

PLANNING APPLICATIONS COMMITTEE

Wednesday, 14th May, 2014

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 14th May, 2014, 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 (19)

- Conservative (10): Mr J A 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 L Burgess, Mr T L Shonk and Mr A Terry
- Labour (3) Mrs P Brivio, Mr T A Maddison and Mrs E D Rowbotham
- Liberal Democrat (1): Mr I S Chittenden
- Independents (1) Mr P M Harman

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 - 9 April 2014 (Pages 5 - 12)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application CA/13/2055 (KCC/CA/0317/2013) - Variation of conditions 2 (Restoration Period), 10 (Hours of HGV Movements) and 11 (Highway Management Scheme) of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes at Oldridge Wood Lagoons, Swanton Lane, Off Canterbury Road, Littlebourne, Canterbury (Pages 13 - 32)

2. Application SW/13/1542 (KCC/SW/0339/2013) - Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR (Pages 33 - 52)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal SW/14/153 (KCC/SW/0025/2014) - Proposal for the construction of a two form entry primary school - Land at Tunstall Road, Tunstall, Sittingbourne. (Pages 53 - 182)
2. Proposal TH/14/79 (KCC/TH/0010/2014) - Proposed expansion of Garlinge Primary School, Westfield Road, Margate (Pages 183 - 206)
3. Proposal SW/14/0400 (KCC/SW/0092/2014) - Two classroom extension, Lower Halstow Primary School (Pages 207 - 218)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 219 - 222)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2011
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

Tuesday, 6 May 2014

(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.)

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 9 April 2014.

PRESENT: Mr J A Davies (Chairman), Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mr R H Bird (Substitute for Mr I S Chittenden), Mrs P Brivio, Mr L Burgess, Mrs M E Crabtree (Substitute for Mr C P Smith), Mr T Gates, Mrs S V Hohler (Substitute for Mr P J Homewood), Mr T A Maddison, Mr S C Manion, Mr R J Parry, Mrs E D Rowbotham, Mr T L Shonk, Mr C Simkins, Mrs P A V Stockell (Substitute for Mr J N Wedgbury), Mr A Terry and Mr M E Whybrow (Substitute for Mr P M Harman)

ALSO PRESENT: Mr P M Hill, OBE

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer - County Council Development), Mr J Wooldridge (Principal Planning Officer - Mineral Developments), Mr C Nwanosike (Strategic Transport and Development Manager), Mrs V Clothier (Senior Solicitor) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

24. Membership

The Committee noted that Mr L Burgess had replaced Mr M Heale.

25. Minutes
(Item A3)

RESOLVED that the Minutes of the meetings held on 12 March 2014 and 25 March 2014 are correctly recorded and that they be signed by the Chairman.

26. Site Meetings and Other Meetings
(Item A4)

The Committee noted that it would hold a local meeting at Tunstall Village Hall on Wednesday, 9 April 2014 and that there would be a site visit to Glebe Farm, Shadoxhurst on Wednesday, 14 May 2014.

27. Application MA/13/2191 (KCC/MA/0363/2013) - Improvement of existing waste management facility to include use of adjacent industrial unit land, construction of two steel framed buildings to facilitate recovery and recycling of waste material, weighbridge, office, parking and revised boundary treatment at Units 6,13,14 and Adjacent Unit, Detling Aerodrome Industrial Estate, Detling; Pinden Ltd
(Item C1)

RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the development being commenced within 3 years; the development being carried out in accordance with the submitted plans and details and any approved pursuant to the following conditions; the submission for approval of a final landscape and planting specification, in accordance with the principles detailed in the landscape masterplan received with the application; the submission for approval of a foul and surface water drainage scheme; the submission for approval of details of all external lighting; the submission for approval of details of any external storage outside the proposed pre-sort area; tree protection measures during construction; the implementation of the mitigation and enhancement measures proposed within the Ecological Appraisal; measures to be taken during construction if contamination not previously identified is found on site; precautions to guard against the deposit of mud on the highway during the construction period; the buildings being finished in green; the sorting and processing buildings being constructed using the insulated cladding set out within the application; the proposed 3m high concrete retaining walls being erected and retained on site; the recommended improvements to the signage on the A249; controls on the hours of operation of the waste management facility to those applied for (0600 – 1800 hours on Mondays to Fridays, 0700 – 1700 hours on Saturdays, and no operations on Sundays and Public Holidays); the noise from the development at the closest noise sensitive properties not exceeding the predicted levels set out within the noise assessment; the entrance to the site being secured outside operational hours; all external lighting being extinguished outside of the permitted hours of operation (with the exception of low level security lighting or during any repair or maintenance); controls on the total combined waste throughput (to a maximum of 75,000tpa); only those wastes specified within the planning application, namely commercial and industrial waste (mainly skip waste) being received, deposited, stored or managed on site; no crushing of materials to take place on site; all biodegradable/ putrescible waste being removed within 48 hours of arrival on site; controls on the overall number of HGV movements to those applied for (265 HGV movements per day); records of all HGV movements and details of quantities of all waste handled at the site being maintained for a period of 3 years and being made available on request; all loaded, open backed HGVs entering or leaving the site being sheeted or netted; only vehicles, storage containers and skips that are ancillary to the development being stored within the site; all vehicles, plant and machinery operated on site being maintained in accordance with the manufacturer's specification at all times and being fitted with and using effective silencers; the mitigation measures set out with the dust and odour assessment received with the application being implemented and maintained on site; the hard surfacing on site being maintained in a good state of repair, kept clean and free of mud and other debris; measures to prevent the deposit of mud or other debris on the highway; unauthorised material deposited on site being removed to an authorised waste disposal facility within 48 hours; restrictions on stockpile heights

for pre and post processed materials and skips (of not more than 4m); all sorting and processing taking place inside the buildings, with the exception of operations in the pre-sort area; the removal of permitted development rights; and the terms of the planning permission being made known to any person(s) given responsibility for the management of the site; and

- (b) the applicant be advised by Informative of:-
 - (i) the need for precautionary measures if protected species are encountered during the course of the development; and
 - (ii) the protection afforded to breeding birds should works be required to trees or shrubs on site between 1st March and 31st August.

28. Proposal TW/14/288 (KCC/TW/0002/2014) - Revised application for the proposed erection of a new teaching building and revised parking layout including an additional 9 car parking spaces and other external alterations at Southborough CEP School, Broomhill Bank Road, Tunbridge Wells; KCC Property and Infrastructure
(Item D1)

(1) Mrs M E Crabtree advised the Committee that she was the Deputy Cabinet Member for Education and Health Reform. She left the meeting room and took no part in the decision-making for this item.

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee included an additional Informative, advising that the drop-off area would need to be properly managed to ensure that parents did not use it for short-term parking.

(3) The Chairman informed the Committee that he would write to the school setting out the views expressed by the majority of the Committee Members that they would like to see the allotments retained and that the school should deal effectively with surface water drain-off.

(4) RESOLVED that:-

- (a) the application be referred to the Secretary of State for Communities and Local Government and that subject to his decision, permission be granted to the proposal subject to conditions including 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 provision and permanent retention of the car parking, drop-off and turning/loading/unloading areas as shown on the submitted plans; tree protection measures and the development being undertaken in accordance with the

recommendations of the Tree Survey; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey; the submission of a precautionary working method statement with regard to badgers prior to the commencement of the development; control of surface water drainage and infiltration into the ground; the submission of further details with regard to land contamination; provision of the replacement playing field prior to occupation of the teaching block; hours of working during construction and demolition being restricted to between 0800 and 1800 on Mondays to Fridays 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/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, and details of any construction accesses & management of the site access to avoid peak school times; and measures to prevent mud and debris being taken onto the public highway; and

- (b) the applicant be advised by Informative that:-
 - (i) the potential for biodiversity enhancement opportunities should be further explored; and
 - (ii) the drop-off area needs to be properly managed to ensure that parents do not use it for short-term parking.

29. Proposal TW/13/03873 (KCC/TW/0374/2013) - Extension to accommodate a 1 f.e school, including a 2 classroom extension at first floor level, storage and additional toilet plus outreach room and toilet facilities on the ground floor level, and 2 additional parking spaces at St Mary's CEP School, Pearse Place, Lamberhurst; KCC Property and Infrastructure Support
(Item D2)

(5) Mrs M E Crabtree had already advised the Committee that she was the Deputy Cabinet Member for Education and Health Reform. She remained outside the meeting room and took no part in the decision-making for this item.

(2) The Head of Planning Applications Group reported correspondence from the Local Member, Mr A J King fully supporting the proposal.

(3) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the 5 year time limit; the development being carried out in accordance with the submitted details; the implementation of the School Travel Plan actions with the submission of a revised travel plan within 6 months of the date of the permission and subsequent annual review; the provision and retention of 2 additional vehicle parking spaces before the premises are occupied; the provision of the additional cycle parking shelter; the submission prior to construction works of details of the proposed means of foul and surface water sewerage

disposal for approval by the Planning Authority in consultation with Southern Water; tree protection measures in accordance with the submitted Tree Protection Plan; biodiversity measures concerning the removal of vegetation and protection of breeding birds; the restriction of construction hours to between 0800 and 1800 on Mondays to Fridays, 0900 and 1300 on Saturdays with no operations on Sundays and Bank Holidays; the restriction on construction vehicles delivering materials to between the hours of 0800 to 0900 and 1445 to 1545 on Mondays to Fridays; and

- (b) the applicant be advised by Informative that:-
- (i) they should contact Kent Highways Services in respect of manoeuvrability within the car park, procuring the necessary highway approval and consent and establishing the limits of the highway boundary in order to progress these aspects of the works prior to commencement on site;
 - (ii) assistance in the production of a revised Travel Plan can be obtained from Kent Highway Services' Travel Planning Team. The revised Plan should include clear action and target dates with measureable travel mode shift targets, detailing those with responsibility for taking it forward. It should include monitoring and annual review. Discussion with the local community is encouraged with regard to the community's suggestions for parking and school travel issues, making use of the www.jambusterstpms.co.uk and www.responsibleparking.co.uk websites;
 - (iii) discussion with the local community is encouraged in respect of school travel issues;
 - (iv) general advice is given regarding tree protection measures during construction and in order to ensure that the necessary approvals are sought from Tunbridge Wells BC in respect of works to the tree located outside the site in the Conservation Area; and
 - (v) general advice is available from the Environment Agency with regard to consents and Southern Water with regard to site drainage and foul and surface water connection.

30. Proposal AS/13/1452 (KCC/AS/0379/2013) - Demolition of one and two storey care home with pitched roof and construction of an extra care building of 1,2 and 3 storeys containing 41 flats and associated communal and community facilities at Land at Little Hill, Wayside, St Michael's, Tenterden; Galliford Try Investments Ltd and KCC Adult Services
(Item D3)

(1) Mr M J Angell advised the Committee that he had taken part in the development of this proposal in his former capacity as Deputy Cabinet Member for Education. In order to avoid the perception of pre-determination, he took no part in the decision making for this item.

(2) The Head of Planning Applications Group tabled a Supplementary Information report.

(3) Mr P M Hill was present for this item pursuant to Committee Procedure Rule 2.27 and spoke.

(4) Mrs J Crickmore-Porter (Tenterden TC), Mrs S Maxwell-Scott and Mr R Evans addressed the Committee in opposition to the proposal. Mr M Leader (West Kent Housing Association) spoke in reply on behalf of the applicants.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 13 votes to 4 with 1 abstention.

(6) Mr M Baldock requested pursuant to Committee Procedure 2.26 (3) that his vote against the motion be recorded.

(7) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3 year time limit for implementation; the development being carried out in accordance with the permitted details; the development to be used for extra care accommodation only; the submission of details of all materials to be used externally; the submission of details of external lighting; the provision of access, car parking, turning and circulatory space prior to first occupation, and their subsequent retention; the submission of a detailed landscaping scheme, to include replacement tree planting, and boundary treatments which contribute positively to the landscape character, local amenity, and benefit wildlife; tree protection measures, and the development being undertaken in accordance with the recommendations of the Tree Survey; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey, including ecological enhancements; the submission of an updated bat emergence survey and updated mitigation strategy/method statement for Bats prior to the commencement of the development; the development meeting the Code for Sustainable Homes Level 3 and a CO² reduction of 9.2% as set out in the Energy Strategy report accompanying the application; hours of working during construction and demolition being restricted to between 0800 and 1800 Mondays to Fridays 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 access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations; and measures to prevent mud and debris being taken onto the public highway; and

(b) the applicant be advised by Informatives that:-

- (i) their attention is drawn to the letter from Public Rights of Way which contains general Informatives regarding works adjacent to and/or on a Public Right of Way. It is also advised that “the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highways Authority”;
- (ii) their attention is drawn to the letter from Highways and Transportation in which it is noted that planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained. Applicants should contact Kent County Council - Highways and Transportation in order to obtain the necessary application pack;
- (iii) account should be taken of the Environment Agency’s advice relating to water conservation and construction/demolition waste.

31. Proposal TW/13/03828 (KCC/TW/0381/2013) - Demolition of existing single storey with pitch roof nursing home and construction of extra care building of 2 and 3 storeys containing 48 flats and associated communal facilities at Bowles Lodge, All Saints Road, Hawkhurst; Galliford Try Investments Ltd and KCC Adult Services
(Item D4)

(1) Mr M J Angell advised the Committee that he had taken part in the development of this proposal in his former capacity as Deputy Cabinet Member for Education. In order to avoid the perception of pre-determination, he took no part in the decision making for this item.

(2) The Head of Planning Applications Group tabled a Supplementary Information report.

(3) Mr K Brown (Hawkhurst PC) addressed the Committee in opposition to the application. Mr M Leader (West Kent Housing Association) spoke in reply on behalf of the applicants.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 13 votes to 4.

(5) Mr M Baldock requested pursuant to Committee Procedure Rule 2.26 (3) that his vote against the motion be recorded.

(6) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard limit for implementation; the development be carried out in accordance with submitted details; the submission of details of the final root protection zones, tree protection plan, detailed arboriculture implications assessment and method statement; the provision of detailed drainage details prior to

commencement; the submission of details of PV panels prior to commencement; the submission of a revised roof plan prior to commencement; the submission of a revised landscaping plan, including amendments to the planting at the east, west and southern elevations and incorporating planning of the retaining wall; the submission, approval and maintenance of details of visibility splays at the access; the submission of a Construction Management Plan; the submission of details of retaining walling and fencing details prior to construction; the submission of external lighting details; the submission of details of external building materials; the restriction of demolition and construction working hours to between 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays with no work on Sundays and Public Holidays; the implementation of the Enhancement and Ecological Mitigation Strategy; the removal of tiles from the building in accordance with the Enhancement and Ecological Mitigation Strategy; and the implementation of biodiversity measures concerning the removal of vegetation and protection of breeding birds; and

- (b) the applicant be advised by Informatives covering:-
 - (i) the need to ensure that all necessary highway approvals and consents are obtained where required and that the limits of the highway boundary are clearly established. The applicant is advised to contact Kent Highways Services in order to progress this aspect of the works prior to commencement;
 - (ii) biodiversity, tree protection, crime prevention advice
 - (ii) the need to work with those directly affected by the proposals in order to address good neighbour issues throughout the duration of the demolition and construction phases of the development and following occupation of the development.

32. 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 (None); and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations (None).

SECTION C
MINERALS AND WASTE MANAGEMENT

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 C1

Application for variation of conditions 2 (Restoration Period), 10 (Hours of HGV Movements) and 11 (Highway Management Scheme) of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes at Oldridge Wood Lagoons, Swanton Lane, Off Canterbury Road, Littlebourne, Canterbury – CA/13/2055

A report by Head of Planning Applications Group to Planning Applications Committee on 14 May 2014

Application by Starnes (Canterbury) Ltd. for variation of conditions 2 (Restoration Period), 10 (Hours of HGV Movements) and 11 (Highway Management Scheme) of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes at Oldridge Wood Lagoons, Swanton Lane, Off Canterbury Road, Littlebourne, Canterbury – CA/13/2055 (KCC/CA/0317/2013)

Recommendation: Permission be granted subject to conditions.

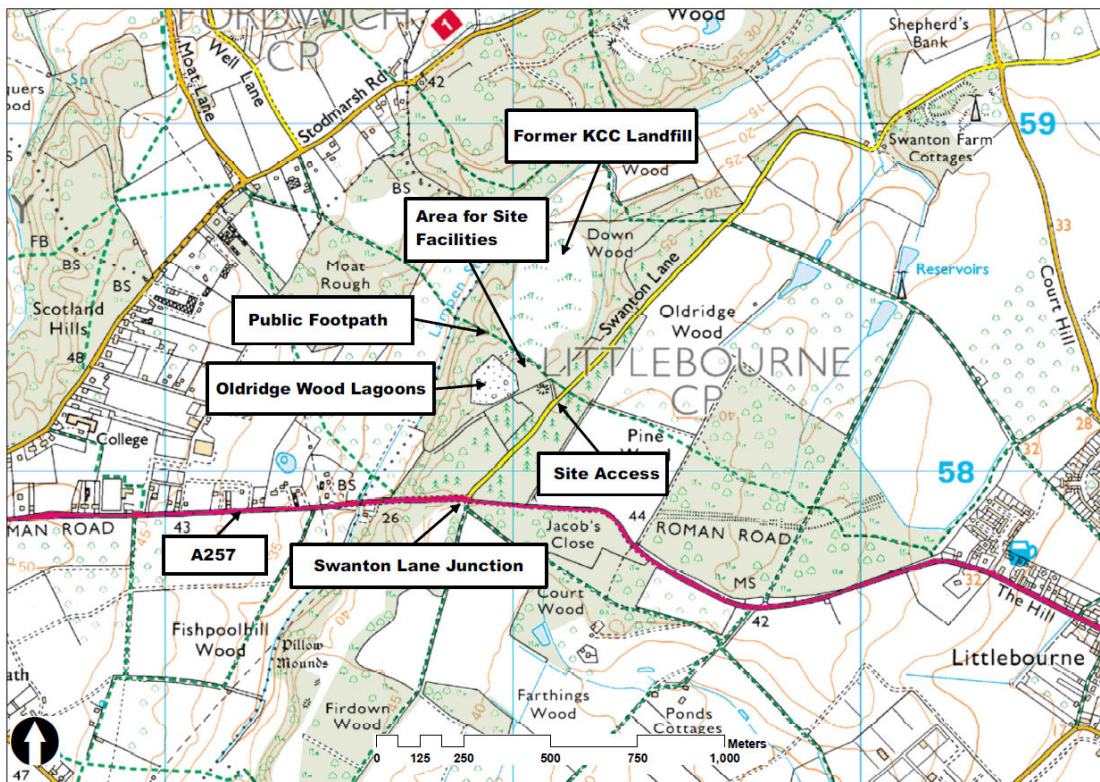
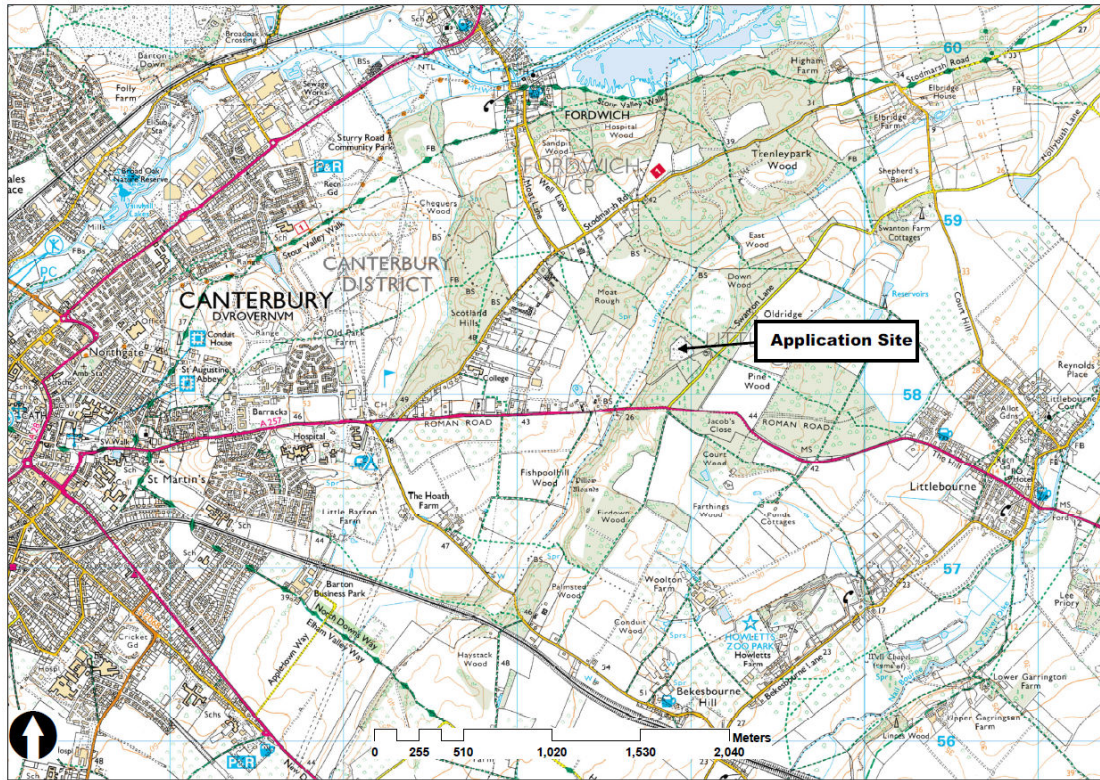
Local Member: Mr Michael Northey

Classification: Unrestricted

Site Description

1. The application site is a 1.4 hectare piece of land to the north east of the village of Littlebourne. It is surrounded by a Local Wildlife Site as identified in the Canterbury District Local Plan First Review (July 2006) and is immediately adjacent to a public right of way (Footpath CB148). It is accessed via a private gated track branching from Swanton Lane off the A257 Canterbury Road. The A257 is subject to a 50mph speed limit in the vicinity of the Swanton Lane junction. The site itself is irregular in shape and comprises a series of open lagoons with access tracks between, enclosed within 1.8m high chain link fencing with a locked gate on the north east side. Maximum dimensions across the fenced lagoons area are approximately 140m x 140m.

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055



Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

2. To the north of the site is an area of open ground within the land ownership of the applicant (some of which is hardstanding associated with earlier filling operations) and beyond that is open ground over the surface of the former Kent County Council municipal landfill site which closed in 1991. Woodland (some of which is Ancient Woodland) surrounds the southern, eastern and western sides of the site. To the west, the land slopes relatively steeply down to the Lampden Stream (at about 20m AOD). The Lampden Stream flows in a north easterly direction approximately 90m from the western boundary of the lagoons site. Further west is farmland. There are no residential properties within 0.5 kilometres of the site or between the site entrance and the A257 / Swanton Lane junction.

Background / Relevant Planning History

3. The site was worked for sand and gravel prior to the deposition of domestic wastes similar to those placed in the adjacent Kent County Council landfill. From the 1970s the site was used for the disposal of tannery sludge and slurries generated from the former St. Mildred's Tannery in Canterbury. The lagoons were formed by partial re-excavation of the domestic wastes. The tannery wastes are reported to have contained water, organic matter (hair, protein, grease etc.), chromium III hydrated oxide (a greenish pigment), lime and residual sulphides.
4. The applicant asserts that records indicate that the site stopped receiving waste sometime between 1998 and 2001. A Site Closure Notice was issued by the Environment Agency in December 2002 which required that the previously authorised disposal of waste at the site should cease and not recommence. Closure of the site was to involve a modification to the waste disposal licence for the site to allow importation of wastes from sources other than the tannery to infill the lagoons and provide a capped and domed profile that would prevent rainfall ingress and associated leachate generation from the previously deposited wastes. Progress on the site closure ceased due to bankruptcy issues associated with the site owners.
5. The Environment Agency carried out a site audit in April 2008 and visited the site in June 2008. It is understood that a number of observations were made and concerns were raised regarding the condition of the site, including the following:
 - Some of the lagoons were observed to contain a green liquid and bubbles seen rising to the surface of the liquid were indicative of ongoing methane gas production.
 - The open nature of the lagoons to incident rainfall presented a potential risk of prolonged leachate generation and adverse impact on ground and surface waters in the vicinity.
 - There was a potential risk to human health and a safety risk to the public/trespassers associated with the open lagoons and potential near surface contamination.

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

6. The need for a comprehensive investigation and environmental monitoring programme for the site was identified to enable the assessment of risks to human health and controlled waters. This subsequently involved collecting and testing samples of lagoon sediments, landfill and soil materials and a programme of gas monitoring and groundwater sampling and testing from borehole installations on and around the site. Monitoring from these installations is ongoing. The desire for the site to be infilled and capped as part of the closure process was reinforced. It is understood that Kent Wildlife Trust expressed an interest in the land being allowed to regenerate naturally on completion of this work during the audit.
7. A planning application (CA/12/606) was submitted to the County Council for the infilling of the lagoons in March 2012. The application proposed that any liquid be drained from the lagoons and removed in tankers for disposal at an appropriately licensed facility. The infilling would then be carried out in phases. The application proposed that infill materials would be restricted to inert wastes and that the final surface layer would comprise at least a 1 metre depth of clay or clayey soils. The final landform would have a maximum height of approximately 47m AOD (approximately 6m above the land immediately surrounding the lagoons) with a domed profile and side slopes at a gradient of 1:6 in order to facilitate surface water run-off and compliment the landform on the former County Council landfill site. It would also reduce the likelihood of having to reopen the site to remediate the effects of total and / or differential settlement after infilling had been completed. In order to meet Kent Wildlife Trust's preferred restoration standard and facilitate the desired natural regeneration, it was not proposed to use topsoil in the restoration profile. The proposed development would have required approximately 33,500 cubic metres of material. Assuming two phases, phase 1 would have required approximately 18,500 cubic metres and phase 2 approximately 15,000 cubic metres. The application also proposed the installation of a temporary site cabin and self-contained wheelwash facility during the course of the filling works on the area of hardstanding to the north of the fenced lagoons area. It also proposed that a safe footpath route would be maintained alongside the existing site internal access road, fenced to prevent public access with clear signage on approaches.
8. In the absence of any planning objections and the proposed development being acceptable in all respects subject to the imposition of conditions, the application was permitted under officer delegated authority on 1 November 2012. A copy of the decision notice is attached at [Appendix 1](#).
9. Highways and transportation issues were of particular significance both prior to and during consideration of planning application CA/12/606 and had initially resulted in concerns being expressed by Littlebourne Parish Council and KCC Highways and Transportation about the impact on the highway network. However, as a result of discussions between the applicant, KCC Highways and Transportation and the Parish Council, leading to general agreement on controls that should be applied if the proposed development were to proceed, these concerns were overcome.

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

10. Based on an estimated filling process over an 18 month period, the proposed development would have required the temporary closure of Swanton Lane during filling periods due to its narrow width, the use of part time traffic lights on the A257 and HGVs being managed prior to arrival at the site using lay-by's and radios. It would also have required that HGVs only enter or leave the site between 09:30 and 16:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays with no movements on Sundays and Public Holidays. These hours being more limited than those for operations on the site itself which were proposed between 07:00 and 18:00 hours Monday to Friday and 07:00 and 13:00 hours on Saturdays.
11. The restrictions on HGV movements at the site set out above were included in condition 10 of planning permission CA/12/606. The permission also included a condition (11) which required the submission, approval and compliance with a detailed highway management scheme (to accord with the general principles set out in the applicant's transport statement) to include:
 - the number of phases of the infilling works;
 - the source / locations of waste materials;
 - the maximum numbers of HGV movements (including maximum loads per hour / loads per day) associated with each phase of the filling works; and
 - the proposed off-site traffic management measures.
12. The 2012 application had included a number of potential scenarios for how infilling would be undertaken. These were:
 - 1 session of 41 days with 65 HGV loads per day and 10 per hour;
 - 1 session of 83 days with 33 HGV loads per day and 5 per hour;
 - 2 sessions of 26 days with 52 HGV loads per day and 8 per hour;
 - 3 sessions of 14 days with 65 HGV loads per day and 10 per hour;
 - 3 sessions of 28 days with 33 HGV loads per day and 5 per hour;
 - 5 sessions of 8 days with 65 HGV loads per day and 10 per hour; and
 - 5 sessions of 17 days with 33 HGV loads per day and 5 per hour.

Although the applicant stated that 2 to 5 sessions were favoured, it was unable to be certain that any one scenario would be possible since this would be dependent on the availability of suitable waste materials at any given time. In large part, this was the reason why it had been impossible to finalise any HGV management arrangements and why a detailed highway management plan was required by condition.

13. Planning permission CA/12/606 also included a condition (2) which stated that the development must be completed and the site restored within 2 years of the commencement of operations. Condition 12 required that measures be taken to ensure that vehicles leaving the site do not deposit mud or other materials on the public highway (including the use of wheel and chassis cleaning equipment as necessary).
14. A number of other conditions were also imposed in order that the development should take place as proposed, in an acceptable manner and in accordance

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

with relevant planning policies. These include those in respect of a 5-year time limit for commencement (condition 1), removal of permitted development rights (condition 3), working programme (conditions 4 to 8), hours of operation (condition 9), ecology (conditions 13 and 14), tree protection (condition 15) and restoration and aftercare (condition 16). Of these, conditions 8 (relating to temporary site cabin and wheelwash), 13 (relating to a dormouse survey and any necessary mitigation) and 16 (relating to a site restoration and aftercare scheme) require the submission to and approval by the County Council of details before development commences. The planning permission also includes a number of informatives (e.g. advice in respect of public rights of way, the need to obtain a European Protected Species License from Natural England and the need to apply to the Environment Agency for a variation to the Environmental Permit).

15. The applicant has since reconsidered the viability of and logistics associated with how the permitted development would take place leading to the submission of the current application.

The Proposal

16. The application seeks planning permission for the variation of conditions 2 (time limit for completion), 10 (hours of HGV access) and 11 (highway management plan) of planning permission CA/12/606. The application is supported by a new Transport Statement.
17. As initially submitted in October 2013, the application proposed:
 - increasing the time allowed to complete the development from 2 years to 3 years;
 - allowing HGVs to enter or leave the site from 09:00 hours rather than 09:30 hours Monday to Friday; and
 - removing the need for a detailed highway management scheme to be submitted and approved prior to the commencement and, instead, replacing this requirement with revised proposals for highway management related to an amended infilling regime.
18. In support of the above, the applicant states that the current time period is inadequate and does not provide enough time to complete the development due to market conditions and as a result of uncertainties over the availability of sufficient suitable waste materials in the permitted timeframe. It also states that the fill material would be collected from various sites and locations by a single operator (expected to be Thanet Waste Services) before being delivered to Oldridge Wood Lagoons. The nature of these operations requires a more flexible approach than previously envisaged unless materials are to be stockpiled at another location before being transported to the site. The applicant points out that stockpiling elsewhere would lead to the need for double handling and significant additional costs which would adversely affect the viability of the scheme. The applicant has also re-emphasised the need to backfill the lagoons to satisfy Environment Agency concerns regarding the

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

potential pollution of water resources as well as ongoing health and safety concerns regarding the retention of open effluent lagoons.

19. The new Transport Statement concludes that the additional half hour period between 09:00 and 09:30 would not have any detrimental effect on the road network. The applicant states that the new Transport Statement addresses all the matters previously required by condition 11 such that the further submission of a highway management plan is unnecessary. Rather than rely on any of the waste delivery scenarios previously suggested, the applicant now estimates that 25 to 30 HGV loads would be deposited at the site each day during filling periods of between 4.5 and 5.5 days at intermittent periods in the spring, summer and autumn periods. The applicant no longer proposes the temporary closure of Swanton Lane or the use of part time traffic signals on the A257.
20. As a result of concerns about highway issues raised during consideration of the current application as initially submitted, further discussions took place between the applicant, Kent Highways and Transportation and Littlebourne Parish Council. Following this, a further Technical Note was submitted in support of the application. This provided details of a proposed means of monitoring HGV movements (i.e. a radar based automatic traffic counter (ATC)), a draft signage schedule (to inform road users of HGV movements on both the A257 and Swanton Lane) and further information relating to visibility splays and swept path analysis at the A257 / Swanton Lane junction. A further swept path analysis drawing was also subsequently provided at the request of KCC Highways and Transportation.
21. The applicant has additionally agreed that the following extra measures / controls be applied in the event that planning permission is granted to further mitigate impact on the highway network:
 - HGVs not entering or leaving the site before 09:15 hours Monday to Friday (rather than 09:00 hours as initially proposed);
 - HGV movements being limited to 6 in / 6 out per hour during filling periods;
 - the installation of an automatic traffic counter (ATC) at the Site;
 - records of the ATC being made available for inspection at any time by County Planning Authority;
 - prior notification of the County Council before each filling period is to commence;
 - the signage scheme being implemented prior to filling periods;
 - the provision of wheelwash facilities at the site; and
 - HGVs being restricted to 10.2m in length, 4 axles and 20 tonne load capacity.

Planning Policy Context

22. **National Planning Policy:** The National Planning Policy Framework (NPPF) was adopted on 27 March 2012. It replaces all previous national planning policy guidance. However, the framework does not contain specific waste

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policies. Pending the publication of the National Waste Management Plan for England, Planning Policy Statement 10 (Planning for Sustainable Waste Management) continues to set out the national planning policy for waste development. The other matters addressed in the NPPF primarily carry forward previous national planning policy and guidance.

The “golden thread” running throughout the NPPF is *sustainable development*. The ministerial forward of the policy defines *sustainable* as “ensuring that better lives for ourselves don’t mean worse lives for future generations”. The NPPF also refers to the UK Sustainable Development Strategy Securing the Future which sets out 5 guiding principles for sustainable development: living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. In terms of the planning system, the NPPF identifies that there are 3 dimensions to sustainable development which create 3 overarching roles in the planning system: economic; social; and environmental. These roles are mutually dependent. In facilitating the delivery of these roles the NPPF 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.

23. **Kent Waste Local Plan (Saved Policies) (March 1998):** Policies W18 (Noise, Dust and Odour), W19 (Surface and Groundwater), W20 (Land Drainage and Flood Control), W21 (Nature Conservation), W22 (Road Traffic and Access), W25 (Plant and Buildings), W27 (Public Rights of Way), W31 (Landscaping) and W32 (Operation, Restoration and Aftercare).
24. **Kent Minerals and Waste Local Plan Pre-Submission Consultation Draft (January 2014):** Policies CSW1 (Sustainable Waste Management and Climate Change), CSW2 (Waste Hierarchy), CSW11 (Closed Landfill Sites), CSW12 (Disposal of Inert Waste), DM1 (Sustainable Design), DM2 (Sites of International, National and Local Importance), DM9 (The Water Environment), DM10 (Health and Amenity), DM12 (Transportation of Minerals and Waste), DM13 (Public Rights of Way), DM14 (Safeguarding of Transport Infrastructure), DM17 (Land Stability) and DM18 (Restoration and Aftercare)
25. **Canterbury District Local Plan First Review (July 2006):** Policies BE1 (General Development Control Criteria), NE1 (Biodiversity), NE2 (Biodiversity Enhancement), NE5 (Tree Retention), C1 (Transport), C39 (Air quality), C40 (Potentially Polluting Development) and C41 (Waste Management).
26. **Canterbury District Local Plan Preferred Options Draft Consultation (June 2013):** Consultation closed on 30 August 2013. The draft policies of relevance include: SP1 (Sustainable Development), LB4 (Landscape Character), LB5, LB6, LB7 (Conservation and Enhancement of Biodiversity), LB10 (Protected Species), LB11 (Nature Conservation), LB12, LB13 (Trees, Woodland and Hedgerows), CC12 (Water quality), T1 (Transportation), QL11 (Air Quality), QL12 (Potentially Polluting Development) and QL13 (Waste Management).

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Consultations

A summary of responses received to consultations are as follows

27. **Canterbury City Council:** No objection.
28. **Littlebourne Parish Council:** Initially raised concerns on the following grounds:
- The lengthening of the process from 2 to 3 years.
 - Questioned who would monitor progress with the works against the permitted timescale.
 - Starting at 09:00 hours would conflict with rush hour traffic flows.
 - Routing of Lorries through Littlebourne and previous complaints about Thanet Waste Services (the prospective haulier referred to in the application) HGVs travelling through the village.

These concerns were discussed at a meeting between KCC Highways and Transportation and the Parish Council on 29 November 2013. The application was subsequently amended such that HGVs would only enter or leave the site after 09:15 hours and additional supporting information was provided by the applicant.

A further response to the proposed development was made by the Parish Council to KCC Highways and Transportation on 26 February 2014 (and copied to Planning Applications Group). This indicated that whilst the Parish Council was happy with some of the improvements that had been made (e.g. a slightly later start time for HGVs and the provision of traffic monitoring) it remained concerned about large slow moving vehicles turning across the eastbound carriageway of the A257 into Swanton Lane or exiting Swanton Lane and travelling east. It also expressed the opinion that sight lines at the junction are poor and that any additional signage would not cause drivers to slow down in sufficient time to avoid collisions. It additionally expressed the view that the speed limit on the A257 should be reduced to 40mph in the area.

29. **Natural England:** No objection.
30. **Environment Agency:** No objection.
31. **KCC Highways and Transportation:** No objection subject to conditions to secure the following:
- HGVs not entering or leaving the site before 09:15 hours Monday to Friday;
 - HGV movements being limited to 6 in / 6 out per hour during filling periods;
 - the installation of an automatic traffic counter (ATC) at the Site;
 - records of the ATC being made available for inspection at any time by County Planning Authority;

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- prior notification of the County Council before each filling period is to commence;
 - the signage scheme being implemented prior to filling periods;
 - the provision of wheelwash facilities at the site; and
 - HGVs being restricted to 10.2m in length, 4 axles and 20 tonnes load capacity.
32. **KCC Public Rights of Way and Access Service:** Advises that as part of the site access road is also a public right of way (Footpath CB148), it will be necessary for the applicant to apply to temporarily close the footpath during the works and make alternative arrangements via a diversion. Notes that an alternative route adjacent to the footpath could be created.

Representations

33. The application has been advertised by site notice, press notice and individual notification letters. No responses have been received as a result.

Local Members

34. The County Council Member Mr M Northey (Canterbury South East) was notified of the application. No written comments have been received.

Discussion

35. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In the context of this application, the development plan policies outlined in paragraphs 23 and 25 above are of most relevance. Material planning considerations include the national planning policies referred to in paragraph 22 and the emerging development plan policies referred to in paragraphs 24 and 26.
36. Planning permission CA/12/606 is also an important material consideration. The merits of infilling the lagoons was carefully assessed during 2012 and planning permission CA/12/606 granted under delegated authority on 1 November 2012. I am satisfied that the conclusions reached during the consideration and determination of application CA/12/606 remain valid and do not need to be revisited in this report. I am also satisfied that it remains highly desirable for the lagoons to be infilled and properly restored to secure the environmental benefits referred to in paragraphs 4 to 6 above.

Condition 2 (Time limit)

37. Condition 2 of planning permission CA/12/606 allows 2 years for the completion of all works, including emptying, infilling and restoring the lagoons and removing all plant, equipment, buildings and hardstandings from the site. The 2 year period was based on forecasts made in 2012 as to the likely availability of suitable waste material and a number of scenarios on how this

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

could be delivered to the site (as outlined in paragraph 12 above). The scenario considered to be most realistic in 2012 involved 5 infilling sessions of 2 to 5 weeks each over a period of 18 months. This would now be replaced by a more flexible approach whereby 25 to 30 HGV loads would be deposited at the site each day during filling periods of between 4.5 and 5.5 days at intermittent periods in the spring, summer and autumn periods.

38. No specific objections have been raised in respect of the proposed amendment to condition 2 although Littlebourne Parish Council has questioned who would monitor progress with the works against the proposed timescale.
39. I am satisfied that it may take longer than 2 years for the applicant to secure sufficient quantities of suitable waste materials and complete the required works. I am also satisfied that increasing the period to 3 years would not prejudice the effective restoration of the site or have any significant adverse impact on amenity or the environment. Indeed, given that the total quantity of waste materials required to restore the site and the total number of HGV loads required to enable this would remain the same, any longer period could actually assist in further minimising impacts by reducing the number of HGV movements associated with the development on any one day or individual session. In the event that sufficient quantities of suitable waste materials become available more quickly than the applicant now assumes, there would be nothing to prevent the works being completed in 2 years provided the terms of any new conditions that may be imposed to address KCC Highways and Transportation's comments are complied with. These issues are addressed further below. With regard to Littlebourne Parish Council's concerns about site monitoring, it should be noted that operations of this type are monitored by the County Council's Planning Applications Group on a regular basis under the chargeable site monitoring regime. Notwithstanding this, there is no guarantee that the works would be completed within 3 years and it may ultimately be necessary for additional time to be sought / obtained if the current restoration scheme is to be secured.
40. Given the above, I am satisfied that the proposed increase from 2 to 3 years for completion would accord with relevant development plan and other planning policies subject to the imposition of the additional conditions requested by KCC Highways and Transportation (addressed in full in paragraphs 44 to 48).

Condition 10 (Hours of HGV access)

41. As set out in paragraph 17 above, the application initially sought to amend the time that HGVs may enter and leave the site from 09:30 to 09:00 hours Monday to Friday. All other times referred to in condition 10 would remain the same. As explained in paragraph 21, as a result of concerns being raised by KCC Highways and Transportation and Littlebourne Parish Council about possible conflict during the morning peak time the applicant agreed that the application be considered on the basis of amending the start-time to 09:15 Monday to Friday.

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42. KCC Highways and Transportation and Littlebourne Parish Council are both now satisfied with the revised start-time. As a result, no specific objections have been raised in respect of the proposed amendment to condition 10.
43. Given that KCC Highways and Transportation has advised that 09:15 hours Monday to Friday is acceptable in highway terms, I am satisfied that the proposed amendment would accord with relevant development plan and other planning policies subject to the imposition of the additional conditions requested by KCC Highways and Transportation (addressed in full in paragraphs 44 to 48 below).

Condition 11 (highway management plan)

44. As explained in paragraph 12 above, one of the key reasons for imposing condition 11 on planning permission CA/12/606 requiring a highway management plan was due to the uncertainty associated with how and when waste materials would be secured and HGVs deliver these to the site. Paragraph 11, sets out the matters that the highway management plan was to address (i.e. the number of phases of the infilling works; the source / locations of waste materials; the maximum numbers of HGV movements [including maximum loads per hour / loads per day] associated with each phase of the filling works; and the proposed off-site traffic management measures).
45. As acknowledged in paragraph 39 above, I am satisfied that it may take longer than 2 years to secure the necessary waste materials. I am also satisfied that predicting this availability in a way that would enable the requirements of condition 11 to be addressed in a single submission would be impossible if best use is to be made of suitable materials. In principle, I therefore support an alternative means of dealing with the matters set out in condition 11 subject to this being acceptable in highway terms.
46. As noted in paragraphs 20 and 21, further information was provided to address concerns raised during the consultation process and a number of additional controls have been discussed with and agreed by the applicant. Whilst these have satisfied some of Littlebourne Parish Council's concerns, it has maintained an objection to the proposals on highway safety grounds. Specifically, it:
 - remains concerned about large slow moving vehicles turning across the eastbound carriageway of the A257 into Swanton Lane or exiting Swanton Lane and travelling east;
 - believes that sight lines at the junction are poor and that any additional signage would not cause drivers to slow down in sufficient time to avoid collisions: and
 - wants the speed limit on the A257 reduced to 40mph.

It has also expressed concerns about HGVs travelling through Littlebourne and stated that it has previously had to complain about HGVs associated with the prospective haulier.

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

47. In addition to undertaking a detailed analysis of the proposed development, KCC Highways and Transportation has also carefully considered the comments made by Littlebourne Parish Council and discussed these with representatives of the Parish Council. However, it is satisfied that the proposed development is acceptable in terms of highway safety and does not believe that it would be appropriate to reduce the speed limit as is proposed. KCC Highways and Transportation has advised that subject to the imposition of conditions to secure the matters referred to in paragraph 31 above it has no objection to the proposals. It should be noted that wheel and chassis cleaning arrangements are already addressed by conditions 8 and 12 of planning permission CA/12/606.
48. Given the response from KCC Highways and Transportation, I am satisfied that the proposed removal of condition 11 and its the requirement for the submission of a detailed highway management plan is acceptable and would accord with relevant development plan and other planning policies subject to the imposition of the additional conditions requested by KCC Highways and Transportation. Although I note Littlebourne Parish Council's concerns about HGV routeing and complaints associated with the prospective haulier, the A257 is part of the main road network along which such traffic would normally be expected to travel and is the only viable option for deliveries to the site from the east. It should also be noted that the current application proposes no changes to vehicle routeing.

Other matters

49. In addition to the imposition of replacement conditions to reflect the proposed amendments to conditions 2 and 10 and those additional conditions requested by KCC Highways and Transportation if the requirement of condition 11 is to be omitted, it would be necessary for those other conditions referred to in paragraph 14 above to be re-imposed if permission is granted. Any informatives appended to planning permission CA/12/606 should also be re-imposed. These include advice in respect of the public right of way, the need to obtain a European Protected Species Licence from Natural England and the need to apply to the Environment Agency for a variation to the Environmental Permit. I am satisfied that an appropriate informative in respect of the public right of way would satisfactorily address the issue raised by KCC's Public Rights of Way and Access Service in paragraph 32 above. Members should note that regardless of the outcome of this application, further details would still need to be submitted to address the requirements of conditions 8 (relating to temporary site cabin and wheelwash), 13 (relating to a dormouse survey and any necessary mitigation) and 16 (relating to a site restoration and aftercare scheme) before development commences.

Conclusion

50. I am satisfied that there remains a clear need for the lagoons to be infilled and restored as provided for by planning permission CA/12/606 (for the reasons set out in paragraphs 3 to 6 above) and that the conclusions reached during the consideration and determination of the previous application remain valid.

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

Notwithstanding the concerns expressed by Littlebourne Parish Council about highway safety, I am also satisfied (based on the response from KCC Highways and Transportation) that the proposed variations of conditions 2, 10 and 11 are acceptable, would accord with relevant development plan and other planning policies and should be permitted subject to the imposition of the other previous conditions and those additionally proposed by KCC Highways and Transportation.

Recommendation

51. I RECOMMEND that permission BE GRANTED SUBJECT TO conditions and informatives covering (amongst other matters) the following:

- the development being completed and the site restored within 3 years of commencement;
- HGV movements only taking place between 09:15 and 16:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays with no movements on Sundays and Public Holidays;
- HGV movements being limited to 6 in / 6 out per hour during filling periods;
- the installation of an automatic traffic counter (ATC) at the site;
- records of the ATC being made available for inspection at any time by County Planning Authority;
- prior notification of the County Council before each filling period is to commence;
- the signage scheme being implemented prior to filling periods;
- HGVs being restricted to 10.2m in length, 4 axles and 20 tonnes load capacity; and
- the re-imposition of all original conditions with the exception of conditions 2, 10 and 11.

Informatives:

- The applicant additionally notifying Littlebourne Parish Council prior to each filling period.
- The re-imposition of the informatives appended to planning permission CA/12/606.

Case Officers: Harry Burchill and Jim Wooldridge - Tel. No's. (01622) 221058 and 221060

Background Documents: See section heading.
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Appendix 1 to Item C1

**Variation of Conditions 2, 10 and 11 of planning permission
CA/12/606 for the infilling of open lagoons formally used for the
disposal of tannery wastes – CA/13/2055**



CC1 (Detailed)

Reference Code
of Application: CA/12/606

KENT COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

Notification of Grant of Permission to Develop Land

To: Starnes (Canterbury) Limited
C/o Ian Thompson
Environmental Scientifics Group
The Oasts
Newnham Court
Bearsted Road
Maidstone
Kent
ME14 5LH

TAKE NOTICE that the KENT COUNTY COUNCIL, the County Planning Authority under the Town and Country Planning Acts, HAS GRANTED PERMISSION for development of land situated at Oldridge Wood Lagoons, Swanton Lane, Off Canterbury Road, Littlebourne, Kent, CT3 4AX and being the infilling of open lagoons formally used for the disposal of tannery wastes referred to in your application for permission for development dated the thirteenth day of March 2012 with "Planning Application for the restoration of Oldridge Wood Lagoons at Swanton Lane, Canterbury Road, Nr Littlebourne, Kent, March 2012" as amplified and/or amended by: email from Ian Thompson Environmental Scientifics Group (ESG) dated 2 April 2012 with "Land ownership and application site boundaries – Site Plan" drawing number 0326/101; letter from Ian Thompson (ESG) dated 25 May 2012 with "Oldridge Wood Monitoring" data sheet; email from Ian Thompson (ESG) dated 25 May 2012; email from Ian Thompson (ESG) dated 24 July 2012 with "Oldridge Wood Lagoons Draft Report" dated September 2009; email from Ian Thompson (ESG) dated 23 August 2012 with "Oldridge Wood Monitoring" data; and email from Ian Thompson (ESG) dated 29 October 2012 with "Phased Infilling Plan & Tree Locations" drawing number 0326/106 Revision A, SUBJECT TO THE CONDITIONS SPECIFIED hereunder:-

Time Limits (Commencement and Duration)

1. The development hereby permitted must be commenced not later than the expiration of 5 years beginning with the date on which this permission is granted. Written notification of the intended date of commencement shall be sent to the Waste Planning Authority at least 7 days prior to this date and written notification to confirm the actual date of commencement shall be sent to the Waste Planning Authority within 7 days of such commencement.

