

PLANNING APPLICATIONS COMMITTEE

Wednesday, 16th July, 2014

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 16th July, 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 S C Manion,
Mr R J Parry, Mr C Simkins, Mrs P A V Stockell 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 - 11 June 2014 (Pages 5 - 12)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application SW/11/548 (KCC/SW/0346/2013) - Section 73 application to vary condition 9 of planning permission (use of building 15B to install and operate materials recycling facility (MRF) and a refuse derived fuel (RDF) facility and to use existing weighbridge, weighbridge office, and washrooms/toilets to the south of building 15A) to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Ridham Dock, Iwade,,Sittingbourne. (Pages 13 - 26)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal TW/14/1580 (KCC/TW/0125/2014) - Refurbishment of the existing tennis/netball Courts including the replacement of the sports court fencing and the provision of 6 x 10 metre high floodlights, at Tunbridge Wells Girls Grammar School, Southfield Road, Tunbridge Wells (Pages 27 - 40)
2. Proposal TH/14/0112 (KCC/TH/0388/2014) - construction of new single storey Special Education Needs (SEN) School for pupils aged between 2 and 19, with associated car parking and hard/soft landscaping for the relocation of The Foreland School, at land north of Ellington and Hereson School, Newlands Lane, Ramsgate (Pages 41 - 66)
3. Proposal TH/14/0148 (KCC/TH/0005/2014) - Application by Kent County Council Property and Infrastructure for an eight classroom extension along with a multi use hall and kitchen, plant room, toilets and staff room and external playspace at Cliftonville Primary School, Northumberland Avenue, Margate (Pages 67 - 86)
4. Proposal TM/14/1687 (KCC/TM/0107/2014) - Conversion of existing light industrial building into 5 classrooms, a Plan Prepare and Assess (PPA) room with new staircase/lift extension and associated external works, including fencing, canopy and access platform, and the removal of existing mobile classroom at Slade Primary School, The Slade, Tonbridge (Pages 87 - 106)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 107 - 114)
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, 8 July 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, 11 June 2014.

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

ALSO PRESENT: Mr R Truelove

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

UNRESTRICTED ITEMS

42. Membership
(Item A1)

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

43. Minutes - 14 May 2014
(Item A4)

- (1) RESOLVED that subject to a minor amendment to Minute 38 (6) to clarify that Mr S Harwood spoke on behalf of local supporters of the application including "Tunstall Mums", the Minutes of the meeting held on 14 May 2014 are correctly recorded and that they be signed by the Chairman.

44. Site Meetings and Other Meetings
(Item A5)

- (1) The Committee noted that a provisional additional meeting had been arranged to take place on Thursday, 2 October 2014.
- (2) The Committee agreed to hold a half day training session on heritage and conservation issues on Wednesday, 15 October 2014.

45. Proposal SW/14/192 (KCC/SW/042/2014) - Renewal of Permission SW/11/1451 for the retention of a single and double mobile classroom unit at Tunstall Primary School, Tunstall; KCC Property and Infrastructure Support
(Item D1)

(1) Mr L Burgess informed the Committee that he was the Chairman of Tunstall PC, which had submitted its views on the proposal to the Head of Planning Applications Group. He had not, however, been present at the meeting which had considered it.

(2) Representations from Tunstall PC had been circulated before the meeting. At the request of the Parish Council, these were read out by the Head of Planning Applications Group.

(3) The Head of Planning Applications Group reported additional correspondence from Mrs Senior, Mrs Mourland, Mrs Stephen, Mrs Spicer and Ms Bond (local residents) in opposition to the proposal as well as from another local resident, Mr Fincham in support.

(4) Mrs A Spicer, a local resident, spoke in opposition to the proposal. Mr R Stevenson (John Bishop and Associates) spoke in reply on behalf of the applicants.

(5) Mrs P A V Stockell moved, seconded by Mr C P Smith that the recommendations of the Head of Planning Applications Group be agreed.

(6) Mrs P A V Stockell, with the agreement of her seconder accepted the following amendment:

“That an Informative be added to advise the applicant to note the views expressed by Tunstall Parish Council in its statement of 10th June 2014 and by others in terms of the quality and health and safety concerns raised by the continued use of the temporary buildings for educational purposes. The Committee’s support is given for regular inspection and appropriate maintenance to be undertaken to meet health and safety responsibilities.”

