a natural finish which would fade to a silvery colour within one year. To complement the walls, cedar tiles would be used on the roof of the building, which again would fade to a silvery colour in about one year. This colour would closely match the existing buildings. The doors and windows are to be a grey coloured uPVC to be hard wearing and practical. All trims, fascia and soffit boards would be in matching timber. The buildings are modular in construction, enabling a faster build on site, which would reduce the impact on the school and enable the buildings to be used almost immediately after construction.
16. Of the two proposed timber framed classrooms, the DT classroom is located nearest to the school's site boundary. Although the building line would be extended, this is a relatively small building in terms of height measuring 4.2metres at its height point. There is a degree of separation from the nearby residential properties afforded by the intervening Public Right of Way to the south of this building. However it must be noted that the nearest residential property is located only 13 metres away from DT classroom. On the elevation that faces this property there are windows proposed but they are too high for any pupils to look out of, so there would not be any overlooking or loss of privacy from this proposed classroom. The existing boundary fence is a palisade fence, which does have some planting within the school's site. However the planting does stop short of the proposed DT classroom and I consider that an extension of this planting would help to add an additional screening of this classroom from the Public Right of Way and residential properties in Mead Road. Subject to a planning condition being imposed to increase the existing boundary planting, and the fact that no objection has been received about the proposed location of either classroom, I do not consider that the siting of the building would lead to a loss of privacy from overlooking.
17. Notwithstanding the issues over siting and design, Shepway District Council has recommended that a temporary permission be granted to enable an assessment to be undertaken at the expiry of the relevant time period to further consider the impact of the units within the surrounding built form. A temporary permission would enable the School to assess the impact of these buildings, especially the DT classroom, which is located close to the school's boundary and near to residential properties. I therefore propose to support Shepway District Council's recommendation of a temporary planning permission, which I propose to coincide with the most recent temporary planning consent for a double mobile classroom, which expires on 30 April 2016.

Residential amenity

18. In terms of any noise disturbance as a result of the siting of the proposed building, arguably it could bring an increased concentration of activity closer to further residential

**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**

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properties. Furthermore the applicant advises that the classroom would mainly be used for small groups, and in any case there are already pupils going to and from the existing modular/mobile buildings elsewhere on this site. I am also mindful of the relatively short duration of the school day, the break in activities at the site during weekends and school holidays, and of the intended temporary nature of the development and use proposed. On this basis I do not consider that residential amenity would be adversely affected to any significant degree.

Transport, access and parking issues

19. Representations have been received from residents of three properties which cite issues about the current situation with regard to transport, access and parking in the locality as a result of the school, and the possibility of the proposal making matters worse, as set out in paragraph (11) above. However this application does not propose to increase the number of school pupil or staff, as the additional two timber framed classrooms is planned to accommodate the existing pupils. All 3 residents have expressed concern about additional traffic and parking issues as over a number of years there has been expansion at the school which has resulted in additional mobile buildings and the occasional increase in pupil and staff numbers.
20. However the last planning application that increased pupils was for a single mobile classroom that increased pupil numbers by 13 and was reported to this Committee in November 2011. At that time, the applicant indicated that there would be no increase in traffic because the 13 additional pupils would travel to/from school using existing taxis and minibuses (etc.) that are already bringing in the existing students. The latest planning application that was reported to Members was in April 2012 and there was no increase in pupil or staff numbers. Please refer to paragraph 3 for further information. A condition was attached to both planning permissions requiring the School Travel Plan to be revised to take account of the latest proposals, including a review of the management of school transport at pick up and drop off times. At the time of writing this Committee report, the revised School Travel Plan has been received and after consultation with the County Council's School Travel Planner, the document is being redrafted to include measures on how the School can further improve the current drop off/pick up arrangements. The School has already looked at ways of reducing the queuing by taxis and mini buses that occurs everyday by discouraging on-street parking up the left hand side to the school's entrance. That has allowed a quicker turnaround of taxis and mini buses as there is now more space to manoeuvre. The School has also opened up a rear pedestrian entrance to the school so that not all vehicles have to access the school via Moat Farm Road, plus the School is encouraging more staff to either car share or walk/cycle to work. There are also a number of other initiatives planned that the School is proactively looking into to reduce the traffic and parking issues in Moat Farm Road.
21. Overall I am satisfied that the School has made an effort to manage the traffic and parking problems in Moat Farm Road through the production and continual development of a School Travel Plan. There is no proposed increase in either pupil or staff numbers as these two timber framed buildings are to provide the school with more specialized teaching areas and meeting rooms. I would therefore not raise any objection on highway grounds subject to the continual development and implementation of measures proposed in the School Travel Plan to reduce traffic and parking to and from the site.