Reason: In pursuant of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Appendix 1 to Item C1

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

2. The development hereby permitted must be completed, the site restored in accordance with a scheme required pursuant to condition (16) and all plant, equipment, buildings and hardstandings be removed within 2 years from the date of commencement (as defined pursuant to the requirements of condition (1) above).

Reason: In order to secure the satisfactory restoration of the site, pursuant to the objectives of Kent Waste Local Plan Policy W32.

Restriction of Permitted Development Rights

3. Notwithstanding the provisions of part 4 of schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order), no fixed plant or machinery, buildings, or structures and erections shall be located on site without the prior approval in writing of their siting, design and external appearance by the Waste Planning Authority.

Reason: To protect the visual amenities of the area and minimise impact and to accord with the objectives of Kent Waste Local Plan Policy W25.

Working Programme

4. Unless otherwise approved beforehand in writing by the Waste Planning Authority, the development to which this permission relates shall be carried out and completed in all respects strictly in accordance with the submitted documents and drawings contained in the application as referred to above, and as stipulated in the conditions set out above and below and those further details required to be submitted for approval.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details and to accord with the objectives of Kent Waste Local Plan Policies W18, W19, W20, W21, W22, W25, W27, W31 & W32.

5. The development shall be carried out using only the materials identified for infilling as specified in paragraph 5.5 of the "Supporting Statement – Planning application for the restoration of Oldridge Wood Lagoons".

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted details.

6. The pre-settlement tip heights shall not exceed those detailed on "Phased Infilling Plan" drawing number 0326/103 as amplified and amended by "Phased Infilling Plan & Tree Locations" drawing number 0326/106 Revision A.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted details.

7. A surface layer of clay or clayey soils shall be constructed to a depth no less than 1.5 metres below the pre-settlement tip heights as detailed in paragraph 5.5 of the letter from Ian Thompson (ESG) dated 25 May 2012.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the submitted details.

Appendix 1 to Item C1

**Variation of Conditions 2, 10 and 11 of planning permission
CA/12/606 for the infilling of open lagoons formally used for the
disposal of tannery wastes – CA/13/2055**

8. **Before the development hereby permitted is commenced**, details of the temporary site cabin and self contained wheelwash facility (including details of their siting, design and external appearance) shall be submitted for the prior written approval of the Waste Planning Authority. Thereafter the development shall be carried out strictly in accordance with the approved details.

Reason: To protect the visual amenities of the area and minimise impact and to accord with the objectives of Kent Waste Local Plan Policy W25.

Hours of Operations

9. Unless otherwise approved beforehand in writing by the Waste Planning Authority, operations on site shall only take place between the following times: -

07:00 to 18:00 Monday to Friday;
07:00 to 13:00 Saturdays;
No operations on Sundays and Public Holidays.

Reason: To ensure the minimum disturbance and avoidance of nuisance to the environment of locality and to accord with the objectives of South East Plan Policy NRM10 whilst providing for the operational needs of the development hereby permitted.

Access and Routing

10. Unless otherwise approved beforehand in writing by the Waste Planning Authority, HGV movements associated with the development hereby permitted shall only take place between the following times: -

09:30 to 16:00 Monday to Friday;
08:00 to 13:00 Saturdays;
No movements on Sundays and Public Holidays.

Reason: In the interests of highway safety and safeguarding the local environment and to accord with the objectives of Kent Waste Local Plan Policy W22.

11. **Before the development hereby permitted is commenced**, a detailed highway management scheme (which shall accord with the general principles set out in "Transport Statement – Proposed Lagoon Backfilling, Oldridge Wood Lagoons" dated October 2011) shall be submitted for the prior written approval of the Waste Planning Authority. The highway management scheme shall include, amongst other matters, details of the following:

- a. the number of phases of the infilling works;
- b. the source / locations of waste materials;
- c. the maximum numbers of HGV movements (including maximum loads per hour / loads per day) associated with each phase of the infilling works; and
- d. the proposed off-site traffic management measures.

Thereafter the development shall be carried out strictly in accordance with the approved scheme.

Reason: In the interests of highway safety and safeguarding the local environment and to accord with the objectives of Kent Waste Local Plan Policy W22.

Appendix 1 to Item C1

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

12. Measures shall be taken to ensure that vehicles leaving the site do not deposit mud or other materials on the public highway. Such measures shall include, as necessary, the use of wheel and chassis cleaning equipment.

Reason: In the interests of highway safety and safeguarding the local environment and to accord with the objectives of Kent Waste Local Plan Policy W22.

Ecology

13. **Before any works in connection with Phase 2 (as detailed on “Phased Infilling Plan & Tree Locations” drawing number 0326/106 Revision A) of the development hereby permitted is commenced**, a detailed dormouse survey report shall be submitted (including any necessary mitigation) for the prior written approval of the Waste Planning Authority. Thereafter the development shall be carried out strictly in accordance with the approved details.

Reason: In the interests of the protection of important ecological interests at the site and to accord with the objectives of Kent Waste Local Plan Policy W21 and the National Planning Policy Framework.

14. The development shall be carried out strictly in accordance with the mitigation measures as detailed in “Mitigation Method Statement” Ref. No 2160/R01 dated February 2012, specifically paragraph 6.14 in respect of dormouse mitigation and paragraph 6.26 in respect of reptiles.

Reason: In the interests of the protection of important ecological interests at the site and to accord with the objectives of Kent Waste Local Plan Policy W21 and the National Planning Policy Framework.

Tree Protection

15. The development hereby permitted shall be carried out in such a manner as to avoid damage to the existing trees (as identified on “Phased Infilling Plan & Tree Locations” drawing number 0326/106 Revision A), including their root systems, by observing best practice measures detailed in the relevant British Standard.

Reason: In the interests of the protection of trees surrounding the development hereby permitted and to accord with the objectives of Canterbury City Council Local Plan Policy NE5.

Restoration and Aftercare

16. **Before the development hereby permitted is commenced**, a site restoration and aftercare scheme shall be submitted to and approved in writing by the Waste Planning Authority. The scheme, which shall accord with the principles set out in the application, including the “Phased Infilling Plan” drawing number 0326/103 as amplified and amended by “Phased Infilling Plan & Tree Locations” drawing number 0326/106 Revision A, shall include the following details: -

- a. a habitat re-creation management scheme to ensure the long term sustainability of the acidic grassland habitat to be created;
- b. the treatment of any disturbed ground;
- c. measures to ensure that the restored surface is free from large stones or similar objects;
- d. provision for annual meetings between the landowner(s) and the Waste Planning Authority during the aftercare period; and
- e. measures for the ongoing maintenance, management and monitoring of the nature conservation interests associated with the restored lagoon area and receptor sites.

Appendix 1 to Item C1

Variation of Conditions 2, 10 and 11 of planning permission CA/12/606 for the infilling of open lagoons formally used for the disposal of tannery wastes – CA/13/2055

The site restoration scheme shall be implemented as approved in accordance with the timescale required by condition (2). The ongoing management / aftercare elements of the scheme shall be implemented as approved for 5 years after completion of restoration, unless otherwise agreed beforehand in writing by the Waste Planning Authority.

Reason: In order to secure the satisfactory restoration and aftercare of the site, pursuant to the objectives of Kent Waste Local Plan Policy W32.

The Town and Country Planning (Development Management Procedure) (England) Order 2010

This application has been determined in accordance with the Town and Country Planning Acts, and in the context of the Government's National Planning Policy Framework and the relevant Circulars, together with the relevant Development Plan policies, including the following, and those referred to under the specific conditions above:-

South East Plan (May 2009) Policies: CC1 (Sustainable Development), CC2 (Climate Change), C4 (Landscape), NRM5 (Biodiversity), NRM10 (Noise) and W14 (Restoration).

Kent Waste Local Plan (March 1998) Saved Policies: W18 (Noise, Dust and Odour), W19 (Surface and ground water), W20 (Geological considerations), W21 (Ecology), W22 (Transport), W25 (Design), W27 (Public Rights of Way), W31 (Landscape) and W32 (Restoration and Aftercare).

Canterbury City Council Local Plan (July 2006) Policies: BE1 (General Development Control Criteria), NE1 (Biodiversity), NE2 (Biodiversity Enhancement) and NE5 (Tree Retention).

The summary of reasons for granting approval is as follows:-

The County Council is of the opinion that the proposed development gives rise to no material harm, is in accordance with the development plan and that there are no material considerations that indicate that the decision should be made otherwise. The County Council also considers that any harm to visual amenity as a result of the proposed development would reasonably be mitigated by the imposition of the attached conditions.

In addition please be advised of the following informatives:

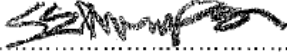
1. Please note the expiry date on your decision notice, along with all other conditions imposed. You are advised any conditions which require you to formally submit further details to the County Planning Authority for approval may be required to be formally discharged **prior** to commencement of operations on site, or within a specified time. It is your responsibility to ensure that such details are submitted. **Failure to do so may mean that any development carried out is unlawful** and which may ultimately result in the permission becoming incapable of being legally implemented. It is therefore strongly recommended that the required details be submitted to this Authority in good time so that they can be considered and approved at the appropriate time. **Note that from 6th May 2008 each submission of details pursuant to conditions attracts an application fee of £85.**
2. You are advised that Public Right of Way CB148 runs immediately adjacent to the application site. You are advised that this consent allows no rights of alter or divert the Public Right of Way without the express consent of the Highway Authority.
3. You are advised of the need to obtain a European Protected Species Licence from Natural England before proceeding with any of the works hereby permitted.

Appendix 1 to Item C1

**Variation of Conditions 2, 10 and 11 of planning permission
CA/12/606 for the infilling of open lagoons formally used for the
disposal of tannery wastes – CA/13/2055**

4. You are advised of the need to apply for a variation to the site's current Environmental Permit to allow for the importation of waste to achieve an appropriate landform and to cap and restore the site. The application for this variation will need to be supported by detailed evidence relevant to the Environment Agency's statutory responsibilities in respect of the site.
5. You are advised that any temporary traffic management measures on the highway will be subject to the granting of an appropriate license by the Highway Authority.

Dated this first day of November 2012

(Signed).....
Head of Planning Applications Group

INVICTA HOUSE
COUNTY HALL
MAIDSTONE
KENT ME14 1XX

Item C2

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

A report by Head of Planning Applications Group to Planning Applications Committee on 14 May 2014.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR (MR. 921 674)

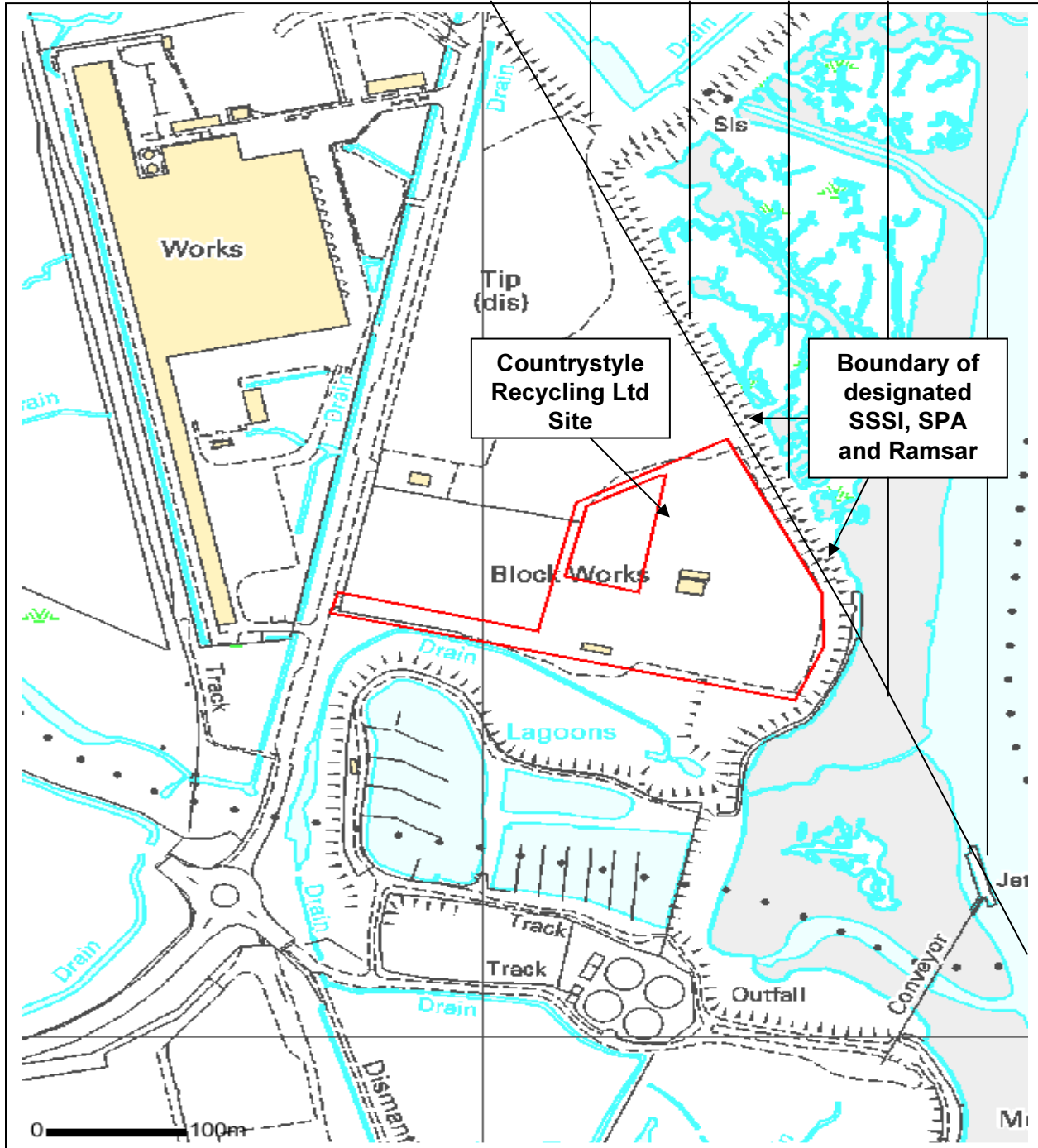
Recommendation: Permission BE GRANTED subject to conditions.

Local Member: Mr R Truelove and Mr M Baldock (adjoining) Classification: Unrestricted

Background and Site Description

1. Planning permission was granted in 2006, for a material recovery facility (MRF), in-vessel composting facility (IVC) and the continuation of secondary aggregate recycling operations at the Countrystyle Recycling Limited (CRL) site, Ridham Dock, under planning consent reference SW/05/1392. The permission for the site was timed to be operational on completion of Barge Way, a single carriageway built to link the Ridham Industrial Estate (an unadopted road) to the main highway network to the south.
2. Since the site became fully operational in 2008, subsequent permissions and variations have been granted relating to the nature and operation of the site. At the February 2013 Planning Applications Committee meeting Members resolved to grant permission (Ref SW/12/445) for a number of variations to the site layout, this included external wood processing and storage activities. The site therefore remains operational under the terms of consent reference SW/12/445 which retains the original MRF and IVC facilities but now currently includes within it an element of gypsum recycling and external wood shredding/processing activities.
3. The site is currently restricted to a throughput of 45,000 tonnes per annum (tpa) of compostable material, 110,000 tpa through the MRF and 10,000 tpa of waste wood. Waste deliveries and transportation of materials off site are permitted between 0530 and 2000 hours on Monday to Sunday and Public Holidays (excluding Christmas Day, Boxing Day and New Years Day) and combined vehicle movements for the site are capped at a maximum of 210 per day (105 in/105 out).
4. Appendix A provides the wording of conditions 1, 8, 17 and 24 of planning permission SW/12/445 which are to be varied by the current application. All other conditions would remain the same.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR



Site Location Plan 1

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5. The application site itself is some 2km north of Kemsley, 2.1 km to the east of Iwade and 1.2km to the east of the A249. It lies close to habitats which form part of the Swale SSSI, SPA and the Medway Estuary and Marshes Ramsar site respectively. The closest residential properties (Kemsley Fields) are allocated approximately 1.2km to the south of the site. Two site location plans are included above, one of which shows the site's location and nearby designations and the second showing its location within the wider context of the Ridham Industrial Estate.
6. A number of other developments are also located within the Industrial Estate some of which operate on a 24 hours a day basis, including the Knauf factory, Morrisons distribution centre and Kemsley Paper Mill. More recently Swale Borough Council have permitted a transport depot (under consent reference SW/12/816) at a location along Swale Way which is also permitted to operate on a 24 hour basis. Traffic associated with the planning application site and other developments in the area travel to and from Ridham, in a southerly direction, via Barge Way and Swale Way in order to gain direct access to the primary road network (i.e. A249).

Proposal

7. The Applicant has submitted a Section 73 application which seeks to amend existing conditions 1 (site layout), 8 (delivery hours), 17 (vehicle movements) and 24 (waste throughput) of permission reference SW/12/445 in order to allow the importation of up to 90,000tpa of Refuse Derived Fuel (RDF) material (i.e. non recyclable plastic, paper) to the site for baling and onward transportation. Whilst it is proposed that most of the existing activities would remain in place at the site, the RDF processing is intended to replace in its entirety the existing wood waste processing element which is to be relocated to another site within the existing Ridham Dock area. As a result, the Applicant seeks to vary the approved site layout.
8. In terms of processes which would take place at the site, approximately 90,000 tonnes of RDF material would pass through the baler, located within the existing enclosed MRF building, and those finished bales would be stored on hardstanding to the north of the MRF building, prior to being exported. The Applicant indicates the average weight for incoming loads would be 28 tonnes bulkloads and once baled and wrapped the bulk of the RDF would also leave in 28 tonnes loads to Europe.
9. Importing the RDF would necessitate an increase in permitted annual tonnage to the Materials Recycling Facility (MRF) from 110,000pa to 200,000pa and subsequently would result in an increase in combined daily HGV movements generated by the site from some 210 (105 in/105 out) to 280 (i.e. 140 in/140 out). In order to allow the operator some flexibility for transporting RDF material to Germany through Belgium (which prohibits HGVs from travelling through Belgium between 22.00 and 0600 hours) and in order to reduce HGV capacity on the road network during peak times, the

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Applicant is seeking to extend the permitted hours for the site, which currently restricts waste deliveries and transportation to between 05.30 and 20.00 hours on any operating day to allow for 24 hour delivery and transportation of RDF material only.

10. The application site is accessed from a simple priority T-junction access onto Ridham Dock Road, a single carriageway road used by HGVs servicing the surrounding industrial area and sites within it. Vehicles would travel south via the purpose-built road, onto Barge Way which forms part of the highway linking the route to the A249 via Swale Way and the Grovehurst roundabout.

Planning Policy Context and Government Guidance

11. The key National and Development Plan Policies most relevant to the proposal are summarised below:

National Planning Policy Framework, March 2012 and accompanying Planning Practice Guidance 2014 - The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future. It is committed to ensuring that the planning system does everything it can to support economic growth whilst ensuring that development is sustainable. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

In particular Para 122 of the Framework states: *Local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.*

Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management – Underlines the importance of planning for and consenting the necessary number and range of facilities in order to ensure that adequate provision is made for the future management of our waste.

The key aim of moving waste management up the 'waste hierarchy' forms the underlying objective of national policy. The proximity of waste disposed and 'self sufficiency' are also expected to represent the fundamental key to securing such objectives to ensure that communities take responsibility for their own waste.

Through more sustainable waste management, moving the management of waste up the

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'waste hierarchy' through the descending order of reduction, re-use, recycling and composting, using waste as a resource of energy and only disposing of waste to landfill as a last resort, government aims to break the link between economic growth and the growth of waste.

12. **Waste Strategy 2007** – aiming to reduce waste by making products with fewer natural resources, breaking the link between economic growth and waste growth; products should be re-used or their materials recycled.
13. **Kent Waste Local Plan (1998)** saved policies – The most relevant saved policies are: W3 (Locational Criteria), W9 (Waste separation and transfer), W18 (Noise, Dust and Odour), W19 (Groundwater protection), W21 (Nature Conservation), W22 (Provision for adequate access arrangements) and W25 (Plant and Buildings), 25A (adapt existing buildings and hardstandings as part of a waste management facility).

Emerging Policy

14. **Kent Minerals and Waste Local Plan 2013-30 (pre-submission Consultation Draft)** – The strategic objectives for the Plan seek to increase amounts of Kent's waste being re-used, recycled or recovered and promote the movement of waste up the waste hierarchy by enabling the waste industry to provide facilities which enable a major reduction in the amount of Kent's non-hazardous waste being disposed of to landfill.
15. **Waste Sites Plan (Preferred Option Consultation May 2012)** – it identifies the site as having existing planning permission for an in-vessel composting facility, a materials recycling facility, aggregates recycling and waste wood combined heat and power plant.
16. **Swale Borough Local Plan (2008)**

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

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

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Policy B2: Providing for new employment.

Policy B10: Ridham as an existing committed employment site.

17. Consultations

Swale Borough Council: The Borough Council raise an objection:

“Noise from increased HGV movements along Swale Way would be harmful to local residents during the evening and at night. They recommend that the loading and unloading of gypsum shall only take place between 0530 and 2000 hours and that all lorry movements between 2000 and 0530 hours shall be directed to use the Northern Access Route.”

Iwade Parish Council: Raise an objection. The Parish Council’s objection to the proposal is summarised as follows:

Hours of Operation: Objection as this would mean that waste deliveries, transportation of materials off site, processing of compostable materials within the in vessel system could happen 24 hours a day. There are reasons why the original planning permission had restrictions between 05.30 and 20.00 and this should be kept to. The increase in lorry movements outside of these hours would have detrimental impact to properties nearby in Iwade due to extra noise of lorries as they come off the A249 and to those properties in Kemsley especially those that back on to Swale Way

Vehicle movements: Objection as Grovehurst roundabout is over capacity as identified in Swale Borough Council’s Core Strategy and that any extra vehicles at any time in this area would compromise highway safety; traffic generation, road capacity and effects on pedestrians/cyclists.

Throughput: Objection for the same reasons as condition 17 (i.e. vehicle movements) – if tonnage increased then vehicle movements would need to be too.

Environment Agency: No objection is raised however the EA advise that the applicant will be required to make an application to vary their Environmental Permit. They recommend that they contact the Environmental Management Team for further advice.

Biodiversity Officer: No objection raised.

Kent Highways and Transportation: No objections are raised stating the following:

The Traffic & Transport Statement has been reviewed by this department, and there has been found no reason to dispute the conclusions made in it. We are comfortable with the number of vehicle movements involved in the proposal, and concur that the additional trips will not have a

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perceptible impact on the highway network. As noted in the submission, extending the operational hours will also allow the total vehicle movements to be spread out over a longer period, resulting in less vehicle movements each hour than with the current restriction.

Consequently, I have no objections to the proposal in respect of highway matters.

Highways Agency: No objection subject to the imposition of a planning condition requiring the applicant to provide off peak traffic flow data as requested by the Waste Planning Authority.

AMEY: No objections are raised: *Noise* - The assessment concludes that the proposals will not significantly affect the neighbouring receptors. The assessment is fit for purpose and this conclusion is robust. *Dust and Air Quality* - The assessment is considered to follow accepted guidance and approaches and is generally considered appropriate and proportionate - 'fit for purpose'.

Local Member

18. The Local County Member Mr Truelove and Mr M Baldock (adjoining Member) have been notified of the application.

Publicity

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

Representations

20. No letters of representation have been received to date.

Discussion

21. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. Material planning considerations include the National Planning Policy Framework (NPPF) and Planning Practice Guidance which promotes sustainable development and the regional and local plan policies set out above together with PPS10.

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22. Given the nature of the proposal the NPPF should be read together with PPS10 which is to remain in place until new waste policies are published alongside the new National Waste Management Plan for England. However the presumption in favour of sustainable development which lies at the heart of the NPPF still applies. In order to achieve this objective the NPPF identifies a number of key areas, which in my view are of specific relevance namely: Delivering Sustainable Development, Part 1 – Building a strong, competitive economy; Part 7 – Requiring good design; Part 10 – Meeting the challenge of climate change and Part 11 – Conserving and enhancing the natural environment.
23. Policy W3 of the Kent Waste Local Plan identifies the locational criteria against which individual proposals will be considered, whilst policies W18 to W22 and W25 set out the operational criteria. The site is identified under Policy W9 as being suitable in principle for waste transfer and recycling and is an existing operational waste management facility currently run by Countrystyle Recycling Limited as an In-Vessel Composting and material recycling facility (MRF).
24. The site already operates with the benefit of an existing planning permission for a MRF, (along with gypsum recycling), IVC facility (which by its nature is a 24 hour process) and waste wood processing. With the exception of the RDF baling operations and the relocation of the wood waste processing, all other operations on site are proposed to remain the same. In respect of variations sought to hours of waste delivery, increase in vehicle numbers and increased waste throughput I consider that these elements could give rise to noise and traffic impacts along with amenity and biodiversity issues.

Promoting Sustainable Transport

25. The NPPF states that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
26. Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities or other major generators of travel demand in their areas. Policy W22 seeks to ensure acceptable access to the highway network.
27. The Parish Council have raised objections to the planning application on the grounds that in allowing any increase in throughput at the application site there would be an inevitable impact on vehicle capacity on the Grovehurst Junction which is the main route on to the A249. The Parish Council are of the view that this junction is already at its

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capacity and have also raised concerns in relation to safety on this junction. Whilst the Borough have not specifically raised an objection on capacity grounds, they have suggested that vehicles associated with the proposal be directed to use a northern access route from the existing site thus avoiding the Grovehurst Junction.

28. Current restrictions on vehicle movements are in place for the existing site and as such are capped at no more than a combined total of 210 vehicle movements daily (i.e. 105in/105 out). The existing waste site was timed to coincide with the completion of a purpose-built link road to the Ridham industrial estate, accessing the existing site to the south along Barge Way and Swale Way towards the A249 via Grovehurst Junction. Notwithstanding the comments of the Borough Council, the Applicant's intention would be to continue using this purpose-built route as the most direct route to the primary road network and this is reflected in the supporting information.
29. This planning application seeks to increase the annual tonnage of their MRF from 110,000 tonnes per annum to 200,000 tonnes per annum, resulting in some additional HGV traffic on the local road network. A traffic and transport statement has been submitted in support of the proposal and states that the import and export of 90,000tpa of RDF would lead to an increase in vehicle movements from 210 trips (105 inbound/105 outbound movements) to 280 (140 in/140 out) per day.
30. The Traffic and Transport Statement states that the additional 70 daily trips (35 inbound/35 outbound movements) per day proposed, is calculated on the basis that the current proposals will increase the average number of HGVs by 21 vehicles per day along with an increase of 5 staff trips. Hence, allowance for +25% yields a total figure of 33 trips, which is rounded to 35 trips for ease. Whilst the applicant proposes a variation to the current delivery times, he is also of the view that any increase in vehicle numbers associated with the proposal can contribute to reducing the impact on the Grovehurst junction by staggering vehicles over a longer working day (i.e. during off-peak times). In order to allow for a wider spread of those movements off peak there would therefore consequently be an impact on the current restriction of hours allowed for the transportation of waste to an from the site. It is the Applicant's view that given the number of other 24 hour operations in the area including the transport depot located along Swale way recently granted by Swale Borough Council this would be acceptable.
31. Kent Highways and Transportation (H&T) and the Highway Agency (HA) have been consulted on the planning application. Both accept that the most direct route from the site would remain as that currently used (via the purpose built route into the industrial estate) and have raised no objection to the proposal on highway capacity grounds. In particular H&T have commented that they are comfortable with the number of vehicle movements proposed and are satisfied that the additional trips would not have a perceptible impact on the highway network. They also indicate that they would be supportive of extending the hours of deliveries for the site in order to spread vehicle numbers out over a longer period.

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32. In my view the impact of the increased vehicle movements has been thoroughly assessed I therefore concur that the proposed development would not cause unacceptable detriment to the existing operational capacity of the public highway, and the impact to the amenity of local residents would be negligible. The HA however have suggested that in the event that Members of the Planning Applications Committee grant planning permission for this proposal, a condition be imposed requiring the operator to provide off-peak traffic flow data at the request of the County Council.

Conserving and enhancing the natural environment

33. The existing site is located close to habitats which form part of the Swale Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar and as such are afforded protection.
34. Paragraph 118 of the NPPF advises that when determining planning applications, authorities should aim to conserve and enhance biodiversity, making particular reference to the need to ensure that development on land (in this case outside) a SSSI is not likely to have an adverse effect either individually or in combination with other developments. In addition protection is also afforded to the nearby SPAs and Ramsar sites. Para 123 also indicates that planning decisions should aim to avoid noise giving rise to significant adverse impacts and in particular also recognises that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.
35. Policy W18 of the KWLP also looks to ensure that noise can be controlled particularly in respect of its potential impact on neighbouring land uses and amenity.
36. This established waste site currently already operates within the Ridham Industrial Estate complex and has permission to operate a wood shredder partially outside of the existing MRF building along with the external stockpiling of unprocessed wood, an external operation (permitted under permission reference SW/12/445). This element is due to be moved to another site within the industrial estate. The use of a fixed and mobile compost screener outside of the existing IVC building also falls within the permitted development at this site.

Noise

37. Both the Parish Council and Borough Council have raised objection to the proposal on the grounds of potential noise impacts from HGVs travelling along the Swale Way and subsequently close to residential properties during off peak times.

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38. In support of his proposal the Applicant has submitted a noise assessment which seeks to demonstrate that there would be no adverse noise impact from on-site operations or from vehicles associated with the proposed development travelling along the route closest to residential properties.
39. For the purpose of the assessment, proposed operations at the site are identified as follows:
- Increase in annual tonnage for the MRF from 110,000 tonnes to 200,000 tonnes;
 - Removal of restriction on hours for the delivery and export of RDF waste from site;
 - The replacement of wood shredding with the preparation of residual, non recyclable waste for use as Refuse Derived Fuel (RDF);
 - Baling of 90,000 tonnes of RDF per annum; and
 - The external storage of baled RDF
40. The assessment sets out the likely changes in noise levels as a result of the proposed baling operations and increase in HGV movements along with any potential noise impacts on the nearest noise-sensitive receptors to the site.
41. The criteria below reflect the key benchmarks that relate to human perception of sound. A change of 3dB(A) is generally considered to be the smallest change in environmental noise that is perceptible to the human ear. A 10dB(A) change in noise represents a doubling or halving of the noise level. The difference between the minimum perceptible change and the doubling or halving of the noise level is split to provide greater definition to the assessment of changes in noise level.

**Table 3.1
Impact Scale for Comparison of Future Noise against Existing Noise**

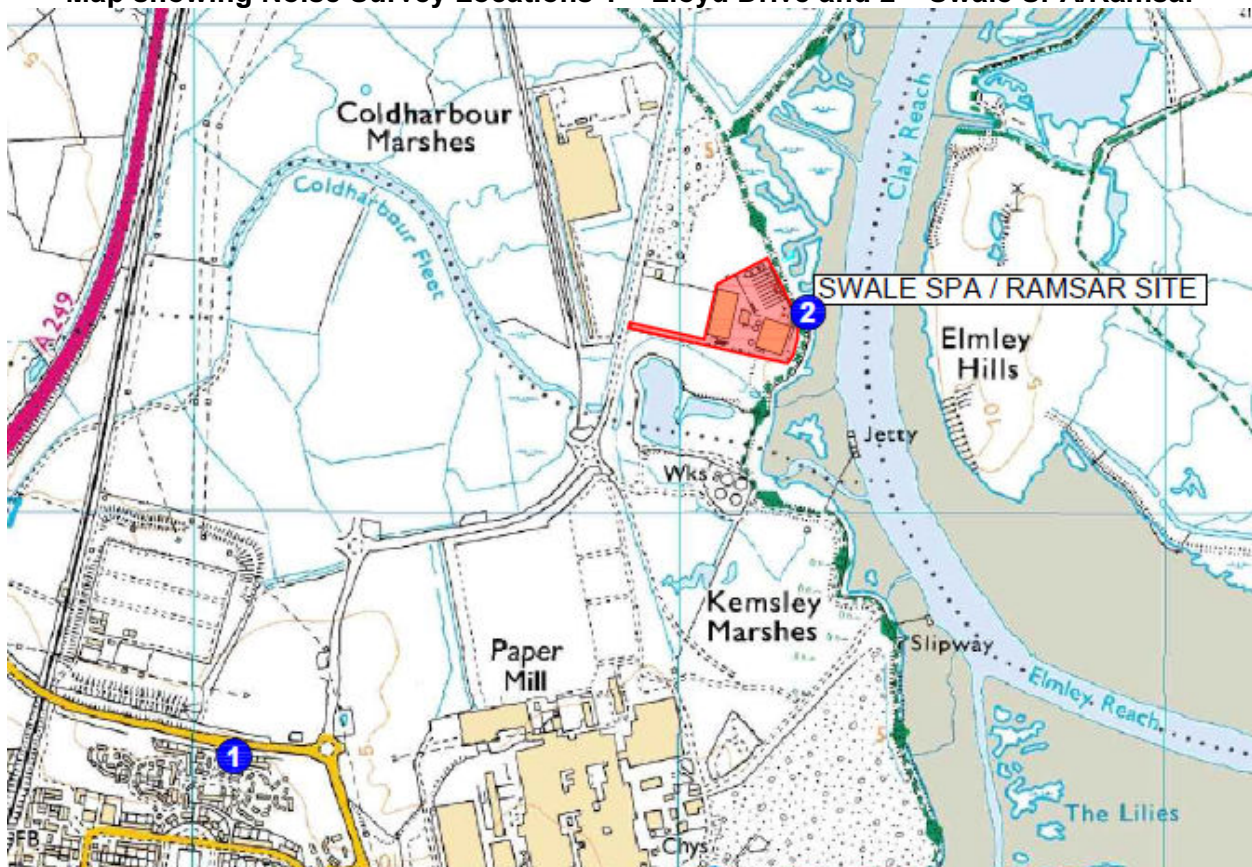
Noise Level Change dB(A)	Subjective Response	Significance
0	No change	No impact
0.1 – 2.9	Barely perceptible	Minor impact
3.0 – 4.9	Noticeable	Moderate impact
5.0 – 9.9	Up to a doubling or halving of loudness	Substantial impact
10.0 or more	More than a doubling or halving of loudness	Major impact

42. It is considered that the criteria specified in the above table provides a good indication as to the likely significance of changes on noise levels in this case and have been used to assess the impact of operational noise.

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43. Day-time and night-time noise measurements were taken from two separate locations, the western edge of the Swale SPA and Ramsar site approximately 115m to the east of the site (Location 2) and Lloyd Drive (Location 1) which is located close to the HGV route (see below). Those results are set out below.

Map showing Noise Survey Locations 1 – Lloyd Drive and 2 – Swale SPA/Ramsar



**Table 4-2
Summary of Midweek Measured Noise Levels, free-field dB**

Location	Period	L _{Aeq,T}	L _{A90}	L _{A10}	L _{AFmax}
Lloyd Drive	Daytime	57.1	46.4	58.5	85.8
	Night-time	53.6	40.3	54.6	72.1
Mud Flats (SPA)	Daytime	47.0	47.0	48.6	61.6
	Night-time	44.6	43.8	45.6	54.2

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- 44. The assessment considers the likely noise emissions from the fixed plant associated with the Materials Recycling Facility at the nearest noise-sensitive receptors during typical daytime and night-time periods to be as follows:
- 45. The assessment has been carried out in accordance with BS4142, to determine whether the predicted operational noise levels from fixed plant at the site are likely to give rise to complaints from the occupants of the nearby noise-sensitive receptors, namely at Lloyd Drive and the SPA.
- 46. In accordance with BS4142, a +5dB correction has been applied to the predicted noise levels, to account for the acoustic features of the source noises.
- 47. BS4142 indicates that a difference of around 10dB or higher indicates that complaints are likely, a difference of around 5dB is of marginal significance and a difference of -10dB is a positive indication that complaints are unlikely.
- 48. Table 5.2 shows details of the BS4142 assessment.

**Table 5.2
BS4142 Assessment, free-field dB**

Location	Period	Measured Background Noise Level, L_{A90}	Predicted Rating Noise Level $L_{Ar,T}$	Difference
Lloyd Drive	Daytime	46.4	20.7	- 40.7
	Night-time	40.3	25.6	- 16.0

- 49. The assessment concludes that at Lloyd Drive the predicted rating levels from fixed plant at the site would lead to a situation where there is a positive indication that complaints would be unlikely during both the day time and night time periods.
- 50. Whilst the site itself operates at some 1.2 km away from the nearest residential properties the current vehicle route means that all vehicles from the Ridham Industrial Estate travel within close proximity of the nearest housing (via Barge Way/Swale Way). Whilst the NPPF states that planning policies and decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, it also recognises that development will often create some noise and accepts that existing businesses wanting to develop in continuance with their business should not have unreasonable restrictions placed on them due to changes in nearby land uses since they were established.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

Noise Impact from HGVs

51. The assessment includes within it the predicted noise levels from heavy goods vehicle movements related to site operations and assesses whether they would be likely to give rise to an increase in ambient noise levels at the nearby noise-sensitive receptors. Predicted noise levels from HGVs are as tabled below:

**Table 5.3
Predicted Noise Levels from Heavy Good Vehicle Movements, free-field dB**

Location	Predicted Noise Level $L_{Aeq,T}$
Lloyd Drive	36.0
Mud Flats (SPA)	26.3

52. The effect that vehicle movements would have on the ambient noise levels at the closest noise-sensitive receptors can be assessed by logarithmically adding the predicted noise levels to the measured L_{Aeq} noise levels during the day-time period.
53. The changes in ambient noise levels due to vehicle movements have been assessed using criteria outlined in Guidelines for Noise Impact Assessment 2002 and is shown in table 5.4 below:

**Table 5.4
Assessment of Heavy Goods Vehicle Movements against Ambient Noise Levels free-field dB**

Location	Measured Ambient Noise level, L_{Aeq}	Predicted HGV Noise Level L_{Aeq}	Predicted Future Ambient Noise Level	Change	Impact
Lloyd Drive	57.1	36.0	57.1	0.0	No impact

54. The conclusion is that predicted noise levels generated by site related HGVs would have no impact on the noise levels at Lloyd Drive. AMEY, the County Council's noise consultants have been consulted and agree with the method and conclusions set out in the Applicant's assessment.

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

Noise Impact on SSSI/Ramsar

55. Whilst the site currently operates a ‘part in, part out’ wood waste processing operation, this facility is to be fully relocated to a site at Ridham Dock in order to free-up space for the RDF processing. However as part of proposed on-site improvements the operator wishes to contain RDF processing to within the existing MRF building, with only storage of baled material outside.
56. The noise assessment includes an assessment of the potential impacts from on-site operations on the nearby designations. The predicated noise levels from fixed plant are identified as follows:

Predicted Noise Levels from fixed plant, free-field dB

Location	Period	Predicted Noise Level $L_{Aeq,T}$
Mud Flats (SPA)	Daytime	30.2
	Night-time	30.2

57. Noise levels from HGVs associated with the proposed development are calculated as follows:

Assessment of Heavy Goods Vehicle Movements against Ambient Noise Levels free-field dB

Location	Measured Ambient Noise level, L_{Aeq}	Predicted HGV Noise Level L_{Aeq}	Predicted Future Ambient Noise Level	Change	Impact
Mud Flats (SPA)	47.0	26.3	47.0	0.0	No impact

58. The noise levels from the operational processes have been assessed against standards appropriate for each type of source considered; BS4142 for the operation of the fixed plant associated with the Materials Recycling Facility and the existing ambient noise levels for the assessment of traffic movements. The scope of BS4142 specifically excludes the assessment of mobile noise sources and is not appropriate for the assessment of cumulative impacts.
59. Table 5.5 summarises the cumulative impact at each receptor. The cumulative noise levels have been assessed against the existing ambient noise levels and the potential change has been compared to the impact scale adopted for this assessment. Predicted rating levels from the proposed development would lead to a situation between marginal

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significance and complaints being unlikely at both the nearest noise sensitive locations; consequently mitigation measures are considered unnecessary by the Applicant.

**Table 5.5
Cumulative Impact Assessment, free-field dB**

Location Site Considered	Period	Ambient Noise Level		Change	Impact
		Existing	Predicted		
Mud Flats (SPA)	Daytime	47.0	47.1	0.1	Minor
Mud flats (SPA)	Night time	44.6	44.8	0.2	Minor

- 60. It can be seen from the table above that the cumulative effect of the intensification of operations would, at worst, be a minor, barely perceptible, impact on the ambient noise levels at the Mud Flats (SPA) location. The County Ecologist has been formally consulted on the planning application and is satisfied that the noise surveys submitted in support of the application are up to date and that the applicants are able to demonstrate that they have adequately considered the impact the noise from the proposed development (individually and cumulatively) would have on the designated sites.
- 61. Having sought advice with regard to the possible impact from noise on the nearby designations, Amey raise no objection provided the County Council’s own Ecologist considers that there would be no noise impact on the nearby SPA and Ramsar.
- 62. I am satisfied that on the basis of the noise assessment conclusions that noise is highly unlikely to be a cause for concern at the site, either on residential properties nor nearby designated areas. In addition, I consider that the Applicant’s intention largely to contain RDF operations within a building would represent an improvement to the existing wood waste processing currently happening on site. On this basis I am satisfied that the proposal meets the requirements of the NPPF and Policy W18 of the KWLP. Therefore should Members resolve to grant planning permission I am satisfied that noise would continue to be controlled at the site.

Dust

- 63. Policy W18 of the KWLP requires the County Council as Waste Planning Authority, to be satisfied as to the means of control of, amongst other matters, dust and other emissions. The Applicant has submitted an air quality assessment which concludes the handling of dry non-recyclable material (i.e. plastic, paper) is considered to present a very low magnitude dust source. No objections have been raised by key consultees including, Amey, the County Council’s air quality. I am therefore satisfied that the

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

proposal meets the requirements of the NPPF and Policy W18 of the KWLP.

Other matters

64. In seeking to vary conditions 1 (site layout), 8 (delivery hours), 17 (vehicle movements) and 24 (waste throughput) of permission reference SW/12/445, I consider that all other conditions imposed on planning permission SW/12/445 should be included in any new planning consent in the event that Members resolve to grant planning permission.
65. Whilst the Parish Council continue to raise concerns in relation to road safety I have requested that KHS seek some clarification on crash data relevant to this area. They have confirmed that from the data available there do not appear to be any crashes involving HGVs locally.

Conclusion

66. In conclusion, I am of the opinion that the proposal is consistent with the policies set out in the NPPF including paragraph 122 which advises that LPA's focus on whether the development itself is an acceptable use of the land, Kent Waste Local Plan and Swale Borough Local Plan. In my opinion provided any future permission contains appropriate conditions, particularly those required to mitigate any adverse impacts on the nearby designated sites, the development would not result in any adverse impacts on residential amenity and nearby sensitive designations. The site will require regular monitoring to ensure compliance in the future. Having regard to the objectives in the NPPF, the application in my view represents sustainable development. I therefore recommend accordingly.

Recommendation

67. I RECOMMEND that PERMISSION BE GRANTED to vary conditions 1, 8, 17 and 24 of consent SW/12/445, SUBJECT TO CONDITIONS covering amongst other matters :
- The permission to which this permission relates shall be carried out and completed in all respects strictly in accordance with site layout drawing number 11.09B.01 D.
 - External waste activities at the site shall only take place between the following hours:

05.30 to 20.00 hours Monday to Sunday and Public Holidays (excluding Christmas Day, Boxing Day and New Year's Day)

Item C2

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

No operations other than waste deliveries, transportation of materials off site, processing of compostable materials within the in vessel system and processing of materials within the MRF building shall take place outside these hours except for essential plant maintenance up to 23.00 hours between Monday and Saturday only.

- No more than a combined total of 280 vehicle movements (140 in/140 out) associated with the operations hereby permitted shall enter or leave the site in any one day;
- The maximum throughput of waste processed within the Materials Recycling Facility (MRF) shall not exceed 200,000 tonnes per annum.

All other conditions imposed on planning permission SW/12/445 should remain in place at the site.

Case Officer: Angela Watts

01622 221059

Background Documents: See Section Heading

KCC/SW/0339/2013 (SW/13/1542) Section 73 application to amend conditions, (1) - site layout, (8) - delivery hours, (17) - vehicle movements and (24) - waste throughput of planning permission SW/12/445 at Countrystyle Recycling Ltd, Ridham Dock Road, Iwade, Sittingbourne, Kent, ME9 8SR

APPENDIX A

Conditions 1, 8, 17 and 24 of Planning Permission SW/12/445

1. The permission to which this permission relates shall be carried out and completed in all respects strictly in accordance with site layout drawing number 11.09B.01 B received on 13 March 2012;

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details and to accord with the objectives of Kent Waste Local Policies W3, W7, W18, W25 and W32.

8. Waste deliveries and transportation of materials off site shall only take place between the following times:

5:30am to 20:00 hours Monday to Sunday and Public Holidays (excluding Christmas Day, Boxing Day and New Years Day).

No operations other than processing of compostable material within the in-vessel system and processing of materials within the MFR building shall take place outside these hours except for essential plant maintenance up to 23:00 hours between Monday and Saturday only;

Reason: To ensure minimum disturbance and the avoidance of nuisance to the locality and to accord with the objectives of Waste Local Plan Policies W10, W18 and W22.

17. No more than a combined total of 210 vehicle movements (105 in and 105 out) associated with the operations hereby permitted shall enter or leave the site in any one day;

Reason: In the interests of highway safety and capacity and safeguarding the local environment and to accord with the aims of Kent Waste Local Plan policy W22.

24. The maximum throughput of the Materials Recycling Facility (MRF) shall not exceed 110,000 tonnes per annum;

Reason: For the avoidance of doubt and to maintain planning control over the site.