(7) On being put to the vote, the motion as amended was carried by 14 votes to 2 with 2 abstentions

(8) RESOLVED that:-

- (a) temporary permission be granted to the proposal subject to conditions, including conditions covering the removal of the units from the site by the end of December 2015; and the satisfactory restoration of the site following the submission and approval by the Planning Authority of a restoration plan; and
- (b) the applicants be advised by Informative to note the views expressed by Tunstall Parish Council in its statement of 10th June 2014 and by others in terms of the quality and health and safety concerns raised by the continued use of the temporary buildings for educational purposes. The Committee’s support is given for regular inspection and appropriate maintenance to be undertaken to meet health and safety responsibilities.

46. Proposal SW/14/0394 (KCC/SW/0091/2014) - Four classroom extension, new hall, link corridor, additional toilets and TA room and new playground at Queenborough Primary School and Nursery, Edward Road, Queenborough; KCC Property and Infrastructure Support
(Item D2)

(1) The Head of Planning Applications Group reported correspondence from Swale BC and from Ms A Harrison, the Local Member raising no objection to the proposal.

(2) RESOLVED that:-

(a) permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with the permitted details; the submission and approval of details of all construction materials to be used externally; measures being taken to prevent mud and debris being deposited on the public highway; hours of working during construction being restricted to between the hours of 0800 and 1800 Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays; 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 submission of an updated School Travel Plan prior to occupation, its implementation and on-going review; the development being carried out in accordance with the precautionary measures, recommendations, and mitigation works detailed in the submitted Ecological Appraisal and supplementary information; and the removal of the two single mobile classrooms within 1 month of first occupation of the extension; and

(b) the applicants be advised by Informative that:-

(i) with regard to the requirement to prepare and submit a revised School Travel Plan, they are advised to register with Kent County Council's Travel Plan Management system 'Jambusters' using the link <http://www.jambusterstpms.co.uk>. Further information and advice can be obtained from the County Council's Transport Planner (Schools), Annette Bonner, who can be contacted at mytravelplan@kent.gov.uk. Jambusters is a County Wide initiative aiding Schools in the preparation and ongoing monitoring of School Travel Plans;

(ii) a formal Traffic Regulation Order application should be made to Kent County Council for the introduction of corner protection (12m double yellow lines) at the junctions between Main Road and Castlemere Avenue and Castlemere Avenue and Edward Road;

(iii) account should be taken of the Environment Agency's advice relating to the waste hierarchy, which can be found at: www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb_13530-waste-hierarchy-guidance.pdf; and

(iv) the potential for biodiversity enhancements should be explored.

47. Proposal SE/14/13 (KCC/SE/0375/2013) - Redevelopment of the former Wildernesse School site: demolition of existing school buildings, retention and refurbishment of Sports Centre, erection of two new secondary schools (6 f.e. Sevenoaks GS Annexe and 4 f.e Trinity School) new vehicular and pedestrian accesses, rearranged and extended car park providing 242 car parking spaces and dedicated child drop off/collection and bus zones, relocation of tennis courts into two new MUGAs and associated detailed landscaping works at Knole (east) Academy, Seal Hollow Road, Sevenoaks; KCC Property and Infrastructure Support
(Item D3)

(1) Mr Simon Randall (Wildernesse Residents Association) spoke in opposition to the proposal. Mr Indy Shokar (Resolution Planning) and Mr Mike Seare (MLM Consulting) spoke in reply on behalf of the applicants.

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee decided that the recommended external lighting scheme Informative would be incorporated as a condition.