**Two timber framed classrooms, Highview School, Moat Farm Road, Folkestone – SH/13/415 (KCC/SH/0139/2013)**

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**Conclusion**

22. The applicant's reasons for the installation of the two timber framed classrooms have been noted, together with the current intentions to relocate this school to another site in due course. Whilst the proposal does not fully accord with Development Plan Policies relating to design, given the temporary nature of the building, and the context of the school site and other plans considerations, I do not consider that an objection would be warranted especially as there would be no further increase in pupils if the two timber framed classroom buildings are permitted. I am of the opinion that the proposed development would otherwise be in accordance with the general aims and objectives of the relevant Development Plan Policies and do not consider the proposal would have any significant detrimental impact on local/residential amenity or as a result of transport to and from the school. I therefore recommend that planning permission be granted for a temporary period that coincides with the termination of the previous temporary planning consent for a double mobile classroom at the site, and be subject to the further conditions discussed above.

**Recommendation**

23. I RECOMMEND that PLANNING PERMISSION BE GRANTED, SUBJECT to the imposition of conditions, including the following:
- Temporary planning permission is granted until **30 April 2016** to coincide with the previous temporary consent that was granted for the double mobile classroom;
  - The development is carried out in accordance with the permitted details;
  - Hours of working during construction to be restricted to between the hours of 08.00 and 18.00 Monday to Friday and between the hours of 09.00 and 13.00 on Saturdays, with no operations on Sundays and Bank Holidays;
  - No construction vehicles delivering materials shall enter or leave the site between the hours of 08:00 to 09:00 and 14:30 to 15:30 Monday to Friday;
  - Increase the boundary planting around the DT classroom;
  - The School Travel Plan is monitored regularly to reduce traffic and parking around the school.

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

### **Provision of floodlights to existing new multi activity games area (MUGA), Madginford Park Junior School, Bearsted - KCC/MA/0064/2013 (MA/13/0582)**

A report by Head of Planning Applications Group to Planning Applications Committee on 17<sup>th</sup> July 2013.

Application by Madginford Park Junior School for floodlights to existing MUGA at Madginford Park Junior School, Egremont Road, Bearsted, Maidstone, Kent, ME15 8LH – KCC/MA/0064/2013.

Recommendation: Permission be granted subject to conditions

Local Member: Mr P Carter

Classification: Unrestricted

#### **Site**

1. Madginford Park Junior School is located in a residential area south of the A20 and to the west of Bearsted. It is approximately 175m to the north of the River Len. The Junior School is located to the south of the Egremont Road shopping parade. Madginford Park Infant School is located to the south west of the school site, and the library and community hall to the west. The nearest housing to the west and north east is between 60m (in Merton Road and Egremont Road) and to the east 90m away (in Ragstone Road).
2. The multi use games area (MUGA) is located in an elevated position to the south west of the school site. A map showing the location of the site in relation to its surroundings is included below.
3. This application seeks to increase the opportunities for play and sport using the existing MUGA by the provision of floodlighting to an existing multi activity games area (MUGA).

#### **Background**

4. Permission was granted in June 2012 (with a minor amendment to the fencing detail in July 2012) for a new playground with access and perimeter fencing (which is 3m high) at the school. That development is now in use at the school and is referred to in this report as a multi use games area (MUGA). It is used for mini tennis (two courts) basket ball (two courts) and five a side football.