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

Proposal for the construction of a two form entry primary school – Land at Tunstall Road, Tunstall, Sittingbourne – SW/14/153

A report by Head of Planning Applications Group to Planning Applications Committee on 14 May 2014

Application by Kent County Council for the construction of a two form entry primary school with associated external play areas and parking facilities – Land at Tunstall Road, Tunstall, Sittingbourne (Ref: KCC/SW/0025/2014 and SW/14/153)

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

Local Member: Mr L Burgess and Mr R Truelove

Classification: Unrestricted

Members' Site Visit and Local Meeting

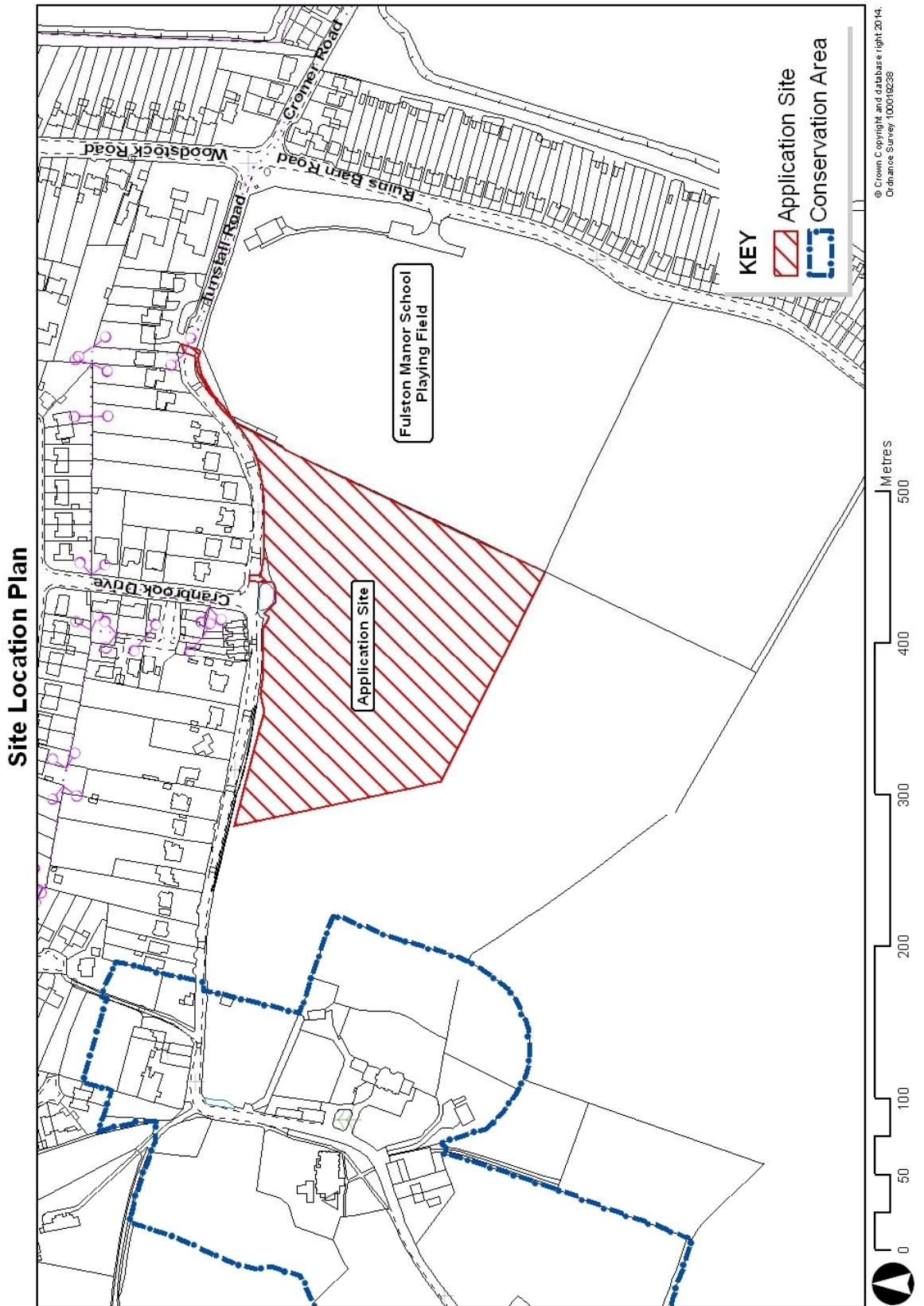
1. A group of Planning Application Committee Members visited the application site on 25 March 2014 to acquaint themselves with the site and the proposal. Additionally a Planning Applications Committee Local Meeting was held on 9 April 2014 in Tunstall Village Hall. This meeting was attended by Members of the Planning Applications Committee as well as local representatives, which included the Parish Council Tunstall Primary School, Protect Tunstall and Tunstall Mums. Some 140 members of the public attended this meeting and the minutes of this meeting are appended to this report at **Appendix A.**

Site

2. The site for the proposed new Tunstall Church of England Primary School is located to the north of Tunstall village on the boundary with Sittingbourne. The proposed site lies on the southern side of Tunstall Road, with this roadside boundary being edged with hedgerows, trees and a natural pond. The eastern boundary of the site is formed by the Fulston Manor School playing fields and an informally formed path connecting Tunstall Road to the Public Right of Way to the south of the site. This boundary is marked with a post and wire fence and a line of semi-mature field maples and holm oaks. The southern and western edges of the proposed site are physically unmarked and form part of a continuous area of arable farmland extending south towards the M2 motorway and west towards Tunstall village. The site itself forms part of this arable farmland, with no evidence of previous development. The site has a change in levels, with the land sloping from the west down to the east and from the south down to the north.
3. The area to the north of the proposed site is exclusively residential in character, and forms the southernmost part of the town of Sittingbourne. The housing on the northern side of Tunstall Road, fronting the proposed school site, predominantly consists of detached properties in a ribbon layout, as well as a terrace of 6 Victorian farm cottages opposite the informal pond. The Fulston Manor playing fields provide a rugby pitch and

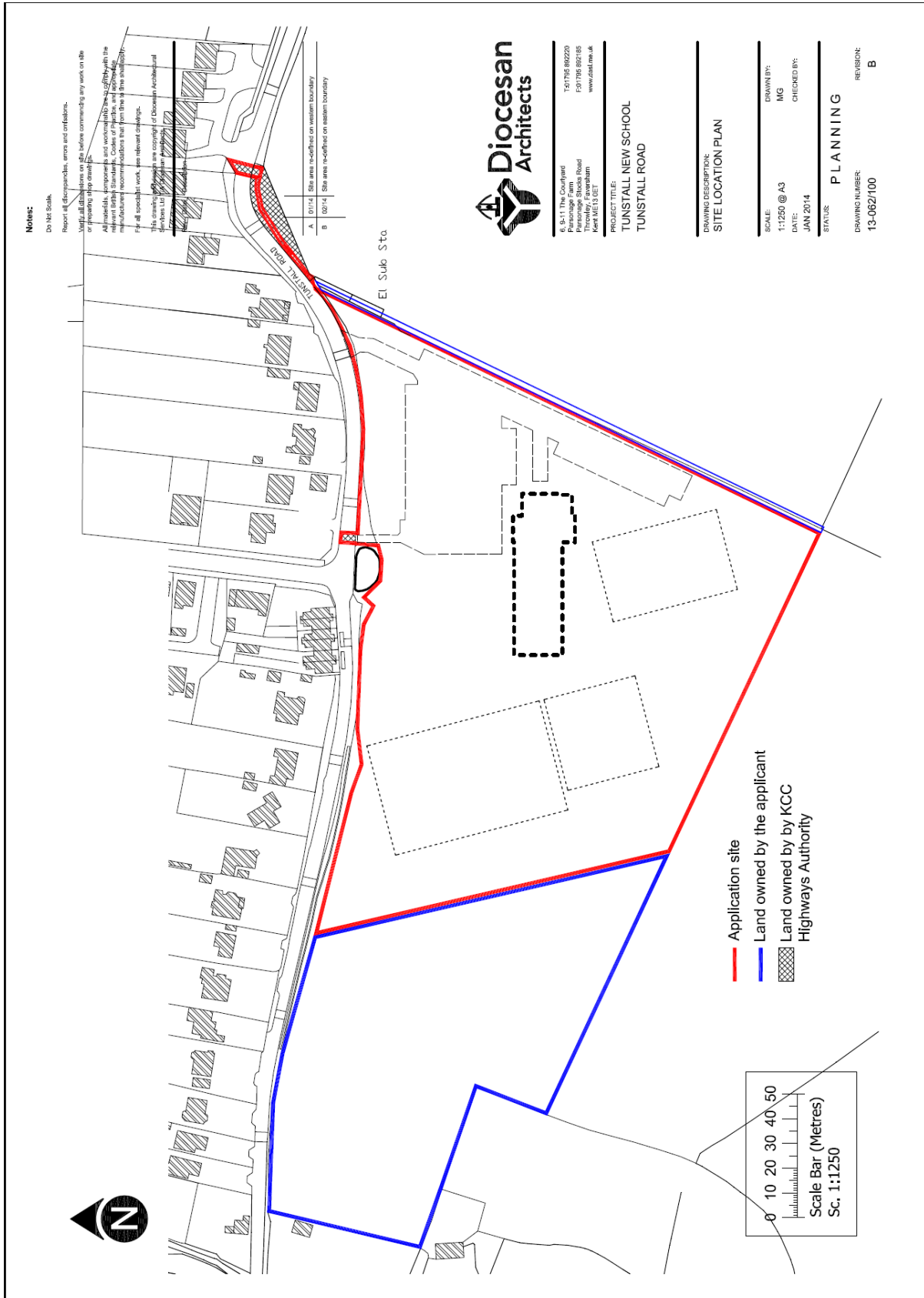
Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)

Site Location Plan



Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)

Site Location Plan



Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)

Site Master plan



Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Proposed elevations



Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)

Proposed northern elevation



Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)

Proposed west and north elevation



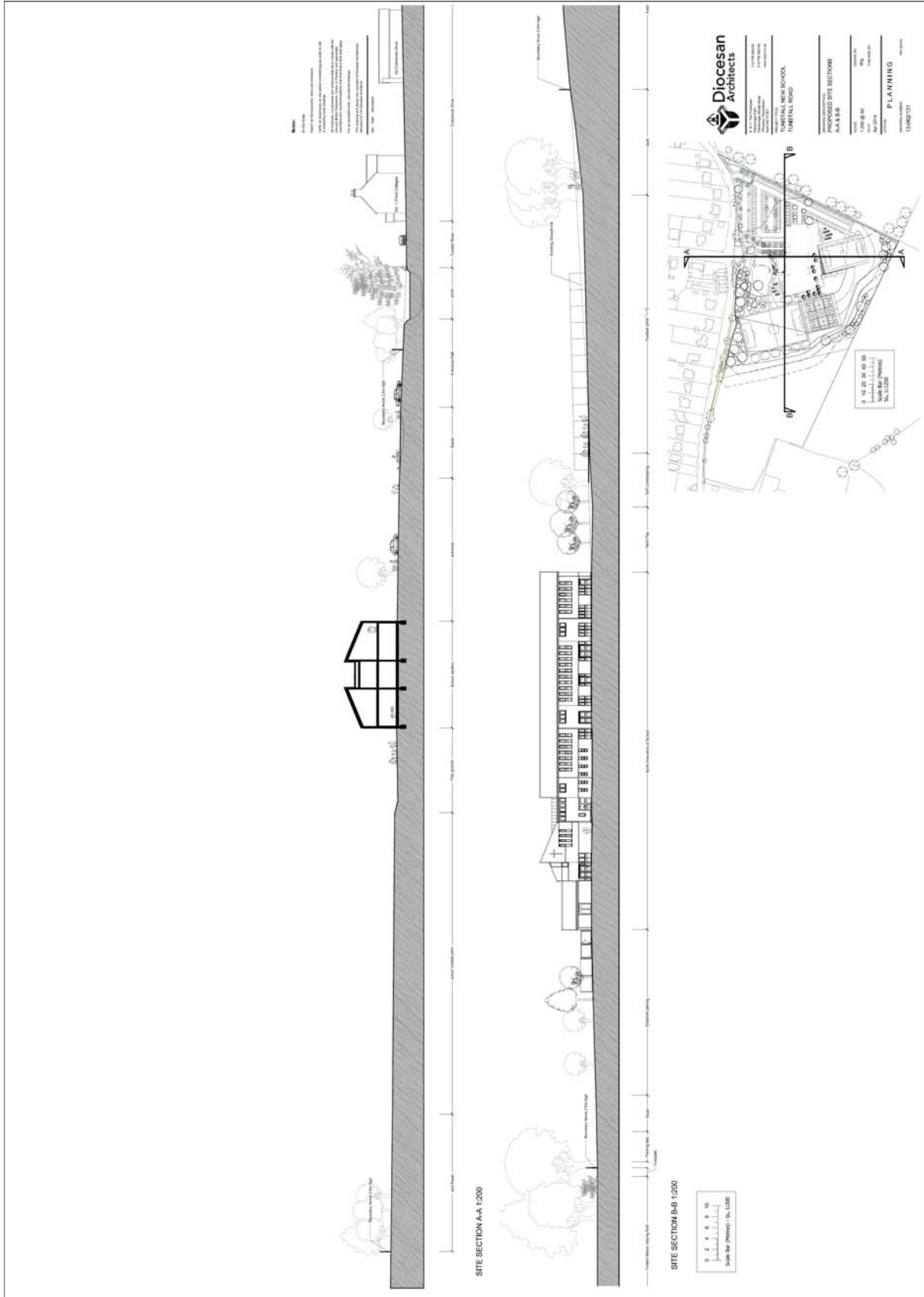
Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)

Proposed southern elevation



Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)

Proposed site sections



Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

two football pitches and a brick built pavilion is located in the north-eastern corner of the site adjoining Cromer's Corner. Along the eastern boundary of the playing fields lies another ribbon of housing development that fronts onto Ruins Barn Road.

4. Tunstall Road in the locality of the site has a carriageway width of 6.5 metres. Kerbstones delineate the northern edge of the road, whilst the southern edge, adjacent to the proposed school site, remains as an unbound verge. There is no continuous footway along this section of Tunstall Road on either side of the carriageway. Tunstall Road is a 20mph restricted zone, with frequent traffic calming pinch points and speed cushions.
5. The site area comprises 3.17 hectares, and lies outside the core of Tunstall village and outside the Tunstall Conservation Area, with the proposed new school building being about 180 metres from the Conservation Area and about 240 metres from the nearest buildings within it.

Background

6. There has been a series of planning applications at the existing Tunstall CE Primary School site over the last couple of decades, including several applications to retain and continue using temporary mobile classrooms, applications to provide parking facilities for school staff, and applications for various sheds and structures within the school site. Each of these proposals has been contentious for various reasons and has led to strong and repeated objections from various parties including the Borough Council, the Parish Council and neighbouring residents. The existing school premises occupy a cramped site within Tunstall Conservation Area and the main building is a Grade 2 Listed Building, so planning consents for retaining mobile classrooms, and the various sheds, have reluctantly been given in the hope that permanent teaching accommodation could be provided in due course. Similarly, the notion of providing car parking spaces within the existing school site has also attracted strong objections, and two separate schemes have been refused, following Members' Site Meetings in June 2005 and January 2013 respectively and objections from the Director of Highways and Transportation, the Parish Council and neighbouring residents.
7. Faced with regular applications to renew temporary consents for mobile classrooms, the Planning Applications Committee, responded to continued local concerns by asking the County Council as Education Authority to seriously explore options for providing permanent new teaching accommodation for this school, but after some failed attempts to attract Government funding, the currently undesirable situation of reliance of mobile classrooms and the informal use of the school's front garden area for staff vehicle parking continued in the meantime, with criticism from the Parish Council and local residents for no visible signs of progress. In response to the last application to retain mobile classrooms, the Planning Applications Committee asked for a strategy to be worked up exploring realistic options for addressing the accommodation needs (both teaching and storage space) and the school parking problems. A Strategy Document was produced on behalf of the Diocese and the Education Authority in December 2012, and shortlisted three out of several options – two involving redeveloping on the existing and one relocating to another nearby site in County Council ownership. Those relating to the existing site are hampered by the lack of available land, the forthcoming termination of a lease with the landowner of the land to the rear of the main buildings, the continued impact on the Conservation Area and Listed Building and the limited scope for removing traffic and parking congestion in the Conservation Area. The last option was the one favoured following consideration by the Diocese and the Education Authority and local consultations, and is the now the subject of this current planning application, and whilst

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

overcoming most of the issues confronted by the other options, has given rise to different concerns.

8. Nevertheless, developing new schools depends greatly on Government funding, since Education Authority funds and developer contributions are rarely sufficient. In recent years, the situation has persisted that Government will only fund new or expanded schools, rather than replacement accommodation for the likes of mobile classrooms. However, there is also a pressing need to provide more primary school places in the Sittingbourne area generally, and KCC is expanding accommodation at Westlands, Lansdowne, Iwade and Lower Halstow Primary Schools under the current Basic Needs programme (as well as across the whole of Kent). With contributions from both KCC and the Diocese, there is an opportunity at Tunstall to top up the Government's Basic Needs funding to achieve two objectives – absorbing some of the demand for new primary places, as well as providing a new primary school to replace the inadequate accommodation and undersized existing site.
9. Even if the current application is successful, it could not be opened before September 2015 at the earliest, so there would continue to be a need to occupy the existing site and buildings until at least that date, or beyond if the application is unsuccessful. The earlier planning consent for mobile classrooms at the existing site expires by May 2014, and so will need to be re-assessed. A separate planning application (ref. KCC/SW/0042/2014) has been received, but not yet determined, for the retention of the mobile classrooms, pending some alternative provision being made.

Proposal

10. The application seeks approval for a new two form entry primary school, including the associated vehicular access, parking, drop-off and manoeuvring areas, external sports provision, outdoor learning spaces and a comprehensive landscaping scheme incorporating hard surfacing, planting and surface water drainage provision.
11. The proposed school would be a predominantly two storey building (of 2630 square metres), roughly rectangular in its footprint and located centrally within the site. The building would have a pitched and tiled roof, with a maximum height to the ridge of 9.5m. There would be a flat roof section in the centre where the roof plant will be located. The school is proposed to be of brick construction with areas of coloured render and black stained timber weather boarding to break up and highlight the facades.
12. The main school hall would also be two storeys in height, but with the roof pitch oriented at right angles to the main building, which would again provide interest and break up the mass and scale of the elevations. There would be an external canopy running along part of the northern elevation at single storey height, overhanging the reception classrooms, and a smaller canopy at the main entrance to the school, also on this elevation.
13. There would be a central corridor running through the school, with the two reception, year 1 and year 2 classrooms provided on the ground floor, along with the main hall, small hall and kitchen, and staff offices. At first floor level would be the two classrooms for each of years 3, 4, 5 and 6, a specialist ICT room and the staff room. On each floor would be a library area, and additional group rooms.
14. Vehicular access into the site would be provided from the north-eastern corner, with a row of car parking provided on this side of the site adjacent to the boundary with the Fulston playing fields. In addition, a circulation area would be provided towards the

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

northern part of the site in this locality, which would enable cars to pull off the Tunstall Road into the site, drop off the children using the drop off/loading bay and exit the site from the same access point. The carriageway would be of full width to ensure no conflict would arise between cars entering and leaving the site. 73 car parking spaces would be provided for the use of parents, plus an additional 6 spaces for mobility impaired users. A further 40 spaces would be provided for the sole use of staff members, giving 119 spaces in total. 14 bicycle racks would be provided close to the main building entrance, 4 of which would be sheltered by the building canopy.

15. The main pedestrian access point would be located just to the east of the existing pond, and Cranbrook Drive, leading south within the site to the main entrance to the school. A crossing point would be provided in this location. Pedestrian access would also be provided in the north-eastern corner, alongside the vehicular access, and this would run the full length of the eastern boundary (retaining the informal footpath already established here).
16. The existing pond would be retained and created into an area of semi-public open space. In addition along the northern boundary would be areas of landscaping, habitat areas, outdoor classrooms and attenuation areas. A swale would also be provided in this area, just south of the pond.
17. The external sports provision would comprise two multi use games areas (MUGA's) and two grass football pitches. The MUGA's would be located to the south-west of the school and would be enclosed by 3m high fencing. These would allow for sports such as five-a-side football, netball, basketball, tennis and mini tennis. The under 7-8 grass sports pitch would be located to the south of the school, and the under 11-12 sports pitch located to the west.
18. The perimeter of the whole school site would be enclosed by 2m high weld mesh fencing, separated from Tunstall Road on the northern side by the existing tree and hedging to be retained.

Planning Policy Context

19. 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:

The **National Planning Policy Framework (March 2012)** and the **National Planning Policy Guidance (March 2014)** set out the Government's planning policy and guidance for England, and is a material consideration for the determination of planning applications. It does not change the statutory status of the development plan which remains the starting point for decision making. The NPPF and its guidance replace the majority of the former Planning Policy Guidance Notes (PPG's) and Planning Policy Statements (PPS's). 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

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

NPPF guidance and objectives covering the following matters are of particular relevance:

- Supporting a prosperous rural economy by promoting the retention and development of local services and community facilities in villages
- Promoting sustainable transport
- Achieving the requirement for high quality design and a good standard of amenity
- The promotion of healthy communities
- Conserving and enhancing the natural environment, including protecting and enhancing valued landscapes
- Conserving and enhancing the historic environment

In addition, Paragraph 72 states that: *The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools, and works with schools promoters to identify and resolve key planning issues before applications are submitted.*

Policy Statement – Planning for Schools Development (August 2011) sets out the Government’s commitment to support the development of State-funded schools, and their delivery through the planning system.

(ii) **Local Planning Policy**

(a) The adopted **Swale Borough Local Plan (Saved Policies) 2008** constitutes the current adopted development for the Borough and can be summarised as follows:

- Policy SP1 *Sustainable development:*
Proposals should accord with the principles of sustainable development, and ensure that proper and timely provision is made for social and community infrastructure.
- Policy SP2 *Environment:*
Development should avoid adverse environmental impact, and where development needs are greater, adverse impacts should be minimised and mitigated.
- Policy SP5 *Rural communities:*
Development must meet high design standards that respond positively to the character and form of the location.
- Policy SP7 *Community services and facilities:*
Planning policies and development proposals will promote safe environments and a sense of community by increasing social networks by providing new services and facilities, and safeguarding essential and viable services and facilities from harmful changes of use and development proposals.

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- Policy TG1 *Thames Gateway Planning Area:*
Development will be supported by adequate community and transport infrastructure, and land of importance to agriculture, landscape, biodiversity or settlement separation will be protected from unnecessary development.
- Policy SH1 *Settlement hierarchy:*
Development proposals for settlements in the countryside will be considered in accordance with Policy E6.
- Policy C1 *Existing and new community services and facilities:*
The Borough Council will grant planning permission for new or improved community services and facilities, and particularly those that include provision for wider public use.
- Policy E1 *General development criteria:*
Development proposals should: accord with the Development Plan unless material considerations indicate otherwise; reflect positively characteristics and features of the site and surroundings; and protect and enhance the natural and built environments.
- Policy E6 *The countryside:*
Development will only be permitted when providing a service that enables rural communities to meet their needs locally, or it provides for necessary community infrastructure. Development will not be permitted in Important Local Countryside Gaps which would result in the merging of settlements or erode rural, open and undeveloped character of the countryside.
- Policy E7 *Separation of settlements:*
Within important local countryside gaps, the Borough Council will not permit development, which would either result in the merging of settlements or encroachment or piecemeal erosion of land or its rural open and undeveloped character.
- Policy E8 *Agricultural land:*
Development on agricultural land will only be permitted when there is an overriding need that cannot be met within the built-up boundaries, and on best and most versatile agricultural land where there is no alternative site on land of poorer quality, alternative sites have greater importance for other reasons, the land is more accessible to infrastructure than alternatives, and the remainder of the agricultural holding would not become unviable.
- Policy E9 *Landscape:*
Within the countryside and rural settlements development proposals should be sympathetic to local landscape character and quality, contribute to the restoration, creation, reinforcement and conservation of the landscape, safeguard or enhance the distinctive landscape elements of the locality, remove detracting features, and minimise adverse impacts upon landscape character.
- Policy E10 *Trees and hedges:*

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-
- Development proposals should protect and retain trees as far as possible and provide new tree planting to maintain and enhance the character of the locality.
- Policy E15 *Conservation Areas:*
Development proposals within, affecting the setting of, or views into and out of conservation areas, should preserve or enhance all features contributing to its special character or appearance.
- Policy E19 *Design quality and distinctiveness:*
Development proposals should be of high quality design and respond positively to design criteria.
- Policy T1 *Safe access to new development:*
Where appropriate the Borough Council will require the submission of a comprehensive Transport Assessment and Travel Plan with planning applications.
- Policy T3 *Vehicle parking for new development:*
Development will only be permitted if appropriate vehicle parking is provided, in accordance with the adopted KCC Parking Standards
- Policy T4 *Cyclists and pedestrians:*
New development proposals should have regard to the needs and safety of cyclists and pedestrians, including the disabled, and cycle parking facilities should be provided in a convenient, secure and safe location.
- Policy T5 *Public transport:*
Where appropriate the Borough Council will expect the submission of a Travel Plan as part of a Transport Assessment.

(b) The draft **Swale Borough Local Plan ‘Bearing Fruits’** (August 2013):

- Policy DM6 *Managing transport demand and impact:*
Development generating a significant amount of transport movements will require a Transport Assessment (including a Travel Plan). Priority is given to the needs of pedestrians and cyclists, including the disabled, through the provision of safe routes which minimise cyclist/pedestrian and traffic conflict within the site and which connect to local services and facilities, with safe and efficient delivery of goods and supplies and access for emergency and utility vehicles.
- Policy DM7 *Vehicle parking:*
Until a Supplementary Planning Document can be adopted, the Borough Council will continue to apply extant Kent County Council vehicle parking standards to new development proposals.
- Policy DM13 *General development criteria:*
All development proposals should accord with the policies and proposals of the Plan unless material considerations indicate otherwise, respond positively to meeting the challenge of climate change, reflect the positive characteristics and features of the site and locality, conserve and enhance the natural and/or built environments,

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including the historic environment, be both well sited and of a scale, design, appearance and detail that is appropriate to the location, and cause no significant harm to amenity and other sensitive uses or areas. Development proposals shall also meet a high standard of landscaping, and provide safe vehicular access, with convenient routes and facilities for pedestrians and cyclists and parking and servicing facilities in accordance with the County Council's standards.

Policy DM15 *Design quality and distinctiveness:*

Development proposals shall be of a high quality design appropriate to its surroundings and be designed to achieve safe, accessible, comfortable, varied and attractive places, to enrich the qualities of the existing environment by promoting and reinforcing local distinctiveness, make efficient use of natural resources including sensitively utilising landscape features, landform, biodiversity and climate to maximise energy conservation, retain and enhance features which contribute to local character and distinctiveness, protect and retain trees that make an important contribution either to the amenity, historic, landscape or biodiversity value of the site or the surrounding area, provide a high standard of locally native plant species and trees for soft landscaping, and provide hard landscaping, surface and boundary treatments that are locally distinct and that respond positively to the character of the locality, provide features and management intended to encourage biodiversity, be appropriate to context in respect of scale, height and massing, make best use of texture, colour, pattern, and durability of materials, ensure the long-term maintenance and management of buildings and spaces, maximise opportunities for sustainable design and construction, sustainable drainage systems, carbon reduction and minimising waste, and adhere to the guidance in Kent Design. All development proposals shall include measures to address climate change, using materials and construction techniques which increase energy efficiency, reduce waste and reduce carbon emission, and make efficient use of water resources. All new non-residential developments shall aim to achieve BREEAM 'good' standard or equivalent, and all new non-residential developments over 1,000 sq m gross floor area should aim to achieve the BREEAM "Very Good" standard or equivalent.

Policy DM21 *Water, flooding and drainage:*

Site specific flood risk assessments must be carried out to the satisfaction the Environment Agency and include details of new flood alleviation and flood defence measures, and where possible Sustainable Drainage Systems to restrict runoff.

Policy DM24 *Valued landscapes:*

The value, character, amenity and tranquillity of the Borough's landscapes will be protected, enhanced and, where appropriate, managed. Non-designated landscapes shall be protected and enhanced and planning permission will be granted subject to the minimisation and mitigation of adverse landscape impacts, and when significant adverse impacts remain, that the social and or economic benefits of the proposal significantly and demonstrably outweigh the landscape value of the area.

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Policy DM30 *Agricultural land:*

Development on agricultural land will only be permitted when there is an overriding need that cannot be met on land within the built-up area boundaries. Development on best and most versatile agricultural land (specifically Grades 1, 2 and 3a) will not be permitted unless the site is allocated for development by the Local Plan, there is no alternative site on land of a lower grade, or use of land of a lower grade would significantly work against sustainable development, and the development would not result in the remainder of the agricultural holding becoming not viable.

Consultations

19. **Swale Borough Council:** raises no objection to the application subject to the County Council requiring the applicants to enter into a Section 106 Agreement in relation to funding of future local parking controls (if necessary) and to impose conditions relating to:

- Materials
- Landscaping
- Parking *
- Visibility splays
- New pavements and road crossings
- Travel Plan
- Drainage and flood prevention
- Cross sections and site levels
- Final design of the main entrance and the cladding on the sports halls, and
- Phasing - to ensure that the existing school closes before the new school opens.

* Members of the Swale Borough Council Planning Committee, who met on 10 April 2014 to consider this application, asked that the County Council ensures that staff parking and pupil drop-off and collection areas are off the public highway, and fully adequate and well designed for their purpose.

Furthermore if flood lighting of sports pitches is proposed, that if it is that it is well controlled to avoid light pollution or adverse impacts on the amenities of local residents.

Tunstall Parish Council: raises objection for the following reasons:

“Highway Issues

There are grave concerns regarding the highway safety implications of the proposal. A traffic survey carried out by Amey on behalf of the Parish Council on the stretch of road between Coffin Pond and Cranbrook Drive shows an average of 592.6 cars travelling on Tunstall Road between the hours of 8.00 to 9.00 a.m. over a five day period in January 2014; that’s nearly 10 cars per minute. This does not take into account those vehicles accessing the existing school using Hearts Delight Road. At present we understand only 48 (out of 210) pupils who attend the school reside in Tunstall. When the school is increased in size it will cater for 420 pupils, mostly from outside the Parish, who will significantly increase the number of vehicles travelling to and from the school.

There will be only be a single vehicular entrance/exit into the school with allocated car parking for 73 vehicles for parents dropping off/collecting their children and for visitors,

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which the Parish Council feels is insufficient on full complement of 420 pupils. Parents will not drive in and then drive out; they will want to park, escort their child(ren) into school and then drive away, however some will stop to talk to members of staff or other parents. This process will result in a queue in Tunstall Road and on site due to vehicles trying to access the parking area.

With the possible problems with parents trying to park onsite this will eventually lead to parking in other areas; Tunstall Road does not lend itself to parking on the highway due to its narrowness, traffic calming and lack of footpaths, this then leaves Cranbrook Drive and Chegworth Gardens, along which many residents already park.

The access/exit point is close to a bend in the road. One of the pedestrian accesses is adjacent to a pond which has a danger sign warning of deep water, the other will cross a raised walled verge which forms part of the character of the highway.

Due to the narrowness of Tunstall Road and the traffic calming it is not an ideal or safe route for children to use to cycle to school, which is put forward in the planning documents. The amount of current traffic using this road, plus the additional vehicles generated by the proposal will make this even more unviable. Walking busses have been mentioned. The onus for this will fall on parents; the Parish Council would like to be informed as to how many successful Walking Busses operate all year round within the Swale area? Both cycling and Walking Busses are put forward in the planning documents as ways of reducing traffic. Of equal concern is that the School Travel Plan is only in draft format and will not be formalised until after planning consent. The Parish Council is concerned that the claimed reduction of transport of pupils by car from 84% to 52% is not realistic.

Local Plan

This area of land/proposal is not contained within the existing Swale Local Plan nor in the recent draft Local Plan, the consultation for which was published on the 19th August 2013 and has now closed.

Pluvial Flooding

Whilst the comments contained in the Geo-Environmental Site Assessment are noted; local knowledge of the site and surrounds is often of equal importance. There are flooding issues in Cranbrook Drive and Chegworth Gardens and surface water problems in Tunstall Road; the pond referred to above acts as an attenuation pond taking some of this run off, as does Coffin Pond located further up the same road. Although it appears measures are being looked at any surface water run-off from the site could exacerbate flooding to the area below, land which eventually abuts the busy Ruins Barn Road. There are two areas of land that abut the proposed site which are shown on the Environment Agency's flood maps as being prone to pluvial flooding and parts of which are described as "high means that each year, this area has a chance of flooding of greater than 1 in 30 (3.3%)."

Tunstall Parish Council fully recognizes the need to find a solution to the problems associated with Tunstall School's existing site, but in light of the above objections and expressed concerns would urge Members of Kent County Council's Planning Committee to refuse this application and seek a suitable alternative site."

Highways and Transportation Manager: raises no objection to the proposal and has the following comments to make with respect to highway matters:

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“Site access – sightlines, capacity, impact upon Tunstall Road

The sightlines are suitable for the nature of the road and are acceptable in highway terms. The access road width and junction with Tunstall Road are acceptable. The swept path analyses of the various larger vehicles that may need to use the access are acceptable. There is insufficient width within the highway to provide a right turn lane, and therefore there would be times when right turning traffic into the site causes delays to eastbound traffic on Tunstall Road. This is the same as the existing situation with right turning traffic into Cranbrook Drive or into the village hall car park.

Using traffic counts that were sent to me by the Parish Council I have concluded that median speeds are 21 or 22mph and 85th percentile speeds are 25 to 26mph. This accords with my observations. Traffic speeds are kept low by the traffic calming.

Pedestrian access – crossing points and routes to the Church

The drawing shows pedestrian visibility splays of 0.5m back from the kerb edge, but I consider that they should be 2.0m back from the kerb edge so that pedestrians waiting to cross can be seen by approaching motorists. This would mean further vegetation clearance than has been shown on the drawing, but is within the limits of the highway.

If this improved visibility can be achieved, then I consider that the pedestrian routes would be suitable. The ideal route to the Church would be across the field but there is no public footpath and pedestrians will be required to walk on the road for part of the journey unless they choose the longer route via Cranbrook Drive, Park Drive and the public footpath back to Tunstall Road.

Additionally a new footpath is proposed on the south side of Tunstall Road, just east of the proposed access. This is currently shown to narrow to 1.5m. I consider that this should be widened to 2.0m as there is likely to be groups of pedestrians using this path.

Traffic flows on Tunstall Road – impacts on neighbouring junction

The Transport Assessment demonstrates that the school would add 73 traffic movements in the am peak. This is based on improved pedestrian facilities leading to a mode shift towards walking. The postcode plot of pupils in the Travel Plan shows a significant proportion of children live within 1.5 miles of the proposed site and therefore I consider that the walking/cycling mode share would be better than the current situation. I agree with the conclusions from the Transport Assessment that this would result in fewer cars passing the current site of the school.

The modelling of the junction of Woodstock Road/Tunstall Road/Ruins Barn Road and Cromer Road demonstrates that the Tunstall Road arm of the junction to be over capacity by the time the school is filled, taking into account also committed development of Kent Science Park. However I accept that the majority of the additional traffic would not be sufficient to be considered to be a severe impact.

Parking provision – operational, parents/visitors/drop-off

The parking is considerably in excess of the maximum standards that we would usually ask for a school. Parking provision has to be a balance between providing sufficient operational parking and not providing so much that there is no encouragement to walk to school. I am aware that there are great concerns about the staff parking at the existing site and this site should not result in any staff needing to park off site.”

School Travel Planner: recommends reviewing the number of pupils travelling to the school, and if the school is relocated, then for the School to update the Travel Plan

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themselves within a set period of time after occupation, in order to update the actions as required.

Public Rights of Way Manager: raises no objection for the following reasons:

“As the applicant is aware, there is a claimed footpath adjacent to the site, passing along the eastern boundary. The Rights of Way officer would not wish to see this potential public right of way becoming a narrowed unwelcoming alleyway. It should be seen as an asset to encourage a sustainable and safe route to school from Tunstall village and Ruins Barn Road, and an alternative to using Tunstall Road which according to the Travel Plan encourages sustainable methods of access to the existing school.”

The Public Rights of Way Officer recommends that any fencing between the informal path and the proposed school grounds should not be solid and be set back so as not to be obtrusive to path users. Any shrub or tree planting in the vicinity of the proposed fence should be at least 1 metre from the boundary to allow for growth without obstructing the proposed right of way.

Biodiversity Officer: has the following comments:

“The *Extended Phase 1 Habitat Survey and Great Crested Newt Survey* report has been submitted and I am satisfied with the quality of the survey work and conclusions reached. The potential impacts to reptiles, and breeding birds has been identified. The areas of the site with the highest ecological value are the field margins, particularly along the northern boundary and the north-eastern corner of the site. I advise that the approach within the report is acceptable as the justification for a likely low population of reptiles has been provided and in addition the proposed development includes areas of landscaping which have potential to provide a long-term improvement in opportunities for reptiles and other biodiversity.

I advise that there is potential for the landscaping to make a good contribution to biodiversity and the ecological enhancement of an area that does not currently support significant biodiversity interest. As such, I advise that ecological enhancement measures within the landscaping strategy and their appropriate management are secured by condition, should planning permission be granted.”

Landscape Officer: acknowledges the innovative ideas for the new school in terms of outdoor learning space, but recommends that the landscaping proposals should be developed with an understanding of the landscape in which the site sits. The importance of landscape character is further underlined in Swale’s adopted Landscape Character SPD, and whilst a ‘woodland school’ is a commendable aspiration, woodland is not a characteristic of this particular area. The mitigation proposed for this development is tree planting but if reserved for the edges of the site it acts as a visual screen, and once mature it would hide the development, but at the same time make it stand out more, given the lack of tree cover and the propensity for long views in this part. Whilst planting trees can sometimes improve a site’s appearance and if appropriate support wildlife, they also can affect landscape character, so it is important that the right species for the right location are selected.

The inclusion of ‘urban species’ within a new school on the rural fringe and in a greenfield location is questioned, if the school is to have a woodland feel and rural character, so the design and planting should be reflecting these qualities, with appropriate native species used for tree planting. The inclusion of orchards, reflecting landscape character in this part of Swale, is supported since it can offer a wide range of positive learning activities, in particular for children to understand their local area.

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Limiting cut and fill activity is also supported, as changing topography can negatively impact on landscape character. Additionally, integrating vegetative SuDS (Sustainable Urban Drainage System) into the development is also supported, providing an opportunity to ensure SuDS and new landscape features within the scheme are integrated.

The Landscape Officer has highlighted aspects that could be covered by conditions, subject to the application being granted planning permission:

- The detailed landscape strategy must reflect the Landscape Character SPD;
- A dimensioned tree protection plan and arboricultural method statement to assess the impact of development on trees;
- Ash trees to be removed be removed from the species list; given the uncertainty surrounding Ash Die Back in Kent and further afield;
- The detailed planting scheme to include native species, rather than specimen trees uncharacteristic of the 'rural' and countryside feel the school aspires to have;
- Boundary treatments chosen to reflect this local inherited character being close to the Conservation Area.

Conservation Officer: has no adverse comments to make on the design of the building and notes that the setting on the edge of the Conservation Area would have minimal impact if appropriate indigenous planting is introduced to soften this edge of village location. The proposed materials appear to be appropriate and reference has been taken from local vernacular, adopting the black weatherboarding of historic barns and soft red bricks of many historic buildings in the area. The slate roof is appropriate for the adopted roof pitch and the composition and design is contemporary, whilst incorporating references to local materials.

Environment Agency: raises no objection subject to the imposition of standard planning conditions covering:

- A remediation strategy to deal with the risks associated with any potential contamination of the site;
- A remediation strategy to be submitted, if any not previously identified contamination is found to be present;
- No infiltration of surface water drainage.

The County's Sustainable Drainage System Engineer: has the following comments:

"Surface water drainage design approach

The Flood Risk Assessment (FRA, 20 January 2014) submitted for this planning application indicates a drainage scheme which incorporates: two surface detention basins, one cellular below grade storage, deep bore soakaways at various locations across the site and permeable pavement. This proposal demonstrates a suitable sustainable drainage approach with incorporation of infiltration and vegetated measures and consideration of the treatment train for surface water flows. Discussions were undertaken with designers in relation to the drainage proposals. It was agreed that it is preferable for collection of surface water flows from the parking areas via surface drainage systems rather than a piped below grade system. This design is reflected within the Landscape Stage 2 Report (31 January 2014) which includes an open vegetated swale.

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Sustainable drainage measures landscaping

Sustainable drainage measures are to be landscaped as large meadow areas with small trees suitable for wet conditions. Landscape proposals should ensure that the drainage measures operate for the main function in drainage provisions. Regular maintenance would be required to ensure adequate capacity is provided within the detention basins and swales.

Water quality considerations

Environment Agency (EA) correspondence in relation to this application makes reference to the provision of appropriate pollution prevention methods to ensure protection of underlying groundwater resources. The treatment train approach with flow across vegetated surface systems provides a visible path for surface flows and treatment with interaction of vegetation and filtration through top soil layers. The conditions as required by the EA ensure that adequate protection is provided for groundwater resources.

Local flooding

The Swale Surface Water Management Plan prepared for KCC in November 2012 includes reference to local flooding hotspot in Chegworth Gardens. This flooding was attributed to ineffective highway drainage and would require appropriate highway drainage improvements to be resolved. These improvements are to be undertaken in priority with other improvements required across the county-wide area. As the drainage strategy proposes management of surface water onsite, development of the site has the potential to provide a positive benefit by interception of flows which may have occurred across the site to the road.”

The SUDS officer has recommended the inclusion of conditions covering a detailed drainage design and a maintenance plan for the sustainable drainage features to be supplied and approved prior to commencement of the development; in the event of the application being granted planning permission.

Local Members

21. The Local County Members, Mr. L Burgess and Mr. R Truelove, were notified of the planning application on 6 February 2014.
22. Mr Truelove made the following comments in an email received on 23 February 2014:

“Officers and members of the Planning Committee will be aware that this application has stirred strong emotions, with two strong lobbies of opinion on either side of the argument. The majority of residents in the parish of Tunstall are opposed to permission being granted. Those associated with the school, and especially a strong lobby of parents, are equally passionate in their support for this development.

The planning issues appear to revolve around development in the countryside gap, as designated by the Swale Borough Council, and a range of Highways concerns, particularly expressed by residents in Tunstall Road.

My understanding is that under the existing Swale Local Plan, a primary school would be an exception to local plan controls over rural development. On the subject of the highways concerns, the opinions of the Kent Highway Services are crucial. However, I do think it is important that the Planning Committee visits the site and sees for itself the nature of the road structure in the vicinity. I would also hope the education Directorate can give some details of where the anticipated increase in school numbers will come

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from. In particular is it expected that a substantial proportion will come from the growing south Sittingbourne population and in walking distance of the new school, if it is allowed?”

23. The Local MP, Mr. G Henderson has commented that “my personal view is that if the current proposed site becomes the preferred option then I have real concerns about access to the site which, as currently suggested, would be dangerous”.

24. The local Swale Borough Council Member, Cllr Alan Willicombe has commented:

“Over the years I have been a great supporter of Tunstall School, fighting many battles on their behalf. Alas, I can not support them this time, I believe that the school is sited in the wrong place and will by the sheer size be an eyesore and that the entrance to the school will cause nothing but trouble for all the residents who have to use the Tunstall Road. I believe that contrary to Highways assurances, flooding will actually increase in the area of lower Tunstall Road and round to Chegworth Gardens, the work previously carried out to stop flooding did not work and I believe that will still be the case after bore holes are drilled. I would have loved to give my full support to the school, but I must look at the bigger picture of how it will affect other residents in Woodstock Ward.”

Publicity

25. The application has been publicised by the posting of 4 site notices, the notification of 89 neighbouring properties and an advertisement in Kent on Sunday on 16 February 2014. The notices and press advertisement referred to the proposed development as of major scale (over one hectare site), potentially affecting the setting of a designated conservation area, and potentially constituting a departure from the approved development plan for the area.

Representations

26. Letters of representation have been received both in opposition of the application and in support. A total of 228 representations have been received objecting to the application and a total of 246 in support (however it must be noted that a number of supporting representations gave no reason for supporting the application). Furthermore precise numbers are skewed by the receipt of multiple letters and/or emails from some same addresses or correspondents.

27. In addition an e-petition objecting to the application has been received containing 391 signatures. The petition which was generated by the Protect Tunstall Community and requested for support in keeping the village school, which has been serving the community since 1846 and to keep the school, to educate local children, not to relocate it, nor expand it and not to use Grade 2 agricultural land to do so. A copy of this petition can be viewed in **Appendix B**. An accompanying and additional petition containing 85 individually signed sheets (presumably for those that were unable to sign the e-petition) has also been submitted. A copy of this petition can be viewed in **Appendix C**. A document has also been received by the Protect Tunstall Community objecting to this application and which an updated copy was handed to the Chairman during the local meeting that was held on 9 April 2014. A copy of this document is reproduced in its entirety and is attached to the end of this committee report in **Appendix D**.

28. A petition supporting the application has been received containing 108 signatures. This petition was signed by residents in Tunstall Parish that are in favour of the proposed new

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school. A copy of this petition can also be viewed in **Appendix E**. Additionally, a document has also been received which was prepared by Tunstall Mums, a group of parents at the existing school and in support of this application, and which was presented and read out at the local meeting. A copy of this document is also attached to the end of this committee report in **Appendix F**.

29. The main points raised in relation to this application can be summarised as follows:

Objection

Need

- The County Council is not putting this school where it is needed. Children will be coming from all over Sittingbourne and not in easy walking distance.
- This was originally a rural school for predominantly rural based children. Its recent growth has seen the majority of the intake come from within Sittingbourne town.
- This is a small village and it doesn't need a city sized school built here.
- There is a requirement for another school in Sittingbourne but this needs to be built at a more central location, where there is good road access and does not impact so much on the area where it is built.
- The proposed new school would be more suitable nearer to larger communities/housing estates, not ferried in daily to a small village with no suitable infrastructure. There are many other schools nearby and children should go to their own catchment area.
- It is remiss of the authorities to consider placing a school in an area where there is not the need or demand for school places when there is an alternative site which would have more overall benefit and less detrimental impact. The school should be built elsewhere, either at Eden Park, the Meads Estate, Senora Fields or in the two quarries in Cromer Road. There is also adequate land and space for a new school in the Great East Hall estate area where the increase in children for school is happening.
- Policy E6 of the Swale Borough Local Plan indicates development in the countryside should only be considered in exceptional circumstances and where it serves the local communities. Clearly with children coming from far and wide this proposal goes against this policy.
- Where is the demand for school places coming from? There is no significant increase in housing in or around Tunstall in the last 10 years.
- KCC predicts that the demand for primary school places will increase over the next few years. However it doesn't predict where the demand will come from and it seems unlikely it will come from the area around Tunstall and so the size of the new school suggests that many people will have to travel long distances to reach the school.
- The increase in the number of school children in Tunstall School is not because of a local need but by the Local Education Authority's failure to adequately exercise its duty of care.
- Part of the reason for the increase in demand for school places is the birth rate growth following a considerable dip in early 2000. What evidence is there that birth rates will continue to grow or that there won't be a dip again and Tunstall is left with a large school in a field which is under subscribed?
- This is not a relocation of Tunstall Village School but a completely new school large enough to cope with the shortfall caused by incompetent planning in the past.
- The average age of Tunstall residents is 60 years. Very few if any, have children of primary school age.

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Design

- The proposed building is not in keeping with the rural landscape, being 2 storeys the design is for an urban situation, not the countryside.
- The school is out of proportion to the area that it serves.
- The design is out of keeping with the village's strong historic character and is unacceptable in terms of its size and its impact in a green field location.
- The coloured panels on the plans are completely out of keeping with the area and their visual impact is not acceptable.
- The proposed development, by reason of its bulk and scale would be out of keeping with the design and character of the area.
- The design of the proposed school is of poor quality, it is very unlikely to have any positive impact on the quality of life and it is likely to have a negative impact on how people perceive Tunstall and a negative impact on residents' quality of life.
- The new school would result in the urbanisation of this quaint village, removing all tradition and feel of village life.
- The plan for the proposed new primary school is a surprisingly impractical two storey building. The bland outdated design lacks imagination and flair.

Highway and Access

Congestion

- The relocation and expansion on a site with limited country road access will cause serious traffic problems and pedestrian problems. Tunstall Road is already used as a rat run to the A249/M2/M20.
- The increased traffic numbers at peak time will create gridlock, in an already congested area; Tunstall Road is already in places a narrow one lane country road with traffic calming areas that will make the road dangerous during school hours.
- Access and parking will be inadequate because Tunstall Road is too narrow. The current restrictive village road has a number of pinch points which currently makes driving through the village difficult at times causing considerable congestion in the morning and mid afternoon.
- Tunstall Road is not fit to support this increase in traffic flow and adjacent roads will not be able to accommodate the escalating parking difficulties which will ensure.
- Kent Science Park also draws a significant volume of traffic and is set to expand, only adding to the problem. The traffic infrastructure is already suffering with the capacity going to the Kent Science Park.
- Chronic congestion problems suffered in Sittingbourne are largely due to the number of children travelling to school by car because of the failure to provide school places close to the significant housing development constructed over several decades.
- If the school is built, it would cause increased traffic congestion to a dangerous level that would ruin the village environment.
- Congestion will not be eased in the village as the problem will be moved away from the village centre and down the road, where potentially it could be in a more dangerous position.
- Whilst under construction there will be traffic congestion causing disruption to road users and pedestrians, with danger of injury in particular to pedestrians.
- Turning right across traffic on an 'S' bend position will cause congestion and danger
- Entrance and exit will increase the congestion, on what is a blind corner; a single in and out entrance sited on a bend and a short distance from a T-junction is not good practice.
- Cars cannot enter the site and exit onto Tunstall Road in between two crossings, a width restriction and the junction of Cranbrook Drive.

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- There is an implication that the relocation of the school to a site 500m south of the existing site and doubling the school intake is not going to create an unacceptable increase in traffic. This is a misleading conclusion and traffic levels will increase unacceptably to the point that it will be dangerous for children to access the school site safely.
- Health and safety of pupils, cyclists, pedestrians and car/van drivers will be compromised as the chaos which will occur around the junctions of Cromer Road/Ruins Barn Road/Tunstall Road.
- Adding pedestrian crossings on this lane and another 400 cars twice a day will not only cause severe delay for everyone in the area but will be unsafe for all concerned.
- The Transport Survey Report is inaccurate and based on pure supposition, and the Design & Access Statement is not really accurate. The traffic congestion especially in the morning will be ridiculous, the environmental impact will be harsh with stationary traffic polluting as they 'tick over' waiting to access and egress the site.
- The School Travel Plan is a joke and seems to have been based on children raising hands in class in response to questions.
- The School Travel Plan stated that currently 84% of pupils at the school arrive by car. This would be in excess of 350 pupils that would travel to the new school by car and with only 79 parking spaces available it is inconceivable how this could be sustainable.
- The School cannot impose car sharing as parents either live too far away from each other or parental work commitments will not allow car sharing.
- Increase in traffic and accompanying fumes will have an adverse effect on those living on and pedestrians using Tunstall Road.
- The full traffic survey that the Parish Council undertook recorded an average speed of 32.7mph (in a 20 mph zone).

Parking

- The proposed car parking is inadequate - parents at the school will overflow into the few local roads that are at present in quiet neighbourhoods; that will hinder and stop through traffic and emergency vehicles.
- The school will be doubling in size to 420 pupils but the provision for parking is only 13 more spaces than the school currently has at its present location; 90 spaces for 'dropping off' will not work. The proposal to use a drop off system on this road will not work. It does not work at the existing school even though parents can drive off road to collect their children.
- Concern about the 'park early and wait' school drop off and pick ups that we see at other schools. This is a primary school and parents do not drop off, they have to park and walk the child to a point of collection.
- 73 parking spaces are insufficient for the number of cars that will use the site everyday. The current school cannot cope with 56 parking spaces at the Tunstall Village Memorial Hall and 15 spaces in the Tunstall Church car park. This is now 71 spaces for 210 pupils. In the site plan there are 91 spaces proposed for 420 pupils.
- There doesn't seem to be enough parking for such events as the summer fete, concerts or parents evenings etc.