(3) RESOLVED that:-

- (i) the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit for implementation; the development being carried out in accordance with the permitted details; the submission and approval of details of all materials to be used externally; the submission and approval of details of all external lighting, including hours of operation; the submission and approval of a scheme of landscaping, including replacement tree planting, soft landscaping, hard surfacing, its implementation and maintenance; the submission and approval of details of all gates, fences and means of enclosure, including a fence to the southern site boundary adjoining 'Greensleeves' (to be agreed in consultation with the occupants of 'Greensleeves'); the submission and approval of an Arboricultural Method Statement (AMS) prior to commencement of the development to explain how the demolition would be carried out in respect of the retained trees; the submission and approval of a scaled Tree Protection Plan (TPP) prior to the commencement of the development; the development according with the recommendations of the submitted ecological surveys/reports; the submission and approval of a detailed Landscape and Ecological Management Plan (LEMP); the submission and approval of a detailed mitigation strategy in respect of reptiles during clearance of the southern site boundary; the submission and approval of a specification and timetable for a programme of archaeological works; the submission and approval of details of measures to minimise the risk of crime; a BREEAM rating of 'Very Good' being achieved; the submission and approval of a Community Use Scheme relating to use of the indoor and outdoor facilities, including hours of use; the provision of replacement tennis courts and proposed new sports hall, activity studio and changing rooms prior to

occupation, unless otherwise agreed by the County Planning Authority; the submission and approval of details of cycle route signage, including location, type of signage, and a timeframe for implementation; the submission and approval of details of on-site cycle parking and access routes; staggered/offset school start and finish times; the submission and approval of a Travel Plan for each school prior to occupation, the submission of a review within six months of occupation, with ongoing monitoring and review thereafter; the submission and approval of details of widening of the pedestrian island on the A25, including a time frame for implementation; the submission and approval of details of a signalised crossing on Seal Hollow Road, including a time frame for implementation; the provision and retention of car parking, coach/bus parking/waiting, cycle parking, access, circulatory routes and turning areas; the provision of the required visibility splays at the new entrance; the submission and approval of an On Site Traffic Management Strategy; the submission and approval of a revised car parking layout; the development being carried out in strict accordance with the approved Flood Risk Assessment; the submission and approval of further works in respect of contaminated land; the submission and approval of details of a surface water drainage scheme; 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 and approval of a construction management strategy, including access, lorry routing, parking and circulation within the site for contractor's and other vehicles related to construction, site hoarding/fencing details, and demolition operations, and the provision of site hoardings/screening (particularly with regard to 'Greensleeves') along the southern site boundary; measures to prevent mud and debris being taken onto the public highway; and the external lighting scheme adhering to the Bat Conservation Trust's "Bats and Lighting in the UK" guidance; and

- (b) the applicant be advised by Informative that account should be taken of the Environment Agency's advice regarding waste on site, waste to be taken off site, and regarding storage of fuels and chemicals.

48. Proposal DA/13/1703 (KCC/DA/0372/2013) - New two storey and part single storey classroom block incorporating welfare facilities and storage; extension of school hall; provision of parents' drop off facility and 10 off-site parking spaces; 7 additional car parking spaces in the school car park at Stone CEP School, Hayes Road, Greenhithe; KCC Property and Infrastructure Support.
(Item D4)

- (1) The Chairman informed the Committee of correspondence he had received from the Local Member, Mrs P M Cole, in support of the proposal.
- (2) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 13 votes to 2.
- (3) Mr M Baldock asked, pursuant to Committee Procedure Rule 2.26 (3) that his vote against the decision of the Committee be recorded.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with the permitted details; the submission and approval of details of all materials to be used externally; a programme of archaeological work being submitted and approved; no vegetation clearance taking place during the bird breeding season; control of surface water drainage and infiltration to ground; the submission of a remediation strategy to deal with the risks associated with any contamination not previously identified being found on site; 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 the location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of any construction accesses and management of the site access to avoid peak school times; the submission of an updated School Travel Plan within 3 months of the date of the decision notice, its implementation and ongoing annual review; the provision and retention of the proposed parents' drop off facility, off-site parking bays and on-site parking bays; and the use of vehicle cleansing and wheel washing equipment during construction to prevent mud and other debris being deposited on the public highway; and
- (b) the applicant be advised by informative that:-
- (i) the provision of £3,000 shall be made before the development hereby approved is commenced, in order to pursue a Traffic Regulation Order to control the use of the off-site parking bays;
 - (ii) the comments and advice provided by Kent County Council's School Travel Plan Advisor in the e.mail received on 11 March 2014 should be taken into consideration in the updated School Travel Plan;
 - (iii) the School should look into implementing actions mentioned in the School Travel Plan including the formalising of the unofficial one-way system along Hayes Road, extending the "School – Keep Clear" zig-zag road markings, and negotiating with Stone PC about the possibility of using the car park associated with the Stone Pavilion facility for additional parking; and
 - (iv) the School Travel Plan should be registered on-line with Kent County Council's School Travel Plan site "Jambusters" by accessing the link www.jambusterstpms.co.uk to assist with the updating, monitoring and future review of the Travel Plan.