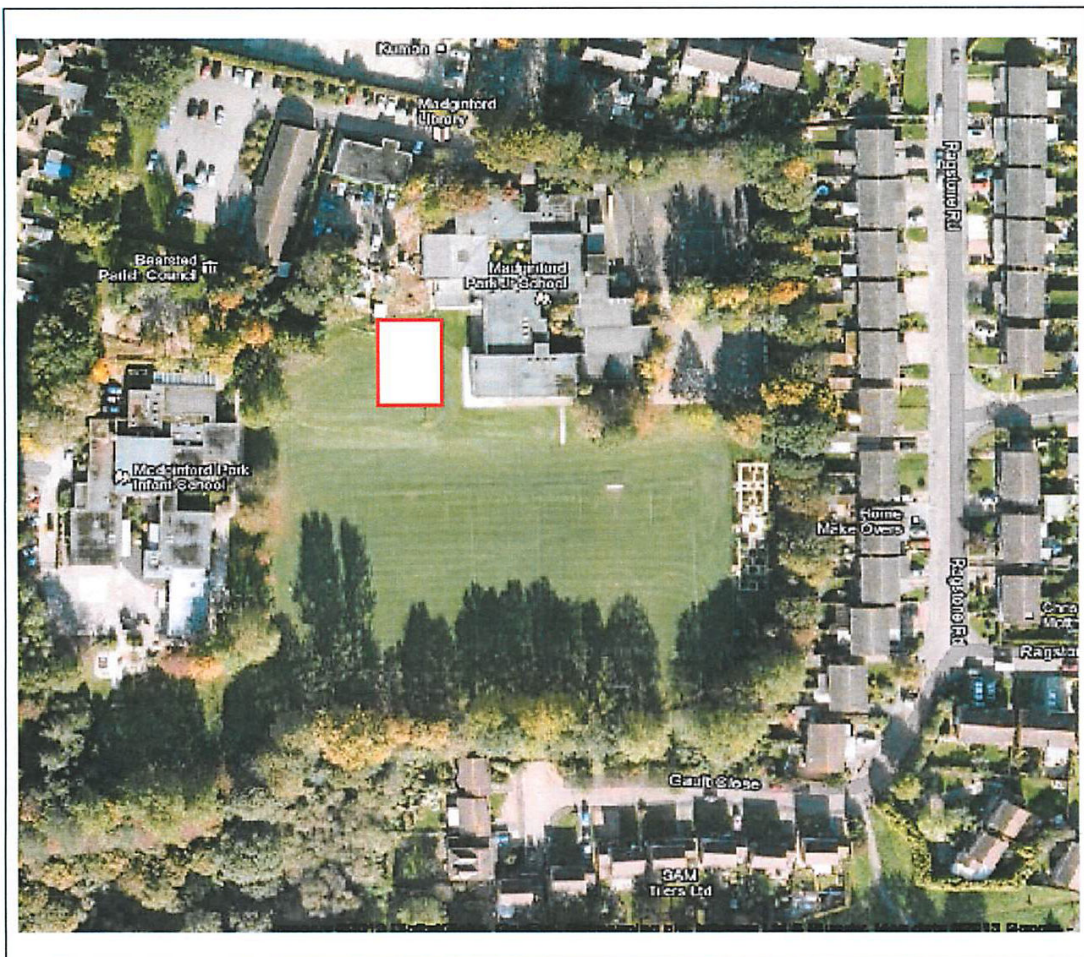
#### **Proposal**

5. This application is for the addition of floodlighting to extend the hours of use of the MUGA, particularly for the winter months. The proposal is for the schools own use.

## Provision of floodlights - Madginford Park Junior School KCC/MA/0064/2013 (MA/13/0582)

6. The proposal is to install four lighting units each comprising a Phillips Optiflood MVP506 luminaire with a 600 watt Son-t sodium lamp. The lighting units would be mounted on four 8m high galvanised steel posts located one at each corner of the MUGA.
7. The applicant proposes to carry out construction works during the term time between the hours of 0800 and 1600 and to avoid the school start and finish times for the delivery of materials.
8. Once installed, it is proposed that when is use the floodlights would be switched off at 8.30pm on weekdays and Saturdays with no use on Sundays or Bank Holidays. There would be no use in the morning. A time switch is proposed so that the lights would automatically turn off in the evening and the applicant has also confirmed that the floodlights will be turned off unless needed.
9. The proposal includes a lighting design assessment.

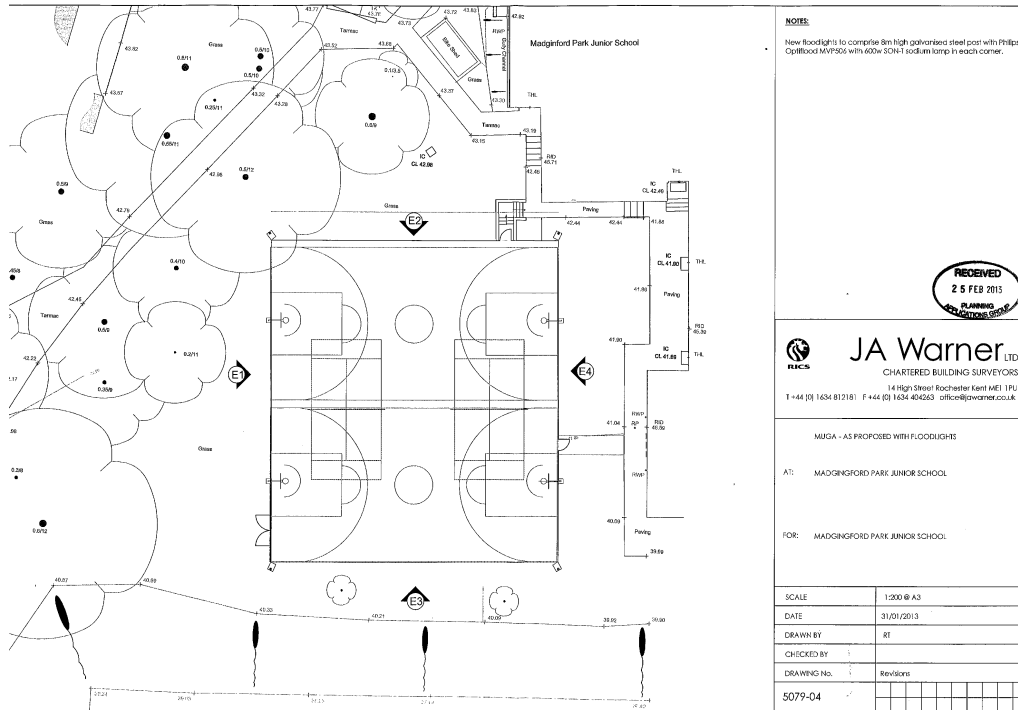
### Location of MUGA at Madginford park Junior School