Pedestrian Impact

- Grave reservations in respect of safety of pedestrians walking from the village. The volume of traffic makes walking to school dangerous not the narrowness of pavements.
- There is no continuous pavement from any adjoining roads to the proposed entrance and no obvious crossing points.

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- The traffic coming into and out of the site access would be in conflict with the groups of walkers and their dogs, further reducing visibility on the corner.
- The track next to the proposed school site is subject to an application for recognition as a Public Right of Way. This is yet to be determined.

Landscape and Biodiversity

- Environmental impact on wildlife.
- Site is a sloping field, so the landscape will change dramatically from semi-rural to an extended town.
- The potential loss of countryside and green fields will spoil an outstanding area and be detrimental to the countryside.
- The site is a Grade 2 agricultural field, so there will be loss of valuable agricultural land.
- The proposal is contrary to Policy E7 of Swale Borough Council which clearly states no development will be allowed in the 'countryside gap'. Any development would clearly set a precedent for future development.
- Planning should be about protecting the countryside and protecting green field sites. It should protect the character and history of places like Tunstall.
- Using farmland to build a school on is wasting our countryside where there are plenty of brownfield sites that can be used instead.
- A child's school is transient – destruction of the countryside is permanent.

Flooding and Drainage

- The site is in a Flood Risk Zone 1.
- There are only 5 drains on Tunstall Road between Coffin Pond and the pond opposite Cranbrook Drive, so when it rains these drains cannot cope.
- If a large area is going to be covered in concrete and tarmac, it will increase the run off which will add to the risk of flooding.
- The pond at the end of Cranbrook Road floods on occasions of heavy rain, so much so that it covers part of the road.
- Removing large areas of topsoil to create flat play areas will leave the area seriously depleted to be able to absorb the rainfall.
- Concern about the effect the school would have on flooding in Chegworth Gardens.

Amenity Impacts

- Pollution of all kinds, environmental, noise and aesthetic will all be increased, which is simply unreasonable to put on people that live here.
- Concerned about the substantial increase of noise that will result from this proposed build – playground and playing fields with their attendant noises will impact greatly upon quality of life.
- The road noise and the extra CO2 emissions will not only damage people but the local wildlife would be disturbed.
- As schools are now open for longer hours, light pollution is a major concern with security lighting required to deter vandals the area will be illuminated day and night.
- Proposal is detrimental to the local area, including house prices.
- Loss of privacy to consider for the majority of houses on Tunstall Road, and also loss of sunlight and view.
- A report has been produced by Sustrans highlighting the effect on the planet and the estimated average CO2 produced per vehicle in the execution of school trips with their children.

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Local Plan Issues

- The planning application not only represents a departure from the adopted Local Plan but it is also premature given the development of policies and proposals for Swale in the emergent Local Plan.
- To approve this application in advance of considering all of the suitable alternatives, through the Local Plan process, would render that process worthless and will create a precedent for development to come forward without due regard to the process.
- Education need for a new school in Sittingbourne may have been successfully argued, but for this school, on this site, the planning application must be refused because it breaks the most important rule that development should be within the framework of the Local Plan.
- An Important Local Countryside Gap is identified around Tunstall in the Local Plan, and the proposal fails to follow the adopted Swale Borough Local Plan 2008 (current) which under Policy E7 amongst others, identify this part of Tunstall as a 'strategic gap'.
- There is no mention within the current Adopted Local Plan of a development such as a school on this site. Nor is there any evidence of such a development in the emerging Local Plan, Bearing Fruits. By making this application now, KCC are being optimistic.
- The plans for the Tunstall School did not appear in the approved plan for Swale 2013-31.
- Given that this proposal is not in the Local Plan there is much anger about it.

Other Issues

- A Church of England faith school would cater for that faith and feel that children of different religions or beliefs would not be treated equally.
- Leaving the school as it is in its current location and extending on the grounds of which it sits would be far more beneficial to all local residents.
- Current site is only proposed as KCC own the land. This site would never be considered if the land were not already owned by KCC, who should be reviewing all possible sites for potential educational facilities and not only those which it owns.
- Refuse bins are left out on the kerb where it is proposed to cross school children.
- Tunstall is a village and should stay a village with countryside.
- There has been insufficient public consultation. An advertisement in the local paper that most of us do not buy does not constitute adequate planning consultation.
- This application could open the way for even further development of this agricultural area i.e. housing. There is a fear that after the initial development of the school the remainder of the land will be sold off for development of more housing.
- The planned new school will have an effect upon property values in the immediate vicinity.
- Why is tax payer's money being used to fund a Church of England school?
- The Localism Act indicates that councils should represent the views of the local residents in their decisions and there is overwhelming opposition from local residents to building on the proposed site.
- Tunstall School is at the heart of the village and if the village hall car park could be used for teacher parking this could solve many problems.
- Applying for Government funding in advance of any notification of intent implies that there is a pre-determined decision.
- Every morning I look out over fields and countryside opposite my property and this would be replaced by a school and so I would need compensating for this.
- 80% of residents are retired and choose to live in Tunstall for the rural quiet location, not to have 450 children screaming all day.

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Support

Need

- New school buildings would be a great asset to the children of the community and enhance the learning experience. Modernised facilities would further enhance this fantastic nurturing learning environment that is currently offered.
- New school is much needed to provide a better school and facilities to its children. The current facilities within the school are appalling and would greatly benefit from a new site and two form entry.
- The school at present lacks adequate room and facilities for the children.
- No child should be taught in old huts which are not water tight.
- Concerns about the current building and long standing issues with the local residents which at times makes it uncomfortable and difficult.
- The mobile classrooms were a temporary fix almost 15 years ago.
- So much time is spent on logistical organisation due to the current lack of space; lack of working areas and storage space for resources in the present school are hindering teachers' lessons.
- Special needs children not having adequate space to receive help with their learning. There is no space to listen to children read or receive extra help. Children have to eat lunch at their desks as the size of the hall is inadequate.
- Playground is very crowded and the toilets are unsuitable for the amount of children using them.
- The Church aided school is needed in the Sittingbourne area. Tunstall is a church school and so any new site has to be within close proximity of St John the Baptist Church, Tunstall.
- The proposal has been on the cards for years and would allow the pupils to flourish in surroundings that they and the staff deserve.
- The new site is more accessible for the houses on Woodstock and the Fulston Manor estates, where many pupils live.
- The existing school buildings and the site are currently beyond capacity for the children from this area.
- It is a school in a village, not a village school and so not solely for the Village's use.
- The proposed school remains in the parish and within walking distance of Tunstall Church, providing every opportunity for it to continue to install the values and ethos it always has.
- Could not think of a better location for the school.
- The existing school is no longer suitable for modern teaching
- The current classroom arrangements are not acceptable. Portakabins are too hot in the summer and too cold in the winter. They are taking up valuable space which could be playground space and they have reached their shelf life.
- Options to redevelop the current site are not only deemed problematic in terms of the protection of the Listed Building, the Conservation Area and the highways situation, but also in the standards of accommodation which would remain deficient and therefore would be no realistic prospect of funding.
- The current school was built when Tunstall was a very different place and the facilities that a school was expected to provide were very different and whilst times have changed, Tunstall School has struggled to maintain the same pace.
- Extensive research with a solution has concluded that changes to the current site are not cost effective or feasible.

Design

- The design reflects the Kent farming aspect that this area was previously used for.

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- Proposed development seems to be designed to have the least impact on the surrounding built environment.
- Many of the houses along Tunstall Road are modern in appearance and to say that the new design is not in keeping is erroneous.
- The plans demonstrate a modern well planned school that fits well into the local area taking up a very small amount of land.
- The landscaping will allow the school to be screened from the road and houses over a period of time which will lessen the impact on the views that the houses will have of the school.

Highways and Access

- Aware of the parking issues the school site has and the effect it has on children, parents and teachers.
- Much safer access for everyone and in my view, the ideal location.
- Any school in any location suffers congestion for two relatively short periods, 195 days out of 365. The school is no different whether built here or in someone else's village.
- For my family and others, the proposed site will make it easier to walk rather than drive. The new site will be nearer to the new Eden Village estate and would enable more children from Woodstock Road, Ruins Barn Road and the Park Drive area to walk to school safely than at present.
- The proposed access to the site is situated in a 20mph zone and will make it a safer area for the pick up and drop off.
- Do not think that the increase in traffic would be that substantial as more people would be able to walk to the new school should it go ahead.
- No one disputes that there are traffic concerns, but these are by no means all caused by the school.
- Tunstall Road is an established rat run to and from the A249 and M2. This has been the case for many years and will continue, irrespective of size and locations of schools, whether existing, planned or indeed no school at all.
- Any current congestion in Tunstall is caused by HGV lorries which have nothing to do with the school.
- The recent traffic survey (carried out by the Parish Council) is invalid since the closure of traffic through Borden village has distorted usual travel patterns.
- Traffic flow is only twice a day but would be staggered in any case because with the increased capacity in the new school, after school clubs would be possible. Not all cars will be arriving at the same time due to breakfast club drop off before school, a staggered finish time for KS1 and KS2 and later pick up times from after school clubs.
- It seems logical that the traffic flow will increase at the school start and finish times, although most likely after and before commuter traffic times respectively, not at the same time.
- The proposed site includes more than adequate parking spaces and additional designated drop off and pick up areas which actually exceed the standards stipulated by Kent Vehicle Parking Standards.
- It is the HGV's that are the problem in Tunstall Road and maybe a lorry ban should be considered.
- It will take 7 years for the school to reach capacity numbers for what it has been planned and by then the School will have a suitable School Travel Plan, walking buses, etc. in place.
- I note that this school apparently would have sufficient parking. Indeed it is the only school in the area that would have provision for parent parking as part of the site, as well as an effective drop off system on site.

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- The traffic build up will be eased because the School would be in control of opening the gates to the car park as opposed to the Village Hall (who are in control at the moment) who on a number of occasions do not open the gates early enough causing enormous traffic issues through the village.

Flooding and Drainage

- Have lived here for over 28 years and have never seen any flooding by the new school site.
- The site is on chalk and will not therefore flood or cause other flooding. The school will be on mains drainage.
- Water in the road is more likely to have been related to blocked drains in the vicinity of the pond.
- Blocked drains in the vicinity cause overflow on the road.

Other

- The school is amazing despite the current lack of facilities, children are thriving in a stimulating and caring environment.
- Concern that those opposing the development are misinforming local residents.
- Local residents have wanted for years for the school to be moved but now seem in favour of keeping the school where it is. However they have been instrumental in causing the school to look for an alternative location.
- We will keep our village school and gain much improved facilities.
- Proposal to locate the school to the east of the 'village' may well be driven by reasons of available land, but does offer a unique opportunity to shift the balance of the settlement more around the Church and Coffin Pond area.
- The planned site is KCC owned and has always been earmarked for educational purposes.
- Decision must be made on the basis that this is the best site for the relocation and not one being made with time/budget constraints.
- The two form entry would happen gradually; only in 2022 would the full school be two form entry.

Discussion

30. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (19) 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), Planning Policy Statement for Schools Development and other material planning considerations arising from consultation and publicity.
31. This application has been reported for determination by the Planning Applications Committee following the receipt of objections from local residents and the Parish Council. There is range of issues to consider in determining this application but the key determining factors concern planning policy aspects; community development needs, building design and layout/landscaping, transport and access arrangements, landscape and agriculture impact, ground conditions (including flood risk), heritage and biodiversity aspects and residential amenity impacts.

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Policy Context

32. National planning policy and guidance is set out in the National Planning Policy Framework (NPPF) and its accompanying National Planning Policy Guidance (NPPG), and the relevant key policy objectives are cited above under the *Planning Policy Context*. Chief amongst these is the great emphasis on the development of local services and community facilities in villages, and the great weight to be given by Planning Authorities to the development of new or expanded schools. In addition, the Government issued a Policy Statement in advance of the NPPF in 2011 specifically supporting the development of State funded schools. Together, these documents afford significant planning policy support for developments such as proposed in this planning application. In particular, it is both a State funded school and primarily concerned with developing community services and expanding the provision of school places. I therefore consider that the proposed development fully accords with the key aims and objectives of the NPPF, subject to its general compatibility with other more site specific policies in the Development Plan, given that the NPPF requires development proposals to be determined in accordance with the Development Plan.
33. The relevant Development Plan policies are those within the Swale Borough Local Plan, and in particular those which have been saved by the Secretary of State as persisting until 2016. These policies are summarised section above. In addition, the Borough Council has been consulting on a suite of new and revised policies as part of its Local Plan Review, and these draft policies are also summarised above, but since they remain to be approved and subsequently adopted they can only be apportioned very little weight in the balancing of material considerations.
34. The proposed development relates to a site that is not specifically allocated for built development in the Borough Local Plan, but there are various generic policies (summarised above) which are applicable to either the proposed development and/or the proposed site. Whilst there are typically policies that support the proposed development and other policies that presume against permission, there are actually very few that the application potentially conflicts with. In particular, the proposals generally accord with many of the approved policies relating to sustaining community infrastructure, mitigation of environmental impacts, high design standards, new community facilities for wider public use, protection of trees and hedges, provision of Transport Assessment/Travel Plan, and accordance with vehicle and cycle parking standards. Similarly, there are several draft Local Plan policies that the proposals accord with, including those that cover general development criteria, high quality design and environmental performance, Transport Assessment and parking standards, plus site specific Flood Risk Assessments and Sustainable Drainage. Policies that might pose potential conflict are those covering the protection of Important Countryside Local Gaps, protection of the most versatile agricultural land, maintenance of landscape character and preservation or enhancement of conservation areas.
35. Policies E6 and E7 presume against development in the countryside unless it is necessary community infrastructure, and seeks to resist development proposals that would result in the merging of settlements in, or eroding the open character of, Important Local Countryside Gaps. The application site is outside the existing built settlement confines of Sittingbourne and Tunstall, and within a wider area that wraps around the south side of Sittingbourne as an Important Countryside Gap. The purpose of the Local Plan's identified countryside gaps is essentially to provide physical space between existing built-up settlements, rather than protecting the countryside for its own sake, and the aims are defined as follows:

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- maintain the separate identities and character of settlements by preventing their merging;
 - safeguard the open and undeveloped character of the areas;
 - prevent encroachment and piecemeal erosion by built development or changes to the rural open character;
 - influence decisions on the longer-term development of settlements; and
 - reinforce the Council's preference toward urban regeneration sites.
36. The currently adopted Local Plan exempts community infrastructure from the policy presumption against new development in the Important Local Countryside Gaps, and I consider that a primary school clearly comes within that category. Moreover, the proposed site layout would be relatively low density in terms of site occupancy, with much of the site remaining free of buildings, so the proposed development would partly maintain the open and undeveloped character of the locality. Given the density and layout of the proposed development, it would be difficult to argue that it would lead to the merging of existing settlements, and I do not consider that the development would set a precedent for non-exempted development on any neighbouring land within the Important Local Countryside Gap, that typically would be at a higher density and more harmful to the open character. I am aware that there has been a recent move to remove schools as an exempted development in response to the Draft Review of the Borough Local Plan, but would advise that planning applications have to be assessed in the light of the currently adopted Development Plan policies, unless or until those policies are formally superseded. I am therefore of the view that the proposed development does not materially conflict with these policies.
37. Although national protection of agricultural land has been significantly reduced in recent decades, Local Plan Policy E8 presumes against new development on agricultural land, unless there is an overriding need for the development there, and presumes against the loss of high grade farmland, unless there is no alternative site on lesser grade land. Farm land on the south side of Swale Borough comprises part of the North Kent horticultural belt, with a reputation for fruit growing that stems from its high grade soils. The Ministry of Agriculture gradings reflect the depth and quality of the topsoil, and all of the farm land therefore tends to fall within the top grades, with the application site being largely Grade 2. It follows therefore that any alternative undeveloped site in this locality would involve the loss of high grade land, even if it is not currently in agricultural use, and any replacement Tunstall School would need to be within Tunstall Ecclesiastical Parish. Notwithstanding the question as to an overriding need for the proposed development, I consider that the Policy E8 is complied with on the basis that there can be no alternative site on lower grade land. Whilst the loss of productive farmland would be regrettable, it needs to be borne in mind that the rest of the neighbouring farmland would remain in viable use, plus the land taken by recent housing development in Tunstall also resulted in the loss of high grade land, since the whole of South Sittingbourne is surrounded by Grade 1 or Grade 2 agricultural land.
38. Policy E9 requires development proposals to respect the sensitivities and opportunities of the particular Landscape Character Area that the site falls within. Note that all of Kent is divided up into Landscape Character Areas, so every site falls in one site or another, and Landscape Character Assessment is not about ranking or prizing one landscape over another, but more about identifying the particular characteristics, condition and sensitivities of each area and taking those into consideration in managing change in those areas. In this case, the site is included within the Tunstall Farmlands

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Character Area, where the landscape is deemed to be in moderate condition but with high sensitivity to change. As discussed further under *Landscape and Agriculture* below, I consider that the proposed development generally respects the sensitivities of the landscape setting, restores and reinforces some of the distinctive characteristics, but inevitably would introduce some changes that would conflict with elements of Policy E9 relating to the conservation of the landscape. However, since the proposed development seeks to minimise the adverse impacts on the landscape by sensitive landscape planting, I do not consider that the proposed development significantly conflicts with Policy E9.

39. Policy E15 seeks to protect the setting of conservation areas and maintain their special character or appearance. In this particular case the site is well outside the Tunstall Conservation Area, and separated physically by open farmland and separated visually by a mature tree belt on the western fringe of the Conservation Area. The setting of the Conservation Area would not be compromised by the proposed development because of its distance between them and the fact that views into and out from the Conservation Area are already impeded by evergreen tree cover. Whilst the approaches to conservation areas are also important, the Tunstall Road approach has dense tree and hedgerow on the southern side shielding views of the proposed site as the Conservation Area is approached, plus both modern houses and older cottages on the northern side, which already impart a mixed character to this approach. As discussed further under *Heritage and Biodiversity* below, the proposed development also involves the removal of temporary buildings and parked cars from the heart of the Conservation Area, so I am firmly of the view that the proposed development does not conflict with Policy E15.
40. The planning application was advertised on receipt as a potential departure from the Development Plan, pending completion of the planning consultation exercise and further assessment, and given that the site is not allocated for the proposed use. However, in the light of the proposal's general compliance with most of the adopted Development Plan policies, and the marginality of the potential conflicts with the policies presuming against the proposed development, I have now come to the view that the application does not constitute a material departure from the Development Plan and would not need to be referred to the Secretary of State. In particular, the Town and Country Planning (Consultation) (England) Direction 2009 only requires departure applications to be referred to the Secretary of State where the proposed development affects World Heritage Sites, is inappropriate development (of a certain scale) in the Green Belt, is retail development outside town centres, is development where Sport England has objected to loss of playing fields, or is development where the Environment Agency has objected on flood risk grounds, and none of these apply in this instance.

Need Aspects

41. The need for a proposed development is not normally a material planning consideration, but since the proposed development is a new community facility and a school in particular, the educational need becomes a material consideration because of the strong Government policy support for new school developments. Nevertheless, it is a matter for the Planning Authority to decide how much weight to attach any material consideration. The National Planning Policy Framework places great emphasis on the development of local services and community facilities in villages, and specifically attaches great importance to a sufficient choice of school places, and requires Planning Authorities to give great weight to new or expanded schools. This does not mean that this policy presumption automatically overrides all other material considerations, but clearly any material adverse impacts would have to be significant and demonstrable in order to outweigh the strong policy presumption in favour. The potential contrary

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indications to this policy are addressed and assessed under the different sub-headings within this section.

42. As chronicled above, the recent site history at the existing school site clearly demonstrates a need for improved accommodation and facilities for this primary school. Such a need stems from the outdated accommodation, sub-standard teaching facilities and historic lack of on-site parking space, meaning that the school currently operates from cramped and inefficient premises. Since these problems are exacerbated to a certain extent by the success and popularity of the school, thereby increasing the demand for places, there is a strong feeling from some local residents that the school ought to be downsized to its optimum operating level (as asked for in one of the petitions). However, it is not possible to turn the clock back several decades to a time when the school operated as small village school, in isolation from the wider network of school provision. Times have changed and all schools need to operate differently in order to survive and deliver a wider and more demanding curriculum than before. In addition, lifestyles and aspirations are much different, with people no longer living, working, shopping, recreating and schooling all in the same neighbourhood and with the advent of parental selection in Education since 1988, schools can no longer only serve their immediate locality.
43. The continued reliance on temporary teaching accommodation in the Conservation Area, the ongoing complaints about staff parking within the school front garden, and the plethora of unsightly sheds and shelters within the grounds of the Listed Building, have previously prompted the Planning Applications Committee to ask for alternative options to be considered. Initially, this provoked the Education Authority to bid in the regular Government school funding allocations for replacement buildings, but each time Tunstall failed to be shortlisted by Government, principally due to the fact that when money is scarce the preference is to divert it towards providing new school places rather than improving accommodation that already exists. Rather than see Tunstall School languish at the bottom of the priority lists, a more concerted effort was called for, involving combining funding from various sources, with a funding package negotiated with contributions from the County Education Authority, the Church of England Diocese and the Government's Department for Education. Whilst this strategy has a far greater likelihood of proceeding, subject to obtaining all other necessary consents including planning permission, it is a dual proposal insofar as it would not only provide new and improved replacement accommodation, but also contribute to the current demand for new school places under Kent's Basic Need programme.
44. Until the results of the 2011 Census became available, it was not known that the birth rate had risen (by 25%) to a level not predicted following the 2001 Census, and under the circumstances there is now an acknowledged shortage of primary level school places across the country. In Kent there is now expected to be a 10% increase in the demand for primary places over the next 5 years, and many primary schools across the county are being expanded or supplemented by new schools. In the Sittingbourne area, there are expansions planned at Westlands, Lansdowne, Iwade and Lower Halstow, together with a new school proposed on the north side of the town. The proposed incorporation of Basic Need places at Tunstall is not, as suggested by objectors, a means of addressing demand from elsewhere in the town, but a way of ensuring that the best performing schools in the area all share in the future pattern of school place provision. Complaints about schools not being provided earlier in other parts of the town, as new housing developments have come forward, overlook the fact that it was not possible to build new schools at that time because the general demand for places was not great enough, and the Government at that time was not providing the essential capital funding to deliver them. Consequently, developer funds were previously used to

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expand accommodation at existing primary schools such as Grove Park and Bobbing Village School. Even so, the prime reason for finding a new site in the Tunstall vicinity is because of the need to replace the existing Tunstall CE School, and clearly a site located elsewhere in the town, and distant from Tunstall Church and village, would not be a replacement Tunstall CE School.

45. Under the circumstances, if the proposed development was to proceed it would not only solve the problems over lack of space and outdated facilities for teaching, and overcome the issues over parking and temporary buildings in the Conservation Area, but enable some of the Basic Need requirements to be addressed as well. However, planning consent is not the only hurdle to cross, and there is a separate but related education consultation also underway by the Education Authority, relating to the expansion of the school to 2 Forms of Entry. Overall, I am satisfied that there is a significant case of need to justify the replacement of the existing school premises, and if the school is also to be extended under the Basic Need programme, then that reinforces the need argument to my mind.

Site Aspects

Ground conditions

46. The planning application was accompanied by a Phase 1 Geo-Environmental Assessment which identifies the site as on bedrock geology (Seaford Chalk) that forms part of a Principal Aquifer, which is potentially a high risk receptor for any contaminants, although the risks of contamination here are identified as low to moderate (i.e. unlikely to be significant). The Assessment also identifies the overall Geotechnical Risk Rating as low to moderate, since there is a low hazard rating for the likelihood of ground dissolution of soluble rocks and a moderate risk of collapsible deposits within the geology overlying the chalk bedrock. The application site occupies an area of arable farmland on the lower dip slope of the North Downs chalk escarpment. The underlying geology is generally stable and free of contaminants, but like other parts of the locality including much of the existing residential development to the north, it is overlain by a large depth of more recently composed material. Whilst the site has been independently assessed as suitable for supporting built development in structural terms, it is customary for professional surveyors to itemise a moderate risk of 'collapsible deposits' in such circumstances, since it can never be completely ruled out with regard to the non-solid (Drift) components of the geology. The implications of 'moderate' categorisation for new built development are that the safe bearing capacity of foundations should not be exceeded and all drainage should be maintained to avoid any increased ground saturation, and there is no reason to assume that this would not happen. Nor does the risk of collapsible deposits preclude the use of deep bore soakaways, and without which ground saturation would occur and actually increase the risk of sub-soil subsidence.
47. The likelihood of sink holes is a separate matter and relates more to voids (natural or mining related) or fissures in the solid geology, and whilst they can never be completely ruled out with soluble geology such as chalk, there is no evidence to indicate that this particular field is any more susceptible than any other part of Tunstall Parish, most of which lies within the same zone identified in the Geo-Environmental Report. In particular, there is no known history of mining in this locality and there is no evidence of natural cavities identified within or close to the site in the consultant's report (categorised as 'highly unlikely'). The closest evidence of a natural cavity occurring is 290 metres to the south west of the site (beyond the southern end of Tunstall village). Under the circumstances, the same level of risk of sinkholes must equally apply to any

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other site in this locality where the school might be relocated, and therefore it cannot be used as a means to presume against the development of this site, which clearly borders other developed (housing) sites with no such problems experienced. Nevertheless, the prospective developers expect to use pile foundations for the proposed school buildings, because of the depth of drift material, which would significantly reduce the risk of any subsidence as a result of either collapsible deposits or soluble rocks. Furthermore, the installation of a positive drainage system to collect surface water would reduce ground saturation and thereby reduce the risk of any collapsible ground that may be present.

48. Since the application site is currently actively worked farmland, it has not been possible to carry out any intrusive below ground level investigations, but the applicants expect to undertake intrusive geo-environmental ground investigation, in the event that planning consent is obtained, in order to gauge the most appropriate engineering solution for the proposed development, and have advised that if any soluble rock or collapsible ground is present, then appropriate engineering measures would be incorporated into the design of the works. For example, the design of the pile foundations would incorporate appropriate measures such as temporary or permanent sleeves to the pile shafts to appropriate depths to facilitate their installation, geotextile reinforcement would be incorporated into the external works to provide robustness to cater for any differential settlement, and falls to the below ground drainage systems could be designed in excess of minimum values to allow for settlement to occur without any adverse effects. Similarly, should either soluble rocks or collapsible ground be shown to be present then the infiltration drainage system would need to be designed to discharge water beneath such strata and at a rate to minimise any potential impact. This could be achieved by the use of deep soakaways, and if necessary with appropriate flow control devices.
49. The key point is that if ground conditions are later found to be challenging because of any stability aspects, then the prospective developers would need to address that by the most appropriate engineering solution. This is not a planning matter because any such problems are capable of being overcome by engineering, and how the developer delivers the proposed development is more a matter between the developers and the clients, bearing in mind also that there are strict requirements governing construction imposed by other consent regimes beyond the remit of land use planning control. However the Environment Agency has been consulted on the planning application and has raised no objections, subject to their standard requirements relating to remediation of any ground contamination and controls over surface water infiltration. These are all routine requirements typically imposed on large scale development projects on previously undeveloped land, and involve further technical work being undertaken by the applicants once the principle of development has been established via the planning consent process. I do not consider therefore that there is any substantive evidence to indicate that the site is unsuitable for built development because of its stability or likelihood of contaminants, bearing in mind that the much of the surrounding development has been constructed on the same geology, but if consent was to be given the standard Environment Agency site development requirements (summarised above) would need to be imposed by condition.

Flood Risk and Drainage

50. The size of the site is such that it requires the application to be accompanied by a Flood Risk Assessment, to ensure that proper consideration is given to not only the proposed development's susceptibility to flooding, but also the likelihood of the development making flooding worse elsewhere. The former relates to the safety of those occupying the site in the event of flooding and the latter relates to whether new buildings would

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displace stored flood water in a floodplain area, and the extent to which the proposed development would accommodate its own surface water run-off. The application site is not within a marine or fluvial floodplain, nor within any area identified by the Environment Agency as of high or medium flood risk, but is within the lowest category for flood risk (Zone 1). Note that all land is included in one flood risk zone or another, and the fact that the site is within Zone 1 does not mean that it is particularly prone to flooding from marine or fluvial (sea or river). A Flood Risk Assessment does accompany the planning application, but since it does not relate to development within Zone 2 or 3, there is no requirement to follow the additional Sequential Test for alternative sites, nor the Exceptions Test to assess extenuating circumstances.

51. Nevertheless, nowhere is exempt from rainfall, and the eastern boundary line of the site (bordering the Fulston Manor School playing field) has been identified as at significant risk from pluvial (rainwater) flooding (i.e. currently likely to flood following extreme rainfall events). It is expected that any new development such as this would manage all its own drainage and potential flood risk aspects, and ideally through adopting Sustainable Urban Drainage Systems where practicable. The proposed development incorporates properly engineered (positive) drainage, together with some sustainable (natural) drainage applicable to the ground conditions and contours. In particular, the rainwater run-off from the buildings and other hard surfaces would drain through conventional rainwater goods and drains to soakaways, to avoid water accumulating on the site off or running off to neighbouring land or highway. The proposed soakaways would need to be deep bore ones (at least 15 metres) to reach the porous chalk bedrock below the site, and to penetrate the deep but less pervious sub-soil here. Generally, chalk landforms drain very well, but the overlain soils here have a high clay content and the current field can become saturated after prolonged rainfall. Whilst some natural drainage is also incorporated, such as permeable car park surfacing and a swale within the proposed habitat area, this would also include below ground attenuation tanks, to ensure that water is discharged in a regulated way to the soakaways thereby preventing any flooding at ground level. In the event that the proposed development proceeds, permits for the proposed soakaways would need to be sought from the Environment Agency, to ensure their satisfaction as to the prevention of contamination of groundwater, and this aspect could be covered by the imposition of conditions.
52. Strong concerns have been raised about the increased risk of localised pluvial flooding if the proposed development was to proceed. This perception is based on the regular accumulation of water on the highway and spreading onto neighbouring property in Tunstall Road, Cranbrook Drive and Chegworth Gardens. Environment Agency maps show that this has always been a natural low point for water accumulation, but the problem is exacerbated by the inability of the highway drainage to cope with excessive rainwater at certain times. The Swale Surface Water Management Plan identifies a flooding hotspot area at Cranbrook Drive and Chegworth Gardens, which whilst not affecting the proposed school site is affected by excess water run-off from the currently undeveloped farmland comprising the application site. However, if that is the case then the fact that the proposed development would install an efficient drainage system to absorb all its own run-off must mean that this localised chronic drainage problem would be largely solved. In particular, all the proposed buildings and hardened surfaces would be properly drained, including permeable surfacing of parking spaces, and a properly engineered attenuation system to eliminate any water run-off from the site. However, since there is a separate highway drainage problem here, I do not expect that the localised flooding would be completely removed, but it would clearly be lessened if the development was to proceed. Under the circumstances, I consider that full and proper consideration has been given to flood risk issues, including sustainable drainage

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systems to control surface water run-off in accordance with Draft Policy DM21, and that there is no rationale to presume against the proposed development on the basis of flood risk and drainage concerns.

Public Rights of Way

53. The application site is currently arable farmland with no public access other than by trespass. There are no Public Rights of Way that cross or impact on the site, although there is an informal field edge path running along the eastern boundary of the application site that connects to a north west-south east Public Footpath some 100 metres to the south of the site. This informal path is the subject of a current undetermined application for registration as Public Footpath, and I am informed it is regularly used on a day to day basis by dog walkers and retired people. Whilst the school planning application has no direct bearing on that proposal, since the line of that path has been excluded from the planning application area, objectors have drawn attention to the fact that users of it would emerge at the same point on Tunstall Road as the school access. However, the application drawings show the path ending some 12 metres east of the school access, and benefitting from an improved and safer roadside footway than is available at present. Kent Highways and Transportation has recommended that the roadside footway here be constructed to a 2 metre width, in the light of the likely levels of use, and I confirm that this could be stipulated by planning condition in the event that consent was given. Under the circumstances, I consider that there are no Public Rights of Way issues presuming against the proposed development, but the prospective developers would need to be advised of the above recommendations of the Public Rights of Way Manager if the application was to be permitted.

Design Issues

54. Apart from Swale Borough Council, very few respondents have commented on the proposed building design and layout, although comment has been passed that the building would be visually intrusive in the landscape, obstruct views of the open countryside beyond and overshadow or dominate neighbouring properties. Concern has also been expressed about the height and extent of fencing.
55. The proposed design of new schools is now required to follow the Government's template design, which is two storeys with a double height hall at one end of the classroom accommodation. Whilst two storey buildings have the potential to obstruct views across the site and overshadow neighbouring properties, the advantage is that landtake is minimised by reducing the footprint occupied. Given that building is proposed to be sited well into the centre of the site, and over 90 metres from the nearest neighbouring properties, there is no likelihood at all that shadow would be cast outside of the site by the building, or be overbearing by virtue of close proximity, and it needs to be borne in mind that most of the surrounding buildings are two storey in height as well, so there is no rationale to resisting the proposed design on such grounds. Since the building would be compact and occupying an otherwise large open site, it is also difficult to argue that the building would be visually intrusive in the wider landscape, when the higher density of surrounding residential development has a much greater impact on the open views of the locality. Nevertheless, the proposals involve re-grading the site to provide a more level site, which would ensure that the building would be constructed at the lowest practicable ground level. The proposed landscaping strategy also seeks to maintain open views across the site height, by avoiding dense planting along the site boundaries to the south and west.

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56. The design of the building expresses itself through its use of external materials and features, and in this case there has been a conscious attempt to produce an inviting and visually stimulating building for the schoolchildren, whilst also trying to be more discreet in the landscape by deference to its rural character. Clearly, it is not possible to convince all parties on the most appropriate design for any building, but in this case the design and layout was presented to the South East Design Panel for critical appraisal. As a result the design details and the site layout were revised prior to the submission of the planning application, with the main changes being the orientation of the building, the creation of separate pedestrian entrance and refinement of the external materials and roof form. Initially the building design envisaged a rustic form and appearance, resembling a barn in its countryside setting, but the use of more modern materials has partly prevented that. The proposed external materials now include a combination of glazed panelling and black barn timber weatherboarding, with solid stock brick and blue and green coloured render walling, with aluminium doors and windows, fibre cement slate split pitch roofing, and black rainwater goods. I am aware that the Borough Planning Officer has some residual concerns about the disposition of the materials and use of colour and cladding, and I would advise that these are details which could be negotiated later, if the application was to be permitted. In particular, the main interest in the proposals at this stage is more about the principle of the development, the choice of site and transport impacts, and details of the proposed building materials could be reserved by planning condition for later negotiation if the development was to proceed.
57. Overall, I consider that the proposed design is of a high standard, and is entirely compatible with aspirations of Local Plan Policies E1 and E19, as well as draft Policy DM15. The site is not within the Conservation Area, but adjacent to any area of mixed residential development of no common architectural style, so it cannot be argue that the building would be out of character or incompatible with neighbouring developments, especially since there is no distinctive style and no neighbouring non-residential development for it to harmonise with. In terms of the building's environmental performance, it has to be designed to achieve a BREEAM rating of Very Good, and part of the credits to attain that rating involve the use of sustainable construction (in terms of reducing solar gain but providing thermal mass for night time cooling), the use of sustainable materials (in terms of local sourcing and insulation values to minimise energy consumption), the use of efficient lighting and ventilation systems (to reduce energy consumption), and the incorporation of some sustainable drainage features (to improve natural drainage and prevent surface water run-off and contamination).
58. The proposed site layout involves a generous amount of open space for visual amenity, landscaping and habitat creation, compared to many existing primary schools, in addition to the areas required for outdoor sports, parking and circulation. The proposed layout of spaces for learning, recreation and visual amenity provides an appealing environment that is hard to fault in terms of the on-site ambience likely to be created. That attractive layout also has off-site implications in that this proposed development would not be that visually intrusive when viewed from outside the site. The incorporation of landscape planting areas, school garden areas and habitat areas for nature study would produce a very attractive learning environment for the primary school experience, and better than most such schools can offer, and considerably better than at the existing Tunstall School site. Swale Borough Council has queried the possibility of floodlighting of the sports pitches, but none is currently proposed as part of these proposals, and so cannot be used as a means of presuming against the development. However, I agree that sports lighting has the potential to have adverse impacts, and so we would normally impose a condition on any planning consent for a new school to prevent the installation of sports lighting without recourse to a further planning application, which would then provide proper opportunity to assess the impacts

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and adequacy of the specifications. Nevertheless, I am not aware of any current aspirations on the part of the developers for external sports lighting at this particular site.

59. All school sites need to be securely fenced, but in this particular case I do not regard the proposed fencing as being unduly intrusive or oppressive. First, the boundary fencing would be 2 metre high welded mesh fencing, which is largely transparent from a distance and is precisely the specification we normally recommend to avoid more oppressive and visually intrusive palisade specifications. Secondly, the perimeter fencing would be aligned inside the existing tree and hedgerow fronting Tunstall Road, thereby obscuring much of it from external view. Thirdly, the 3 metre high fencing would only be used as ball-stop fencing around the games courts, which would be well inside the site towards the south side, and by no means creating a double boundary fence as feared by objectors. Overall, I cannot support concerns about the visual impact of the proposed fencing arrangements.
60. Notwithstanding issues about the wider landscape aspects and the Important Countryside Local Gap, I do not consider that there is any scope to presume against the proposed development on the basis of its design, layout, visual appearance or environmental credentials, which is corroborated by the lack of objections received on these aspects.

Transport Issues

61. The planning application proposes to relocate Tunstall School approximately 500 metres north east of the school's existing location. The proposed vehicle access to the school is off a single entry/exit point on Tunstall Road, approximately 100 east of the junction with Cranbrook Drive and would be 11 metres wide at the bell mouth and would narrow down to approximately 5.6 metres in width. This access is proposed to be used by both parents and staff members as the car park would accommodate both users. It is proposed to have a total of 119 car parking spaces and 14 cycle racks. Out of the 119 proposed parking spaces, 73 spaces are for parents usage, 40 spaces are for staff parking and 6 spaces are for mobility impaired users. A drop off facility for parents is also to be provided. Furthermore the car park has been designed so that parking for parents is located closest to the site entrance and is in a one-way loop arrangement. That is proposed to provide greater safety for pedestrians crossing the car park, since they would only be required to look in a single direction, which should therefore minimise the risk of conflict. Staff parking is proposed further within the site and to prevent parents from using this area accidentally for parking. Dedicated areas are proposed within the car park for the use of emergency and delivery vehicles, which should not come into conflict with the other users of the car park. It is also proposed that footways along Tunstall Road will be extended in two locations and with corresponding uncontrolled pedestrian crossing facilities. Additionally, the planning application was accompanied by a Transport Assessment and a draft School Travel Plan.

Site access

62. Concern has been raised about the suitability of the proposed location of the site access on Tunstall Road and the safety of this access. This section of Tunstall Road has a 20mph speed limit and the proposed visibility splays have been professionally assessed and are both suitable for the nature of the road and are fully acceptable in highway design terms. Additionally the access road width and junction with Tunstall Road is also deemed suitable for the proposed use and location. The proposed access is located on the inside of a bend where it can achieve the required visibility splays for both vehicles wishing to turn into or out of the access, or for those vehicles travelling along Tunstall

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Road, which would be able to see a vehicle waiting at the exit. Personal Injury Accident data (PIA) sourced for the Transport Assessment highlighted a slight PIA in the latest three year period and within the study area which covered Tunstall Road between the junctions with Cromer Road and Hearts Delight Road.

63. Many residents wrote in expressing their concerns about this proposed location of the school access, but this location has been deemed both safe and appropriate by the Highways and Transportation Manager, and it fully complies with standard highway design requirements. Furthermore the access has also been checked for swept path analyses of various larger vehicles that may need to access the site, and again it is deemed to be wholly acceptable. It has been noted that Tunstall Road is not wide enough to provide a right turning lane into the proposed school site and therefore at times there is likely to be a delay turning right into the site, but this is no different to vehicles wishing to turn right into Cranbrook Drive or other residential roads and private driveways in the area.
64. The speed check that was undertaken by the Parish Council was analysed by the Highways and Transportation Manager who concluded that median speeds along this section of road are 21 or 22mph and that the 85%ile speed (the speed at which 85 vehicles out of 100 are travelling at or below) was 25 and 26mph. The speed along Tunstall Road can therefore be concluded from this speed survey to be kept low due to the existing traffic calming. Through the introduction of the proposed pedestrian crossing points in the vicinity of the access, and the new entrance into the proposed school, this would further introduce additional traffic calming measures along this section of road, and thus keep vehicle speeds low when needed as school children are arriving at or leaving the school site. I am therefore fully satisfied that the proposed location for new access to the school is the most suitable location and I see no reason to presume against the proposed development on site access issues.

Parking

65. There has been a lot of concern raised about the proposed level of car parking and the fact that if the car park is full then parents would have to park in the surrounding residential roads. However it must be noted that at this proposed school, the level of parking provision is considerably in excess of the maximum parking standards that is usually provided at a school site. Indeed many schools do not have any on-site parking provision or drop-off facilities for parents at all. However it has been noted by the Highways and Transportation Manager that the level of parking provision has to be a balance between providing sufficient operation parking and not providing so much that there is no encouragement to walk to school. Representations received from school parents stated that many children would now be able to walk or cycle to the proposed new school site as this site would be closer to more residential properties and the new housing estates, than the current school site. By contrast the proposed site is at the end of continuous footpaths through residential areas. Two new crossing points are proposed across Tunstall Road to help pedestrians to cross the road safely by relocating a couple of road humps and making them pedestrian friendly. A small section of new footway is also proposed. These proposed pedestrian improvements would make walking and cycling a more realistic option.
66. Additionally, a separate new footpath into the school is proposed near the existing pond and thus separating the pedestrian flow from the vehicular traffic. The speed limit along this section of Tunstall Road is 20mph and is within the existing traffic calmed area. Walking to the school would also be encouraged through the implementation and continued monitoring of the School's School Travel Plan. Additionally through the

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Travel Plan, staff would also be monitored and encouraged to car share when possible. Concern have long been raised about the current level of staff parking at the existing school site, but this should not be an issue at the proposed new site, with no members of staff needing to park off site.

67. Another point of concern raised was regarding the fact the parents would not just be dropping off their child(ren) and then leaving the proposed car park but that they would be loitering around either to see the teacher or to chat to other parents. This situation would be made worse in the afternoons, when parents turn up early to be able to park and then do not leave the car park promptly as they have to collect their child(ren). This is a situation that happens at all schools and is not specific to this school. Whilst it is acknowledged that the afternoon collection can cause some congestion within school sites, as car parking spaces are not freed up as quickly as they are during the morning drop-off, no school site can provide enough parking spaces to accommodate all parents and so there will often be some level of congestion experienced. If the car park is full and not freeing up quickly enough, parents may realise that parking further away from the site and walking a short distance may be an option or decide to leave their car at home and walk to school instead. A staggered leaving time at the end of the day due to after school clubs is also likely to help stagger the level of traffic arriving at the proposed school site.
68. Nevertheless Swale Borough Council has raised concern about any possible overspill parking into the neighbouring residential roads and have recommended that a Section 106 Agreement is entered into, so that if at a future date parking restrictions were to be deemed necessary after monitoring of parking situation around the school site, then money should be available to cover the cost of advertising and implementing a Traffic Regulation Order. However it must be noted that the County Council cannot enter into a Section 106 Agreement with itself, so a Memorandum of Understanding would have to be agreed between the applicant and the County Council as Planning Authority. In the event that planning consent is granted, I would propose to make a requirement that a Memorandum of Understanding is therefore entered into, if future parking restrictions are deemed to be necessary.
69. I therefore see no reason to presume against the proposed development on parking issues, as the levels of proposed parking provision is well in excess of the level required for a school and a considerable amount of on-site parental parking is proposed. Additionally measures are to be put in place to address any future parking issues, once the school has relocated and it is possible to monitor traffic and parking patterns.

Traffic flows on Tunstall Road

70. It is understood that Tunstall Road is used as a 'rat-run' between the A249/M2/M20 and Sittingbourne and subsequently accommodates a lot of traffic particularly in the morning and evening peaks. The proposal to double the school roll from 210 to 420 pupils would inevitably see an increase in car journeys to the school, especially in the morning peak, but it must be noted that some of these trips are already existing trips with parents driving to the existing school site. The evening rush hour tends not to clash with School's afternoon finishing times and so is not such an issue. Therefore some of these trips may already drive past the proposed new school site in Tunstall Road and so may lead to a decrease in the number of car journeys beyond this new school site and continuing along Tunstall Road through the Conservation Area.
71. The proposed increase in pupil number would also be a year on year increase in pupil numbers of an additional 30 pupils per year. Therefore the school is not planned to be

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at full capacity of 420 pupils until 2022 (if the school is granted planning permission and opens in September 2015). So the likelihood of increased traffic would be absorbed within the existing traffic patterns. Some parents may already have children at the school and are therefore already driving to school anyway so there would not be any additional traffic generated by these parents. Parents may decide also to car share for the school run with neighbours and the School would probably have a more staggered morning and afternoon peak time for parents arriving and leaving in the mornings and afternoons if the School was to offer a Breakfast club or afternoon activities at the end of the school day. Being a year on year increase can also allow the School to closely monitor the travel patterns to school and to encourage more walking or car sharing. As the School Travel Plan is a constantly monitored document, then parents can be targeted to use alternatives means of getting to school rather than by driving.

72. The accompanying Transport Assessment demonstrated that the school would increase the traffic movements in the am peak by 73 vehicles. These results included improved pedestrian facilities leading to a mode shift towards walking as well as some of the other issues outlined in the paragraph above. However much concern has also been raised about the amount of traffic currently using Tunstall Road as a short cut to the A249/M2/M20 as well as the amount of traffic travelling to the Kent Science Park, which is located further along Ruins Barn Road/Broadoak Road. The modelling of the junction of Woodstock Road/Tunstall Road/Ruins Barn Road and Cromer Road demonstrated that the Tunstall Road arm of the junction to be over capacity by the time is fully occupied and taking into account the committed development of Kent Science Park. However the Highways and Transportation Manager accepted that the majority of the additional traffic would not be sufficient to be considered to be a severe impact. As stated earlier, some of the traffic going to the new school site is already on the network and so the predicted growth in traffic going to the new school may not be as great as predicted. Also due to the proposed location of the school nearer to more residential properties and being located at the end of a continuous footpath, more pupils may walk or cycle to school than presently do. Furthermore, traffic patterns to the school may be altered by the introduction of a Breakfast Club or more afternoon clubs, with varying arrival and departure times, and therefore this traffic might not be in the network during the peak morning and afternoon ‘rush hours’.
73. I therefore see no reason to presume against the proposed development on traffic levels as there is already existing traffic flow along Tunstall Road associated with the existing school, and through the careful management of the School Travel and the incremental year on year increase of 30 pupils, the traffic flows can be monitored and alternative methods of travelling to school be applied in the event that any serious congestion occurring.

Landscape and Agriculture

74. The application site lies outside the built up area of Sittingbourne and Tunstall village, and occupies the northern extremity of the open countryside, with this part of the town being the southernmost extremity of the urban area. Given the juxtaposition with neighbouring built development and the use of adjacent land here as school playing field, the countryside here is essentially rural fringe, rather than completely open countryside with uninterrupted views in all directions. Under the circumstances, the land here is not accorded any particular qualitative designation, with the northern edge of the Kent Downs Area of Outstanding Natural Beauty (AONB) being over a mile to the south. As referred to above, the rural fringe of Sittingbourne here does carry some protection as an Important Local Countryside Gap, due to its value in physical and locational terms in preventing the merging of existing settlements. Moreover, the lack of designation for

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its scenic value does not mean that it is unworthy of protection, just that it does not carry the same importance for protection as nationally and regionally recognised National Parks and AONBs. Clearly, this area of land is important to local residents for its visual amenity value and for local countryside access.