49. County matters dealt with under delegated powers
(Item E1)

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

- (a) County matter applications;
- (b) County Council developments;
- (c) Screening opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011; and
- (d) Scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

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SECTION C
MINERALS AND WASTE DISPOSAL

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

Item C1

Section 73 application to vary condition 9 of planning permission SW/11/548 (use of building 15B to install and operate materials recycling facility (MRF) and a refuse derived fuel (RDF) facility and to use existing weighbridge, weighbridge office, and washrooms/toilets to the south of building 15A) to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Ridham Dock, Iwade, Sittingbourne. Ref KCC/SW/0346/2013 (SW/13/1495)

A report by Head of Planning Applications Group to Planning Applications Committee on 16 July 2014.

Section 73 application to vary condition 9 of planning permission SW/11/548 (use of building 15B to install and operate materials recycling facility (MRF) and a refuse derived fuel (RDF) facility and to use existing weighbridge, weighbridge office, and washrooms/toilets to the south of building 15A) to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Ridham Dock, Iwade, Sittingbourne. Ref KCCSW/0346/2013 (SW/13/1495)

Recommendation: Subject to the satisfactory completion of a unilateral undertaking, temporary planning permission be granted, subject to conditions.

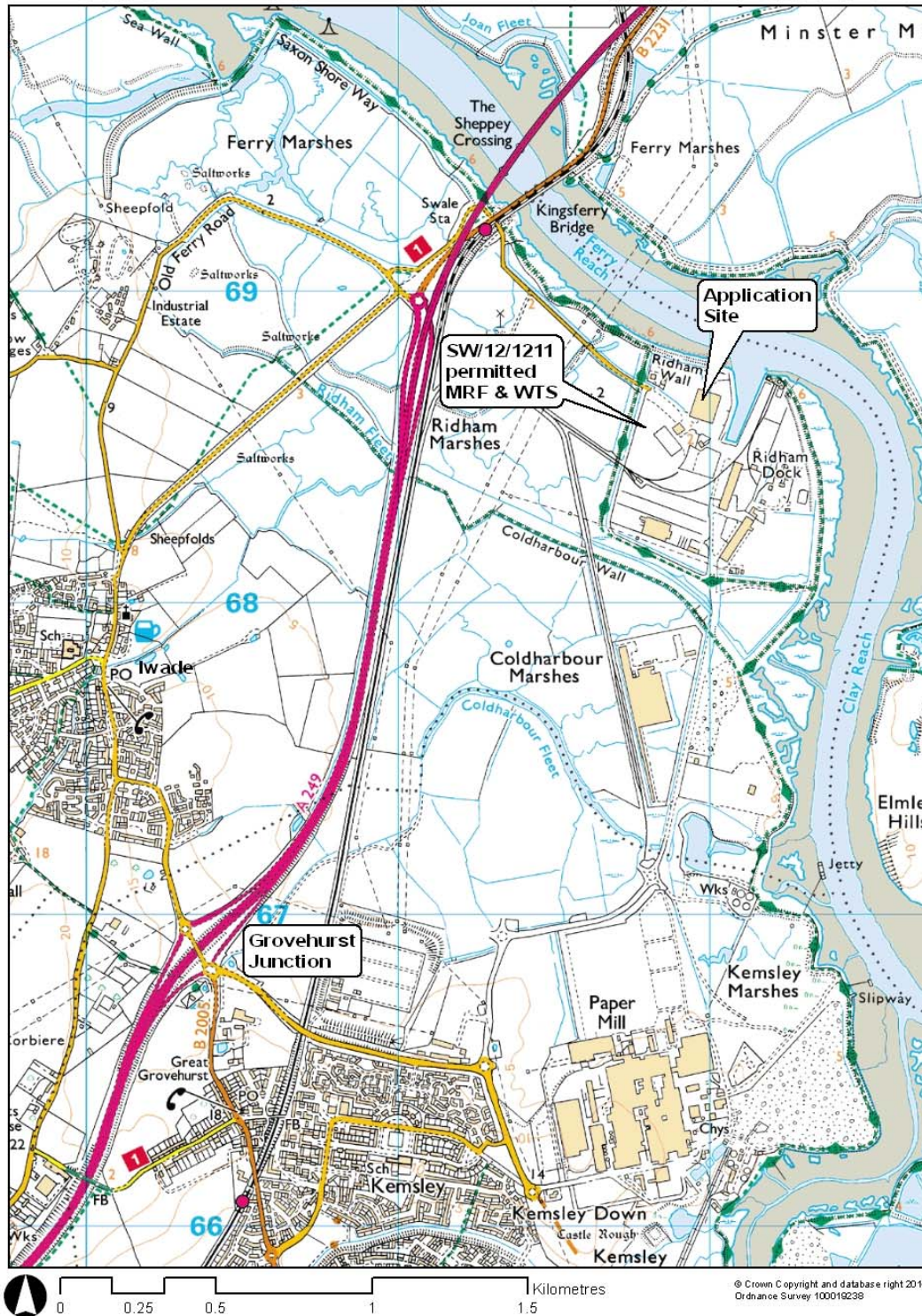
Local Member: Lee Burgess & Roger Truelove Classification: Unrestricted