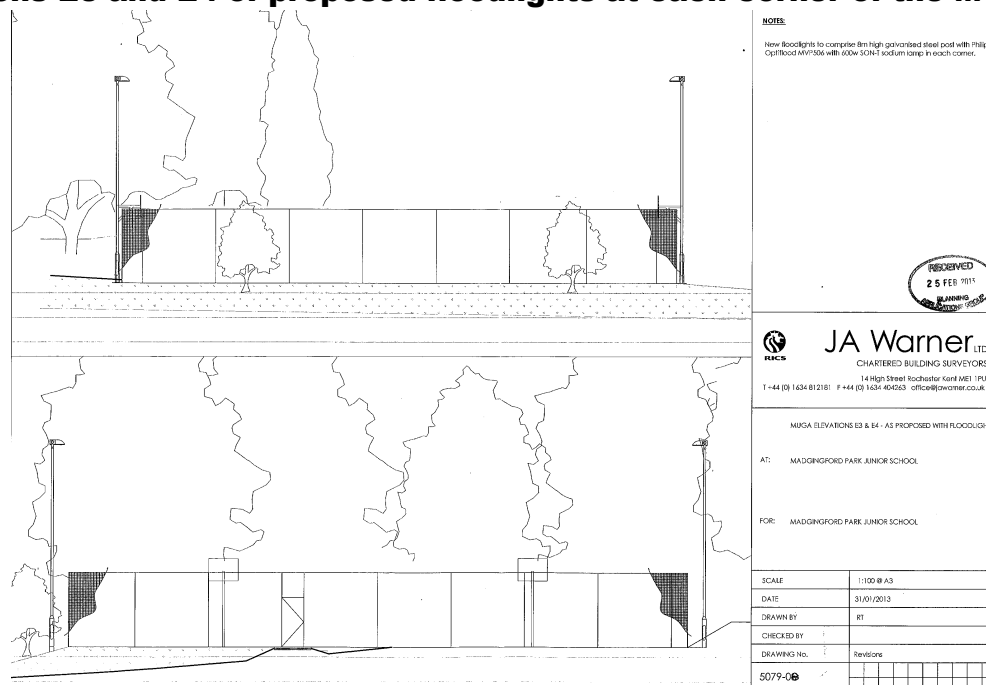


# **Item D4** **Provision of floodlights - Madginford Park Junior School** **KCC/MA/0064/2013 (MA/13/0582)**

## **Location of proposed floodlights at each corner of the MUGA**



## **Elevations E3 and E4 of proposed floodlights at each corner of the MUGA**



**Provision of floodlights - Madginford Park Junior School  
KCC/MA/0064/2013 (MA/13/0582)**

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**View of existing MUGA to the west of the Junior School building taken from the south east of the school field**