75. The Swale Landscape Character and Biodiversity Appraisal (2011), adopted as a Supplementary Planning Document (SPD) for development management purposes, includes the application site within the Tunstall Farmlands Character Area. This area is a localised sub-division of the wider Dry Valleys and Downs area encompassing most of the open land on the south side of Sittingbourne, which in turn is part of the wider Fruit Belt extending across the whole of the Borough to the south of Sittingbourne and Faversham. This landscape is broadly characterised as a rural/agricultural landscape with fields divided by small woodlands and fragmented hedgerows, with small scattered villages and farms, but with some detracting features such as the M2 Motorway and overhead power lines. The application site is adjacent to the urban area of Sittingbourne, and is bordered by neighbouring built development on one side, and with built development less close to the east and west sides. Some of that neighbouring development creates a visually hard edge, where views from the countryside are not filtered by trees, so the proposed school development cannot totally be treated as a potential new isolated development sitting in the wider open landscape. Nevertheless, it is important to consider how far the proposals have addressed the landscape character objectives and guidelines.
76. The SPD recommends that new development should promote landscape, biodiversity and cultural benefits and provide links between urban and rural areas, look to enclose certain landscapes and avoid opening up already enclosed landscapes. In this case, the proposed development would be providing opportunities for biodiversity and community activities, but in a landscape that currently appears to be more open than enclosed; however that perception is created by the sharp contrast between the hard urban edge and the farmscape that it adjoins, when in reality there is a fair amount of enclosure in the local landscape from hedgerows and tree lined field boundaries, which the development proposals intend to retain and reinforce. The SPD also recommends vernacular building designs and using materials in a traditional manner, positioning buildings where they have the least impact on the landscape and minimising the number of new vehicular accesses. The proposed development seeks to mix traditional materials with modern building requirements and avoids occupying an exposed or prominent position in the wider landscape. Overall, the proposed development would accord with aspects of the SPD guidelines, such as retaining key landscape features (trees, hedges, ponds, etc.) and extending wildlife habitats, but could be regarded as challenging other aspirations such as protecting the setting of settlements and the undeveloped openness between them, where there inevitably would be some impact, however marginal.
77. In terms of compliance with the SPD, the applicants have stated that the proposal has sought to minimise the building footprint and set it within a large plot, and that there are instances of perimeter screening in the local area, and a significant tree belt at Highsted Wood to the east. The proposed perimeter planting / screening would blend it with the woodland setting, especially in longer views of the site. Within the SPD it is acknowledged that buildings are commonplace within the Tunstall Farmlands character area, but since the site sits directly adjacent to the urban area of Sittingbourne, the addition of a school building in this transitional area of landscape is considered appropriate. Moreover, the SPD recommends “major tree screening and sensitive earth modelling” at the Kent Science Park”, so the general principle of using trees to screen

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development is recommended, and that approach is therefore considered appropriate for the school development.

78. Our Landscape Officer has identified some conflicts in their interpretation of the SPD insofar as the notion of a woodland school setting here is not really appropriate, and it is rather tenuous to justify it on the basis of woodland that is over half a mile away and the long established Kent Science Park that is over a mile away. In particular, the immediate locality is characterised more by sporadic tree cover, copses and remnant hedgerows, and maintaining the general openness of the site would also accord with the principles set out in the SPD. Kent Science Park differs from the application site because it was originally a deer park, and a mini-landscape within a wider landscape, and whilst the SPD recommends screening of that development by tree planting, the same rationale does not need to be applied with the proposed primary school because the building itself does not particularly need to be screened from view. Nevertheless, the SPD guidelines are open to varying interpretations in that they do advocate restoring some of the historic tree and hedge growth lost through more recent farm mechanisation and field enlargement. To this extent the proposed development would accord with the SPD's aspirations of conserving the structure of hedgerows, shelterbelts, woodland and remnant orchards, but rather than reinforcing the proposed site boundaries with dense planting it might be preferable to achieve more of a balance of openness and enclosure by relying on more sporadic planting on the boundaries, and restricting the woodland creation to the northern fringes where there are some localised benefits in supplementing the existing tree and hedgeline along Tunstall Road.
79. The development proposals do not envisage any significant removal of existing trees, shrubs or hedging, but rather proposes substantial new planting. Therefore the planning application accords with Local Plan Policy E10, which seeks to retain trees as far as possible and provide new tree planting to enhance the locality. However, the Landscape Officer has recommended greater use of indigenous tree and hedge species within the landscape planting proposals than currently envisaged, and the SPD provides a list of species of local provenance suitable to the soils and climate. Since these are detailed specifications normally drawn up and determined at a later stage, the applicants have agreed to discuss the overall landscaping strategy, planting species and the boundary treatments further, should the planning application be successful, and I consider that these aspects could be covered by the imposition of detailed landscaping conditions on any planning consent. At this stage, it is more the principle of the development and its impacts that are of most concern to commentators, and I do consider that the proposed development is fully capable of being accommodated into the landscape without significant harm to landscape interests, subject to further negotiations on the precise landscape planting details.
80. As discussed under Policy Context above, all the land on the south side of Sittingbourne is of high grade soils, and therefore would come within the category of best and most versatile agricultural land. Whilst alternative non-agricultural sites for the proposed school have been suggested, these are either of inadequate size, are currently unavailable, or are outside the Tunstall Ecclesiastical Parish, and therefore unsuitable for meeting the requirements. There are exceptions to the presumption against development on best and most versatile land under Policy E8, which I consider that the proposals comply with on the basis that there are no suitable alternative sites of poorer agricultural quality, most of the of the alternative sites suggested have similar constraints relating to landscape, amenity or settlement separation, the proposed development site is well located in terms of its accessibility to the Ecclesiastical Parish it serves, and the rest of the agricultural land that the site currently forms a part of, could continue in productive agricultural use.

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Heritage and Biodiversity

81. The application site is not within a Conservation Area and does not include Listed Buildings, Ancient Monuments or land designated as of any archaeological or historic interest. However, the planning application was advertised on receipt as having the potential to affect the setting of the Tunstall Conservation Area.
82. The application site is physically separated from the Tunstall Conservation Area by at least 80 metres intervening farmland, and the proposed school building would be 180 metres away from the closest boundary of the Conservation Area, and over 240 metres from the nearest building within the Conservation Area. This eastern edge of the Conservation Area is well screened by established evergreen trees, which significantly interrupt views between the site and the Conservation Area and vice versa. The visual impact of the proposed development on the setting of the Conservation Area is therefore minimal, and whilst Tunstall Road is an important approach to the Conservation Area, the proposed position of the new school building within substantially landscaped grounds, together with the retention of established trees and hedging along the site frontage, means that the approach would not be harmed to any significant degree. Even so, the character of this approach to the Conservation Area is already impacted by the mixture of residential properties flanking the road.
83. Since the proposed development would not be visible from the Church and other Listed Buildings, I also consider that there would be no adverse impacts on the settings of Listed Buildings. The nearest Listed Buildings are on the sharp bend in Tunstall Road as it enters the Conservation Area, and these are over 150 metres away from the nearest point of the application site boundary. Furthermore, there is no clear line of sight between these buildings and the application site, given the tree cover on the south side of Tunstall Road and the general fold of the land in between. Moreover, the relocation of the school from its existing site in the Conservation Area would have a significant beneficial impact on both the Conservation Area and the setting of the Listed Building which the school currently occupies. In the light of these facts, the Heritage Conservation Officer has raised no objections to the planning application.
84. The application site does not include any recorded archaeological sites or finds, and has been categorised as having low to moderate archaeological potential on the basis of moderate prehistoric finds in the wider locality. Under the circumstances, there is no justification for withholding consent on the basis of archaeological interest, but since the site has not been previously excavated, other than by farming activity, it would be appropriate to impose a planning condition relating to archaeological interests should planning consent be forthcoming for this proposed development.
85. With regard to biodiversity aspects, the site is currently worked arable farmland and has less ecological interest than it otherwise might have. The application was accompanied by an Extended Phase 1 Habitat Survey (to incorporate a Great Crested Newt Survey). No newt presence was recorded and the site was identified as having only limited diversity of habitats, with some value for reptile habitat on the existing vegetated field margins. The Biodiversity Officer has raised no objections to the proposals, and is satisfied with the proposed approach to wildlife and habitat mitigation, and acknowledges that the proposed site landscaping could provide valuable contributions to biodiversity through habitat creation, subject to proper management, that could be covered by planning conditions in the event that planning consent was to be obtained. Under these circumstances, I see no valid reasons to presume against the proposed development on the basis of either heritage or biodiversity issues.

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Amenity Impacts

86. Representations received in response to this planning application have also raised a range of residential amenity concerns. Whilst the application site is surrounded by housing development on the northern and eastern sides, the proposed new school building is separated by wide spaces not occupied by buildings. To the east there is a 200 metre wide existing playing field beyond the application site boundary, lined by hedging and intermittent trees, whilst to the north there is about 65 metres of space between the proposed building and the edge of Tunstall Road, comprising landscaping and parking/circulation areas. A large stretch of the Tunstall Road boundary is existing tree and hedging, which would remain and be supplemented, if the development proceeded. Under these circumstances, the direct impacts on neighbouring properties are actually quite limited, since the distances involved are such that I consider that there is no likelihood of any demonstrable adverse impacts by virtue of noise nuisance, overshadowing or loss of privacy. Whilst the Borough Council has drawn attention to potential lighting intrusion, I understand that there is no current intention to erect outdoor sports lighting on the site; nevertheless, that could be controlled by the imposition of a standard planning condition.
87. Whilst the building itself would be designed to adhere to strict noise insulation requirements, noise from the outdoor activities and the movement of vehicles is likely to be discernible from the nearest properties. However, these activities would not be continuous throughout the day, nor everyday, and since there is an existing road in between, the new pattern of noise is unlikely to be noticeable above the existing traffic movements. In particular, the applicants have provided a Noise Survey Report, which has compared noise calculations for the development with the existing situation. The study has measured the lowest existing background noise level as 39 decibels during the day, compared to a calculated averaged noise emission from the operation of the school site as 35 decibels (at 1 metre from the nearest neighbouring windows). Only if the existing noise sources were eliminated, would any noise from the school development be discernible outside of the site, and even so, these decibel levels are relatively low compared to the likes of heavily used transport routes where levels typically exceed 70 decibels at neighbouring properties. The Report concludes that the scheme design is compliant with policies on noise emissions, and I would agree that there is no justification for presuming against planning permission on the noise grounds alone.
88. In terms of overlooking and potential invasion of privacy, the distances from neighbouring housing are considerably in excess of the guideline distances to protect privacy between the windows of adjacent buildings (21 metres), and it is not possible to sustain an objection on such grounds. Neither, is the proposed development close enough to neighbouring properties to justify an objection on the grounds of visual intrusion, although there will be a perception of that because those properties with views across the application site would notice a change in their outlook. The protection of privately obtainable views across neighbouring land (i.e. land in another ownership) is strictly not a material planning consideration, but there would be a change to views from parts of the local Public Rights of Way and a change to the streetscene and southern aspect from Tunstall Road. In the main, the distances involved are such that the proposed development would not be unduly intrusive, even though it would be apparent in views. The proposed extensive landscape planting within the site, together with bolstering of the existing tree screen along Tunstall Road towards the Conservation Area, would screen the development from some vantage points and filter views from other angles. Nevertheless, the new school building itself is of an attractive design and

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should be no more intrusive in publicly available views than the existing higher density housing development which would form the backdrop to such views if the school was developed in the proposed position.

Conclusion

89. In the light of the strong planning policy presumption in favour of new school development, contained in the National Planning Policy Framework and current Government policy guidance, there needs to be substantial evidence of harm arising from other material considerations in order to outweigh that presumption. Similarly, educational need does weigh heavily in favour of granting planning consent, and whilst there is clear evidence supporting the need to both relocate this primary school and to share in the Basic Need programme by expansion, I have considered it important to assess the substance of the other material considerations in this case.
90. Whilst there is a large number of relevant Development Plan policies applicable to this case, the proposed development potentially conflicts with very few of them, bearing in mind that it is important to assess planning applications in the light of the approved policies applying at the time. The general presumption against new development in the countryside under Policies E6 and E7 does not apply to necessary community infrastructure, nor schools in particular, on the basis of the currently approved Swale Borough Local Plan. The presumptions against development on high grade agricultural land and in the wider landscape, under Policies E8 and E9, similarly do not outweigh other policy and material considerations, since the proposed development generally complies with the policy exceptions. The policies in the emerging draft Borough Local Plan ('Bearing Fruits') have not been progressed sufficiently to be accorded any significant weight for development management purposes.
91. When investigating the other issues raised by objectors, it becomes apparent that neither individually nor cumulatively do they present evidence of substantial harm, sufficient to presume against planning consent. Issues raised over ground conditions, including stability and drainage, are aspects that are capable of being addressed by appropriate engineering solutions outside the remit of planning land use control. Flood risk is not a relevant issue other than in Zones 2 or 3, and although there are localised surface water run-off issues the proposed development of the site with its own drainage system would eradicate run-off from the site. The proposed access point and use of Tunstall Road is entirely acceptable in highway safety terms, whilst the proposed level of on-site vehicle parking far exceeds the normal requirements for school developments applied elsewhere in the county. The proposed building and site layout is of a high standard and would achieve a commendable standard of environmental performance, although further negotiation would be needed on the details of the proposed site landscaping if planning consent was forthcoming. Whilst there would be some impact on the landscape setting, that would be capable of some mitigation by site landscaping, which is an area I would want to explore further with the applicants should they obtain planning consent, but there would be no significant impacts on any landscape designated for its scenic quality (eg. AONB). Similarly, the impacts of the proposed development on heritage assets are insubstantial, given the distance and visual separation involved, plus the beneficial effects if the school relocated outside the Conservation Area and away from Listed Buildings. The physical separation of the proposed building from neighbouring properties also precludes the likelihood of any adverse impacts by virtue of overshadowing, loss of privacy and noise or light intrusion.
92. Therefore, whilst this application has attracted a considerable weight of objections from local residents, including the Parish Council, I consider that there are insufficient

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grounds to outweigh the presumption in favour of development in this particular case, and accordingly must recommend that planning consent be given, subject to a range of conditions to mitigate impacts and control construction and operation of the proposed development.

Recommendation

93. I RECOMMEND, that SUBJECT TO a Memorandum of Undertaking by the applicant to address Swale Borough Council's concerns regarding parking restrictions on residential roads around the school, should this be deemed necessary, PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- the standard 5 year time limit;
- the development to be carried out in accordance with the permitted details;
- the submission of details of all materials to be used externally;
- the submission of a scheme of native species landscaping to be submitted and approved, including hard surfacing, its implementation and maintenance;
- the submission of a Tree Protection Plan and an Arboricultural Method Statement to be submitted;
- the submission of measures to protect those trees that are to be retained;
- no tree removal during the bird breeding season;
- the inclusion of ecological enhancement measures and the appropriate management to be included within the landscape strategy;
- development to accord with the recommendations of the ecology survey;
- hours of working during construction to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations of Sundays and Bank Holidays;
- visibility splays at the pedestrian crossing points to measure 2.0m from the back of the footway;
- the proposed new footway to the east of the access to be widened to 2.0m from the proposed 1.5m footway;
- the submission of a Construction Management Plan, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations;
- the submission of measures to prevent mud and debris being taken onto the public highway;
- the completion and updating of the School Travel Plan once the school has been relocated;
- any fencing between the informal path (to the east of the site) and proposed school grounds not to be solid and to be set back and any planting in the vicinity of the informal path to be at least 1m away from the boundary;
- the submission of a maintenance plan for sustainable drainage features specifically be prepared and submitted for approval;
- the submission of a remediation strategy to deal with the risks associated with any potential contamination of the site, including any previously unidentified contamination found to be present;
- the submission of measures to ensure no infiltration of surface water drainage;
- the submission of a detailed drainage design for approved prior to the commencement of the development;
- only lighting approved as part of this application shall be permitted at the proposed school;

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- no other lighting, including floodlighting of the MUGA's to be installed on this site without recourse to a further planning application;
- the School to be phased in terms of pupil's numbers (one additional form entry of pupils over a 7 year period) as outlined in the planning application.

I FURTHER RECOMMEND that the School BE ADVISED that the revised Travel Plan should be registered with the County Council's new School Travel Plan website ('Jambusters') by accessing the following link www.jambusterstpms.co.uk, to assist with the updating, monitoring and future reviews of the Travel Plan.

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

Minutes of the Local Meeting that took place on 9 April 2014.

APPLICATION SW/14/153 (KCC/SW/0025/2014) – TWO F.E. PRIMARY SCHOOL WITH ASSOCIATED EXTERNAL PLAY AREAS AND PARKING FACILITIES AT LAND AT TUNSTALL ROAD, TUNSTALL

NOTES of a Planning Applications Committee Local Meeting at Tunstall Village Hall, Tunstall on Wednesday, 9 April 2014.

MEMBERS PRESENT: Mr J A Davies (Chairman), Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mrs P Brivio, Mr T A Maddison, Mr S C Manion, Mrs E D Rowbotham, Mr T L Shonk and Mr C Simkins. Mr L Burgess and Mr R Truelove were also present as Local Members.

OFFICERS: Mrs S Thompson, Mr J Crossley and Ms L Cook (Planning); Ms R Goudie (KHS) and Mr A Tait (Democratic Services).

THE APPLICANTS: Mrs M White (KCC Education and Pupil Services), Mr S Foulkes (Canterbury Diocesan Board of Education), Mr R Stevenson, Mr D Gullick, Mr J Lewis, Mr A Poulton (John Bishop Associates).

TUNSTALL PC: Mr P Mitchell (Vice-Chairman).

TUNSTALL CEP SCHOOL: Mr J Horwood (Foundation Governor) and Mr Ingram (Deputy Head Teacher).

PROTECT TUNSTALL: Mrs S Senior

TUNSTALL MUMS: Mr S Harwood

ALSO PRESENT were some 140 members of the public.

- (1) The Chairman opened the visit by explaining that its main purpose was to enable Committee Members to listen to the views of local people, both for and against the planning application. Members of the Committee had already visited the site and were familiar with its layout and surroundings.
- (2) Mr Crossley introduced the application by explaining its background. Tunstall CEP School currently occupied a cramped site and was housed in a Listed Building in a Conservation Area. Most of the pupils were being educated in temporary buildings. Over the previous ten years, as the school had become more successful, the Planning Applications Committee had needed to determine a number of applications for temporary buildings, which were needed by the school to cater for an increasing number of children. During this time, a number of ideas had been considered to improve matters. These ideas had been thwarted as a consequence of the limited amount of space and because any potential improvements would affect the curtilage of the Listed Building.

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- (3) Mr Crossley then said that as more children were admitted to the school, the number of teachers and other staff had also grown. As the school did not have its own parking facilities, they tended to park in the school garden at the front of the building. The Village Hall Management Committee had been able to allow parents to use its car park as a drop-off zone for parents but had not been prepared to permit all day parking by school staff. The Planning Applications Committee had twice visited the school during the previous nine years in order to familiarise themselves with possible parking solutions. However, none of these had proved satisfactory. Local residents had complained about off-site parking as well as the parking on the garden area.
- (4) In 2012, the Committee had granted permission for temporary accommodation and had also written to the Cabinet Portfolio Holder for Education to urge that a permanent strategy should be developed. A Strategy Document had therefore been produced in December 2012 on behalf of the Diocese and Education Authority. This had set out a number of options, eventually reduced to three. Two of these had involved redeveloping the existing site. The third, involving relocation to a new site, had been favoured by the Education Authority and had resulted in the current planning application.
- (5) Mr Crossley moved on to a description of the application site. This comprised some 3 hectares of Grade 2 farmland, south of Tunstall Road. The land in question was owned by KCC and had originally been used since the War years as an educational venue specialising in farm worker training. Since the demise of the Kent Farm Institute, it had been tenanted out to a farmer. Part of the site was currently being used by Fulston Manor School as a playing field.
- (6) Mr Crossley used a map to explain the main features of the application. The school building would be erected well into the site with its sports pitches to the rear (west). Access would be from Tunstall in the north east corner of the site, leading to a drop off/parental parking zone. There would be 90 car parking spaces to the east, which was well above the County's parking standards. The existing pond in the northern part of the site would be retained and an area of public open space created around it. The northern boundary would consist of large areas of landscaping, habitat areas, outdoor classrooms and attenuation areas. There would also be localised surface water drainage provision.
- (7) Mr Crossley then said that the application had attracted a considerable amount of local interest. A large number of written comments had been received; roughly half of them had been in support and half in objection. The main grounds for the latter were that the development would increase congestion along Tunstall Road; that the parking provision on site was inadequate to cope with the number of parents who would be bringing their children to school; that the absence of footways along Tunstall Road made the site unsuitable for public access; that there was no need for an expanded school as it would cater for pupils from outside Tunstall; that there were other sites in the Sittingbourne area that were far more suitable; and that there had been a lack of consultation whilst the proposal was being developed.
- (8) Mr Crossley concluded his presentation by explaining that there were a number of planning policies that gave support and opposition to the proposed development. These were informing the process of evaluation which were currently being undertaken by the Planners.
- (9) Mr R Stevenson (John Bishop Associates) said that he was happy that Mr Crossley had given a comprehensive and relevant presentation on the application.

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- (10) Mr L Burgess (Local Member) said that he was opposed to the application for a number of reasons which he would explain to the Committee at the meeting when the application was to be determined. He explained that he had recently become a Member of the Planning Applications Committee but would not be participating in the decision-making for this particular application in a voting capacity. He would be addressing that meeting as the Local Member.
- (11) Mr R Truelove (Local Member) said that he was not a Member of the Planning Applications Committee and that he had not attempted to influence its Members on this particular application. He then said that there was a popular perception that the residents of Tunstall were unanimously opposed to the application and that the parents of children at the school were unanimously against. This was too great a generalisation as there were, for example, people from neighbouring areas who were passionately opposed as they saw it as an unacceptable intrusion on the Countryside Gap.
- (12) Mr Truelove then said that there were five aspects to the proposal that were of great significance. The first of these was that the school had a far larger catchment area than most village schools because it was a Church of England School, drawing its pupils from further afield. The second aspect was the Countryside Gap identified in the Swale Local Plan 2008, which nevertheless allowed for development that was socially necessary. He therefore did not believe that the application drove a wedge through that particular policy.
- (13) Mr Truelove continued by saying that the key issue was the question of traffic impact on the Tunstall Road. The Committee would need to consider the question of traffic congestion. He believed that the single factor that would have most influence on the decision would be the professional analysis of this matter.
- (14) The fourth significant aspect was, in Mr Truelove's view, that there was a need to cater for growing pupil numbers in the Sittingbourne area. Two local schools had recently expanded. Even so, the pressure was far greater than it had been seven years earlier. He was very keen for the whole area to have improved primary school provision and if a school with the representation of Tunstall CEP School were able to expand, it would provide greater choice and be a corrective to the popularity of Minterne.
- (15) Mr Truelove concluded his remarks by saying that he was in complete disagreement with those who described the proposed development as a "monstrosity." Providing that the congestion problems were not prohibitive, it would add social value to the land and make the area generally more attractive.
- (16) The Chairman read out a letter from the local Borough Councillor, Mr A Willicombe. This letter opposed the application on the grounds that its proposed location was in the wrong place and that its sheer size would make it an eyesore. It would also create traffic problems in Tunstall Road and increase the risk of flooding.
- (17) Mr P Mitchell (Vice-Chairman of Tunstall PC) said that the parish Council had undertaken a survey of the views of its population. The overwhelming response had been that the proposed development was located in the wrong place and that it should be sited nearer to those who actually attended the school. The application had been rushed forward far too quickly, without due consideration of suitable alternatives.
- (18) Mr Mitchell then said that the proposed development would necessarily attract greater numbers of vehicles because the admission criteria were not geographically based, making it impossible for large numbers of children to walk. The effect on Tunstall Road

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would be to increase congestion and cause major hazards, as it was already used as part of a rat run for all traffic heading to all parts of Sittingbourne. The proposed new pelican crossings would not help the problem and would, in fact be dangerous and potentially cause accidents. Furthermore, the proposal to just have a single entrance was unsafe in the event of fires or other emergencies.

- (19) Mr Mitchell continued by saying that the school's intention to reduce car journeys from 82 to 53 % over a three year period was both vague and unachievable. As a consequence the proposed number of parking spaces would not solve the problems envisioned.
- (20) Mr Mitchell then turned to the issue of pluvial flooding. This occurred in Chegworth Gardens and Cranbrook Drive as well as in Tunstall Road. The hard surfacing of land hitherto able to absorb rainwater would probably be the cause of a greater degree of flooding. The planned soakaways and swale would have an impact on other parts of the village and this matter would require a thorough investigation.
- (21) Mr Mitchell continued by questioning the impact of the proposed new school on the local community. The design of the buildings was unsuitable and out of keeping with the character of the area. This, coupled with its size would diminish Tunstall's spirit and cause the loss of its identity. The loss of farmland would change its rural character.
- (22) Mr Mitchell said, in conclusion that the Parish Council was keen to work with the applicants to resolve the problems faced by the school in its current site.
- (23) Mr S Foulkes (Canterbury Diocesan Board of Education) said that the reason for the application was that 25% of Kent's pupils attended Church of England Schools. The Diocese believed that this option should be accessible for all.
- (24) Mr J Horwood (Governor of Tunstall CEP School) said that the governing body had explored a number of ways of raising the necessary funds to provide a permanent school. Discussions had been held with MPs and business leaders over a 12 year period. The Strategy Document had been developed by the Diocesan Board in October 2012. It had contained three options, the best of which was being pursued in the form of the current planning application.
- (25) Mr Horwood continued by saying that the school's ethos and values were the basis of its success and that more children would benefit if the application were to be permitted. The new school would represent an exciting opportunity for generations of children to be given a first class education. The Governing Body unanimously supported the application.
- (26) Mrs S Senior (Protect Tunstall) said that *Protect Tunstall* represented over 500 residents. Its objections were also supported by the Sittingbourne Society, Swale Footpaths Society, and the National Council for the Protection of Rural England as well as residents from Rodmersham, Bredgar and Wormshill.
- (27) Mrs Senior said that *Protect Tunstall* considered that the Officer recommendation to Swale BC in support of the application was an example of something that had occurred throughout the planning process – namely, that the consideration of educational need and improved educational facilities had been wrongly allowed to take precedence over material planning considerations, the adopted and emerging Local Plan, the NPPF and Environment Agency requirements. This had led to inadequately researched surveys and assessments and conclusions unsupported by factual information. She added that

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an independent planner and researcher into the environmental impact of groundwater flooding had recommended that the application should be rejected on a multiplicity of grounds which she then moved on to summarise.

- (28) Mrs Senior said that the NPPF indicated that all developments should be plan led and determined in accordance with the Local Development Plan. She quoted Policy E6 of the Local Plan (the Countryside) which identified Tunstall as being within the *Proposals Map*. All land falling within this area was to be protected in terms of the quality, character and amenity value of the wider countryside. The only exception was if an application “provides a service that enables rural communities to meet their essential needs locally.” It was also the case that the current application fell within the protected “Countryside Gap”. She said that this demonstrated that the application was totally outside of the agreed Local Plan and was a “departure” from the approved development plan. She added the application had been pursued “under the radar” since being brought forward in 2012 without being subject to public scrutiny and in a manner which ignored the NPPF principle.
- (29) Mrs Senior referred to other NPPF principles. She said that the NPPF indicated that schools should be sited within housing developments. There were none in Tunstall; nor were any planned. The NPPF also said that there should be good transport links. However, although the applicants had referred to the 354 bus, there was no viable public transport service for arrival by 9am or departure after 2.30pm.
- (30) Mrs Senior then said that the NPPF said that the majority of pupils should be able to walk to school. This would be impossible in this case, as evidenced by the KCC Highways Officer who had given his view that he anticipated that pupils would come from even further away than currently. There was absolutely no possibility of walking to and from school for those pupils who lived north of the A2. This was where most pupils would be coming from (as this was where houses were actually being built). She noted that the birth rate in Tunstall was very low and that it was continuing to fall.
- (31) Mrs Senior continued by saying that those pupils who lived within walking distance would be walking along discontinuous and very narrow footpaths into a continuous traffic flow. Crossing the road would be very dangerous and within limited lines of sight. She said that inept traffic investigations had declared the crossings to be “safe” on the basis that the pupils would be crossing on a 20mph calmed area. However, the Parish Council’s traffic survey indicated that the average speed was 32.7mph and this would make a deal of difference to visibility.
- (32) Mrs Senior indicated that she was very critical of the traffic survey which had been carried out. This had been pursued through desk top simulations based upon 2009 data for the Science Park. She said that as a consequence, the traffic survey was neither accurate, nor evidence based. It had not been the result of on-site investigations. She noted that two of the reasons given for moving out of the school had been heavy traffic and unsatisfactory walking paths. In her view, it would actually be safer for pupils if the school stayed where it was.
- (33) Mrs Senior turned to the DES *Decision Makers Guide* which indicated that accessibility and travel sustainability were key criteria for new schools. Neither of these could be met. The school would only be sustainable through heavy reliance on car transport which would lead to increased traffic congestion on roads across the village and particularly on Tunstall Road which was already at capacity. The increased traffic fumes would have a detrimental effect on children’s and elderly residents’ health through pollution and constant traffic noise.

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- (34) Mrs Senior went on to say that the site would be using higher grade agricultural land rather than a brownfield site. This was contrary to NPPF recommendations and would reduce land available for food production and flood mitigation. She added that the area already suffered from flooding and was within Flood Zone 1. If a school were to be placed on this site, it would exacerbate the situation and more homes would be placed at flood risk. This was contrary to the Draft Local Plan Policy DM21 on flooding.
- (35) Mrs Senior said that no alternative site had been fully explored. *Protect Tunstall* had suggested three potentially viable sites. These had not been seriously considered by KCC Education despite the volume of public objections on planning grounds.
- (36) Mrs Senior concluded by saying that *Protect Tunstall* had very carefully considered all the documents which were intended to support the application. These, she said were inadequate, inaccurate and totally unconvincing. *Protect Tunstall* could not find any convincing planning reasons for supporting the application.
- (37) *Mrs Senior provided a document setting out Protect Tunstall's detailed grounds for objection. These would be made available to all Members of the Committee.*
- (38) Mr Crossley asked the meeting to note (in respect of paragraph 34 above) that all land was categorised as according to flood risk and the description of an area as "Flood Zone 1" represented the lowest category of Flood Risk.
- (39) Mr Ingram (Deputy Head Teacher) said that the current school site was not fit for purpose. Only a portion of it was actually owned by the Education Authority. The size of the playgrounds and the halls was inadequate. Only two classrooms were of the required standard. Children had to transport weather-sensitive equipment such as laptops from class to class. The School achieved its results despite the state of the buildings and grounds and there were only a limited number of patched repairs that could be carried out. The walls moved, windows were nailed shut and displays peeled off them. Interventions needed to be carried out in classes that were already in use. The demand for rooms far exceeded the school's capacity. No solution had yet been found in respect of the staff car parking problem.
- (40) Mr Ingram then said that the construction of the new school would transform the pupils' education opportunities. It would benefit both the pupils and the community. He added that the school would be able to retain its identity including its close links with Tunstall Church. He hoped that good relations and neighbourliness would re-emerge after the application had been determined.
- (41) Mr S Harwood (Tunstall Mums) said that his property was the 11th closest to the proposed development site. He also had a child at the school and another one who was likely to begin in 2016.
- (42) Mr Harwood said that the Education consultation had identified a shortage of available school places in South Sittingbourne. At the same time, there was insufficient space for Tunstall CEP to continue as a 1 f.e. school at its current location and would otherwise need to return to being 0.5 f.e. The twin benefits of granting planning permission would be that the school would be able to modernise whilst reducing the deficit of places in the Sittingbourne area.
- (43) Mr Harwood provided a document to the Chairman and asked for its contents to be made available to the Planning Applications Committee Members. He informed the

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meeting that this was a case study he had undertaken in respect of the site location. He had considered the venue afresh by setting out three key requirements. These were that it should be within the Ecclesiastical Parish, within walking distance from the Church and also accessible to residents of South Sittingbourne outside the Ecclesiastical Parish. He had then drawn a circle 1/3 of a mile radius from Tunstall Church. He had then added a 1/3 mile radius from the point that captured the significant majority of the residences within the area that had a significant majority within the Ecclesiastical Parish. This point was in the North of Tunstall. The intersection of the two circles was mainly within the area of the proposed development site. He had also added a 1/2 mile radius from the site entrance and had found that this took in the Fulston Manor Estate, parts of Eden Village and other heavily populated areas of South Sittingbourne.

(44) Mr Harwood then said that objection had been made that the site was proposed to be built on Grade 2 Land. Most of the land towards the centre of town was in fact Grade 1; i.e., better than that on the site. He did not believe that the building would be an eyesore as it was only 2 f.e. and had been designed so as to be sympathetic to its environs. He felt that the parking, drop-off and pedestrian access facilities had all been well considered.

(45) Mr Harwood concluded by saying that he recognised that planning decisions of this nature were always difficult to make. It was, though, essential that the key social and community needs addressed by the application were considered and evaluated. This would be a state-of-the-art facility which would provide continuity and benefits to the area of Tunstall Church and the Ecclesiastical Parish of South Sittingbourne.

(46) The Chairman asked members of the public if they wished to contribute any comments. These are set out below.

(a) The proposed new exit onto Tunstall Road was dangerous as it would require people to turn right on an S Bend. This would, in itself lead to congestion. The traffic survey carried out by Tunstall PC had shown that 59 HGVs had travelled along Tunstall Road during school run times (0800 to 0900 and 1500 to 1600) during the week 14 January to 21 January 2014. This contrasted with the estimate set out in the DHA Transport Survey. This same survey had also estimated that if the proposed development took place, there would be 920 vehicle movements per week in the morning and 970 in the afternoon. These figures were contradicted by the Parish Council's survey. The discrepancy was probably accounted for by the DHA Transport Survey not taking into account the large number of vehicles that used it as a rat run between the A249 and the Science Park. The volume of traffic on Tunstall Road would make it impossible for emergency vehicles to get through. Furthermore, there was a legal requirement that spaces for vehicles dropping off and picking up pupils should be designed to avoid having to use reverse gear. This would be unavoidable.

Mr Crossley commented that this provision only applied in Northern Ireland and was, anyway complied with in the design.

(b) The parents of children at Tunstall School had already discussed had considered the question of traffic safety and congestion. It was intended that there would be a greater degree of car sharing and that the *Tunstall Mums* Facebook page would be used as a message board for this purpose. A lot of the parents would be in a position to walk from South Sittingbourne to the new school site. Arrival times would be staggered as a consequence of the Breakfast Club. Many working mothers had grown up in the Sittingbourne area before moving to London. They were now moving back in increasing numbers. It was therefore vital that the application should be permitted both for the

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futures of all the children who needed good educational facilities and for the South Sittingbourne community as a whole.

(c) The site of the proposed development was within an area where there was a significant risk of flooding. This problem was exacerbated by water flowing from the site and along Tunstall Road. The applicants intended to minimise this risk by creating deep bore soakaways. This would, however, bring about its own problems.

(d) The site was at medium risk of “collapsible deposits” whereby natural deposits could collapse when a heavy building was placed on them, and become saturated with water. The proposal was to mitigate surface water drainage by boring deep soakaways. However, the Environment Agency advised that this should not be done in such circumstances as sink holes might result.

(e) A Freedom of Information Request to the DFE concerning the Targeted Basic Needs programme had revealed that KCC had given assurances that the project was proceeding as planned and that its planning assumptions had been agreed.

Mrs Thompson (Head of Planning Applications Group) responded to this point by stating that this did not refer to the land use planning aspects of the proposed school. These were still in the process of being evaluated by the Planners, who had yet to decide what their recommendation to the Committee would be.

(f) The size of the school intake was planned to more than double from 200 to 450 pupils. This would lead to some 350 cars arriving in the morning and in the afternoon. The latter was a particular concern because parents did not simply pick their children up. Rather, they tended to arrive early and talk to one another whilst waiting. This would cause chaos because there was inadequate parking provision within the school grounds. Congestion would be caused if they parked in Tunstall Road, which had been built to cater for horse traffic. The natural place to park and wait would be Cranbrook Drive. However, its exit onto Tunstall Road was complicated by a blind spot. Overall, the local highways would not be able to cater for the number of vehicles at this time. This was the crucial reason for rejecting the application.

(g) Tunstall was an area that did not have the pupil numbers that the school was aiming to provide for. People living in Tunstall already found it took longer to drive to their place of work three miles from their homes than others who lived elsewhere took to travel twice the distance to the same place. The answer to the school’s problems was to make improvements to the existing site. This development should be rejected because the case of educational need was overridden by the material planning concerns. This was the wrong application in the wrong place.

(h) A secondary school teacher said that other schools suffered from inadequate buildings, coping with leaking roofs and inadequate space. If she were offered a brand new school on Grade 2 agricultural land, she would refuse as it would be wrong to teach her pupils that environmental concerns were only important if they did not interfere with KCC’s plans.

(i) A parent who lived in the Eden Village Estate said that the nearest school to her home address was the Oaks which was 0.7 miles away, and heavily over-subscribed. There had been plans to build a new school nearby, but KCC had not at that stage forecast a shortage of primary school places and the opportunity had passed by. As regular attenders of Tunstall Church, her daughter had been offered a place at Tunstall School, some 1.2 miles away. It was too dangerous to walk to the present site, but if the new school were to be built, walking would be possible as it was 500 metres closer to

Proposed two form entry primary school – Land at Tunstall Road,
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where she lived. Mr Harwood's presentation had demonstrated that relocating the application site would make it possible for more children to walk to school, particularly if they lived in the Fulston Manor or Eden Village areas. The one problem with walking was that the junction of Woodstock Road, Cromers Road and Tunstall Road appeared to be particularly busy during the morning rush hour. This problem might be resolvable by creating a pedestrian crossing there in order to improve safety for those walking to school and thereby minimise the impact of the school on the surrounding road network.

(j) Although there was a 20 mph limit in Tunstall Road, the average speed was 32.7 mph. The fastest speed recorded in the Parish Council's survey had been 41 mph. Cars exceeding the speed limit had overtaken those which did not. The distance from the Woodstock junction to the proposed pelican crossing was 126 yards, equating to 21 cars in the event of a queue forming. The survey had revealed that an average of 7.4 Lorries per day had travelled along Tunstall Road between 0800 and 0900. The average figure per day between 1500 and 1600 had been 4.4 Lorries. This was in sharp distinction to KCC Highways' estimated figure of 1 in the morning and 1 in the afternoon.

(k) The site consisted of undulating land and was surrounded by mature trees, including oaks. It was set in the identified Countryside Gap in an area with a strong rural character. The proposed development would not be in keeping with its surroundings. The design of the building was incompatible with that of the rest of the village. The construction process would require the removal of the hedgerows and mature trees and their replacement with seedling elms and hawthorns. The effect of this would be to cause loss of privacy for neighbouring residents, whilst the school would overlook their properties in a domineering manner. This would be exacerbated by a 2 to 3 metre high fence which would be erected around the entire site. Other problems would occur through the loss of green space, constant service delivery traffic, and light pollution (particularly whilst the new trees were growing into maturity). In sum, the application represented an unacceptable detriment to the quality of life within a rural area.

(l) The provision of 90 car parking spaces was remarkably generous in comparison to other schools. The solution to the problem of HGVs identified in the Parish Council's survey would be to ban all such vehicles from travelling through the Village of Tunstall. Meanwhile, the Committee should bear in mind that the increase in school intake would rise incrementally and would not reach the maximum figure of 450 until 2022.

(47) Mr Baldock asked for a definition of the "Countryside Gap" to be provided to the Committee Members when the application came forward to be determined. He then commented that he was alarmed that people at the meeting were assuming that the decision had already been taken.

(48) Mrs Thompson thanked the meeting on behalf of the Planners for all the contributions made. These would be very helpful in informing their work on evaluating all the issues raised by the application. As Head of the Planning Applications Group, it was ultimately her responsibility to decide whether or not to recommend to the Committee that the proposed development was appropriate. This recommendation would be founded upon all relevant Planning Law and Guidance, and there was absolutely no question of any such decision having been taken in advance of the application coming forward.

Proposed two form entry primary school - Land at Tunstall Road,
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(49) The Chairman thanked everyone for attending. He confirmed that the Committee would be considering the application purely on its planning merits and that the comments made (including the written information provided by *Protect Tunstall* and by *Tunstall Mums*) would all be taken into account. The notes of the meeting would also be appended to the Committee report.

Proposed two form entry primary school - Land at Tunstall Road,
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Appendix B

**e-petition received from Protect Tunstall Community containing 391 signatures and
an example of two comments posted on the Protect Tunstall website.**

Proposed two form entry primary school - Land at Tunstall Road,
Tunstall (SW/14/153)

391 ~~map~~ to 02/03/14

PROTECT TUNSTALL COMMUNITY

We ask for your support in keeping our village school, which has been serving our community since 1846

We, the undersigned, want to keep the school, to educate local children, not to relocate it, nor expand it, and not to use grade 2 agricultural land to do so

Please support our Community

L Fincham Contact the petition author

*First name

*Last name

*City

*Country

*Email address

Show your signature in public?

Yes No

Your email address will never be displayed in public or released to third parties.

o

Proposed two form entry primary school – Land at Tunstall Road,
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The following comments were posted on the
Protect Tunstall web-site and reflect much of
the feeling around this application

[Reply](#)

[Report inappropriate content](#)

#20

Jan 30, 2014, 12:05

Have you ever thought that the reason so few on the petition are from Tunstall is because Tunstall is such a small place! The kind of place that does not need a huge community school. The people from outside Tunstall are more than happy to voice their opinion for the new school and those very few who are in favor in the village welcome their comments. Why is it so different if people from outside Tunstall voice opposition? They apparently have unjustified opinion? It is right people should not be denied a good education because of their postcode. So why be selfish and deny the areas that have expanded on the other side of Sittingbourne the opportunity to have funding for a new, good school that they could walk their children to. Why put this important funding into an area that already has numerous good village schools that are more than adequate to serve the locals and all those that still attend Tunstall church (after they have got their children through the admissions system)

[Reply](#)

[Report inappropriate content](#)

#21 PROTECT TUNSTALL

Jan 30, 2014, 13:26

We are all allowed a say on this matter and if you can, for or against you should use the right to say something. Tunstall is a small community and yes most people will be against the building of such a large development in open countryside and on a small popular cut through road that will be forever blocked up. Why cant the local people be against such a plan, like others they have gone through hard times and have strived all their working lives to live in a semi rural environment why should this ridiculous plan be dumped upon them. The planners and KCC seem to have forgotten that when building large sprawling estates this is when schools should be built within the confines of the new housing, so that people do not have to travel. Tunstall school could easily have funds spent upon it to bring it up to spec rather than the millions required here. Whether it be a C of E, Catholic, Jewish or Muslim school we would still oppose it. Leave our Village alone!!!!

Proposed two form entry primary school - Land at Tunstall Road,
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Appendix C.

**Hand written petition received from Protect Tunstall Community containing 85
signatures**

PROTECT TUNSTALL COMMUNITY

We ask for support in keeping our current school, which has served our community since 1846.

I/WE, the undersigned, want to keep the school to educate local children, not to relocate it nor expand it
and not to use valuable grade 2 agricultural land to do so.



Please support our community.

NAME

Address

Signed

Proposed two form entry primary school - Land at Tunstall Road,
Tunstall (SW/14/153)

Appendix D

**Protect Tunstall Community document 'Objection to Planning Application Ref
KCC/SW/0025/2014' handed to the Planning Applications Committee Chairman at the
local meeting held on 9 April 2014.**

Proposed two form entry primary school – Land at Tunstall Road,
Tunstall (SW/14/153)



OBJECTION TO PLANNING APPLICATION REF: KCC/SW/0025/2014

This objection from Protect Tunstall Community comprises of two parts.

Part A

A report from an independent, professional planning consultant

A detailed analysis of the flood assessment documentation by a planner

Part 2

A joint response from Protect Tunstall Community composed and agreed by members of the management committee

Appendices of supporting documents and photographs

Any comment or correspondence relating to this objection should be addressed to:-

The Secretary,

Protect Tunstall Community,

c/o "Greenways",

Tunstall Rd,

Tunstall,

Nr Sittingbourne

Kent ME10 1YQ

PART A

REPORTS WRITTEN BY INDEPENDENT PLANNING CONSULTANTS

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

PROPOSED TWO FORM ENTRY PRIMARY SCHOOL (420 PUPILS) - LAND AT TUNSTALL ROAD, TUNSTALL, SITTINGBOURNE, KENT

OBJECTIONS TO PLANNING APPLICATION REF: KCC/SW/0025/2014

- **Inadequate assessment of alternative sites** – As owners of the application site, Kent County Council (KCC) has sought to justify its suitability as a site for a new school. However, the exercise they have undertaken is overly superficial and has not considered a full range of alternative sites, including brownfield, or previously developed sites, elsewhere in and around Sittingbourne. As such KCC have failed to undertake a proper and detailed sequential assessment to demonstrate that no better alternative sites are available. The sites that KCC have reviewed have only been assessed in terms of their availability, as opposed to a full analysis of the relevant planning and other issues. A full search for alternative sites should therefore be undertaken to ensure that all potential sites have been assessed in relation to their suitability, viability, and the criteria set out in Policies E8, E7 and SP1 of the local plan.
- **Poor spatial relationship with the catchment area of the proposed school** – The application site is located to the south of Sittingbourne's main urban area within an area of open countryside. However, the demand for school places is being driven by the extensive residential areas in Sittingbourne to the north and east, rather than the predominately rural catchment area to the south around Tunstall. Specifically, the shortfall in school places has arisen because KCC chose not to take up the sites offered under the Section 106 Agreements for the East Hall, Eden Park and Stones Farm sites. Instead, KCC are now seeking to develop a greenfield site, in their ownership, for which they have held a longstanding ambition to develop for an educational use. As such, the new school will not be located within walking distance of the majority of homes that it is envisaged to serve – against the provisions of the National Planning Policy Guidance 2012 (NPPF Paragraph 38).
- **Premature submission of the application** - The planning application has been submitted prematurely, without satisfactory solutions being reached regarding a number of important planning issues. The issues requiring further consideration include the principle of developing an unsustainable green field site, the failure to fully identify and consider alternative sites, the impact of the proposals on the character of the countryside and nearby residential areas, and the impact on the local highway network. As such, the application should be withdrawn until such time as these matters are resolved - in accordance

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

with Paragraph 72 of the NPPF, which states that local planning authorities should:

“Work with school promoters to identify and resolve key planning issues before applications are submitted.”

- **Development of an unallocated site** – The site is not allocated for development within the adopted Swale Borough Local Plan or the emerging ‘Bearing Fruits 2031’ Local Plan. The Swale Strategic Housing Land Availability Assessment (2013) at Appendix 7 sets out that the site is within a defined ‘strategic gap’ and is not considered available for development. The Swale Urban Extension Landscape Capacity Study (2010) recognises that Tunstall’s existing urban edge forms a strong boundary between the built up areas of Sittingbourne and the surrounding landscape. The integrity and rural setting of Tunstall is regarded as being highly sensitive. Accordingly, the Study indicates at page 47 that large scale development is inappropriate and that the Council should seek to:

“Conserve the quick transition between urban and rural areas.”

- **Loss of undeveloped greenfield land** – The purpose of the NPPF is to guide applicants to contribute to the achievement of sustainable development. Paragraph 17 of the NPPF advises that a core principle of sustainable development is to focus development towards previously developed brownfield sites. As currently proposed, the new school will result in the loss of a greenfield site and there is therefore a conflict with national planning guidance.
- **Loss of settlement integrity and impact on the character of the countryside** – The Proposals Map identifies the site as falling within a Countryside Gap. The Countryside Gap seeks to retain the integrity, character and setting of existing settlements. The proposed development will involve a significant encroachment into an area of open countryside and will result in a piecemeal erosion of the open and undeveloped character of the rural area. The NPPF (paragraph 17) recognises the need to retain the intrinsic value of the countryside’s character and beauty, and the many positive functions, including food production and mitigation of flood risk, which it performs. Supporting Paragraph 3.23 of the local plan acknowledges that schools can be classified as development, which, in some circumstances, can be acceptable in Countryside Gaps. However, the proposals in this case are in conflict with the NPPF and Policies E7 and E6 of the local plan. It is also relevant to note that Members of the Borough Council agreed (on 20 February 2014) to remove schools from the list of developments which could be considered acceptable in Countryside Gaps.
- **Impact on the character and setting of the Tunstall Conservation Area** – The Tunstall Conservation Area Appraisal (2003) highlights that Tunstall’s setting continues to remain remarkably rural in character. The Appraisal goes on to set out that the retention and enhancement of the features of local

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

distinctiveness, including the existing views, openness of the countryside and existing trees and hedges in the surrounding landscape, are important for the continuing preservation and enhancement of this heritage asset. The proposed development is of such a scale that it will erode the quality of the surrounding landscape quality and adversely affect the rural setting of the Conservation Area.

- **Loss of Grade 2 agricultural land** - The application site comprises Grade 2 agricultural land which forms part of an active farm estate. The Ministry of Agriculture, Fisheries and Food Agricultural Land Classification of England and Wales (1988) classifies Grade 2 agricultural land as “*very good quality agricultural land.*” This is the second highest of the seven grades of agricultural land and is acknowledged as a finite resource to be protected for the future.

The NPPF at Paragraph 112 recognises the value of high quality agricultural land and seeks to prevent its loss wherever possible:

“Local Planning Authorities should take into account the economic and other benefits of best and most versatile agricultural land. Where development of agricultural land is demonstrated to be necessary, Local Planning Authorities should seek to use areas of poorer quality land in preference to that of higher quality.”

Local Plan Policy E8 sets out that development on Grade 2 agricultural land will only be permitted where there is an overriding need that cannot first be met on land within development boundaries. The planning application fails to demonstrate that other urban and brownfield sites are unavailable. Furthermore, other agricultural sites of lesser value have not been identified and assessed in accordance with the terms of Policy E8.