Site Description:

1. The application site is located on Ridham Dock Industrial Estate, which is a well established commercial and industrial wharf situated adjacent to the Swale Estuary. The Dock is surrounded by sensitive biodiversity designations including the Swale Special Protection Area (SPA), Ramsar and a Site of Special Scientific Interest (SSSI). The Elmley National Nature Reserve is located east of the site, on the other side of the river. The Swale Estuary is a designated SPA under EC Directive 79/409 on the Conservation of Wild Birds and Ramsar citation as a wetland of national and international importance. It regularly supports internationally important numbers of wintering and breeding migratory waterfowl. The mudflats of the Swale are also rich in invertebrates and are rich in plant life, rare and common.
2. The Swale Estuary straddles the eastern and northern boundary of the dock and flows into the Thames estuary. The inlet point for the dock is located at the point the Swale sweeps across the northern boundary. The dock site is protected from flooding by the Ridham Dock wall flood defence which is located along the eastern and northern boundary.

Section 73 application to vary condition 9 of planning permission SW/11/548 to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Unit 15B Ridham Dock, Iwade, Sittingbourne. Ref KCC/SW/0346/2013 (SW/13/1495)

Wider Location Plan

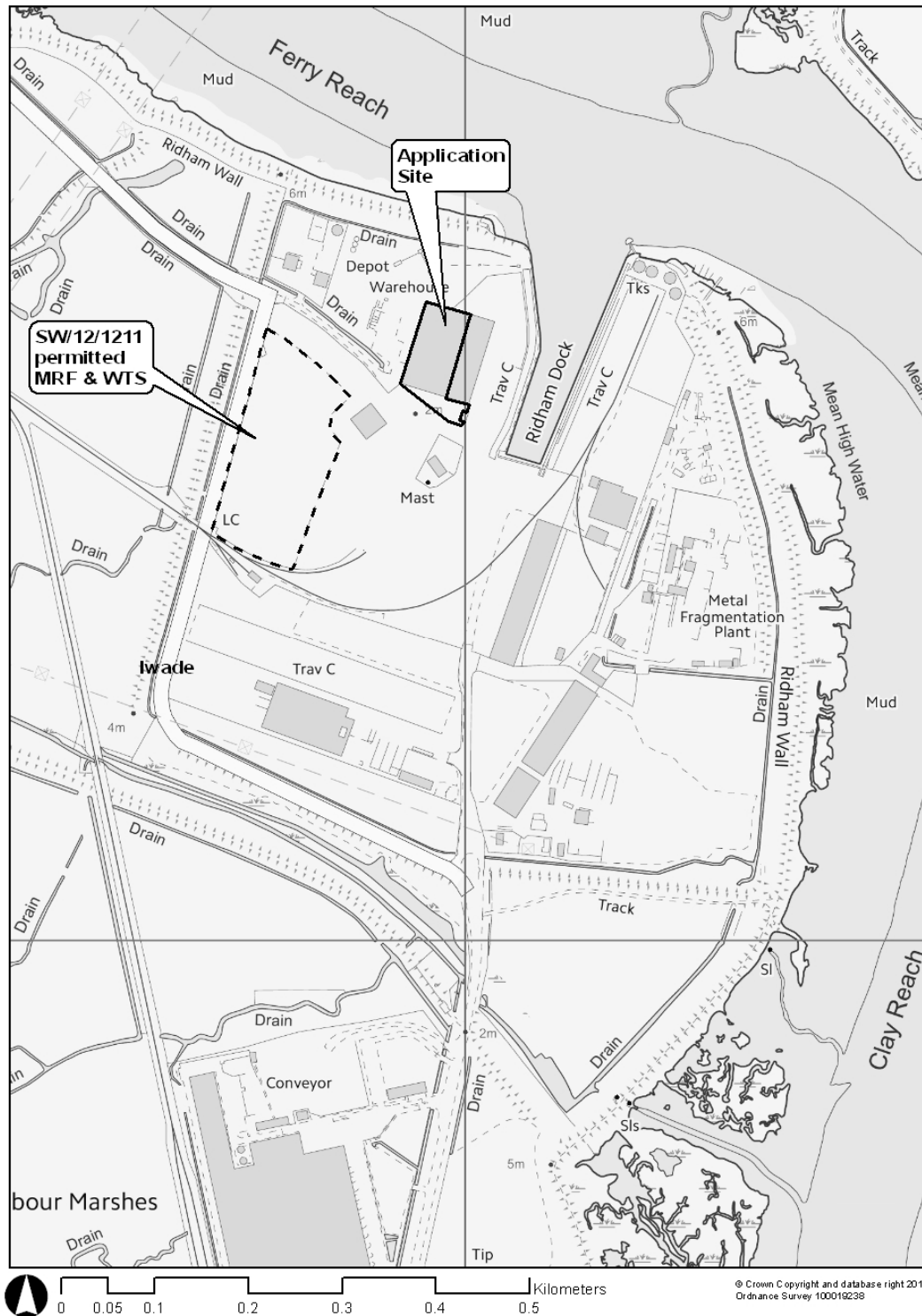


Section 73 application to vary condition 9 of planning permission SW/11/548 to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Unit 15B Ridham Dock, Iwade, Sittingbourne. Ref KCC/SW/0346/2013 (SW/13/1495)