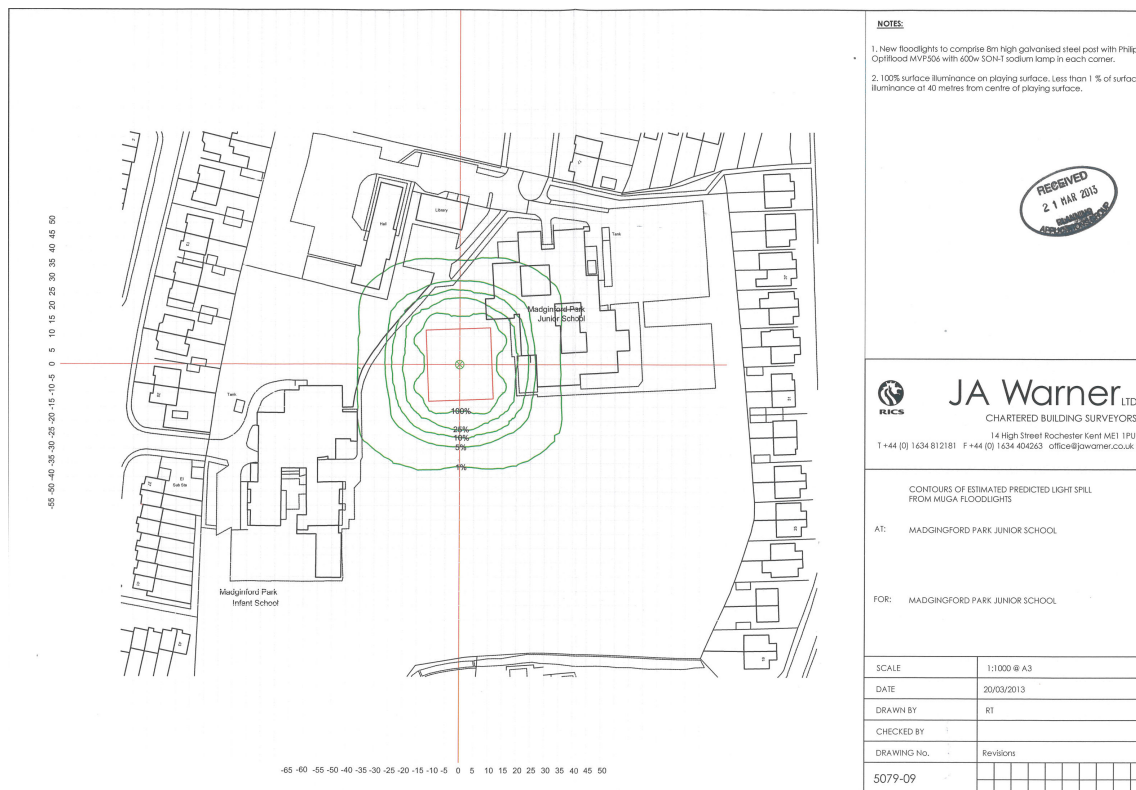


**View of south east corner of MUGA and school field looking toward Ragstone Road**



# Provision of floodlights - Madginford Park Junior School KCC/MA/0064/2013 (MA/13/0582)

## Contours of estimated predicted light spill



## Planning Policy

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

**National Planning Policy Framework (NPPF)** March 2012, sets out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning application but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications the NPPF states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

## **Provision of floodlights - Madginford Park Junior School KCC/MA/0064/2013 (MA/13/0582)**

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In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

*achieving the requirement for high quality design and a good standard of amenity*

*that great weight should be given to the need to create, expand or alter schools;*

*the promotion of healthy communities; and*

*conserving and enhancing the natural environment.*

**Planning Statement on Planning for Schools Development** - where there is commitment for planning to work in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools and that there should be a presumption in favour of the sustainable development of state-funded schools as expressed in the NPPF.

**Borough/ District Local Plan / Local Development Framework** policies are contained in the Maidstone Borough Local Plan (2000) as saved policies.

Policy ENV6	encourages the provision of a landscaping scheme as part of development proposals where appropriate.
Policy ENV22	seeks to address visual impact and the need to conserve wildlife habitats within proposals to develop existing open areas.
Policy ENV49	seeks to ensure that lighting is necessary and that the scheme proposed is the minimum required to undertake the task successfully and that light spillage is minimised and that the lighting scheme does not adversely impact on residential amenity and is not visually detrimental to the immediate or wider landscape setting and does not adversely impact highway users.

### **Consultations**

11. **Maidstone Borough Council:** Raises no objections to the proposals.

**Bearsted Parish Council:** In principle has no objection, but requests amendment to the hours of use to no later than 8pm.

**Kent Highways and Transportation:** Raises no objection to the proposal.

## Provision of floodlights - Madginford Park Junior School KCC/MA/0064/2013 (MA/13/0582)

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**Kent County Council Biodiversity:** Comment that the proposed development site may be used by roosting bats, so there is a need to ensure that light spill around the MUGA is minimised.

**Environment Agency:** Have no comments to make on the proposal.

**Amey Technical Advice (Lighting):** Advise that the luminaires comply with the technical guidance, that there would be some unavoidable light reflection off the court surface and that the proposal complies with the Institute of Lighting Professionals light spill requirements (*Guidance for the Reduction of Obtrusive Light*). They advise that the proposal makes every effort to reduce the effects of sky glow and spill.

### Local Member

12. The local County Member, Mr Paul Carter was notified of the original application on 2<sup>nd</sup> April 2013. No comments have been received to date.

### Publicity

13. The original application was publicised by the posting of a site notice, and the individual notification of 38 neighbouring properties. It has also been advertised on our website.

### Representations to the proposal

14. In response to the neighbour publicity, one neighbour letter of representation has been received commenting on the height of the lighting columns which would be visible above the roofline of the main school building and therefore visible from residential property especially when alight. There was concern that the School would be intending to use the games area later in the day and also concern about the possibility of hiring the facility out which might then impact on traffic and parking. Further information was also being sought about when the work would be carried out if the application was successful, as there was a concern that building work would be carried out at a time when the school playground would otherwise be quiet. Following clarification from the applicant, the neighbour was consulted again and additional comments were received relating to the need for lighting for the duration of the hours proposed throughout the year.

### Discussion

15. This application is being reported to the Planning Application Committee as a result of the Bearsted Parish Council response requesting that the proposed lights be turned off at 8pm, and also because of the neighbour representation received. These issues were not able to be resolved by negotiation or amendment during the course of the application. In considering this proposal, regard must be had to the Development Plan Policies outlined in **paragraph 10** above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

## **Provision of floodlights - Madginford Park Junior School KCC/MA/0064/2013 (MA/13/0582)**

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16. 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 in this particular case can be summarised in terms of whether there is a need for lighting and then whether the lighting proposed to address the need is in the right place, of the right type, and at the right time. These issues are considered below within the headings of need, location and potential for impacts.