- **Basic Need Fund** - The terms of the Government’s Basic Need Fund require that funding can only be allocated to a new replacement Tunstall School. However, KCC as both the applicant and the determining authority are seeking to deliver the new school on a greenfield site within their ownership due to the financial advantage that this offers. Full and proper consideration has not been given to alternative sites. KCC’s longstanding ambition to develop the site for education use site is not a material planning consideration.
- **Limited Access by sustainable transport modes** – The NPPF and Policy T5 require that new development should be located in accessible locations that make the fullest possible use of public transport, walking and cycling, in order to minimise travel and maximise sustainable methods of travel. The site is not realistically accessible by bus or train. Neither is it adequately served by existing or proposed cycle routes, and the local pedestrian network does not provide safe and clear access. Furthermore, the street lighting on Tunstall Road is not of a standard suitable for children and pedestrians, particularly during the short hours of winter daylight. In summary, the application site is

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

situated within the open countryside and in a location that has little scope for access by modes of travel other than private vehicles.

- **Impact on the highway network** – The existing Tunstall Primary School is exceptional in the extent to which it relies upon private cars as the main means of travel for the great majority of members of the school community (Paragraph 122 RSA Planning Statement). It is reasonable to anticipate that a new larger school with circa 420 pupils and teaching staff is likely to attract an increased volume of highway movements. The roads serving the school's primary catchment to the north in the residential areas of Sittingbourne, are classified as local distributor and estate roads. These minor roads will be sensitive to increased highway movements. The proposed site access is located on a bend of the Tunstall Road and in proximity to the existing access points of homes on the northern side of Tunstall Road. Proposals that generate volumes of traffic in excess of the highway network's capacity, and/or decrease highway safety, are not permitted under Policy T1.
- **Parking provision in excess of KCC standards** – Development proposals should seek to reduce travel by car. Car parking provision in excess of the County standards demonstrates that the primary mode of travel to the new school is expected to be by private car. This highlights that the site is not situated in a sustainable location and therefore conflicts with the guidance set out in the NPPF and Policy SP6.
- **Inappropriate parking provision and drop-off facilities** – Whilst a greater number of car parking spaces may be proposed than is necessary, provision of a car park, circulation areas, and drop-off facilities for a 420 pupil school on a constrained site in a location that has limited opportunities for access by sustainable modes of transport, is, in this case, inappropriate. The constrained car park layout may deter parents from using the car park and designated drop-off areas. This may encourage unauthorised parking on the local highway network during peak times. This has the potential to decrease highway safety and cause congestion of the highway network in a manner which will be incompatible with Policies T1 and T3.
- **Impact on residential amenity** – Residential properties are classified as noise sensitive receptors. The disturbance caused by increased traffic flow and service deliveries has the potential to cause undue harm to the amenity of nearby residential occupiers.
- **Opportunities for crime** – Natural surveillance of the main school building will be compromised by the proposed planting and layout. The layout of the site and the distance between the main building and Tunstall Road limits opportunities for natural surveillance to deter criminal and anti-social activity outside of school opening hours. Further consideration of how safety and

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

security measures can be incorporated into the design is required, in accordance with Policy E20.

- **Ecological impact** – The Swale Landscape Character and Biodiversity Appraisal SPD shows the site falls within ‘Tunstall Farmlands’. The SPD highlights the need to reduce the fragmentation of hedgerows through restoration. The loss of greenfield land and the removal of trees and hedges fronting Tunstall Road has the potential to have a detrimental impact upon ecology and bio-diversity. Proposals that result in a loss of habitat breach the terms of Policy E10. Other potential sites in and around Sittingbourne may be less ecologically sensitive.
- **Conclusions** – Whilst this proposal has been in the public domain for a considerable time, it is evident that a number of planning issues have not been properly addressed or analysed. As part of a significant swathe of open countryside, with a strong policy presumption against development, the site is inappropriate for the proposed use. The significant public disquiet about the proposals is evidence that proper consideration of the planning application cannot take place until all relevant matters have been addressed. The only realistic option for the applicants is withdrawal, without which planning permission should be refused.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Environmental impacts from groundwater flooding.

In considering all data and information supplied within the planning proposals for the Construction of the Tunstall primary school, the following detailed objections must be clearly satisfied, without satisfaction the current planning application must be rejected as non compliant with the Environmental Agencies flood risk assessments and Swale Borough Council Local plan (Policy DM21).

1. *Site specific flood risk assessments, as required, must be carried out to the satisfaction of the Environment Agency and include, where necessary, details of new flood alleviation and flood defense measures to be installed and maintained by the developer;*

KCC have commissioned a detailed report:

Project Title **Tunstall School**

Report Title

Flood Risk Assessment

Document Reference:

3126/006/R01

Prepared For

Faithful & Gould

Date

January 2014.

Within this detailed report the base data used **DOES NOT** give consideration to the latest and most accurate data available from the Environmental Agency regarding the current critical ground water situation within the proposed site location.

The Monthly Water Situation report (January 2014) and the Environmental Agency "Kent Flooding from groundwater" report February 2014, give clear warnings of saturated aquifer storage with a mid to high risk of groundwater flooding.

The report states:

North Kent / Sittingbourne

Groundwater levels across the Sittingbourne area are very high and still rising. Such high levels are well above the normal monthly averages for this time of year and are likely to remain at these levels for several weeks, if not months to come.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

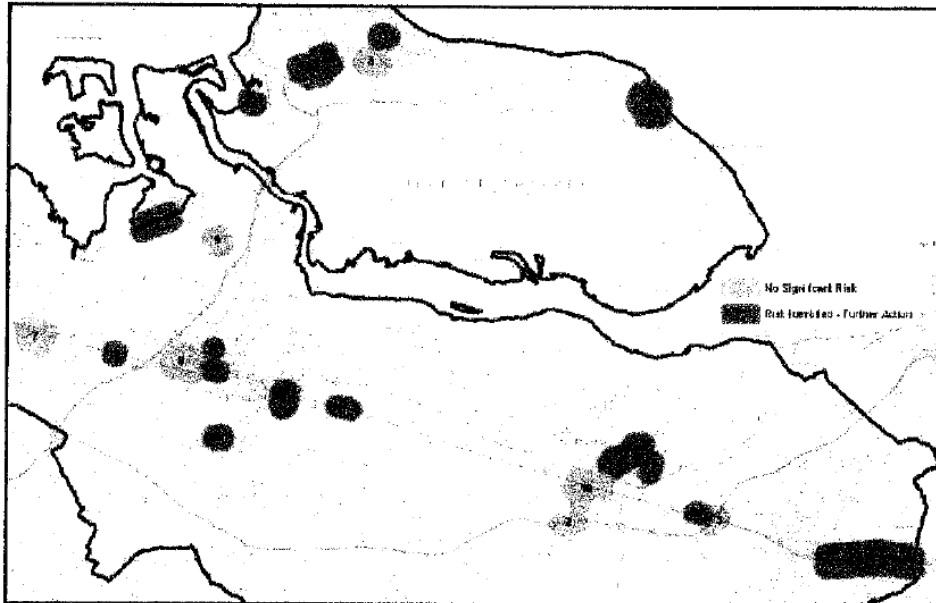


Figure 3.1 – Hotspots in Swale

(This figure is taken from the Swale Surface Water Management Plan published by KCC. The site location has been indicated for the purposes of this report).

2.11 This plan indicates that the development site is located within a flooding hotspot (scheduled as Hotspot

15) within SBC. Further analysis of the problem is explored within the SWMP. Surface water flooding has been observed to occur from soakaways serving highway drainage nearby which impacts upon residential properties.

2.12 A more detailed plan of the flood extent at Hotspot 15 is provided in Appendix D. It may be seen that the flooding is confined to an area to the north of the proposed development site, however it is thought that overland flow passing through the development site exacerbates the flooding problem.

Proposed two form entry primary school – Land at Tunstall
Road, Tunstall (SW/14/153)

Current Proposals within the design and planning application for groundwater management:

The current design of site groundwater management is for the provision of a 15mtr deep borehole into the existing permeable aquifer to allow reintroduction of site runoff water. This proposal conveniently ignores the design review panel's requirement where as Robert Offord Panel Manager clearly stated;

We understand that the design will be submitted for a 'light touch' BREEAM assessment to support its environmental credentials. We see scope for using the technology of the building such as rainwater harvesting as an inspiration for teaching about the conservation of energy and natural resources.

Rain water harvesting not only considers the re-use of rainwater within the design sustainability but this removes the strain on saturated aquifer and soil within the proposed site. However within the subsequent Design and Access Statement January 2014 13-062/150 (A) prepared by the Diocesan Architects this requirement is edited to remove this requirement and now states;

- Using the sustainable features of the building as a possible learning opportunity for teaching about the conservation of energy and natural resources.

It is evident that this is purposefully removed as the design consideration was given but within the floodrisk report the following is clearly stated within 3.6:

Rainwater Harvesting

Interception of rainfall run-off from the roof structure and attenuation within a tanked structure for use as a non-potable source of water was considered during the feasibility stage. However, its inclusion into the development design was deemed financially unviable due to the addition cost in providing a storage tank and separate distribution network within the new building.

Source control of rainwater run-off to roof areas was considered during the feasibility stage through the provision of green or brown roofs to the new building. Its inclusion into the development design was deemed to be financially unviable due to the additional load that the roof would impose on the main structural elements. Additionally, the school building is intended to be constructed from modular units, which do not lend themselves to the inclusion of green/brown roofs.

Additionally the design intent for the reintroduction of excess surface water into the lower lever chalk deposits at the proposed depth on 15mtrs is unsupported. Within the floodrisk report 2.21 it is clearly stated:

These characteristics confirm on site observations regarding surface water run-off from the site which suggest that in periods of intense or extended rainfall, the topsoil becomes quickly saturated as rainfall cannot soak into the low permeability Head deposits.

Furthermore the geotechnical bore hole samples were taken at a maximum depth of 3.5mtrs and as such no specific data at the proposed depth of 15mtrs is available this is again clearly stated within 2.23 as follows:

Ground Investigation data

A preliminary ground investigation for the site has been carried out, which incorporated the excavation of a number of trial pits across the site to a depth of 3.5m below ground level.

Furthermore under 2.25 it is clearly stated:

No infiltration testing within the Chalk strata has been carried out to date.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

This again does not comply with the requirements of the Flood assessment study requirements of the Environmental Agency.

The following is a clear requirement within the flood report:

2. The inclusion, where possible, of Sustainable Drainage Systems to restrict runoff to an appropriate discharge rate, maintain or improve the quality of the receiving watercourse, or to enhance biodiversity and amenity as appropriate;

The response is inadequate and states:

Soakaways and Infiltration direct to ground.

3.8 Disposal of rainfall run-off to soakaways is the primary form of surface water disposal from the site. As stated in the ground investigation section above, **the superficial Head deposits act as a very low permeability layer above the highly permeable Chalk bedrock deposits below. This has been observed at the site as the agricultural field becomes boggy following wet weather.**

3.9 The impermeable Head deposits make infiltration to ground possible only through the use of deep-bore soakaways. These will allow surface water to penetrate into the highly permeable Chalk strata at around 15m below ground level.

3.10 The deep-bore soakaway is expected to be constructed from a 2.4m diameter manhole placed at the head of a borehole sunk to approx. 15m below ground level (bgl). Surface water run-off will discharge into the Chalk strata from the borehole at an average rate of 12 litres/second **(the borehole dimensions are to be confirmed following measurement of the permeability of the Chalk at a range of depths during future ground investigation works).**

3.29 **Since there is an appreciable risk of contamination of the groundwater by vehicular traffic,** it is likely that a permit will be required for the installation of the soakaway from the Environment Agency.

In summary the conclusions within the report are clearly prepared for the benefit of the proposed school. The report does not clarify or satisfy concerns of flooding to existing adjacent properties, which may be exasperated by the development of the existing agricultural land: it is stated

4.5 **The hydraulic modeling has been developed using an assumed average infiltration rate into the Chalk strata. It is recommended that intrusive investigations are undertaken to confirm the infiltration rate prior to construction.**

4.6 **It is likely that the soakaways will require permitting from the Environment Agency prior to construction to demonstrate how the risk of contamination of groundwater will be adequately mitigated.**

Finally Within the Floodrisk assessment report commissioned from Robert West Consultants the Groundsure Geolinsight data provided states the following:

4.1 JBA Surface (Pluvial) Water Flooding

Surface Water (pluvial) flooding is defined as flooding caused by rainfall-generated overland flow before the runoff enters a watercourse or sewer. In such events, sewerage and drainage systems and surface watercourses may be entirely overwhelmed. Surface Water (pluvial) flooding will usually be a result of extreme rainfall events, though may also occur when lesser amounts of rain falls on land which has low permeability and/or is already saturated, frozen or developed. In such cases overland flow and 'ponding' in topographical depressions may occur.

What is the risk of pluvial flooding at the study site?

Significant

Proposed two form entry primary school – Land at Tunstall
Road, Tunstall (SW/14/153)

PART B

**OBJECTIONS RESEARCHED AND
WRITTEN BY PROTECT TUNSTALL
COMMITTEE MEMBERS**

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Protect Tunstall Community has deliberated for a long time about possible modifications which could ameliorate this planning application so that it would be acceptable but there are none.

We offer the following suggestions of alternative sites, not for Tunstall C.E. School necessarily, but for a 2 FE school,

1. The Adult Education Centre in College Rd after transference of the adult education to another site, as proposed before the closure of facilities at Phoenix House was defeated.
2. The site at Cryalls Lane which has been identified in the Local Plan for development.
3. Chilton Farm site currently identified for possible industrial use

Protect Tunstall would, if this planning application were rightfully defeated, wholeheartedly support the existing school in getting the facilities improved and seeking redress for the historic “lack of duty of care” demonstrated by KCC by encouraging enlargement almost beyond capacity and focussing on a quick “mobile intensive” solution to meeting the need for additional primary places within Swale.

This plan is a sorry indictment of KEC’s lack of organisational planning and KCC’s and the Diocese’s belief that “might is right” despite a comprehensive adopted Local Plan.

It is significant to note that the Basic Need funding was granted to a Tunstall School of ME9 8DX for expansion. The funding will not be used for the applied purpose. The school on that site will be closed and the pupils absorbed into a new, larger South Sittingbourne school site at ME10 1YQ.

There was no application for funding for a school at ME10 1YQ. (see Appendix 1)

As a footnote, Protect Tunstall Community wish to thank KCC for the fact that their ridiculous and horrendous planning proposal and application has brought residents together in forceful opposition. Despite the absence and lack of local council representation in the form of Alan and Jean Willicombe, our unsuccessful attempts to meet with Roger Truelove, our KCC councillor, complete lack of information sharing from or with the Parochial Church Council and the linear nature of our village, we are now a single, active voice. Localism has been born in Tunstall !

Proposed two form entry primary school – Land at Tunstall
Road, Tunstall (SW/14/153)

Objections related to land use and the
Local Plan

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

We wish to object to the planning application to enlarge and resite Tunstall School onto the proposed site in Tunstall Rd on the grounds of predetermination and prematurity and the fact that the site is totally unsuitable for this proposal.

- KCC's ownership of this piece of land is the only driver of this application. In all aspects of the process KCC has acted in a way which indicates predetermination that this site will be used, irrespective of the obvious disadvantages of that site.
- Through their own inadequacies KCC has returned several plots of land close to educational need areas and originally allocated for the building of a school, to the builders, for use in building more houses and this lack of foresight and a clear planning strategy for "securing educational improvement" is exacerbating the need for additional school places in Sittingbourne.
- The educational case for a new school in **Sittingbourne** has been fully made.
- The need for one and maybe more new schools in Sittingbourne is justified but on, Tunstall educational need, i.e the need for school places to meet the need of the rural population of Tunstall, can never be justified by the number of those domicile within the village actually attending the school. Indeed, the school's admission criteria motivate against this. The current school is not and has not technically been full (Ofsted 2003,2007, 2011, FOI information as in Appendix 1 and therefore substantiates our argument of lack of educational need in Tunstall.
- The educational need for enlargement and re-siting of Tunstall School per se ,onto the suggested site is not, on the evidence presented, justified.
- To further support our statement that this is an inappropriate planning application we offer this evidence
 - a) The current school could be relocated and enlarged to any site within Swale Borough and the school's admission criteria could be met. Tunstall School's admission criteria penalises those living nearest to the school so the location of the school is irrelevant to geographic location as attendance at **any** church meets the criteria.
 - b) Appendix 1 indicates that the need for additional places is not in the postcodes nearest to Tunstall but elsewhere as pupils being unable to find places in schools nearer to their home travel to this school.
 - c) The initial Strategy proposal cited three possibilities. It is not possible, at this stage, to verify that non predetermined feasibility studies were carried out for all sites
 - d) The statement that this relocation and enlargement was supported by governors, parents and staff is not verified by the responses to the consultation document where only 5 out of a possible 16 governors, 56 out of a possible 400+ parents, and 14 out of a possible 32 staff (including ancillary staff) agreed with the proposal.
 - e) The decision of the Educational Cabinet to confirm this proposal was based upon predetermination as they were presented with and accepted without demur, some inaccurate information which they should, if in a different frame of mind, challenged.
 - f) Diocesan representative Mr Q Roper gave inaccurate information to the committee when he declared that Ofsted had judged the accommodation unsatisfactory and implied, through the use of this phrase, that this meant premises. This is totally untrue. Ofsted have never had the remit to make this judgement. The 2003 Ofsted report indicates that the **provision** was unsatisfactory. The 2007 Ofsted inspection agreed that required improvements in **provision** had been made.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

- g) Marisa White gave inaccurate information to the committee when asked about the consideration of alternative sites. She cited a Highways objection as a prime reason why this site was considered unsuitable. FOI requests reveal that no traffic survey was carried out for the site in question and there is no recorded evidence of any Highways paperwork in relation to this site. The site at Fulston Manor Playing Fields may have been mentioned and casually considered but there is no documentary evidence available which indicates that it had not been fully evaluated as a possible site but it was rejected by the Diocese.
- h) An application to government was made for the expansion of Tunstall School. There was no mention in the application that this would be a new school on a different site. In that case funds would not have been granted in anticipation of planning permission but only after planning permission had been granted.

We vehemently object to this planning application because it breaks the most important rule that developments should be within the framework of the Local Plan and noted there.

- The educational need for a new school in Sittingbourne may have been successfully argued but, for this school, on this site, the planning application must be refused as the proposed site is currently outside the built up confines of Sittingbourne, as shown on the adopted Local Plan. Government planning guidance and appeal decisions bear testimony to this approach. The National Planning Framework indicates that in reaching their decisions, local authorities must take into account relevant objections by local residents particularly if they are based genuine land-use planning concerns .
- There is, in our view, no compelling urgency in planning terms, for the major development proposed. There is a political desire from the Education Authority to attend to a school demand/suitability issue within Sittingbourne and an opportunity presents itself by virtue of KCC being in ownership of this particular site.
- The planning application is “optimistic” by virtue of KCC being in receipt of Government funding to support this proposal despite KCC not having secured the benefit of planning permission for the Tunstall site in advance of seeking funds. Thus it is important for them to demonstrate deliverability within a reasonable time frame.
- Policy E6 of the Local Plan - The Countryside states “The quality, character and amenity value of the wider countryside of the Borough which is all the land falling outside of the built up area boundaries , as defined on the Proposals Map Insets will be protected and where possible enhanced. Development proposals will only be permitted when (note 3) “it provides a service that enables existing rural communities to meet their essential needs locally” or (note9) “it is a site allocated in the Local Plan.”
- Tunstall is contained within this Proposals Map Insets. An Important Local Countryside Gap is identified around Tunstall. The current KCC planning application for the enlarging and relocating of Tunstall School falls within the protected countryside gap. Thus this application is totally outside of the agreed Local Plan and is a “departure” from the approved development plan.
- Policy E6 does not give carte blanche for general development in the defined countryside. If it were essential to provide a rural school then Policy E6 (3) would be applicable , provided that it could be clearly argued to be essential. No such argument can be made for this application to re-site and enlarge Tunstall School. The chart in Appendix 1 confirms that the

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

majority of the growing school role originates not from within Tunstall but from within the town of Sittingbourne and/or north of the A2. Notes of a meeting on between DHA transport and KCC on Nov 20th 2013 confirm that KCC's expectation is that future pupils will come from even further afield than currently. From this information it is absolutely clear that the current school could be relocated and enlarged to any site within Swale Borough and the school's admission criteria could be met as nearness to the school has been a very low priority for this school, coming as it does , 9th in order of consideration.

- In planning terms, the proposed site should be taken into account by the Local Authority as part of a wider review of "securing educational improvement" in the area where need and available sites are considered in tandem. KCC should be reviewing all possible sites for potential educational facilities and not only those which it owns.
- Being an Education Authority does not absolve KCC from having to follow the clear and necessary planning processes so as to give certainty to the community about what is being proposed to be developed why, where and when. KCC is subverting the proper plan making review process which should review the town's needs, not just Tunstall's, and identify where future educational facilities are most appropriately located. We would suggest that this would be near or within the new housing developments where some allocated school sites have already been returned to the builder as "not required" despite the fact that they were largely free from monetary obligation.
-
- Whilst "schools" may be acceptable within the countryside gap, as set out in paragraph 3.23, in this case it can be argued that the scale of the proposed and any future school expansion (bearing in mind KCC's current policy of extending existing 2 form entry schools to 3 form entry) would compromise the intentions of Policy E6 overall.
-
- The meeting of the Local Planning Framework Group on 20th Feb 2014 decided that, for the review Plan and any subsequent local plans, "schools" should be deleted from the forms of development which would not be discouraged. This decision reflects the current mind set in respect to "schools" being able to invade the countryside gap and indicates that this is no longer acceptable.
- What KCC is doing is promoting piece-meal development in the countryside contrary to the intentions of policy E6 , as set out in 3.20 of the adopted Local Plan.
- The development is "premature" in that it has not been subjected to the rigours of the review local plan making process. In addition the application constitutes a "departure" to the adopted development plan and, irrespective of whether Swale Borough Council or KCC are the determining authority, if there is a political decision, as it seems to indicate that there is, to approve such an application there will be a requirement to advertise the intention and refer the matter to the Secretary of State before any decision notice can be issued. This process is legally binding on the determining authority. Although the Secretary of State may decide to allow the development, early enquiries by a planning lawyer, acting on behalf of Protect Tunstall, reveal that, where there is a degree of public objection, it would be possible to apply for a " call in" and this would put back any ultimate decision. We have the will to take this course of action.

Proposed two form entry primary school – Land at Tunstall
Road, Tunstall (SW/14/153)

Objections related to the school access

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

We wish to object to the above application on the following grounds concerning the access to the site:-

- The proposed new entrance is on an “S” bend section of Tunstall Road giving very limited vehicle visibility at this point. This is a dangerous position to build a school entrance.
 - Turning right across traffic on an “S” bend position will cause congestion and danger. When traffic wants to enter the school from the Tunstall Village end and leave the school to return to Woodstock Road they will have to turn right across oncoming traffic at this entrance point.
1. Traffic congestion at the new proposed entrance/exit. The congestion that takes place at this proposed entrance point will be compounded by the build back of traffic from the give way point on Tunstall Road at Cranbrook Drive and bottom pond. Any traffic build back will not only happen on Tunstall Road but impact in the school grounds causing a traffic grid lock. This all in an area where the road is only 6.4 mtrs wide at the new proposed entrance/exit and then narrowing to 4.9mtrs some 30 mtrs towards the Cranbrook Drive junction (on the crown of the bend coming out of the “S” bend). (Ref Appendix 3 photos of congestion)
- It is noted that there is a plan to provide 2 pedestrian crossings. The first just at the point of entry into the “S” bend from Woodstock Road and the second positioned between the planned school entrance and Cranbrook Drive, adjacent to Bottom Pond. These crossings will both have limited views along Tunstall Road to allow safe crossing of both. In fact children and parents will be put in danger when you are trying to encourage more children to walk to school.
 - At position 3.4.1 of the DHA Transport Statement it clearly states that “73 spaces will be designed for the use of parents when picking up and dropping off children”. These pick up & drop off points are for parking at 90° to the site through road. Under government parking standards (http://www.planningni.gov.uk/index/policy/supplementary_guidance/spg_other/parking-standards.pdf) Class D1 for Primary Schools it clearly states that pick up and drop off points can only be used “all without engaging reverse gear”. In the layout plan application there is no possibility that the use of reverse gear can be avoided. The main point of this requirement is to prevent cars picking up and dropping off children reversing across the site through road which children and parents will be using to get to and from the school. The KCC Parking Standards ([https://shareweb.kent.gov.uk/Documents/community-and-living/Regeneration/kmsp-spg4-pre-print%20\(2\).pdf](https://shareweb.kent.gov.uk/Documents/community-and-living/Regeneration/kmsp-spg4-pre-print%20(2).pdf)) for Class D1 is less defined. It only states that “Appropriate provision should be made for the setting down and picking up of children in a safe environment”. I have to assume this “safe environment” is covered by the Government standard of no use of reverse gear. Hence this proposal of pick up & drop off is flawed and unsafe.
 - The provision of a greater number of parking spaces than is normally allocated confirms that the expected % of pupils travelling to school by car, whether with one or two children in the car, is expected to be above the average for most schools of 52% of pupil. Currently 83.7% travel by car and this is expected to increase as parents will travel from further afield. (See notes of DHA transport meeting with KCC representative)
 - How can the emergency services have guaranteed access to the site at all times? With the probable congestion around the school entrance and crossing points adjacent to this entrance emergency access will be restricted and at peak times (08.00-0.900 & 15.00-16.00 hrs) it may be

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

impossible to pass existing queuing traffic. None of this takes account of the increase in numbers by the school service traffic, catering and ancillary staff.

- Congestion build back will be more substantial than it already is from the give way point on Tunstall Road adjacent to Cranbrook Drive. This will impact on the congestion already at the new proposed school entrance/exit. This combined with the proposed second crossing will create a congested and dangerous location for a school entrance/exit.
- There is public access to a walkway running adjacent to the school access. This well-trodden route is regularly used by dog walkers at all times of the day. This adds a further dimension to the quality of visibility along the road whether turning into the school access or emerging from it. Particular care is needed to avoid accidents involving those emerging from the pathway.
- The above facts & figures clearly show that this is not a safe or viable relocation point for the new school and more consideration should be given to option 2 in the original Strategy Plan for permanent teaching accommodation or maybe another more suitable site.

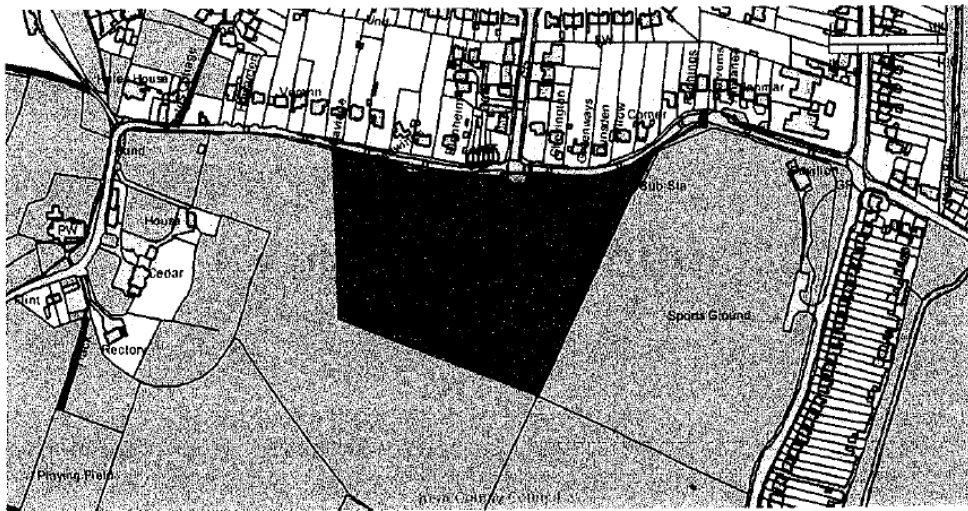
Proposed two form entry primary school – Land at Tunstall
Road, Tunstall (SW/14/153)

Objections related to the traffic congestion

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Objection based on traffic implications for Tunstall Village if the Proposed School goes ahead

Tunstall Road winds through the village of Tunstall and the proposed site is at a point where it broadly runs east to west as shown on the map below that forms part of the application. The road is narrow for its entire length and has several pinch points where traffic priorities exist, as well as traffic calming measures from near Coffin Pond to the junction with Woodstock Road. This area has a 20mph speed limit.



Tunstall Road is a well-used short cut or “Rat Run” used by motorists seeking to avoid Sittingbourne Town Centre when heading to and from the M2, M20, A2, A249 and A20. This greatly increases the traffic during the peak times. The continuing expansion of the Kent Science Park is steadily worsening the situation. Also, HGVs and LGVs of all sizes and nationalities habitually ignore their satellite navigation and travel the B2163 through the villages of Hollingbourne, Bredgar and Tunstall in order to either bypass the town or seek out the industrial areas. The bulk of this traffic passes through the village at the peak times between 07:30 and 09:30, and 15:30 and 18:30 hours. The following recent photographs (contained in Appendix 3) taken around 08:15 hours showing the impact on the village.

Clearly the peak times for commuters, vans and lorries largely coincides with the school run.

There are presently 210 pupils and 31 staff at the existing school. The KCC Transport Statement alleges that this accounts for 361 vehicle trips in the morning, and 355 in the afternoon. This figure has been created without KCC having conducted an actual traffic survey so we are unsure how this desktop exercise will have been carried out – possibly a parent survey? Undoubtedly it is inaccurate.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

The parish council has gone to the trouble of commissioning a traffic survey, and this shows that 4,803 journeys took place over the week long survey in the “peak” times between 08:00 and 09:00 and 15:00 to 16:00. It is accepted that some of these journeys in the morning slot will be commuters (although generally those heading for the motorways will precede this time); however the vast majority of the afternoon slot will be parents driving to and from the existing school.

The KCC Traffic Statement guesses that the number of HGV and LGV traffic movements was 1 in the 08:00-09:00 period and 2 in the 15:00 -16:00 period. Anybody living on Tunstall Road knows this to be incorrect as is shown in the figures below. There were 59 large vehicles in these time slots during the week long survey. It only takes one HGV to cause havoc, with tailbacks reaching the staggered crossroad junction at the eastern end and Hearts Delight Road at the western end of the village.

Tunstall Road is extremely dangerous at these peak times, due to various factors:

- It is a very narrow and winding country lane
- Lack of driver respect when expected to give way at priority pinch points
- Lack of adherence to the 20mph limit. Common for drivers to be overtaken whilst observing these limits.
- Aggressive and forceful driving – with little or no respect for other road users
- “Rat Run” short cut for vehicles of all sizes

The following is a summary of the figures produced by the survey.
The peak time traffic represents 26% of the total daily volume

**Traffic Survey - Tunstall Road Tuesday 14th January
00.00 hrs to Monday 21st January 23.59 hrs (5 day week)**

No of Vehicle Trips - 5 day week traffic survey numbers in the period of 08.00 - 09.00 hrs & 15.00 & 16.00 Hrs.

Day	Vehicle Class							
	Cars & LGV's - Classes 1-3				HGV's - Classes 5-11			
	Westbound		Eastbound		Westbound		Eastbound	
	08.00 -09.00	15.00- 16.00	08.00 -09.00	15.00-16.00	08.00 -09.00	15.00 1600	08.00 -09.00	15.00 -1600
Tuesday	305	137	291	174	3	3	5	0
Wednesday	296	176	291	194	3	3	2	4
Thursday	313	167	296	194	3	3	4	3
Friday	266	193	276	217	6	1	3	2
Monday	307	173	285	193	2	2	6	1
Total for week:	1487	846	1439	972	17	12	20	10

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Total Vehicles without Class Type

	Westbound		Eastbound	
	08.00-09.00	15.00-16.00	08.00-09.00	15.00-16.00
Tuesday	308	140	296	174
Wednesday	299	179	293	198
Thursday	316	170	300	197
Friday	272	194	279	219
Monday	309	175	291	194
Week Total	1504	858	1459	982
Average =	300.8	171.6	291.8	196.4

Total Vehicle Trips Westbound/Week at peak times.	2362
Total Vehicle Trips Eastbound/Week at peak times.	2441
Weekly Total Vehicle Trips on Peak Periods as above:	4803

Total vehicle trips 7 days/week.

Westbound	11312	
Eastbound	10613	
	21925	Total Vehicle Trips along Tunstall Road

Percentage of peak period traffic versus total:	22 %
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Total vehicle trips 5 days/week -Monday to Friday

Westbound	9506	
Eastbound	8786	
	18292	Total Vehicle Trips along Tunstall Road

Percentage of peak period traffic versus total:	26 %
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The KCC Transport Statement admits that some 83% of current parents drive their children to school. It speculates that this will reduce to 52% if the new school goes ahead on the basis that the proposed location is nearer areas where young children actually live, enabling more pupils to walk. This is nonsensical, and wholly ignores the fact that very few of the current Tunstall schoolchildren live anywhere near the school. This will continue to be the case as the parish has very families with young children. Furthermore it ignores the fact that the proposal is to double the number of children. The traffic volumes will increase, as will the parking problems, driver aggression and regular “near misses”.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

The proposed entrance to the school is located on a dangerous bend, close to the peak time chaotic staggered crossroads where Tunstall, Woodstock, Cromers and Ruins Barn Roads meet. During the peak school run time this entrance will become severely congested with tailbacks of traffic in both directions. Because of the proposed pupil numbers the car park spaces and the in/out route will quickly fill up, causing parents to stop their vehicles on Tunstall Road and Cranbrook Drive. Some parents will park further away on Woodstock Road, Sterling Road, Park Drive and Chegworth Gardens adding extra congestion to the vicinity. **The school's proposal, in the Travel Plan, to introduce a staggered end of Key Stage finishing time is a ludicrous miscalculation of traffic origination and a complete lack of understanding of the nature of the intended purpose of this school. It is meant as a "catch all" school to provide for places for children across – to quote Alun Millard (see Appendix 2) a wider catchment area than currently, Parents with a younger and an older child at the school will "park up" in the school and wait for the end of the day time for the older child. Total congestion of the parking area, the "drop off area" and Tunstall Rd will result.**

Two crossing points have been proposed – both are in dangerous situations with driveways and junctions, and too close to the crossroads. Crossing these when the road is subjected to serious tailbacks in both directions would create unacceptable risk to children and parents both walking and cycling. The photo below shows a standard peak time traffic jam at the proposed entrance and crossing points. (see Appendix 4)

Because of the above mentioned problems it only takes a few vehicles to create a traffic blockage and gridlock. Increasing the school size will undoubtedly raise the level of the problem to critical. An accident will happen, and the fatuous suggestion in the Transport Statement that there have been no serious accidents in the area serves no useful purpose. Surely the Highways Local Planning should be based on ZERO ACCIDENTS as a norm and not a target.

With reference to the Transport Statement attached to the Planning Application, we would comment that as Alun Millard KCC requested (ref meeting 20th Nov minute s p.3 Appendix 2) "some sort of analysis of traffic movements and parking demands, to be included in the T.S." – some sort of analysis is what KCC got! Not related to the conditions existing at the site specifically, but "some sort of analysis"! The sort which one generates from a desk top scenario simulation and which has no relationship to the on -the -ground situation concerning roads, traffic flow, speed or parking. Therefore all of the statements and predictions about everything, including visibility for children crossing the road and cars accessing the school site are widely "off the mark". This fact is supported by the evidence that these predictions are based upon traffic travelling at 20 mph in a calmed zone but that the actual average speed along this road is 32.7 mph(Parish Council Traffic Survey) and there is evidence of cars travelling at over 40 mph shows that the calculations are 50% under-estimated. This further evidences that the political expedient has over-ridden the value of children's lives. Shame on you, KCC!

None of the contradictory conclusions in section 6.3 of the Transport Statement make coherent reading, none are valid. This is such a fiction of a statement that it needs no further discussion.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Appendix 4B

Manual traffic count carried out on Friday 17th January 2014 (School Day) at the junction of 4 roads specified below.

Vehicles including lorries and motor bikes but excluding pedal cyclists arriving at the junction of Woodstock Rd, Cromers Rd, Ruins Barn Rd and Tunstall Rd which is about 60 metres from the school site.

	8.18-8.25 a.m.	8.25 – 8.35 a.m.
Duration	7 minutes	10 minutes
From the Sittingbourne direction up Woodstock Rd	97 vehicles	147 vehicles
From the Tunstall School direction up Tunstall Rd	72 vehicles	95 vehicles
Down Tunstall Rd towards the current school	59 vehicles	103 vehicles
From Highsted Valley up Cromers Rd	64 vehicles	90 vehicles
Total traffic arriving at the junction from 3 roads	292 vehicles	435 vehicles

IT WAS NOT POSSIBLE TO ADD A TRAFFIC COUNT OF THE NUMBER OF VEHICLES TRAVELLING DOWN RUINS BARN ROAD TO THE JUNCTION BECAUSE THE VOLUME WAS TOO GREAT OVERALL

Proposed two form entry primary school – Land at Tunstall
Road, Tunstall (SW/14/153)

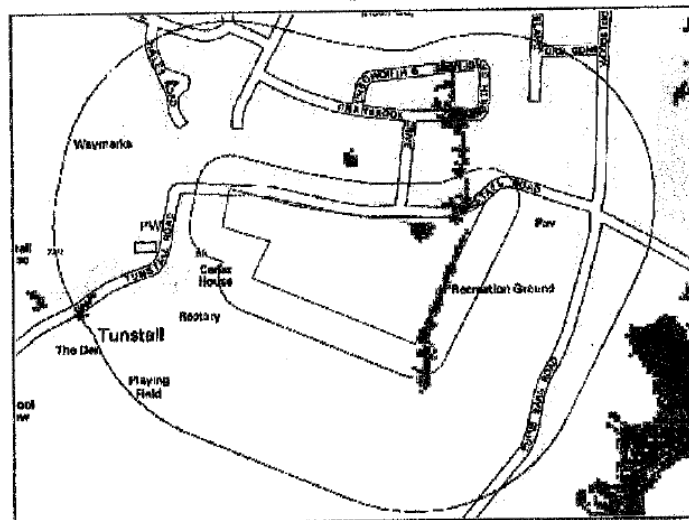
Objections related to flooding

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

We object to this planning application on the grounds that, according to the National Planning Framework, there is insufficient evidence that KCC has completed all the necessary investigations prior to applying for planning permission e.g. complying with the needs of the Environment Agency. Ensuring that a full site-specific investigation has not been enforced because the funding has been obtained on the grounds of expansion of the existing school rather than as a new school on a new “untested” site so it is not on the Environment Agency for checking that this has been done.

Objections on Pluvial Flooding are based on statements and diagrams from the Flood Risk and Drainage Strategy Report, Robert West Flood Risk Assessment and the National Planning Policy Framework.

- The Flood Risk document, as supplied, does not include an Environment Agency assessment of flooding risk. A site-specific flood risk assessment is required for proposals of 1 hectare or greater in size within Flood Risk Zone 1. Tunstall is within Flood Zone 1.
- The Sequential Test advised by the Environment Agency is to steer new developments to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. We are not confident that the option for reasonably available sites has been satisfactorily explored.
- The map below demonstrates the current flow of water from the area of the proposed site to Chegworth Gardens (Hot Spot 15) and beyond. It gives credence to the objections, on the ground of flooding, raised by current and former Chegworth Garden residents. (See Appendix 5 e-mail from Mr A. Willicombe former resident of 63 Chegworth Gardens (who experienced flooding inside his house) and current local councillor for Woodstock Ward. Photographs in Appendix 6 clearly illustrate this.



This means that the areas listed in the hotspots (marked in red) would be at more risk to flooding from surface water and this is not acceptable.

- The pluvial flood map identifies that the proposed entrance is within the Significant (higher than high) risk areas i.e. the area around Bottom Pond which is near to one of the proposed pedestrian entrances.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

- Robert West's Flood Risk document mentions a "significant risk of surface water flooding and indicates the site is within a flooding hotspot 2.11 & 2.12 also indicating that overland flow passing through the development site exacerbates the problem.
- The Flood Risk Assessment uses standard modelling techniques and recommends that "intrusive investigations are taken to confirm the infiltration rate, prior to construction". Given the unknown nature of the chalk below, the modelling assumptions may prove to be incorrect and therefore the potential for surface water flooding would be increased. **Given potential change in rainfall patterns exhibited in the last 2 years, it would be essential to understand the geology and permeability situation accurately, prior to the determination of this planning application** and not simply be made a condition on the grant of a permission which would only require the investigations to be undertaken post approval.
- 3.5-3.7. states that two of the three options for collecting rainwater runoff are "financially unviable" yet the use of water butts will not suffice as 3.8 seems to confirm "this has been observed at the site as the agricultural field becomes boggy following wet weather".
- Reports state that run off from high water tables and paved areas runs into the roads and drops into the sewer but often the sewage is slow moving so that where water is running quicker than the sewage overspill of sewage into the road occurs. There is a strong possibility that this could be the result of building on this site.
- "Significant soluble rocks are present. There is a low possibility of subsidence occurring naturally, but may be possible in adverse conditions such as high surface or subsurface water flow. Consideration should be given to the implications for stability when changes to drainage or new construction are planned. For new build-site investigation the applicant should consider potential dissolution problems on site and its surroundings. Care should be taken with local drainage into the bedrock." (Robert West report) There has not been any infiltration testing within the chalk strata to check whether there is some possibility of groundwater pollution or not.
- 3.29 Since there is an appreciable risk of contamination of the groundwater by vehicular traffic, it is likely that a permit from the Environment Agency will be required for the installation of the soak away. **This approval needs to be obtained prior to the plans being agreed.**
- **There are too many unanswered questions relating to this report, with either desk based or computer modelled reports, or further investigative works needed. Nothing in the Robert West report confirms that this site is deliverable, in fact, it's quite the opposite.** Due to the site's topography, it is more likely that residents will experience a greater risk, after the land will have been significantly altered to accommodate the play areas.
- The site is identified as having collapsible deposits. Thought should also be given to the fact that although soak aways are a preferred method of getting rid of surplus water, this should be avoided in areas where moderate collapsible deposits are identified as sink holes may result. Deep bore soakaways are suggested for this site.

Proposed two form entry primary school – Land at Tunstall
Road, Tunstall (SW/14/153)

Objections related to the landscape

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

We wish to object to the planning application on the grounds of the adverse impact of the Building, on the Landscape, and the resulting Visual Intrusion

Swale Local Plan 2008, Policy 2.57 states "The design of buildings is fundamental to the character of the countryside and rural communities." Tunstall has a strongly rural area and character. We feel that KCC have paid too little attention to the provisions of the Local Plan as they assume that political will sweeps all before it and have, therefore, failed to consult the public in general and local residents in particular through inclusion of this site under the expected Local Plan process.

- Despite the claim that this is not a conservation area. It is in close proximity to the boundary of the conservation area and has already been put forward for inclusion within the conservation area as it is a "separation of settlements" gap.
- The proposed design, scale and materials to be used for the new school is incompatible with the distinctive characteristics of the village and is too dominant for the location. So, taking in mind the above policy, our decision is that, if the school of the proposed nature is built, this would not be in keeping with its surroundings.
- The height of the proposed school building should be appropriate with the location and character of the landscape. The high visual impact of the currently proposed building is intrusive because the site already sits above the adjoining road. It is much more pronounced than any of the previous layout proposals. The current plan shows the building with the full length of the building facing Tunstall Rd and thus gives the most visual impact of any particular layout. This building, being 18.3 metres above Tunstall Rd, will tower over all the buildings to the lower end of Tunstall Rd and create a loss of outlook. The alignment of car parking with Tunstall Rd will look like a supermarket car park and will certainly be out of keeping with the area.
- The site is currently surrounded by hedgerow and mature trees which give restrictive views across the site. The requirements within the proposed plan indicates that a large number of trees and hedgerow would need to be removed creating an, albeit temporary, desert devoid of greenery until seedling trees become mature 10-15 years. The lack of trees and hedgerow during this lengthy period will heighten school noise and excessive light from the school.
- The noise survey is a pointless piece of work, except that it indicates that a survey was carried out.
The problem of noise generation is not that which would be generated by the school but by the dramatic impact of traffic.
- Light pollution, in this instance, will impact upon houses in the locality as the school will need to be lit from 5.30 a.m. until late in the evening. The height of the building above the road and in comparison to houses on that lower ground will increase the impact of light pollution
- This application should be rejected as it is not appropriate to the general landscape. It should be remembered that this site is designated as a countryside gap and as such should be protected to maintain "the preservation of the separateness of the settlement" and to stop the urbanisation of the countryside. Under the Localism Act the views of the local residents should be taken fully into account.

Appendices

Appendix 1 Pupil postal codes and first choice data

Appendix 2 Minutes of DHA Transport Meeting

Appendix 3 Photos illustrating concerns over access

Appendix 4 Photos illustrating concerns about traffic

Appendix 5 Letter from Alan Willicombe

Appendix 6 Photos illustrating concerns about flooding

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Appendix 1

This is confirmed by the fact that most of the pupils attending Tunstall School are domicile more than 2 miles away from the school, as the table below shows . The school's postcode is ME9 8DX

Post code area	No of pupils
ME10 1	45
ME10 2	22
ME10 3	7
ME10 4	65
ME10 5	13
ME9 0	18
ME9 7	2
ME9 8	33
ME 9 9	2
ME14 2	1
ME20 7	1
Total	209

This indicates that the need for additional places is not in the postcodes nearest to Tunstall but elsewhere as pupils being unable to find places nearer to their home travel to this school.

The school has a capacity of 210 pupils and has not been full in Ofsted inspections in 2003,2007, 2011 nor this year.

NB The following are the numbers of Reception pupils putting Tunstall C.E. School as their first preference.

The school currently can admit 30 Reception pupils.

First choice Tunstall C.E. School

2010 - 22 Reception pupils

2011 – 25 Reception pupils

2012 – 29 Reception pupils

Other rural village schools with smaller PAN had more first choice applicants .

No evidence that 96 pupils, as claimed, chose this school over others in the area.