3. The dock is currently used to import, export and store a wide range of cargo such as timber, steel, grain, aggregate and concrete products and contains various large scale buildings. Aside from the general wharf activity, the dock also harbours a range of industrial businesses such as Brett Aggregates, European Metal Recovery, Morgan Este and Arcelor Steel. Located within 2 kilometres of the dock are Kemsley Paper Mill and Knauf plasterboard facilities, together with a Countrystyle Recycling facility, Morrison's distribution warehouse and Ridham Sea Terminals.
4. The dock is accessed via a private spine road that traverses Ridham Dock, providing access to all land uses contained within the dock area. The spine road connects to the public highway by becoming Sheppey Way to the north and via a four-arm roundabout with Barge Way to the south. Barge Way is purpose built to accommodate HGV traffic accessing Ridham Dock. Sheppey Way connects to the Strategic Road Network via a grade-separated roundabout and dedicated slip-roads, providing access to and from the south along the A249, approximately 1km to the west of the application site.
5. The nearest residential areas in the surrounding environment are Kemsley (approximately 1.9km south), Iwade (approximately 1.5km west), Queenborough (approximately 2.5km north) and Minster (approximately 3.5km northeast). Beyond the industrial areas of the dock, the surrounding land consists of predominantly low lying grazing, agricultural and marshland areas.
6. The application site is Unit 15B at Ridham Dock consists mainly of an existing semi detached steel portal frame warehouse adjacent to Unit 15A. The building has historically been used for a range of industrial and port related storage purposes since the late 1970's. Included within the application boundary is an existing weighbridge, weighbridge office, mobile office and toilet/washroom (all located to the front of Unit 15A). All of these are ancillary to the operation of an existing Materials Recycling Facility (MRF) and Refuse Derived Fuel (RDF) Facility currently operating under the terms of planning permission SW/11/548. The application site comprises an area of some 0.5 hectares.