### Need

17. The purpose of this application is to extend the opportunity for sports and play for the pupils at the school. The provision of lighting would enable the facility to be used later in the afternoon and evening and would be used particularly in the winter months. The applicant requests that the proposed lighting be used up to 8.30pm on weekdays and also on Saturdays. However, the hours of use proposed appear to be more than what is currently required to meet the School's current need. The Parish Council requested that the proposed use be reduced to 8pm rather than 9.30pm. As a result the applicant revised their proposal to request hours of use to 8.30pm. Neighbour representation also queried whether the hours proposed are necessary for the School's own use. Clarification on the frequency of use within these hours has not been provided by the applicant. Whilst not stated in the application, I am however aware that the applicant seeks these hours so as not to limit the potential for opportunities for after school use for clubs, occasional matches and after school sports teaching clubs for the junior school children. In my view the hours proposed would accommodate an increased flexibility and therefore maximise the potential for opportunity for sports use by the School.
18. Planning policy seeks to promote healthy communities giving access to high quality open spaces and opportunities for sport and recreation as these make important contributions to health and well being. There is strong planning policy support for the improvement of school facilities and for local planning authorities to take a positive approach when dealing with such proposals. That includes the adaption and improvement of existing school facilities. I am persuaded that the School has a general need for increased opportunities for sports provision and that the lighting proposal would support this need. I am therefore satisfied that there is a need for this type of proposal although that needs to be balanced against the likely impacts, including those resulting from the hours proposed when the lights would be in use. This is considered further below.

### Location

19. A lighting column supporting each luminaire would be positioned one at each corner of the existing MUGA. The applicant has provided a lighting impact assessment which demonstrates that the lighting would be sufficient to illuminate the games area surface for each of the sports activities that the court is marked out for, ie. basketball, mini tennis and the overall games area for five a side football activity.



**Provision of floodlights - Madginford Park Junior School  
KCC/MA/0064/2013 (MA/13/0582)**

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20. Therefore, in my view the proposal demonstrates functionality in relation to the MUGA location and the level of sports activity likely to be taking place and as such the external lighting proposed would support increased and flexible use of the MUGA facility into the evening until 8.30pm Monday – Saturday in this location.
21. The proposal is located within the Maidstone Urban Area. The proposal is to the south of the community hall and library and also the Egremont Road Local Shopping Centre. However, there is also residential property nearby and there are views toward the site from residential property in Merton Road, Ragstone Road and also longer views over the River Len toward the site from elevated positions from the Downswood area which is south of the site.
22. The existing lighting environment in the locality could be described as of “medium brightness” (under the Institute of Lighting Professionals, 2012 Environment Zoning System). In my opinion, external lighting within the built up area in this location would not be inappropriate subject to consideration of whether the lighting is in the right place (ie. directed toward the MUGA); at the right time (ie. when light is needed) and that the potential for undue adverse impact has been minimised. This is discussed further below.

**Potential for impacts as a result of the proposal**

23. Maidstone Local Plan policy EN49 seeks to ensure that external lighting is necessary and the scheme proposed is the minimum required to undertake the task satisfactorily with minimum spillage. Failure to achieve this is likely to result in avoidable impacts. The policy also seeks to ensure that the lighting scheme does not adversely affect amenities of adjoining or surrounding occupiers and that it is not visually detrimental to the immediate or wider landscape setting.
24. In my opinion, the key determining issues in relation to this application are the potential for visual impact as a result of the lighting structures during daylight hours (“daytime impacts”) and the potential for visual impact arising from use of the lights in the evening when the lights are turned on (“evening impacts”).

**Daytime Visual Impacts**

25. Four lighting structures are proposed one at each corner of the MUGA. Each structure would comprise an 8m high galvanised steel post, with a grey steel lighting unit (“luminaire”) mounted at the top. The column height is necessary to ensure that the light spill is minimised.
26. The two lighting columns to the west of the MUGA would sit amongst a backdrop of tall trees and would be generally well screened. The two columns to the east of the MUGA nearest to the school building would be set amongst the backdrop of the school building. However, as the MUGA is in an elevated position, in places the lighting columns may be visible above the height of the school building which is a mix of single and two storey buildings.

## **Provision of floodlights - Madginford Park Junior School KCC/MA/0064/2013 (MA/13/0582)**

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27. At this time of year, the boundaries of the school field are generally well screened with mature trees and hedges. In daylight hours the lighting structures would all generally be well screened by the existing school field boundary treatment. Views towards the proposal from the nearest residential properties in Merton Road and Ragstone Road and from further away would be broken up by the varying heights of buildings, fencing, and vegetation.
28. However, in the winter months, the screening effect as a result of from vegetation would be less. In my opinion, the scheme could be enhanced by further planting to the south and south east of the MUGA. However, the applicant has not proposed any additional boundary treatment or landscape planting as part of the proposal.
29. In my opinion, when considering the site context and the grouping of the proposed lighting structure in relation to the surrounding school buildings on the school site, I do not consider that the visual impact of the proposed lighting columns in the daylight would be unduly detrimental in this location within the built up area.