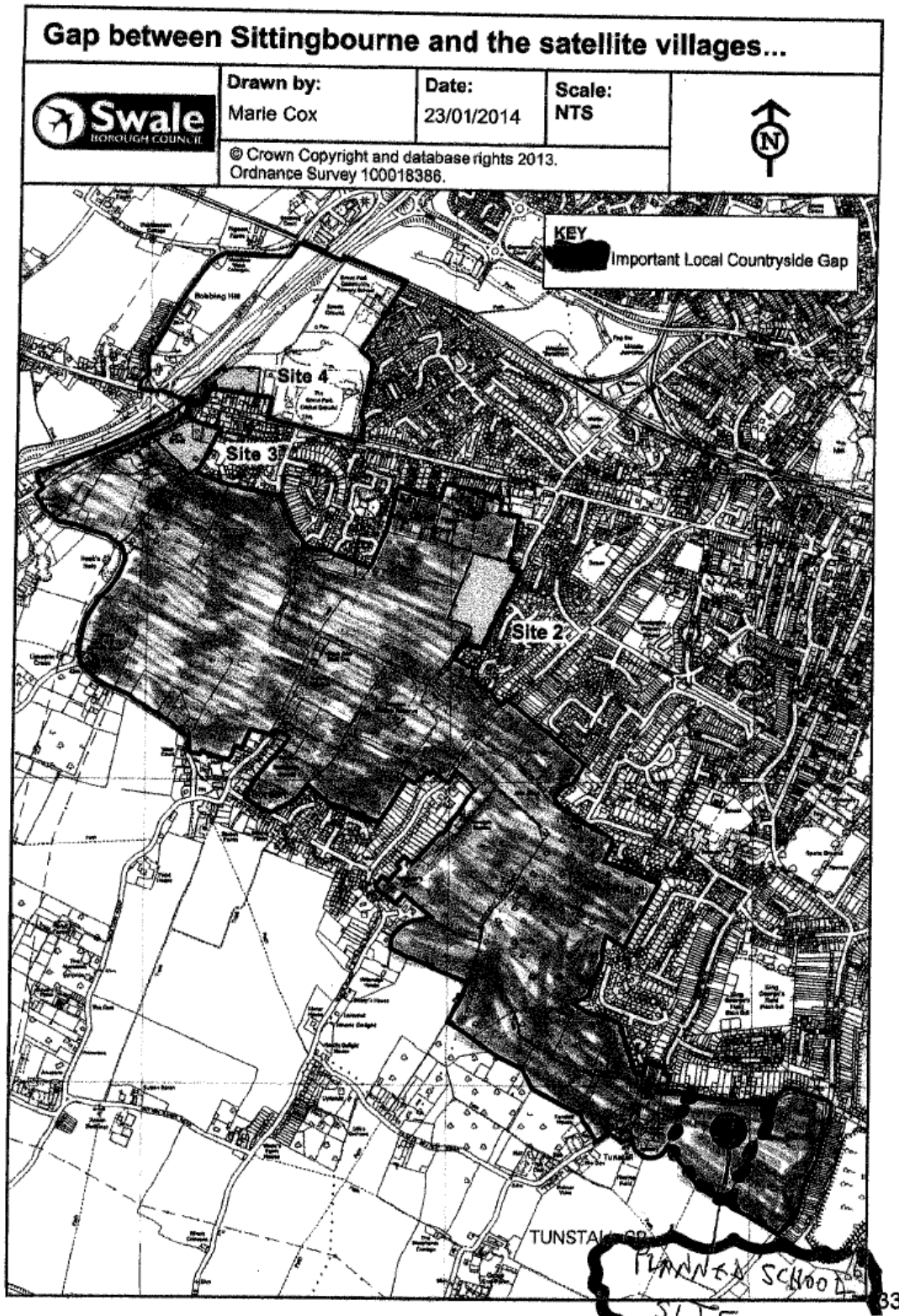
Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Targeted Basic Need Programme: Local Authority Report Template

Project Core Information

Local Authority:		Kent County County	
Institution Name	Tunstall CofE Primary		<i>Guidance: This information should not change unless you inform us. Add more columns as needed.</i>
URN	118735		<i>Registered name of school or academy that corresponds with Unique Reference Number</i>
Sponsor (if a new school)	Not Applicable		<i>Unique Reference Number</i>
Project Type (New or Expansion)	expansion		
Phase			
Institution Type	primary		
Local Authority	Kent		
Post code	ME9 8DX		<i>Post code of school / academy main site</i>
Total TBNP funding allocated	£1,946,501		<i>Sum for each project</i>
Total Estimated Cost	4,818,000		<i>Sum for each project</i>
Month and Year to open	Sep-15		<i>As planned</i>
Number of new planned places	210		<i>As planned</i>
Report completed by:	James Sanderson		<i>Name of person compiling report</i>
Report cleared by:	Rebecca Spore		<i>Name of senior staff confirming accuracy</i>
Date submitted:	29-Nov-13		<i>Date on which you completed and sent this report</i>

Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)



Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Appendix 2

MINUTES OF MEETING

PROJECT Tunstall Church of England Primary School	REF NO. JL/HS/T0320
SUBJECT OF MEETING Tunstall CEP	MEETING NO.
DATE OF MEETING 20 th November 2013	TIME OF MEETING 4pm
VENUE KCC Highways and Transportation Ashford	RECORDED BY Jason Lewis
PRESENT Jason Lewis - DHA Transport Alun Millard - KCC Highways and Transportation	

APOLOGIES

DISTRIBUTION

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

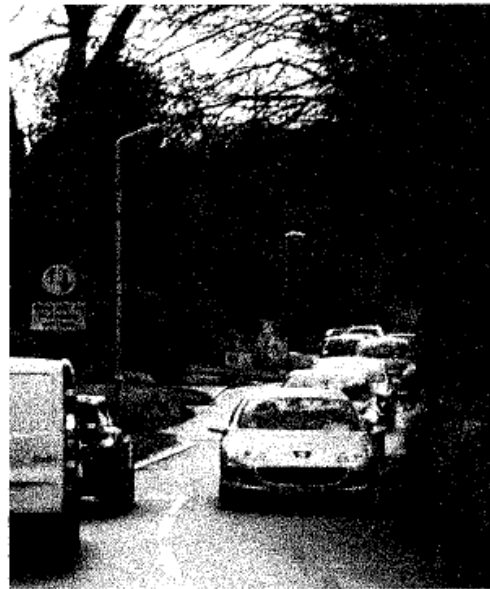
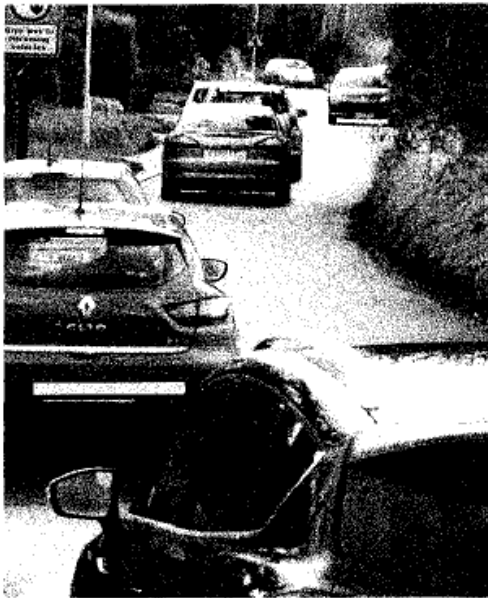
ITEM		ACTION
JL	Gave overview of current draft proposal plans.	
AM	Noted that access is one of the most important issues together with parking. He noted that Tunstall school enjoys a good level of popularity and because of this it was his view that the catchment area may be wider than that shown on the Tunstall CEP catchment plan presented at the meeting. Requested that a new plan be provided showing a wider area and any catchment beyond the current plan area.	Tunstall CEP
	Discussion undertaken on existing mode share of 83.7% of children driven to school and the reasons for this.	
JL	Asserted that the parents at the consultation in the main are very concerned over the width of the walking route and the inherent dangers associated with Tunstall Rd and its narrow width, and the potential for conflict with van wing mirrors etc. Likelihood that this is one of the main reasons for the current very high vehicle mode share.	
JL	Tabled analysis of other schools within similar locations on the edge of urban envelopes and that the average mode share for the collection of schools shown in the Draft Transport Statement is 52%.	
AM	Reviewed the list and noted that he possibly would not agree with some of the schools as examples.	
JL	Noted that the list presents a broad range and does show those schools located on the edge of urban areas as oppose to within a large housing estate, for instance. AM to review list once emailed to him by JL, and to come up with any other sites that he would deem as suitable comparisons.	AM
JL	Set out the proposal to implement two pedestrian crossing points via speed tables, and linking these with new sections of footway east and west linking to the Ruins Barn Road junction and Cranbrook Drive.	
AM	Raised some concern over the type of calming being proposed here and would like to discuss with transport colleagues in KCC acceptability of tables.	AM
JL	Noted that existing traffic calming scheme is a mixture of chicanes, speed cushions and speed humps and therefore there should not be a significant issue in introducing tables into the scheme.	
	Discussion undertaken on parking.	
JL	Noted the current parking scheme for 90 spaces, split approximately 36/40 spaces for staff and the remainder for pick up and drop off. Noted that this far exceeds the requirement set out in KMSPPG4 parking standards.	
AM	Commented that it was his view in similar situations that a one form entry school would generate parking for 35 vehicles (pick up and drop off).	
JL	Noted his site visit at the village hall car park for Tunstall School movements and similar number of movements for the existing one form	

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

ITEM		ACTION
	entry. Reiterated that at the present time the school only has 5 car parking spaces and that any other provision in the church car park or the village hall car park is by good will and is not a permanent commitment.	
AM	Requested that JL carry out some sort of analysis of vehicle movements and parking demands, to be included in the T.S.	JL
	Discussion on potential parking overspill impact.	
JL	Noted that it is unlikely that parents would park on Tunstall Rd.	
AM	Stated that some sort of parking control measure may be required in order to keep Tunstall Rd clear of any parent traffic.	
JL	Requested more guidance on this from AM,	
AM	Noted that he may need to discuss the potential for enforcement with Swale Borough Council parking control, in order that they are happy that they would enforce parking in this location.	
JL	Set out the possibility of a fund to be retained by the council that can be used to implement other parking controls, for instance on Cranbrook Drive should there be a situation once the school is at capacity (forecast for the year 2022) where this money could be drawn down and a T.R.O and parking restrictions applied on streets in accordance with residents wishes.	
AM	Requested information about how much space might be available within the pick up and drop off parking aisle loop, which he saw as having some capacity to allow for quick pick up and drop off movements at good queue and wait facility.	JL
JL	Closed meeting and requested the above actions to be completed as soon as possible so that these issues can be covered off prior to planning submission in mid December.	
	MEETING ENDED	5.10pm

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Appendix 3



Views from give way restriction at the upper end of Tunstall Road towards Pond Cottages

Item D1

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)



The location of the proposed school entrance

View from Cranbrook Drive eastbound towards new school entrance/exit

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Appendix 4

Clearly the peak times for commuters, vans and lorries largely coincides with the school run.



Tunstall Road is extremely dangerous at these peak times



Because of the above mentioned problems it only takes a few vehicles to create a traffic blockage and gridlock. Increasing the school size will undoubtedly raise the level of the problem to critical. An accident will happen, and the fatuous suggestion in the Transport Statement that there have been no serious accidents in the area serves no useful purpose. Surely the Highways Local Planning should be based on ZERO ACCIDENTS as a norm and not a target.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Appendix 5

From: Alan Willicombe [alan188@aol.com] [[add contact](#)]
Date: 05/02/2014 12:06
To: <susan.a.senior@tinyworld.co.uk>
Cc:
[\[Show header\]](#)

[\[Close\]](#)
[\[Print View\]](#)

 [Reply](#)  [Reply All](#)  [Forward](#)

Dear Mss Senoir,

Many thanks for your letter, I can confirm that I have sent in complaints to Kcc Planning department over the matter of the new proposed Tunstall School.

Although I have always been a friend to the school. I am of the opinion that the new school would be badly sited, the turning into the school would cause havoc at the Cranbrook Drive entrance.

I have great concerns over flooding in the area, as I have had work done to try to alleviate this, unfortunately flooding still occurs in Tunstall Road by the lower pond and Chegworth Gardens suffers horrendously whenever there is heavy rain, having such a large hard area where once there was farmland, would in my opinion only add to that problem and make it worse.

These are strong planning reasons to fight against the proposal, also the increase in size of the school would generate much more traffic on an already busy country lane. So I agree that the generated traffic and associated parking problems would also bring major problems to the surrounding roads, Cranbrook Drive, Chegworth Gardens in particular.

Unfortunately, loss of farm land that is owned by KCC and loss of view, or loss in valuation in property prices would not wash with a planning committee.

May I suggest you lobby Cllr Trulove and Cllr Burgess, your two KCC members, and that you write to KCC planning with a petition asking for a site meeting before any decision is made.

Kind Regards

Alan

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Appendix 6

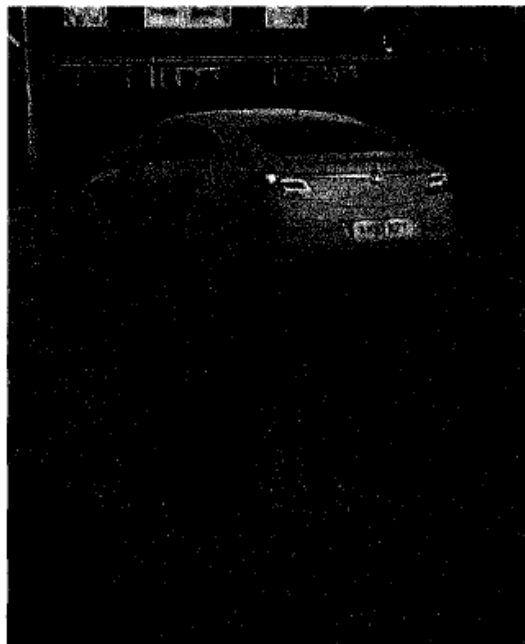
At present we can see the effect of pluvial flooding from the photos below:



Tunstall Rd



Chegworth Gardens



Chegworth Gardens

All these locations are in the areas of significant risk to surface water flooding. Chegworth Gardens is listed as hotspot 15.

Item D1

Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)



Surface water on the fields where the school is proposed

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Proposed entrance to new school.



Proposed entrance looking north-east.

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)



Every person in all households can object to this application by going to:

<http://host1.atriumsoft.com/ePlanningOPSkent/loadFullDetails.do?apllid=57467>
and completing the Online Representation Form quoting the planning application Ref No: **KCC/SW/0025/2014**.

You can also email **planningrepresentations@kent.gov.uk** or in a letter to:

Kent County Council, Planning Applications Group First Floor Invicta House, County Hall Maidstone, Kent ME14 1XX.

The planning case officer is **Lidia.Cook@kent.gov.uk**. Also **GrahamThomas@swale.gov.uk** is another person to be contacted via email or direct to him at Graham Thomas, Swale Borough Council, East Street, Sittingbourne, Kent ME10 3HT.

PLEASE STICK TO THESE FACTS:

- Increase in traffic • Safety of pedestrians • Environmental impact • Flooding implications
- Possible contamination of water table • Carbon Footprint • Access/Parking
- Inadequate public planning consultation • Light pollution.

It is important that you include your Full Name and Address on any correspondence, either email or in writing.

If you require any help with computer access or writing your letter please contact Susan on 01795 472412 or Sarah on 01795 430774 or visit our website: <http://protecttunstall.wix.com/protect-tunstall>

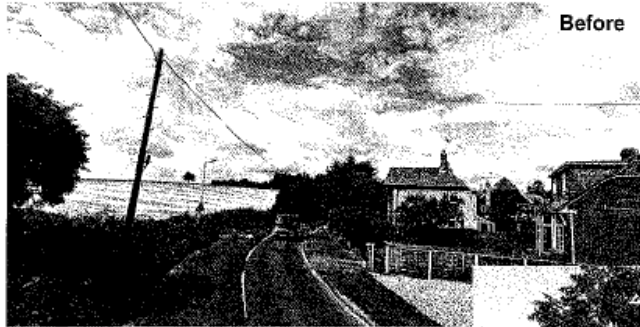
We will also be at the Tunstall Village Hall on Thursday 20th February 1-5pm & Saturday 22nd February 2-5pm, to help with your Representation Form and explain in more detail the objections we are raising.

Do You really want Tunstall Road to look like this!



Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

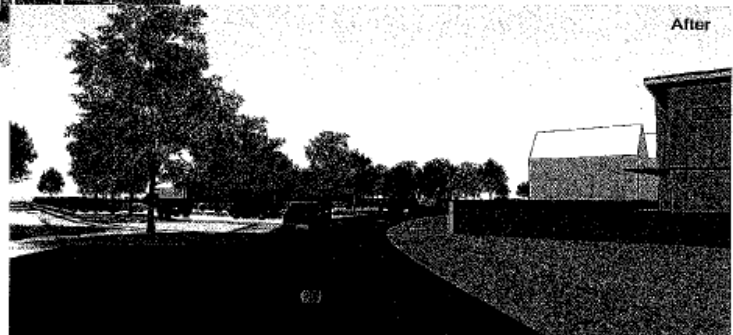
DO YOU REALLY WANT YOUR VILLAGE TO LOOK LIKE THIS?



Before

Proposed New Tunstall School Development

View from Tunstall Road looking West



After



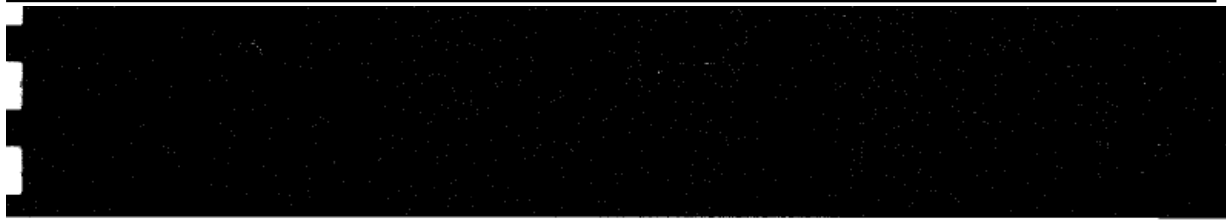
Before



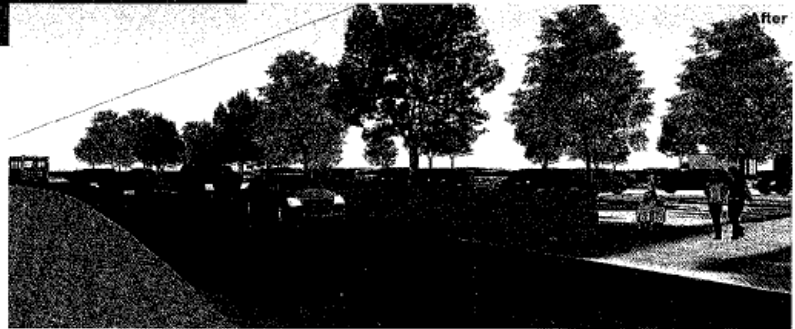
After

Item D1

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)



View from Tunstall Road looking East



View from Tunstall Road looking South



Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

View from staff carpark looking North



View from Willow House looking North



These are only Artists impressions with trees that take 30 years to grow, a building that resembles a large shed (and has no link to the area that you have chosen to live in), may well be built on grade 2 agricultural land and will have a devastating effect on rural Sittingbourne and your way of life!!!

Vote against this application.



**Please help Protect Tunstall and
keep the "village" School as The Village School.**

Proposed two form entry primary school - Land at Tunstall Road,
Tunstall (SW/14/153)

Appendix E

Petition signed by Tunstall residents 'in favour of the proposed new school'
containing 108 signatures

RECEIVED
10 APR 2014
PLANNING
APPLICATIONS GROUP

To: KCC Planning
KCC Councillors
KCC/SW/10025/2014

Re: Tunstall School Relocating to Tunstall Road.

I wanted you to know that there is local support for Tunstall school relocating.

I collected over 100 supportive names in Feb ready to take to the Tunstall Parish meeting with the aim to ask them to support me success. They didn't listen!

I hope that you will. The school will be well sited and the facilities have been well planned. The expansion is needed and supported. I trust that you agree and want to support the future of children and the town.

Thank you.

Proposed two form entry primary school - Land at Tunstall Road,
Tunstall (SW/14/153)



Residents in Tunstall Parish in favour of the proposed new school for Tunstall

NAME (capitals please)	In Parish - Yes or no	COMMENTS
------------------------	-----------------------	----------

Proposed two form entry primary school – Land at Tunstall Road,
Tunstall (SW/14/153)

Appendix F

**Document prepared by Tunstall Mums handed to the Planning Applications
Committee Chairman at the local meeting held on 9 April 2014.**

Supporting Planning Application for
Construction of a two form entry primary school
with associated external play areas and parking
facilities at land on Tunstall Road, Sittingbourne

KCC/SW/0025/2014

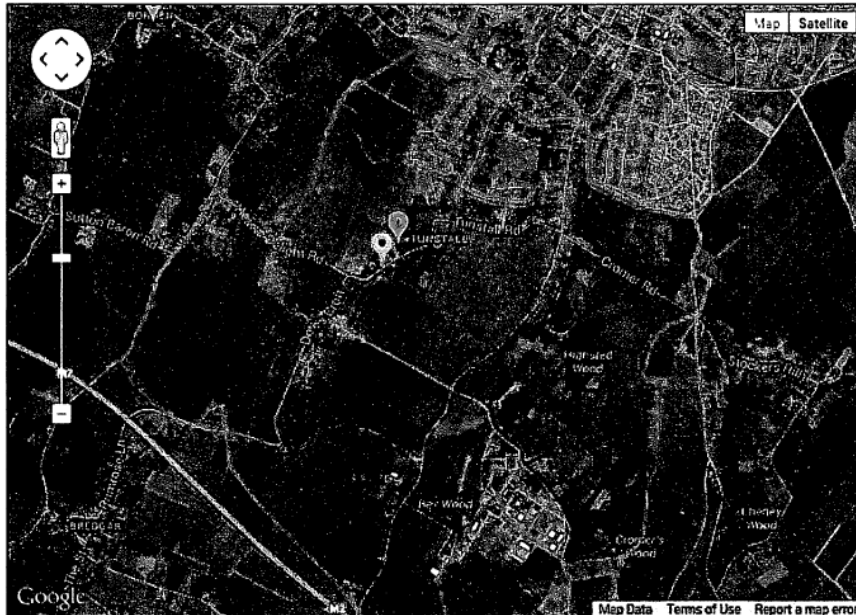
Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Location

- **Key requirements:**
 - Within Ecclesiastical Parish
 - Within walking distance of Tunstall Church
 - Accessible to residents of South Sittingbourne outside of the Ecclesiastical Parish
- **Additional requirements**
 - ideally where travel to/from site can be easily promoted by means other than vehicles

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Ecclesiastical Parish of Tunstall

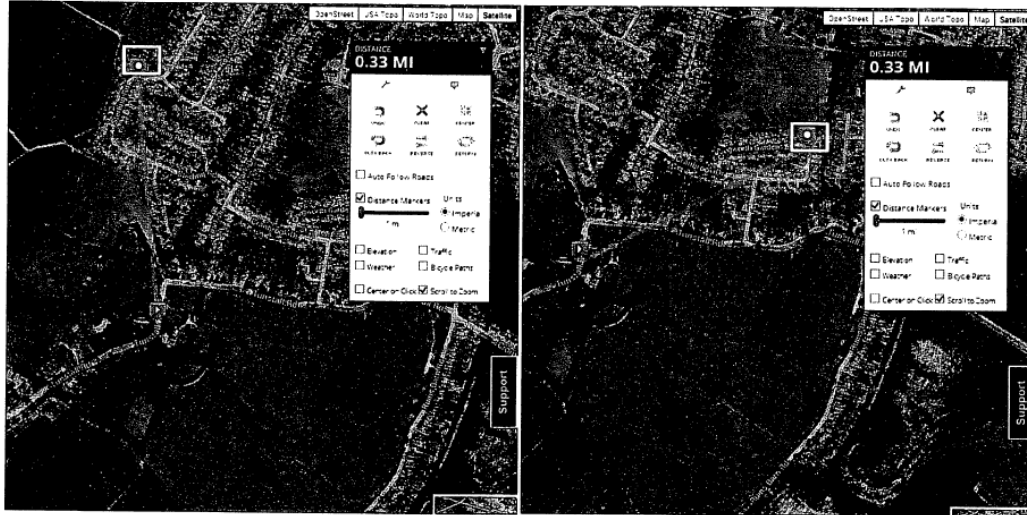


Note that parish boundaries can run down the centre of roads and along fences. Please be sure to click or move the marker to your exact location; zoom in if necessary.
Any distances shown are as the crow flies.

Latest data available for parish boundaries: December 2013. Boundary data from the Church Commissioners for England. Digital Mapping Solutions from Dotted Eyes. © Crown Copyright 2005. All rights reserved. Licence number 100019918

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Reference Points for Distance



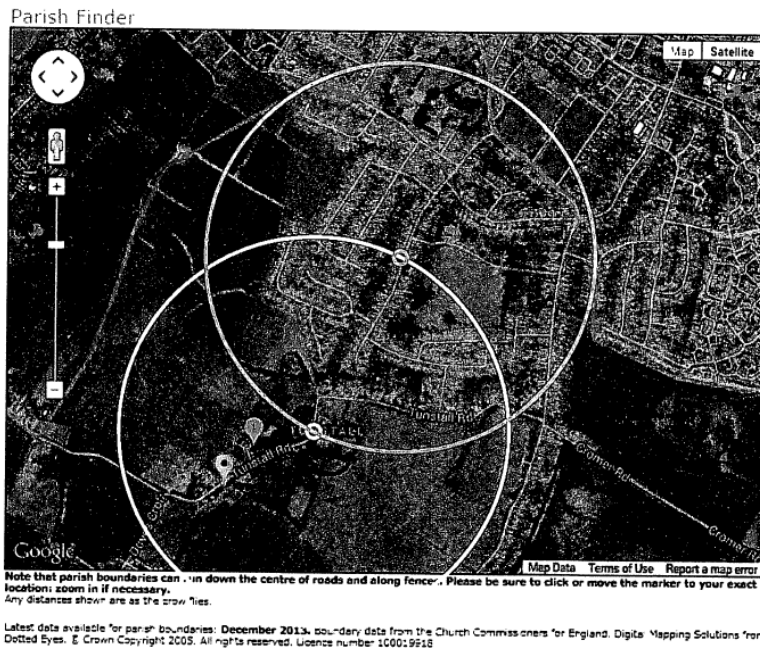
Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

1/3 mile radius from Tunstall Church with reference points and Ecclesiastical Parish of Tunstall boundary



Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

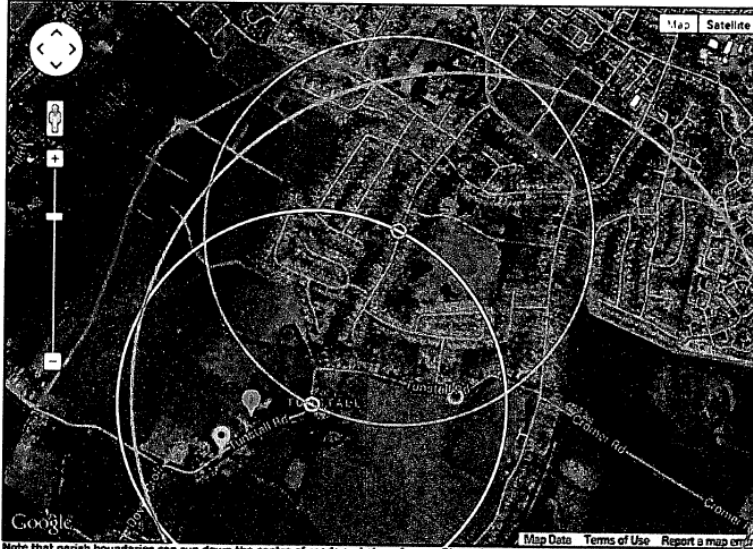
Add in 1/3 mile radius from point that captures the significant majority of the residences within the area that has the significant majority of the residences within the Ecclesiastical Parish of Tunstall



Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Add in ½ mile radius with proposed site entrance at centre

Parish Finder



Latest data available for parish boundaries: December 2013. Boundary data from the Church Commissioners for England. Digital Mapping Solutions from Dotted Eyes. © Crown Copyright 2005. All rights reserved. Licence number 100019618

Item D1

Proposed two form entry primary school – Land at Tunstall Road, Tunstall (SW/14/153)

Walking route from proposed site to Tunstall Church using a route with established pavements



8

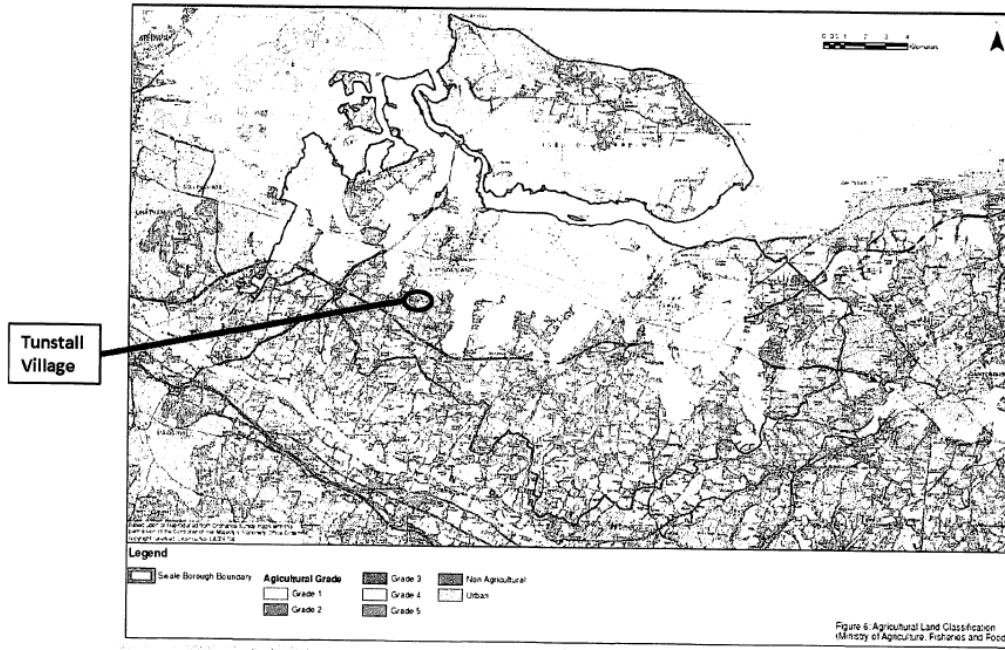
Location

Summary

- A significant majority of residences in Ecclesiastical Parish are to the north of the Tunstall Road
- That significant majority of residences in Ecclesiastical Parish are within 2/3 of a mile of Tunstall Church as the crow flies
- The site is within 1/3 of a mile of Tunstall Church as the crow flies, and within ½ a mile of Tunstall Church by established pavements
- Within ½ a mile of site are:
 - a majority of residences of Ecclesiastical Parish of Tunstall
 - other heavily populated areas of South Sittingbourne such as the Fulston Manor Estate; parts of Eden Village

Proposed two form entry primary school - Land at Tunstall Road, Tunstall (SW/14/153)

Site Specific Agricultural Land Classification



10

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Item D2**Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)**

A report by Head of Planning Applications Group to Planning Applications Committee on 14 May 2014.

Application by Kent County Council, Property & Infrastructure Support for three extensions across the site which include nine classrooms, IT suite, small group rooms, associated storage and toilets at Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014).

Recommendation: permission be granted subject to conditions.

Local Member: Mr Jeffrey Elenor

Classification: Unrestricted

Site Description

1. Garlinge Primary School is located within a wedge of land between Westfield Road and Caxton Road, approximately 1.8km to the south west of Margate Town Centre. The site is located in a predominantly residential area, bounded on the north by Westfield Road, to the north-east by residential dwellings, to the south-east by public open space and on its southern side by Caxton Road.
2. The site comprises Junior and Infant blocks, with pupils currently being accommodated in nine buildings. The Junior and Infant schools were amalgamated in September 2007 to form the Primary School. The Primary School consists of a mixture of one and two storey buildings of brickwork construction under pitched tiled roofs and a combination of flat felt and tiled pitched roofs constructed in the 1930's. In more recent years, extensions to buildings and siting of mobile classrooms have occurred at the school. The school playing fields are located to the east of the site. Part of the school playing field land, located to the east, was released to allow for the construction of a Multi Agency Specialist Hub in 2012. Green Banks Children's Centre is located to the south east of Garlinge Primary School.
3. The site has three vehicular access points; one located on Westfield Road and two on Caxton Road, serving the Junior and Infant School sides. Pedestrian access is gained from Westfield and Caxton Road, with a school footpath running along the northern boundary of the school separating school buildings from the residential gardens of Westfield Road. This path provides a link from Westfield Road to the Infant side of the school.
4. The school is defined in the Local Plan as within the urban confines, and it borders an area of public open space to the south-east of the site. The school playing field, to the east of the site, is located within a landscape character area as defined by the Thanet Local Plan (2006). More general policies are set out in paragraph (14).

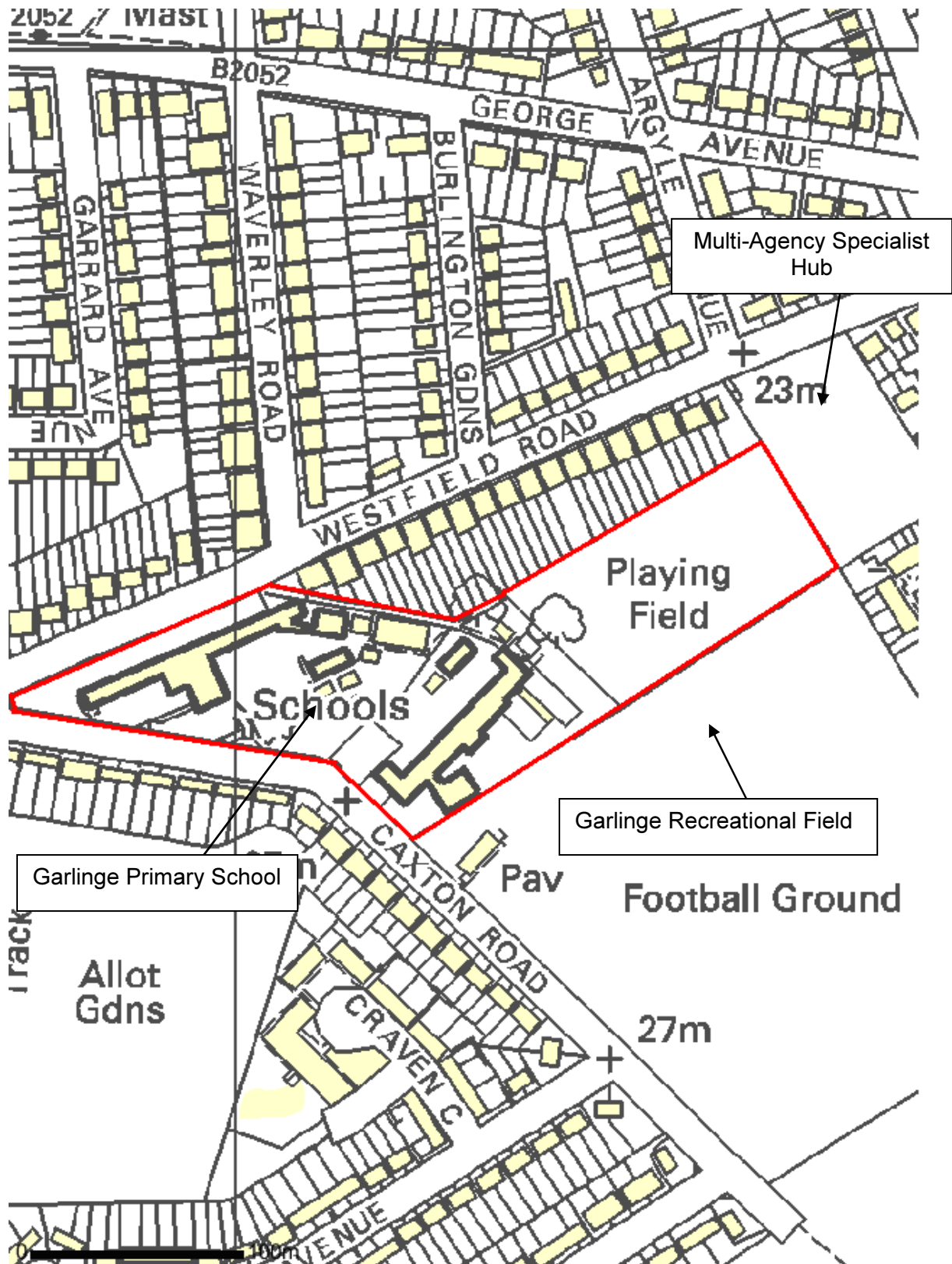
Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

Wider Site Location Plan



Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

Site Location Plan



Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

Aerial View of Garlinge Primary School



Pedestrian and vehicular access routes and car parking



Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

Relevant Planning History

5. Garlinge Primary School has had several minor applications for extended buildings and the development of a Children's Centre on the site in more recent years, the details of which are summarised below:
 - TH/12/488 – Proposed extension to south east of infant's school building to provide 2 additional classrooms, storage and toilet facilities. Granted planning permission July 2012;
 - TH/11/21 – Renewal of planning consent for the siting of 3 timber demountable classrooms and 3 mobile classrooms. Granted temporary planning permission February 2011;
 - TH/08/1378 – Installation of a six-bay mobile classroom to provide additional staff room accommodation. Granted temporary planning permission February 2009;
 - TH/07/1315 – Refurbishment and extension works to create a Children's Centre. Granted planning permission November 2007;
 - TH/07/679 – Pathway linking Garlinge Infant and Junior School. Granted planning permission August 2007;
 - TH/05/496 – New 3 classroom extension, 1 multi-purpose teaching room, office and toilet extensions. Granted planning permission June 2005;

6. Additionally, 0.65 hectare of land annexed from Garlinge Primary School, located to east of Garlinge Primary School's playing field, has been the subject to the development of a Multi Agency Specialist Hub. The following applications relate to the development on this land:
 - TH/11/617 - Revised proposal for the Multi Agency Specialist Hub (originally granted planning permission under consent TH/10/227) including a reduction in building footprint with consequential changes to floor plans and elevations; roof structure and materials changes; and details of proposed landscaping and boundary treatment including the addition of landscaping spoil bunds. Granted planning permission December 2011;
 - TH/10/227 – The construction of a Multi Agency Specialist Hub for disabled children, a specialist early years nursery and associated access roads and car parking. Granted planning permission September 2010.

Background and Proposal

7. This application has been submitted by Kent County Council Property and Infrastructure Support and is part of the countywide Basic Needs Programme for educational purposes. The applicant states that the district of Thanet has seen significant growth in the pupil population over the last few years due to both the rise in the birth rate and inward migration of families. This inward migration has been far beyond historic levels and has resulted in a pressure on primary school places across the district.

Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

8. The Commissioning Plan for Education Provision in Kent 2013-2018 provides forecasts that indicate an increase in the demand for primary school capacity which shows no signs of reducing over the forecast period. Garlinge Primary School currently has 551 pupils enrolled at the school with the School agreeing to open additional classes in September 2011. The expansion programme will enable an additional 210 school places to increase from 3 form entry to 4 form entry with the pupil admission numbers increasing from 90 to 120 pupils in Reception Year and each successive year. The proposed accommodation will allow for the provision of 810 pupils at the school.
9. The School currently employs 45 full time equivalent (FTE) staff positions who are at the school site on a daily basis. The proposal will lead to an increase of 14 FTE additional staff members, bringing the total members of full time staff to 59. An additional 24 part time members of staff will be employed at the school.
10. The application proposes the extension and internal reconfiguration of the existing school buildings providing nine additional classrooms, an enlarged IT Suite and associated toilet and ancillary facilities. Two modular classrooms located on the Junior site and one located on the Infant site would be demolished as part of the proposals due to their deteriorating condition. The proposals would allow the provision of accommodation for another form of entry each year thereby increasing Garlinge Primary School from 3 form entry to 4 form entry. The proposed development would cater for an additional 210 pupils. The new development is not envisaged to be fully occupied for seven years.
11. There are currently nine buildings on site with half of them essentially operating individually of each other. This proposal aims to consolidate teaching and ancillary spaces, creating a more coherent layout, with internal reconfigurations to the layout which would enable classes to be grouped according to year. The Key Stage 1 extensions on the Infant site would provide three additional classrooms. The Key Stage 2 extension on the Junior site would accommodate an additional six classrooms, IT suite, refurbishment of the current swimming pool for use as an additional hall and associated ancillary spaces including the relocation of 40m² of Foreland School teaching space (which would be relocated from a demolished modular building on the site). Currently, internal circulation around the school is hindered by lack of available storage and cloakroom space. This has been addressed in the proposed extensions with the creation of dedicated store and cloakrooms.
12. It should be noted that the swimming pool building which is proposed to be refurbished for use as a hall was the subject of planning condition as part of the approval of the revised proposal application for the Multi-Agency Specialist Hub (MASH) located to the east of the school playing field. (Planning permission ref: TH/11/617). Planning condition 12 of that permission required the development to be carried out in accordance with the playing field compensatory measures approved under consent reference TH/10/227/R12A; the details of which included the upgrade and refurbishment of the swimming pool and access for community use. However due to financial constraints the School were not able to refurbish the facility for school and community use. As part of these proposals, the applicant is intending to provide community use of the hall facilities.
13. The current size and layout of the site poses limitations as to where additional accommodation could be sited. As part of the proposal, three modular buildings would be demolished, providing land upon which new accommodation would be located. These modular buildings are of poor condition and have been classed as condemned.

Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

The proposed development would limit the amount of play space that could possibly be lost by locating part of the Key Stage 2 six classroom extension on the footprint of modular buildings which are to be demolished as part of the proposals.

14. The extensions to the school would be constructed using red stock brick with off white 'eternit' board cladding incorporating squares of coloured boards. The extensions across the site would be of single storey construction with plain red tile flat roofs to reduce the visual impact on neighbouring residential properties. A pitched roof is also to be removed as part of the proposals and replaced with a flat roof to reduce the visual impact of the development.
15. No trees are proposed to be removed as part of the proposed development however a 4m section of hedgerow located on the eastern boundary of the Infant side of the school would be removed in order to accommodate the proposed Reception classroom.
16. The application is accompanied by a Transport Statement setting out the potential impact the proposed expansion of pupil numbers would have on the surrounding local highway network. Through the successful adoption of the school's Travel Plan, the applicants' transport consultant concludes that this will help to mitigate the traffic impacts of the proposed development. To mitigate the current and potential future congestion issues along Caxton Road to the south of the school site, the applicant is proposing to apply for a Traffic Regulation Order to enforce a one-way flow of traffic along Caxton Road. An application to facilitate this would have to be submitted to and approved by the Highway Authority. The implementation of a one-way system along Caxton Road would act to formalise an informal arrangement which is currently already used by vehicle drivers.

Location of Key Stage 1 and 2 Extensions



Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

Proposed Site Plan 2

Notes:

1. Do not alter from the drawings.
2. All work shall be carried out in accordance with the drawings.
3. All work shall be carried out in accordance with the drawings.
4. All work shall be carried out in accordance with the drawings.
5. All work shall be carried out in accordance with the drawings.
6. All work shall be carried out in accordance with the drawings.
7. All work shall be carried out in accordance with the drawings.
8. All work shall be carried out in accordance with the drawings.
9. All work shall be carried out in accordance with the drawings.
10. All work shall be carried out in accordance with the drawings.

Contractor shall ensure that all work is carried out in accordance with the drawings and that all work is carried out in accordance with the drawings.

Notes of all contract variations shall be recorded in the contract variations schedule and shall be available for inspection at all times.

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Rev.	Date	Details

SPM DESIGN
 100, THE MARSH, MARGATE, DARTFORD, DA11 8JL
 TEL: 01322 414141
 WWW.SPMDESIGN.CO.UK

PROJECT: Garlinge Primary School
 CLIENT: KCC & KIR

TITLE: Proposed Site Plan
 DRAWN: PB
 DATE: July 13
 SCALE: 1:500
 CHECKED: [Blank]
 PLANNING: [Blank]
 DRAWING NO: 100-004



Site Plan Showing 6 Classroom KS2 Ext & 2 Extensions to KS1

Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

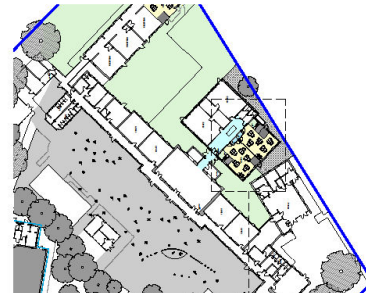
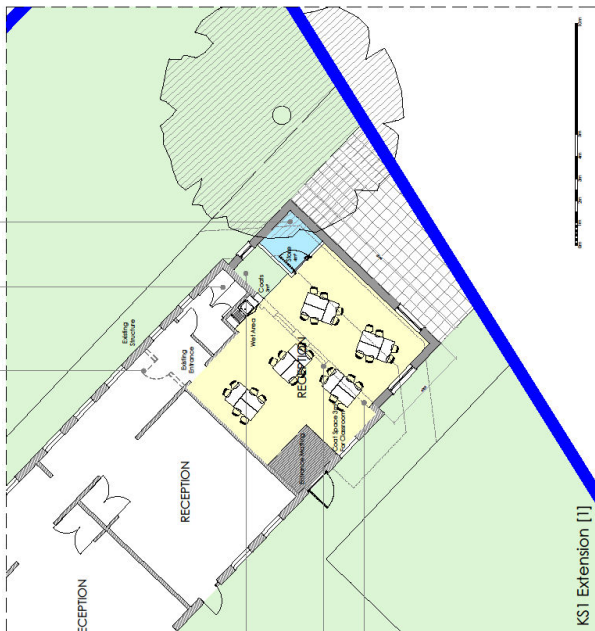
Proposed Key Stage 1 (Infant Block) Floor Plan

<p>Notes</p> <ul style="list-style-type: none"> 1) Over scale from existing 2) All proposed work must be reported to the appropriate authority 3) All proposed work must be reported to the appropriate authority 4) All proposed work must be reported to the appropriate authority 5) All proposed work must be reported to the appropriate authority 6) All proposed work must be reported to the appropriate authority 7) All proposed work must be reported to the appropriate authority 8) All proposed work must be reported to the appropriate authority 9) All proposed work must be reported to the appropriate authority 10) All proposed work must be reported to the appropriate authority <p>Construction should be in accordance with the relevant Building Regulations and all other applicable legislation. The contractor shall be responsible for obtaining all necessary consents and for ensuring that the work is carried out in accordance with the relevant Building Regulations and all other applicable legislation. The contractor shall also be responsible for ensuring that the work is carried out in accordance with the relevant Building Regulations and all other applicable legislation.</p>	<p>Rev. Date Details</p> <table border="1"> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>				<p>Legend</p> <ul style="list-style-type: none"> Class Room Play Area Teaching Space Year Area Circulation Storage Reception / Staff Space Work to be demolished

GPW DESIGN
 ARCHITECTURE & INTERIORS
 PROJECT MANAGERS & PLANNERS
 100-105 WESTFIELD ROAD, MARGATE, KENT, TN22 3JH
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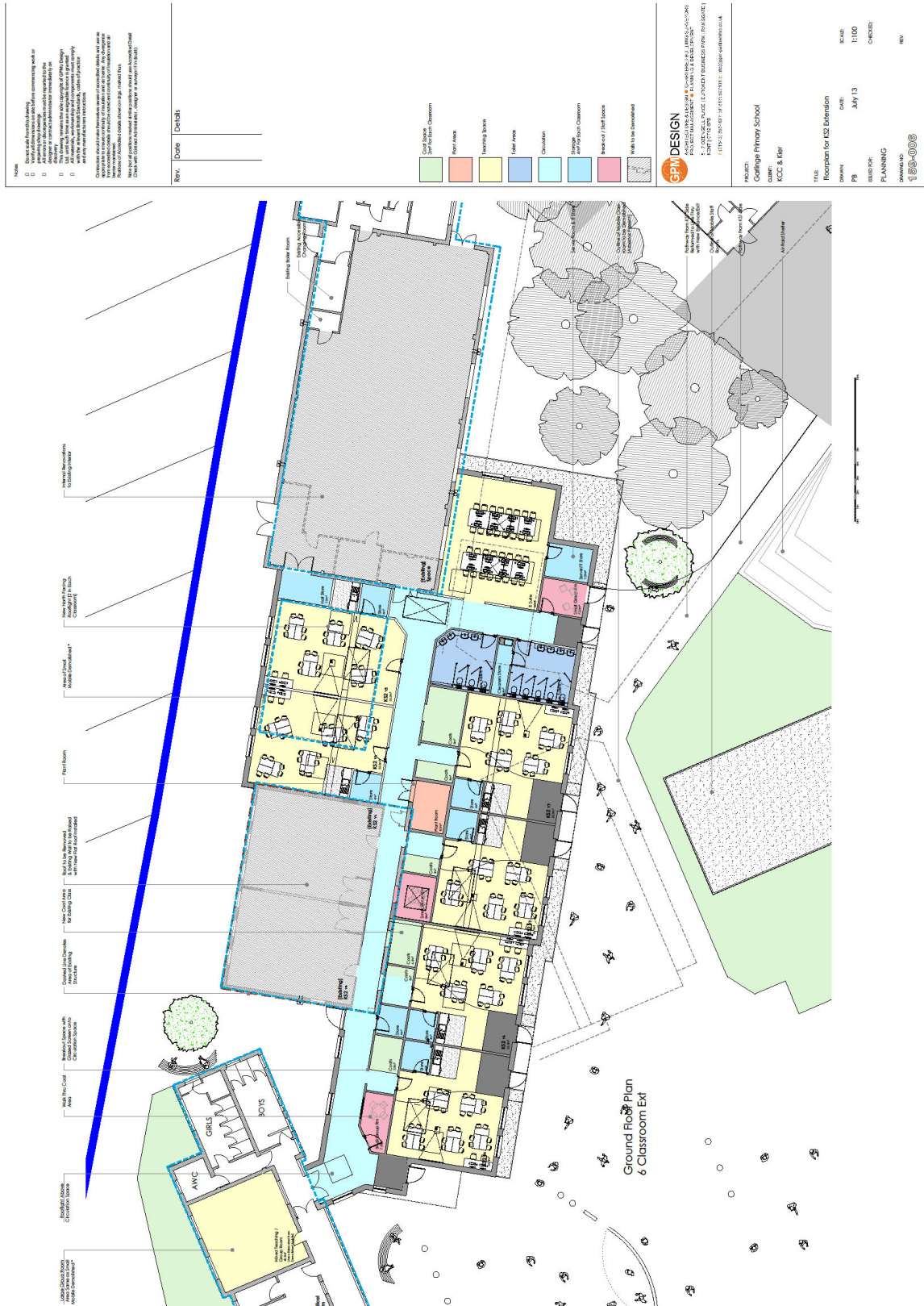
PROJECT: Garlinge Primary School
CLIENT: KCC & Kier

TITLE: Floor Plan for Year 1 Extension
DATE: JULY 13
SCALE: 1:100
ISSUED FOR: PLANNING
CHECKED: **REV:**



Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

Proposed Key Stage 2 (Junior Block) Floor Plan



Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

Planning Policy Context

17. 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** and the **National Planning Policy Guidance (March 2014)** 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;
- 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) **Development Plan Policies**

The adopted 2006 **Thanet District Council Local Plan (Saved Policies)**:

Policy TR15 Development proposals likely to generate significant travel demand and/or traffic movement will be required to demonstrate, through Green Travel Plans, specific measures to encourage and facilitate the use of walking, cycling and public transport in preference to private car travel.

Policy TR16 Proposals for development will be expected to include satisfactory provision for the parking of vehicles (including service vehicles where appropriate).

Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

- Policy D1** All new development is required to provide high quality and inclusive design, sustainability, layout and materials.
- Policy D2** Landscaping measures should be considered as part of any new development proposals and existing trees, hedges and other habitat features should be retained wherever possible and protected during site works.
- Policy HE12** Archaeology sites will be preserved and protected.