### Evening Visual Impacts

30. The applicant proposes lighting up to 8.30pm Monday to Saturday with no use on a Sunday or Bank Holiday. The applicant has stated that the scheme is for the School's own use, although has not specified whether or not the lights would only be used only in the school term time. The proposal does however state that the lights would only be turned on when the facility is in use and the proposal includes a timeswitch to ensure that the lights would not be left on accidentally beyond the proposed hours. Clearly, the evening impacts would only arise when the lights are in use, and the lights would not be required to be in use all year round. Given the level and type of use proposed, it is also unlikely that the hours of use being applied for would be needed every day. I am satisfied that controls over proposed hours and the use of the lights only when required can be controlled with the use of conditions.
31. The application has proposed a lighting level (measured in lux) which is less than that currently suggested by Sport England for the level of sports activity for basketball and mini tennis but sufficient for five a side football. In my opinion, the level of use proposed within this application is minimal and the lighting proposed has been well matched to that level of use.
32. The proposed lighting unit is a double asymmetric floodlight which restricts the upward light output above the horizontal to 0%. The sky glow impact (ie the brightening of the night-sky) arising from the proposal in this suburban location where the lighting environment is regarded as "medium district brightness" is therefore restricted to the most stringent environmental level.
33. The applicant has provided information to demonstrate that when in use, there would be minimal light spill beyond the playing surfaces. At 40m from the centre of the MUGA court less than 1% of the surface would be illuminated. Those surfaces are generally school playing field (grass); trees within the school field and buildings predominantly

## **Provision of floodlights - Madginford Park Junior School KCC/MA/0064/2013 (MA/13/0582)**

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within the school site. There would be no surface illuminance onto residential property. The light arising from the proposal when in use would not therefore intrude into residential windows.

34. The luminaire intensity relates to the area beyond the MUGA surface being lit which may result in unwanted obtrusive light. The applicant has provided information to demonstrate that the light is sufficient to illuminate the sports activities, spill is limited to 40m from the centre of the MUGA, and upward light above the horizontal is limited.
35. Neighbour representation received indicates concern about the visual impact of the proposal when the lights are in use. However, given the advice from our lighting consultant (Amey) which advises that the proposal includes sufficient measures to reduce the effects of sky glow and light spill the proposal accords with the determining principles for external lighting within the Maidstone area as set out in Local Plan policy EN49.
36. Given the hours of use proposed, and the likely use by the School within those hours, and taking into account the views of our lighting advisor, I therefore conclude that the proposal uses the minimum lighting required to undertake the task, minimises light spillage and by the positioning and choice of the lighting proposed seeks to ensure that the lighting scheme would not adversely impact residential amenity or visual impact to the immediate and wider landscape setting.

### Other Impacts (biodiversity, highways)

37. There are a number of trees near to the proposed lighting columns, particularly those to the west of the site. Our biodiversity advice is that the trees have limited potential to be suitable for roosting bats, although it is possible that bats may use the site for foraging and commuting. Our biodiversity advice is that lighting should be designed to ensure that the light spill to the surrounding area should be minimised. I am satisfied that together with lighting only being used when required, and reduced hours of use to 8.30pm, that the lighting scheme proposed has been designed with minimal light spill. I therefore consider that the potential for any disturbance has been minimised.
38. Neighbour representation indicated concern about the potential for highways impacts with longer hours and the potential for hiring out the facility. The School have confirmed that the proposal is for the School's own use. Taking into account our Kent Highways and Transportation advice, I am therefore satisfied that there would be no adverse highways impacts as a result of the proposal as it is for the School's own use.

### **Conclusion**

39. This proposal seeks to increase the opportunity for children for sports within the school site and to make effective and efficient use of the existing MUGA facility. Planning policy seeks to achieve development which is of high quality design and with a good standard of amenity. In my opinion this lighting scheme proposes efficient and effective lighting which is directed so that it is in the right place at the right time and that the

## **Provision of floodlights - Madginford Park Junior School KCC/MA/0064/2013 (MA/13/0582)**

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potential for serious detrimental impacts arising from excess lighting has been minimised. The applicant has been encouraged to amend the original proposal to take account of the Parish Council request for reduced hours and as a result, the applicant has put forward an amended proposal, with reduced hours to 8.30pm.

40. Taking account of the comments arising from statutory consultation, including no objection from Maidstone Borough Council, I consider that the proposal accords with the general aims and objectives of national and local planning policy requiring good design, promoting healthy communities, encouraging a positive manner towards schools development and sustainable development.
41. The proposal in my view also respects the site context in so far as it is possible in this location and, in planning terms I consider that the day and evening visual impact would not be significantly detrimental to the built environment, or to residential and visual amenity. I consider that this proposal accords with the Development Plan and that there are no material planning considerations that indicate that planning permission should be withheld. I would however recommend the inclusion of various planning conditions and informatives.