Consultations

18. **Thanet District Council** – Raises no objection to the principle of the development but query the removal of the existing pitched roof from building 2 (the Year 3 building). They ask if the design of the proposed infill could be amended to allow for the retention of the existing pitched roof due to its loss being regrettable in the street scene. Thanet District Council also queries the proposed finish of the development, which they state would appear out of keeping with the existing school. They have suggested that further details of the external materials are submitted prior to the determination of the application to assess whether such a colour scheme is appropriate for this location. Since their initial comments, the applicants' architect has provided further details of the proposed external materials including colour finishes (albeit being slightly amended in colour from those originally proposed) and the District Council has accepted the revised cladding colour finishes.

Kent County Council Highways and Transportation – Raises no objection to the application and provide the following comments:

"The additional trips generated by the additional form entry are unlikely to have a significant detrimental impact on the surrounding road junctions which would cause additional journey time delay. There is undoubtedly likely to be additional vying for parking spaces in the vicinity of the school on the adjoining roads but this is unavoidable and with increased demand parents will be forced to park further away from the site and walk to the school.

Traffic Regulation Order

The additional information requested relates to the proposed mitigation measures to Caxton Road by way of a traffic regulation order (TRO) to enforce a one way flow along Caxton Road between Westfield Road and Fulham Avenue. This will assist in formalising a system adopted by most parents picking up and dropping off and will have no impact on bus services operating in the area.

The TRO cannot be part of the planning application process and should be applied for under a separate cover. I consider that the TRO will definitely help to relieve some of the congestion issues in and around Caxton Road at school pick up and drop off times and will make for a safer environment for children walking and crossing the roads in getting to and from the school.

I do not wish to oppose the application on this basis and suggest that the Travel Plan continues to seek innovation to encourage sustainable choices to and from the school."

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The following conditions should be attached to any planning permission including;

- details of a construction management plan to be submitted prior to commencement of works on site and for the duration of construction;
- provision of construction vehicle loading/unloading facilities prior to commencement of work on site and for the duration of construction;
- provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.

In addition, an informative advising the applicant to ensure that before the development is commenced, all the necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. The applicant should contact KCC Highways and Transportation to progress this aspect of the works prior to the commencement of works on site.”

The County Council’s School Travel Plan Advisor – requests that the School Travel Plan be updated by the School within 6 months of occupation of the new buildings.

Environment Agency – provides Flood Risk Standing Advice indicating that the site lies outside of a flood risk zone.

Sport England – does not wish to comment on the application

County Archaeologist – raises no objection, subject to the imposition of a condition requiring the applicant to submit details of an archaeological watching brief prior to commencement of the development. This is due to the application site being located in an area of considerable archaeological interest. Therefore it is possible that proposed development works may disturb archaeological remains.

Local Member

19. The County Council Local Member Mr Jeffrey Elenor was notified of the application on the 28 January 2014.

Publicity

20. The application was publicised by the posting of 2 site notices at the main school entrance located on Westfield Road and a vehicular and pedestrian entrance on Caxton Road. The individual notification of 108 neighbouring properties was carried out.

Representations

21. I have received 3 letters/emails of objection to the proposal. The main points of objection are summarised as follows:-

Access, Parking and Highway Safety

- Concerns regarding the current levels of traffic along Caxton Road and the safety implications that this currently creates and the belief that the School expansion would exacerbate the problem;

Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

- The number of autistic children who live in Caxton Road and the congestion created by taxis and mini buses collecting and dropping off children;
- Concerns regarding vehicles being driven dangerously and parents parking in local roads and blocking driveways which is a nuisance to local residents;
- Vehicles parked on 'School Keep Clear' yellow marking which is dangerous for pupils and parents
- The parking, safe crossing and access by road needs to be improved before the School is extended;
- Currently staff park their vehicles in Westfield and Caxton Road which already causes congestion and nuisance to local residents;
- The lack of additional parking provision for extra staff that will be working at the school;
- Request that Caxton Road should be a one way street; *[Note that this is one of the traffic mitigation measures that is being proposed by the applicant];*
- Reduced rate for drop kerb applications should be afforded to local residents;
- The small size of the school's delivery entrance and the problems that delivery lorries create when travelling along Caxton Road, blocking the road and difficulty manouvering;
- Damage to kerbs has been caused by school delivery vehicles;
- Deliveries to residents in Caxton Road need to be requested outside school hours as any delivery vehicle which stops will block the road causing gridlock and would delay any emergency vehicle needing to attend;
- The additional traffic that construction vehicles would create and the further damage to the road surface which would result in new potholes;
- Visitors to the Childrens Centre taking up local residents parking spaces;
- Belief that Caxton Road should be a residential parking permit only road;
- Concern with parents parking on Garlinge Recreational field and the effect that this has the ground surface as well as safety concerns for people using the field.

Need for the development and impact on the school

- The expansion of the school would not serve 'local children' with children attending the school believed to be travelling from the Dane Park/Cliftonville area;
- If the need for school places is likely to increase as predicted, why is consideration not being given to building a new school or increasing the size of other local schools, including Salmestone Primary School, St Gregory's Roman Catholic Primary School, Holy Trinity & St John's Church of England Primary School?;
- Does this predicted need for additional school places take into consideration the number of new homes being built at Westwood Cross, and would these children be attending Garlinge Primary School?;
- Why was consideration for the need for additional school places and classrooms not given before land was given to build the Children's Centre (Greenbanks)? This land would have been ideal to build any extension needed and provide additional car parking for staff;
- The construction of 9 classrooms and almost doubling the pupil roll would have a detrimental effect on the school and the site is too constricted; *[NB. An additional 210 pupil places is proposed]*
- The School's last OFSTED report was not particularly good and the additional pupil numbers would not help the School improve its rating;
- Pressure on sufficient play areas that the development would create.

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DiscussionIntroduction

22. The application seeks planning permission for the extension and internal reconfiguration of the existing school buildings, providing nine additional classrooms, an enlarged IT Suite and associated toilet and ancillary facilities. The application is being reported to the Planning Applications Committee as a result of the residential objections received regarding the proposals.
23. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph 16 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, the proposal needs to be considered in the context of Development Plan Policies, Government Guidance and other material planning considerations including those arising from consultation and publicity.
24. The main aspects to consider are the issues to do with the design, layout and quantity of the development, implications of the proposal on the local road network and highway safety considerations. The policy support for the development of schools should also be considered 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 considers that there is a strong presumption in favour of state funded schools, as expressed in the National Planning Policy Framework and reflected in the Policy Statement for Schools. 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.

Design, Layout and Quantity of Development Issues

25. The Thanet Local Plan (2006) promotes high quality design and sustainable development. The proposed layout, scale and design of the development should be considered to establish whether the development, as proposed, is acceptable and is in keeping with the existing residential setting. The layout of the proposed development aims to provide a more coherent and integrated teaching accommodation to cope with the additional pupil numbers and improve upon the current pupil learning environment.
26. Regarding an element of the proposed design, Thanet District Council has queried the need to remove the existing pitched roof from building 2 (the Year 3 building). They request that the design of the proposed infill building be amended to allow for the retention of the existing pitched roof as its loss would, in their view, have a negative visual impact on the street scene.
27. The applicant has provided further clarification as to why the pitched roof would be removed as part of this proposal. Various options for the classroom block were

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considered including the retention of the roof however due to the height of the new proposal and the impact that would have on the existing structure, the raised flat roof was considered to be the best option. This was due to multiple factors but weathering was the most significant, with the ability to leave a fit for purpose building that was not prone to future leaks. The visual impact on the street scene through the loss of the pitched roof would not be significantly detrimental with the applicant providing photographs from Westfield Road (which runs along the north of the site) and Waverley Road (off Westfield Road, to the north of the building with the pitched roof) showing that, from most angles and from the street itself the roof is not visible. The building is set back nearly 30 metres from Westfield Road within the school confines. I consider that the removal of the pitched roof and replacement with a raised flat roof to building 2 is acceptable and would not be visually detrimental to the local street scene.

28. The proposed development has been designed to bring a modern outlook to the school. This is reflected in the choice of external materials and colour scheme chosen for the proposed buildings. The extensions to the school would be constructed using red stock brick with off white 'eternit' board cladding incorporating squares of green and multi-coloured boards to represent the schools colours under plain red tiled roofs. Thanet District Council has considered that the proposed finish for the development would appear to be out of keeping with the existing school and has requested that further details of the materials to be used should be submitted by the applicant prior to determination of the application. Having viewed samples of the proposed cladding, the District Council is satisfied with the colour scheme proposed (albeit differing slightly from the original colour scheme). Subject to permission being issued, a planning condition requiring the submission of details of external materials prior to the construction of the development would be stipulated
29. The applicant agrees that the material finish is not in keeping with the existing school buildings but intends to provide a proposal which contrasts yet compliments the existing Victorian red brick buildings. Through the use of the proposed external materials and colour scheme, the applicants' architects have tried to break up the current mass of the existing buildings with their long elevations. They comment that the proposed colour palette would incorporate the school colours, aiming to provide an inspiring learning environment. The applicant notes that the visual impact of the proposed development would be limited due to its position located centrally within the site. The proposed buildings would be screened from the north, west and east of the site by existing brick buildings and trees, not creating an adverse impact from 'long views' into the site. From the south, the Key Stage 2 extension is located 50m from the site boundary and would be well screened from residential properties with trees along the southern boundary.
30. I consider that the proposed external finish to the new extensions would enhance the appearance of Garlinge Primary School and would be sufficiently screened from residential properties so as not to have a negative impact on visual amenity. It should be noted that I have not received any objections from local residents regarding the proposed external finish to the development. 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.
31. The quantity of proposed development at Garlinge Primary School and the subsequent affect this would have on play space at the school has been questioned by a local resident. The comments received show concerns that the amount of the proposal represents overdevelopment of the site and would compromise the available play space

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for pupils. The proposed development would limit the amount of play space that could possibly be lost by locating part of the Key Stage 2 six classroom extension on the footprint of modular buildings which are to be demolished as part of the proposals. Essentially, this would result in a total net gain of available play spaces as part of the land made available by the demolition of the modular buildings would be returned to hard play space. The application documents show other layout options for the proposed extensions which were investigated and these options would have had a greater impact on available play spaces. In my opinion, the amount of the proposed development is acceptable and does not represent overdevelopment of the site. In addition the visual impact of the scale of the development would be reduced due to the site being adequately screened from residential properties with the north-eastern and southern boundaries of the site being lined by trees.

Need for the development

32. One neighbour representation received has queried the expansion of other schools in Thanet and the number of children attending Garlinge Primary School from outside the local catchment area. As stated in paragraph 7, considerable expansion of Primary School places in Thanet needs to be addressed due to the increased rates of inward migration into Thanet and an increase in the birth rate. The applicant has provided further clarification regarding the expansion of school in Thanet, detailing the feasibility of particular proposals. Salmestone Primary School is located on a site which would restrict expansion, Holy Trinity & St John's Church of England Primary School has similar constraints, and feasibility studies have been carried out exploring the option of expanding St Gregory's Roman Catholic Primary School by half a form entry (15 places in each year group). Drapers Mill Primary School has been expanded from 2 to 3 forms of entry, Palm Bay Primary School has been expanded by half a form of entry and planning permission is currently being sought for the expansion of Cliftonville Primary School by 1 form of entry (planning application reference: KCC/TH/0005/2014). Possible sites for a new school in Margate are also being investigated by Thanet District Council. A site at Westwood Cross for a new Primary School has been identified to cope with the additional need for school places in Birchington but the timescale for possible occupation of this site would not be until September 2019. Furthermore, a local resident has queried why consideration was not given to the need for additional school places and subsequent accommodation before Garlinge Primary School land was used to build a Childrens Centre. The applicant has explained that pupil numbers had reduced considerably at the time that land was given to build the Childrens Centre. The amalgamation of the Junior and Infant schools which took place in September 2007 saw the reduction in pupil admission for the combined schools drop from 3 forms of entry to 2 forms of entry. This situation has changed within the last few years due to the considerable population growth in Thanet. I am satisfied that sufficient information has been provided by the applicant to re-enforce the need case for the proposed expansion to Garlinge Primary School.

Traffic and Highway Safety

33. This application has met with local objection on the basis that the local highway network already struggles to accommodate traffic associated with the school, and that on-street car parking by parents and staff is dangerous, and an inconvenience to local residents, particular during peak school times. The Transport Statement submitted as part of the application concludes that the proposed expansion in pupil numbers would generate an additional 67 vehicles in the morning peak hour (0800-0900 hours) and 66 vehicles in the afternoon peak hour (1500-1600 hours). Accordingly, the impact that the

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additional traffic would have on the priority junction of A28 Canterbury Road/George V Avenue and on the priority junction between Westfield Road/Hartsdown Road has been assessed as being negligible during morning and afternoon peaks. Consequently, the Transport Statement concludes that the implementation of traffic mitigation measures is not deemed necessary for the level of impact that the proposed expansion of pupils numbers would have on the local highway network. The School aims to alleviate any potential impacts on the local highway network as a result of increased pupil numbers through the use of a school travel plan which would encourage the use of sustainable methods of transport. This would require updating and annual monitoring which could be addressed via a planning condition.

34. As with other schools, it is recognised that congestion issues exist on the local highway network before and after the school day. In particular, Caxton Road, located to the south of the school suffers from traffic and access issues. The road has two vehicular accesses and a pedestrian access to the Infant block. The road is not enforced by any parking restrictions so cars park along its southern side, reducing the width of the carriageway to accommodate for vehicles travelling in a single direction only. As such, issues are created when vehicles travel in both directions as the volume of parked cars removes any ability for vehicles to pass. As such, the two vehicular entrances that are located on Caxton Road are used as passing places which can prove problematic if vehicles are trying to enter or exit the school. A feasibility study was carried out by the applicant's transport consultant to explore possible mitigation measures to alleviate the potential impact the proposed expansion of the school would have on the local highway network and in particular mitigation measures along Caxton Road. Two options were assessed for their suitability including option 1 for the construction of a car park on Caxton Road; and option 2 for the implementation of a one-way system along Caxton Road.

35. The first option for the construction of a car park, creating approximately 37 spaces on land adjacent to the school located on the north west corner of Garlinge Recreational Ground is not considered by the applicant's transport consultant to be feasible for a number of reasons. The possible construction of a car park on this site would remove existing recreational space which could not be re-provided elsewhere on site. Therefore it is likely that Sport England would object to the construction of a car park on this land as it may affect existing sporting provision. The location of the potential car park would be adjacent to the Infant side of the school and would most likely be used by parents of these pupils as only one pedestrian access is located on Caxton Road serving only the buildings which accommodate for Key Stage 1 pupils. Half of the additional pupils that would attend the school as a result of the expansion to the school would be in Key Stage 1 which would equate to an additional 31 vehicles. The applicants' transport consultant notes that the construction of a car park may act to promote increased car usage and encourage a greater number of parents to drive to school to collect their children which would not promote sustainable travel patterns. This option would also create additional congestion issues along Caxton Road. The land in question is not under Kent County Council's or the School's ownership and the option of creating a car park would be dependent on the successful purchase of the land or agreement sought from the landowner to apply for planning permission for any car park. Without the construction of the car park, it has been assessed that other local roads in the vicinity of the site could cope with the additional traffic pressure. This includes Brooke Avenue which has been identified as being able to have capacity during morning and afternoon school peak periods to accommodate vehicles being parked for a short time. This option is not therefore being considered as part of the application before you.

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36. The second option and one that is now included in the proposal is to introduce a one-way system along Caxton Road to ease congestion issues and improve the safety along this road. The one-way flow of traffic would essentially prevent vehicles entering Caxton Road from the existing junction with Westfield Road. The proposals would involve the widening of the footpath at the Westfield Road/Caxton Road junction and the Fulham Avenue/Caxton Road Junction. Street signage including 'no-entry' and 'one-way' signage would be implemented at these locations. The implementation of the one-way system would act to formalise the existing arrangements whereby vehicles already egress from the road in the same direction as they entered. To prevent cars parking on both sides of Caxton Road where the carriageway is not wide enough, double yellow lines would be introduced to the northern side of the road, enabling the free flow of vehicles. The applicant proposes to progress with the one-way system option along Caxton Road, subject to the grant of planning permission.
37. Local residents have raised a number of highway issues regarding vehicular parking which is perceived to be inconvenient and a danger to safety. Several local residents have raised concerns regarding the parking of vehicles on Garlinge Recreational Ground on Caxton Road, to the south east of the school site stating that this causes damage to the surface of the field and is dangerous for pedestrians. Garlinge Primary School has advised parents not to park their vehicles on this land. However, as the land is not under Kent County Council or the School's ownership, the parking of vehicles on this land cannot be enforced by the County Council. The landowner would have to restrict access to the land to prevent vehicles being parked here.
38. Concerns have been raised regarding delivery vehicles unloading deliveries to the school in Caxton Road, blocking access along the road. The School have been advised to make their delivery company aware that delivery drivers should park and unload on site rather than in Caxton Road.
39. Kent County Council Highways and Transportation conclude that the additional vehicle trips generated by the expansion of the school to 4FE are unlikely to have a significant detrimental impact on surrounding road junctions. It is considered that the proposed Traffic Regulation Order to implement a formal one-way system along Caxton Road would assist in relieving congestion issues in and around Caxton Road as well as improving pedestrian safety. Kent County Council Highways and Transportation consider the proposed one-way system along Caxton Road a desirable mitigation measure to ease congestion yet not an essential requirement. The one-way system would act to formalise an arrangement that is already carried out in practice by drivers using the road and I would support this element of the proposal. It should be noted that local residents are also generally supportive of this measure. Recognition needs to be made when considering this proposal that all schools generate traffic and often some parking on the public highway, but unless that constitutes a severe risk to road safety then that is not a reason to withhold planning consent. I consider that the proposed implementation of a one-way system to formalise the existing arrangements would provide sufficient mitigation to accommodate the increase in vehicles associated with the expansion of the school. The updating and annual review of the School Travel Plan would assist in mitigating the potential impacts the proposed expansion in pupil numbers may have. Kent County Council Highways and Transportation are satisfied that this proposal would not have a detrimental impact on the local highway network, and raise no objection on that basis.
40. Taking the professional advice received from KCC Highways & Transportation into account, I would consider the proposal acceptable in highway terms subject to the

Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

imposition of conditions covering details of a construction management plan to be submitted prior to commencement of works on site; provision of construction vehicle loading/unloading facilities prior to commencement of work on site; provision of wheel washing facilities prior to commencement of work on site and updating of the School Travel Plan within 6 months of occupation of the proposed extensions. The submission and implementation of a Construction Management Plan would help to minimise disruption to the day-to-day functioning of the school and minimise disruption to local residents. The application for a Traffic Regulation Order to implement a one-way system along Caxton Road would be submitted to approval sought from the Highway Authority.

Conclusion

41. Concerns have been raised regarding the impact of the proposed development on various aspects including residential amenity, design aspects and traffic and highway safety issues. Having assessed each of these areas of concern, in my view, the development would not give rise to any significant material harm sufficient to warrant withholding planning consent. The proposed development is in accordance with the general aims and objectives of the relevant Development Plan Policies. In addition, the development is sustainable and in accordance with the principles of the National Planning Policy Framework and the Policy Statement on Planning for School Development. I consider that, subject to the imposition of appropriate planning conditions, this proposal would not have a significantly detrimental impact on residential amenity, design and layout aspects and traffic/parking issues.

Recommendation

42. 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;
 - a programme of archaeological work;
 - no vegetation clearance to take place during the bird breeding season;
 - 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;
 - details of a construction management plan to be agreed prior to commencement of the development;
 - details of construction vehicle loading/unloading and turning facilities to be agreed prior to commencement of the development;
 - details of wheel cleaning facilities to be approved prior to commencement of development.
42. I FURTHER RECOMMEND that the applicant be advised by informative of:
- Before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant

Proposed expansion of Garlinge Primary School, Westfield Road, Margate – TH/14/79 (KCC/TH/0010/2014)

to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

- That the applicant be advised that the Travel Plan should be registered on-line with Kent County Council's School Travel Plan site 'Jambusters' by accessing the following link www.jambusterstpms.co.uk, to assist with the updating, monitoring and future review of the Travel Plan.

Case officer – Hardeep Hunjan

01622 221057

Background documents - See section heading
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Item D3**Two classroom extension, Lower Halstow Primary School
SW/14/0400 (KCC/SW/0092/2014)**

A report by Head of Planning Applications Group to Planning Applications Committee on 14 May 2014.

Application by Lower Halstow Primary School for the construction of a 2 classroom extension and internal alterations at Lower Halstow Primary School, School Lane, Lower Halstow – SW/14/0400 (KCC/SW/0092/2014).

Recommendation: Permission be granted subject to conditions.

Local Members: Mr R. Truelove and Mr L. Burgess

Classification: Unrestricted

Site

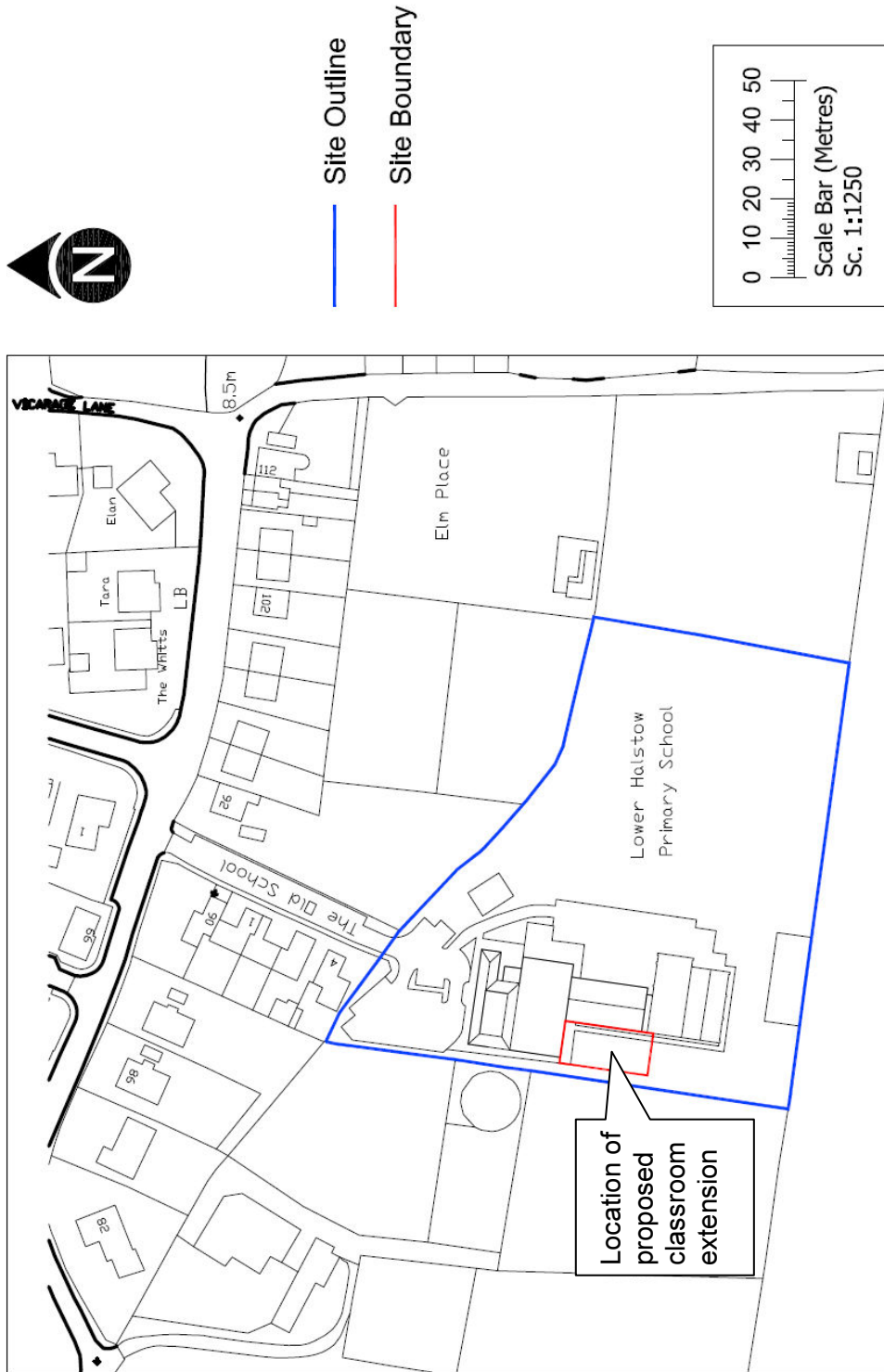
1. Lower Halstow Primary School is located on the southern edge of the village of Lower Halstow, and is accessed from a small spur road off School Lane. The old school buildings along this spur road have been converted to residential dwellings and further residential properties lie to the north of the school site along School Lane. To the south, east and west of the site are agricultural fields. The boundaries of the site are clearly marked with hedging and trees and the front entrance to the site from School Lane is enclosed with railings, which have vehicular and pedestrian gated entrances. The school buildings sit along the western side of the site, with the hard and soft play areas located to the east.
2. The school is a low key building, predominantly single storey in nature, with taller buildings to the south (rear) of the site where the school and sports hall is located. The buildings are generally constructed of yellow bricks with white windows and doors, and either tiled roofs or standing seam metal sheets. Parking is currently located at the front of the site by the access gates, and provides 18 spaces.

Background and Proposal

3. Lower Halstow School has recently attained academy status, but has been designated for expansion to a 1 form entry school under the County Council's Basic Need Programme. At present the school has a published admission number of 20 which means that the school teaches in 5 classes of mixed ages. Expanding the school to a 1 form entry primary school and increasing the admission number to 30 would allow the School to teach in single year group classes so children can move through the school with their peers. This application seeks to achieve this aim.
4. The application proposes two new classrooms, provided in a single unit which would be located along the western boundary of the site, tucked behind the existing school buildings. The classrooms would be attached to the main school by a small link which would open into a lobby providing access to both classrooms. A small care suite would also be provided in the extension with storage and cloakroom facilities. Toilet facilities for the classes would be located in the main school building. The classroom extension would be constructed with a brick plinth with weatherboard cladding above, and have a simple pitched roof with fibre cement slate tiles.

Two classroom extension, at Lower Halstow Primary School

General Location Plan



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Site Location Plan. Scale 1:1250

Two classroom extension, at Lower Halstow Primary School

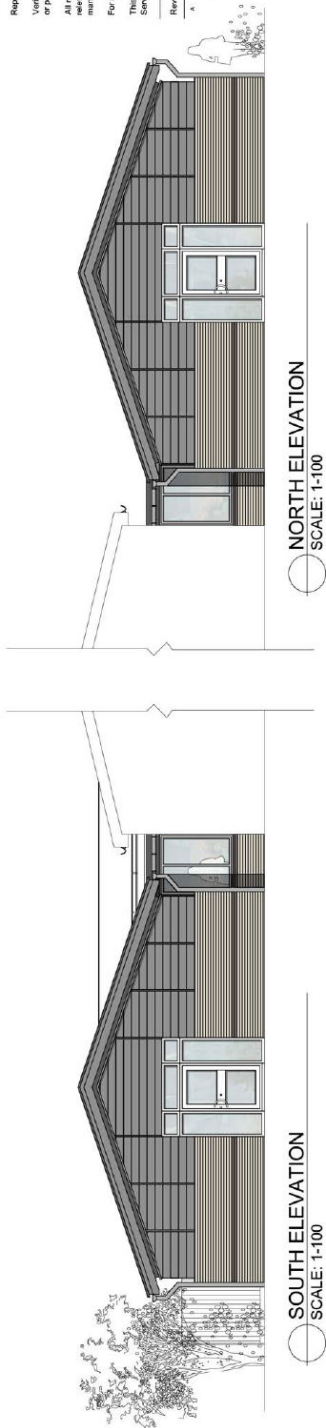
Proposed Elevations

Received - 9 April 2014
Planning Applications Group

Notes:

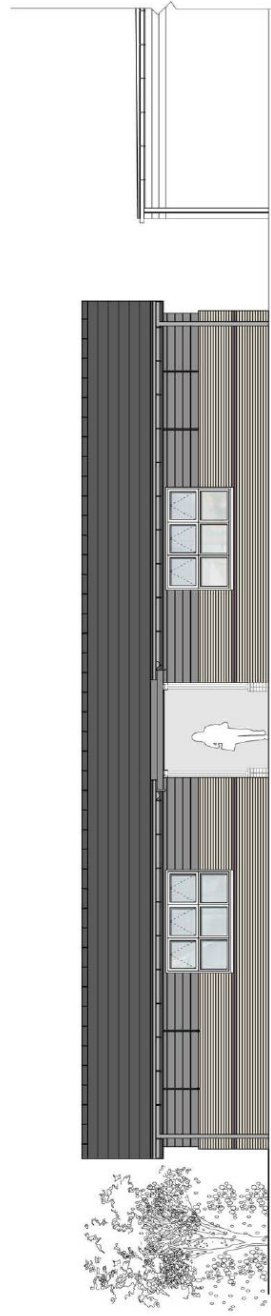
Do Not Scale.
Report all discrepancies, errors and omissions.
Verify all dimensions on site before commencing any work on site or preparing shop drawings.
All materials, components and workmanship are to comply with the manufacturer's recommendations. It is the client's responsibility to ensure that all materials and workmanship are of the highest quality.
For all specialist work, see relevant drawings.
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Rev	Date	Description
A	17/03/14	Issue for planning application

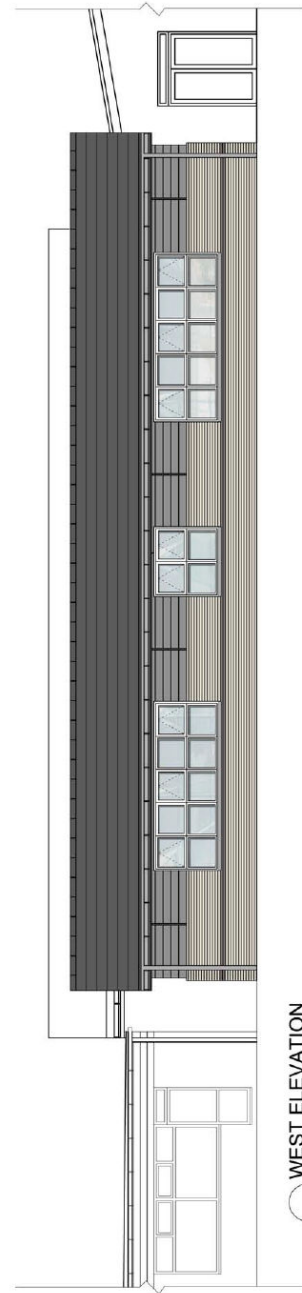


○ SOUTH ELEVATION
SCALE: 1-100

○ NORTH ELEVATION
SCALE: 1-100



○ EAST ELEVATION
SCALE: 1-100



○ WEST ELEVATION
SCALE: 1-100



6, 9-11 The Courtyard
Parsonage Farm, Road
Thornaby, Scarborough
North Yorkshire YO26 6ET
www.dia.co.uk

PROJECT TITLE
LOWER HALSTOW PRIMARY SCHOOL
School Lane, Lower Halstow, Kent
2 Classrooms Extension
Project 14-011

DRAWING DESCRIPTION
Proposed Elevations

SCALE: 1:100 @ A3
DATE: 17/03/2014
DRAWN BY: M/JN
CHECKED BY: DG

STATUS: **PLANNING**
DRAWING NUMBER: 14-011/04
REVISION: A

Two classroom extension, at Lower Halstow Primary School

5. To the north of the site an existing mobile classroom would be demolished which would enable a further 7 parking spaces to be provided within the site. These would be provided along the northern boundary, to the rear of 92 School Lane. The car park would then be subdivided with hinged bollards creating a staff car park of 14 spaces, and a visitor car park of 11 parking spaces, 2 of which would be disabled compliant.
6. Amended plans were submitted by the applicant soon after the application was received, which increased the size of each classroom from 57sqm to 65sqm, simplified the cladding design and colour use, and altered the window design.

Recent Site History

7. The recent planning history for the site dates back to 2002, when permission was given for the sports hall and two new classrooms. Temporary classrooms were permitted in 2005 to allow the building work to be undertaken, and then permission for a new dining hall was granted in 2009. In 2011 a canopy for the outside play area was also permitted.

Planning Policy

8. 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 applications 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;
 - 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.
- (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) **Swale Borough Local Plan 2008:**

Two classroom extension, at Lower Halstow Primary School

- Policy SP1 Sustainable Development:** Proposals should accord with principles of sustainable development that increase local self-sufficiency, satisfy human needs, and provide a robust, adaptable and enhanced environment.
- Policy C1 Existing and New Community Services and Facilities**
The Borough Council will grant planning permission for new or improved community services and facilities, and particularly those that include provision for wider public use.
- Policy E1 General Development Criteria:** Proposals should cause no demonstrable harm to residential amenity and other sensitive uses or areas; reflect positively characteristics and features of the site surroundings; and protect and enhance the natural and built environments.
- Policy E19 Achieving High Quality Design and Distinctiveness:** Development proposals should be of a high quality design and respond positively to design criteria.
- Policy E21 Sustainable Design and Build:** Proposals should incorporate sustainable design and build measures into the detailed design of new development in its use of siting, design, materials and landscaping.
- Policy T1 Providing Safe Access to New Development:** Proposals which cause unacceptable impacts of the capacity of the highway network or on highway safety will not be granted planning permission.
- Policy T3 Vehicle Parking for New Development:** Requires appropriate vehicle parking for new development in accordance with the adopted Kent County Council parking standards.
- Policy T4 Cyclists and pedestrians:** Requires cycle parking facilities for new development in accordance with the Kent County Council cycle parking standards.
- (iv) The draft **Swale Borough Local Plan ('Bearing Fruits')** (August 2013) also contains broadly similar policies on transport, parking, design and general development criteria, but these policies currently carry very little weight, given their draft status.

Consultations

9. **Swale Borough Council:** No comments received to date.

Lower Halstow Parish Council object to the proposal on three grounds. They state: "Lower Halstow is a rural village accessed by narrow and sometimes single carriageway country lanes. An increase in the size of the school PAN (over 40% on current numbers) will mean a significant increase in traffic on these routes as all additional children attending the school will have to come from outside of the village; there is no requirement for an increase in admissions numbers for existing residents and there are no plans for any significant increase in residential accommodation in the village. The additional traffic will make the approach roads to the village more congested and dangerous. Additionally there is an AQMA zone in Newington and traffic accessing the village via this route will add to the pollution already above EU recommended limits.

Two classroom extension, at Lower Halstow Primary School

There is no parking facility in the school for parents cars and the additional 50 or 60 cars will have a significant impact on residential roads around the school at drop off and pick up time. Parents currently park on bends, across residential drives and irresponsibly, making a chaotic and sometimes dangerous situation. This increase in the size of the school will only exacerbate the situation.

The Council are concerned that the existing sewage facilities will not cope with a 40% increase in usage from the school and would have to be upgraded if permission is granted.

If granted the size of the classrooms should be increased from 50sqm to 60sqm. In the current proposals the classroom sizes do not allow children to move freely around, and it is shortsighted to not allow sufficient space for any future curriculum requirements.”

Kent County Council’s Highways and Transportation raises no objection subject to the imposition of conditions covering the following aspects:

- Precautions being taken to prevent the despoit of mud on the public highway
- Provision being made on site during construction for the loading, off loading and turning of operatives and construction vehicles
- Details of on-site parking areas for site personnel, operatives and visitors to be agreed prior to the commencement of development, and retained throughout construction
- Permanent retention of vehicle parking spaces shown within the application prior to the occupation of the building
- The submission of a revised School Travel Plan prior to the development being bought into use.

Local Member

10. The local County Members, Mr Lee Burgess and Mr Roger Truelove were notified of the application on 26 March 2014.

Publicity

11. The application was publicised by the posting of a site notice at the entrance to the school, and the individual notification of 11 residential properties.

Representations

12. In response to the publicity, 2 letters of representation have been received. The key points raised can be summarised as follows:
 - No issue with the expansion itself
 - Concern over state of roads into and out of village which will worsen with increasing traffic
 - New pupil places would likely come from outside the village
 - Considerable traffic congestion at start and end of each day
 - If village being asked to accept new pupil places and increased traffic the road surfaces should be improved
 - Negative impact on residents of School Lane as insufficient parking at the moment
 - Parking around school would be difficult and disruptive to residents

Two classroom extension, at Lower Halstow Primary School

- Narrow lanes would suffer increased congestion
- Should look at alternative school sites for additional classrooms
- Or should improve access and parking facilities at Lower Halstow

Discussion

13. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 9 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
14. This application is being reported for determination by Members of the Planning Applications Committee following the objections of neighbouring residents and the Parish Council. In my view the main issues to consider are whether the design and layout are acceptable, any residential amenity concerns and the traffic and parking impacts arising from the proposal.

Design and Layout

15. The proposed building is of a simple design which would compliment the existing school buildings to which it would be attached. The choice of materials (yellow brick, timber cladding and grey tiles) would be in keeping with the style of the existing school, and the fenestration, as amended, would also match. The building would be sited along the western boundary of the site and would have a limited visual impact due to this location. From within the school grounds the new classrooms would be screened from wider views by the existing school. From the surrounding countryside to the west, the proposed classroom would be viewed against the backdrop of the existing school, and despite the removal of some small self-seeded trees along this boundary it is considered that there would be no adverse visual impact.
16. It is therefore considered that the design and appearance of the extension would be acceptable, and there would not be any adverse visual impact as a result of the scheme. It would therefore accord with Policies E1 and E19 of the Swale Borough Local Plan.
17. The removal of the existing mobile classroom from within the site would also have a positive impact on the overall appearance of the school site. There are no neighbouring residential properties in close proximity to the building itself, therefore the structure would not result in any loss of amenity as a result of its form.

Highway and Parking Issues

18. The proposed classrooms would allow the school to become a 1 form entry school, admitting 30 pupils per year instead of 20 as at present. The overall capacity of the school would therefore increase by 60 pupils (there being 7 classes of 30 children instead of the current 5 classes).
19. The September 2014 intake (provided by the school) demonstrates that 63% of the new Reception Year will live within 1.5 miles of the school, and the vast majority of them will live within the immediate locality where it is reasonable not to have to travel by car. The remaining pupils live anywhere between 1.5 and 3.5 miles of the school, which although may not be within walking distance, is still generally serving the

Two classroom extension, at Lower Halstow Primary School

- needs of the local community, where they may otherwise have to travel further distances to other schools.
20. Additionally 30% of the intake would be siblings of existing pupils, which would suggest that some of the additional pupil journeys to the school will be travelling in vehicles that would already be making the same journey anyway, so would not be adding to the network traffic.
 21. The roads leading in and out of Lower Halstow are already well used by motorists travelling between parts of Swale and the Medway Towns, and what additional traffic may be generated along these routes by additional pupils outside of the built-up envelope of the village, are unlikely to have any material impact on these routes.
 22. The school at present provides 18 parking spaces on site, which would be increased by 7 spaces under the current proposal. As set out at the beginning of the report, 14 of the spaces would be for staff use only and would be separated by hinged bollards from the remainder of the car park. The intention would be that the staff would be on site before drop off time and leave after collection time, therefore this area would not be accessible at times when children are walking through the car park to enter/leave school, thus improving overall safety within the site. The remainder of the car park, 11 spaces, would be allocated for visitors, and covered cycle racks are also provided within the school grounds.
 23. It is acknowledged that there will be additional parking demand as a consequence of the increased numbers, but the impact of this will be away from the main through routes, and will be limited to a short period in the morning and each afternoon during term time. I do not consider that the increase in on-street parking demand from the 2 classrooms would significantly harm highway safety. Whilst this may be inconvenient for nearby residents, from an amenity point of view, it is a general inevitability of the presence of a school, and local people often tailor their movements around this to avoid the busy periods. The amenity impacts are not such to warrant withholding planning permission in this case and need to be considered against the Government Policy Support for state funded schools.
 24. The scheme does include more on-site parking that has the ability to remove some of the staff vehicles that may currently park on the street, so this will provide some mitigation to an extent by freeing up some spaces for parents.
 25. It should be borne in mind that all schools generate traffic and often some parking on the public highway, but unless that constitutes a severe risk to road safety then it is not a reason to withhold planning consent, and it should be noted that the Highways Officer has raised no objection to the scheme in this case.
 26. The submission of a School Travel Plan is recommended as a condition attached to any consent, through which improvements to travel patterns can be targeted to promote alternative means of travelling to and from school other than the car, and to educate parents to park in a responsible manner. It is therefore considered that the scheme is acceptable from a transport perspective and would accord with Policies T1, T3 and T4 of the Swale Borough Local Plan.

Landscaping

Two classroom extension, at Lower Halstow Primary School

27. In order to ensure the long term survival of the trees along the northern boundary in the location of the new parking spaces, I would recommend that conditions be imposed on any consent to ensure that the roots are not damaged during construction and that the materials used are appropriate.

Construction Matters

28. Given that there are neighbouring residential properties, if planning permission is granted it is considered appropriate to impose a condition restricting hours of construction to protect residential amenity (Monday to Friday between 0800 and 1800; Saturday 0900 to 1300; and no operations on Sundays or public holidays). It is also considered 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.
29. Should permission be granted a condition requiring the submission of a full Construction Management Strategy prior to commencement of development is considered appropriate. That should include details of how the site access would be managed to avoid peak school times, details of the methods and hours of working, location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities and details of any construction access.
30. In addition to the above, should permission be granted, a further condition to ensure that dust and mud are not deposited on the highway would also be considered appropriate, to minimise disruption to local residents.

Other Matters

31. The Parish Council has raised concerns regarding the size of the classrooms being too small, however the amended plans have addressed this concern by increasing the size of the classrooms to 65sqm each.
32. There have also been concerns raised over the ability of the sewage facilities to cope with the increased demand which would result from the increase in class numbers. The applicant has stated that the construction would be connected to the mains sewer and existing drainage system. The local drainage authority would be responsible for ensuring that the system is able to cope with the increased demand, and I am unaware of any reason why this should not be accommodated here.
33. Finally, comment has been made that the increase in traffic generated by the scheme could further affect the air quality in Newington (some 2 miles away) and add to pollution in that area. The Air Quality Management Area is monitored and addressed at a District level. At this stage it is not possible to know where the additional pupils would be travelling from to get to Lower Halstow and whether such traffic generation would affect the Air Quality Management Area in Newington or not. Furthermore travel patterns for pupils coming into the school could change year on year and therefore any impact that might arise would not necessarily be a long term issue. Under the circumstances, I do not consider this objection to be proportional to the proposed development, bearing in mind that the extra school traffic would be negligible to the higher traffic flows on the A2 passing through Newington.

Conclusion

Two classroom extension, at Lower Halstow Primary School

34. The application has been considered on its own merits and in the light of the NPPF, the Planning for Schools Development Policy Statement and the Development Plan, and comments received raising concerns about the scheme. The proposed development is considered to be in keeping with the existing school and its surroundings from a design point of view, and is of a scale, and sited in such a position, that it would have little visual impact on the surrounding area. In addition it is considered that the proposed development would not be of such a scale that it would have a significantly detrimental impact on the local highway network or residential amenity, and would accord with the principles of sustainable development as set out in the NPPF.
35. Therefore, subject to the imposition of conditions, I consider that the development would not give rise to any material harm, and is otherwise in accordance with the general aims and objectives of the relevant Development Plan Policies, the Planning Statement and the guidance contained in the NPPF, and that permission should therefore be granted.

Recommendation

36. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
- the standard time limit
 - the development to be carried out in accordance with the permitted details
 - the submission of details of all construction materials to be used externally
 - a Tree Protection Plan and an Arboricultural Method Statement to be submitted
 - the submission of measures to protect those trees that are to be retained
 - hours of working during construction to be restricted to 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 or Bank Holidays
 - measures to be taken to prevent mud and debris being deposited on the public highway
 - the submission of a Construction Management Plan, providing details of access, parking and circulation within the site for contractors, site personnel and other operatives & management of the site access to avoid peak school times
 - the provision before occupation, and the retention of, areas shown for parking and turning on site
 - submission of an updated School Travel Plan prior to occupation, its implementation and on-going review.
37. I FURTHER RECOMMEND that the following INFORMATIVE be added:
- that the applicants be advised that the Travel Plan should be registered on-line with Kent County Council's School Travel Plan site 'Jambusters' by accessing the following link www.jambusterstpms.co.uk, to assist with the updating, monitoring and future review of the Travel Plan.

Case Officer: Helen Edwards	Tel. no: 01622 221052
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Background Documents: see section heading

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**E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT
PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS -
MEMBERS' INFORMATION**

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

Background Documents - The deposited documents.

AS/07/273/RVAR	Variation of approved restoration scheme relating to the area of the site covered by an application submitted by Ashford Borough Council (Ref. AS/12/1244) for a country park together with associated clubhouse, touring caravan, storage and car parking facilities pursuant to conditions (1), (22), (34), (37), (38) and (39) of planning permission AS/07/273. Conningbrook Quarry, Willesborough Road, Ashford
DA/13/827/R7	Details pursuant to condition (7) (surface water drainage discharge) of planning permission DA/13/827. Swanscombe Works, Manor Way, Swanscombe
DO/08/510/R21A	Further information pursuant to condition (21) of planning submission DO/08/510/R21, Final Ecological Management Plan. Back Sand Point Landfill Site, Pfizer Ltd, Ramsgate Road, Sandwich
SW/14/191	Extension to the existing HGV fitters shed plus small additional storage building. Countrystyle Recycling, Ridham Dock Road, Iwade
TM/14/532	Section 73 application to vary condition 2 of planning permission TM/13/1299 to align the operational timeframe of the established enclosed composting facility granted under planning permission TM/13/1299 to that of the consented anaerobic digestion facility granted under planning permission TM/12/2549. Blaise Farm Quarry, Kings Hill, West Malling
TM/14/573	Section 73 application to vary condition 11 of Annex A2 (original quarry) of planning permission TM/10/2029 granted on 11 July 2013. Hermitage Quarry, Hermitage Lane, Aylesford

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

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

Background Documents – The deposited documents.

- DA/13/1701 Demolition of an existing 1 and 2 storey nursing home and the construction of an extra care building of 1, 2 and 3 storeys containing 40 flats and associated communal and community facilities.
Manorbrooke Residential Home, Bevis Close, Dartford
- DA/14/108 Construction of a new 2 storey detached building accommodating 3 classrooms, hall, changing room, toilets, store and plant room. The provision of a parents drop off facility, 8 additional parking spaces and relocation of a cycle storage area.
Manor Community Primary School, Keary Road, Swanscombe
- DA/14/234 Proposed amendment to the Hall Extension approved under planning application DA/13/1203.
Maypole Primary School, Franklin Road, Dartford
- GR/14/139 Planning renewal of existing mobile classroom unit.
Culverstone Green Primary School, Wrotham Road, Culverstone, Meopham
- SE/13/269/RVAR Details of materials pursuant to conditions 3, 4, 5 and 6 of planning permission SE/13/269 – Proposed playing field and car park improvements and multi use games area size increase.
Weald Community Primary School, Long Barn Road, Weald, Sevenoaks
- SE/13/3619 Single storey front entrance extension. The proposal also includes new steps and a platform lift.
St Katherine's Knockholt CEP School, Main Road, Knockholt, Sevenoaks
- SW/12/884/R Non material amendment to permission SW/12/884 for an access ramp to main entrance and fire escape door to existing classroom.
Ethelbert Road Primary School, Ethelbert Road, Faversham
- SW/12/884/R3 Details of external materials pursuant to condition (3) of planning permission SW/12/884 for extensions to main school building.
Ethelbert Road Primary School, Ethelbert Road, Faversham

SW/14/189	Renewal of planning consent SW/11/51 for the established pre-school unit within the school grounds. The Owl and the Pussycat Pre-School, School Lane, Bapchild, Sittingbourne
TH/13/993	Retrospective planning permission for the temporary car park. Ellington and Hereson School, Newlands Lane, Ramsgate
TH/13/1014	Demolition of an existing one and two storey primary school with pitched roof and the construction of an extra care building of 2 and 3 storeys containing 49 flats and associated communal and community facilities, and alterations and widening of existing access onto Melbourne Avenue. Former Newington Primary School, Melbourne Avenue, Ramsgate
TM/14/736	Two single storey infill extensions to courtyards of the existing school building and car park expansion. Oakley Primary School, Waveney Road, Tonbridge

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

Background Documents –

- *The deposited documents.*
 - *Town and Country Planning (Environmental Impact Assessment) Regulations 2011.*
 - *DETR Circular 02/99 – Environmental Impact Assessment.*
- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-
- KCC/MA/0009/2014 - Importation of 23,806 cubic metres of clay/soil to stabilise the northern face of the sandpit workings at Chilston Sandpit, Sandway Road, Sandway, Maidstone
- KCC/MA/0099/2014 - Application to vary a condition in MA/09/1013/MA108, as well as a request for a temporary relaxation of condition 5 accompanied by schemes submitted pursuant to conditions 14 / 23 / 25 / 29 at Lenham Quarry, Forstal Road, Lenham
- KCC/MA/0103/2014 - Section 73 application to vary conditions in permission MA/08/45 regarding revised proposals for phase 1 slope remediation at Lenham Quarry, Forstal Road, Lenham

KCC/SH/0082/2014 - Section 73 Application to vary condition 8 of planning permission SH/13/841, to increase the volume of green waste to the site up to 18,000 tonnes per annum.
Hope Farm, Crete Road East. Hawkinge, Folkestone

- (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

- (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