### **Recommendation**

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

- The standard 5 year time limit
- That the development be carried out in accordance with submitted details
- Restriction of construction hours
- Details of temporary construction compound and storage areas
- Restriction to School's own use
- Requirement for lights to be turned off when not in use
- Restriction on hours of use until 8.30pm Monday to Saturday with no use on Sunday or Bank Holidays.

I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informative:

- General advice concerning biodiversity and development
- General advice regarding tree protection measures during construction.

Case Officer: H Mallett	Tel. no: 01622 221075
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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**

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

**Background Documents** - The deposited documents.

AS/12/518/R2	Details and specifications of external materials of site fencing. Eclipse Business Park, Brunswick Road, Ashford
AS/12/518/R5	Details of a surface water drainage scheme. Eclipse Business Park, Brunswick Road, Ashford
AS/12/518/R8	Details of site lighting. Eclipse Business Park, Brunswick Road, Ashford
SW/13/681	Retrospective planning application for the retention of a night watchman's caravan at the Faversham Quarry. Faversham Quarry, Ham Farm, Ham Road, Faversham
TM/93/305/ R17C	Changes to the compound layout and infrastructure pursuant to condition of planning permission TM/93/305. Borough Green Landfill Site, Wrotham Road, Borough Green, Sevenoaks
TM/11/1618/ R10	Request for approval of woodland management scheme pursuant to condition 10 of planning permission TM/11/1618. Electricity Sub-Station, Stangate Landfill Site, Mill Lane, Borough Green

**E2    COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS MEMBERS' INFORMATION**

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

**Background Documents** – The deposited documents.

AS/12/1340/RVAR	Details of all materials to be used externally; sections and detailed drawings, a scheme of landscaping and maintenance, a specification for an archaeological watching brief and a construction management plan. John Wallis Academy, Millbank Road, Kingsnorth, Ashford
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AS/13/384	Proposed extension and internal alterations to entrance area comprising new entrance lobby, parenting room, store, WCs and rearrangement of community room, head teacher's office, reception and attendance room. East Stour Primary School, Earlsworth Road, Willesborough, Ashford
CA/13/749	Erection of two temporary single storey prefabricated classroom units within the existing grounds of St John's C of E Primary School (formally Kingsmead Primary School). Each unit consists of 2no. 30 pupil capacity classrooms with washroom and storage facilities. Maximum period of use 24 months. St John's C of E Primary School, St John's Place, Canterbury
CA/13/840	The replacement of 8 no. metal crittal windows fixed directly into brick reveals and with concrete cills and lintels. New windows are to match the general appearance, sight lines and direct fixing to brickwork of the crittal windows but will be manufactured in white powder coated aluminium sections and be double glazed. Petham Primary School, Church Lane, Petham
CA/13/863	Installation of 2.5m high 'Protek 1000' green, profiled mesh fencing to the front of the school, including electrical gates for pedestrian and vehicle access. St. Anselm's Catholic School, Old Dover Road, Canterbury, Kent, CT1 3EN
DO/13/252	First floor extension providing a library to replace the existing corridor. River Primary School, Lewisham Road, Dover
DO/13/285	New mobile accommodation, repositioning of existing canopy and installation of new school gates. Sholden CEP School, London Road, Sholden, Deal, Kent, CT14 0AB
DO/13/286	All weather shade sail structure in the school playground. St Richard's Catholic Primary School, Castle Avenue, Dover
MA/08/2186/R16	Details of a bat survey, undertaken prior to the demolition of the old school buildings. Cornwallis Academy, Hubbards Lane, Maidstone
MA/13/796	Proposed recladding of existing walls and roof to existing sports hall. Maidstone Grammar School, Barton Road, Maidstone
SE/13/488/R3,7 & 11	Details of all materials to be used externally, Watching Brief Specification and Programme (archaeology) and a Construction Management Strategy. Otford Primary School, High Street, Otford, Sevenoaks
SE/13/488/R8	Details of a scheme for the disposal of foul and surface waters. Otford Primary School, High Street, Otford, Sevenoaks
SE/13/488/R12	Details of a survey detailing the condition of Warham Road, the High Street and the sites construction access. Otford Primary School, High Street, Otford, Sevenoaks



SE/13/1089	Renewal of planning consent for the retention of one sea container located on the school playing field. Crockenhill Community Primary School, The Green, Crockenhill
SE/13/1369	Renewal of planning permission SE/10/1761 for the construction of a new upper storey extension and associated remodelling to the junior block first floor areas. St Bartholomews Catholic Primary School, Sycamore Drive, Swanley, Kent, BR8 7AY
SH/13/335	Erection of a covered external space with canopy. Palmarsh Primary School, St Georges Place, Hythe, Kent
TM/13/1333	Renewal of planning consent for the retention of one mobile classroom unit on the site. Slade Primary School, The Slade, Tonbridge, Kent

### **E3 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS**

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#### **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:-
- None
- (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

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

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

**Background Documents -**

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

None