Section 73 application to vary condition 9 of planning permission SW/11/548 to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Unit 15B Ridham Dock, Iwade, Sittingbourne. Ref KCC/SW/0346/2013 (SW/13/1495)

Site Location Plan



Section 73 application to vary condition 9 of planning permission SW/11/548 to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Unit 15B Ridham Dock, Iwade, Sittingbourne. Ref KCC/SW/0346/2013 (SW/13/1495)

Background / Planning History

7. Planning permission was granted for a Materials Recycling Facility (MRF) and a Refuse Derived Fuel (RDF) Facility at the application site in September 2011. The MRF has permission to import up to 25,000 tonnes per annum (tpa) of commercial and industrial waste to the MRF by road. Waste for the MRF typically comprises mixed skip waste and is bought to the site on 7 tonne skip lorries. Vehicles bringing in materials for the MRF pass over the weighbridge before discharging their contents within a designated area within Unit 15B where it is stored prior to processing. A 360°grabber and loading shovel is used to convey the material to a mobile screener and then to a rotating trommel. The trommel is used to separate inert and fine materials before waste is conveyed to the picking station where pickers manually separate any recyclable materials into different storage containers. The recyclable fraction of the MRF waste is temporarily stored in a central storage area (between Unit 15A and Unit 15B) and exported by road to specialist recycling facilities and the residual goes through the RDF process to extract value.
8. Refuse Derived Fuel (RDF) is a fuel commonly produced by shredding and dehydrating solid waste. RDF consists largely of combustible components of municipal waste such as plastics and biodegradable waste. The residual material can be sold in its processed form (depending on the process treatment) or it may be compressed into pellets, bricks or logs. In this particular case the RDF goes through a series of simple processes firstly it is coarsely shredded, metals are removed with a magnet, the inert material is then removed and finally the material is more finely shredded before being baled and wrapped.
9. The RDF facility has permission to import up to 100,000 tpa of commercial and industrial RDF waste to the site by road. Waste for the RDF facility arrives at the site in 'bulked-up' loads in 22 tonne payload HGVs. Vehicles bringing in material for the RDF facility pass over the existing weighbridge and proceed inside Unit 15B to deposit material in a designated area. Free standing concrete walls have been constructed within the building to create storage bays. Once processed the material is baled and wrapped and exported from Ridham Dock by ship. Ships have a typical capacity of 1800 tonnes.
10. Permission was granted to operate the MRF and RDF facility on a 24 hour basis, in line with the operating hours of Ridham Dock and warehouses on the dock with a restriction on HGV movements for waste deliveries and transportation of materials off site to between 0700-1900 hrs Monday to Sunday. Condition 9 of SW/11/548 restricted daily HGV movements associated with the combined MRF and the RDF operations to 58 (29 in and 29 out). Planning permission SW/11/548 also identified that all RDF output

Section 73 application to vary condition 9 of planning permission SW/11/548 to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Unit 15B Ridham Dock, Iwade, Sittingbourne. Ref KCC/SW/0346/2013 (SW/13/1495)

would be exported by ship and that no external storage of materials in association with the MRF or RDF operations was permitted.

11. In 2012 the applicant also acquired planning permission for a Materials Recycling Facility (MRF) and Waste Transfer Station (WTS) at a site approximately 100m to the southwest of the site the subject of this application (ref SW/12/1211). All material considerations were fully assessed and appropriate conditions and informatives imposed. Of particular relevance was a condition imposed limiting vehicle movements to a maximum of 194 (97 in 97 out) per day. This permission is extant and remains to be implemented.

Proposal

12. This application has been made to vary the terms of planning permission SW/11/548 to allow an increase in vehicle movements from 58 to 98 for a temporary period of 12 months. This would allow 20 additional HGVs to access the site each day. There would be no change to the time that deliveries are allowed to take place (i.e. 0700 to 1900 Monday to Sunday) and access to the site would remain within these permitted hours. The additional HGVs would arrive at the site empty and be loaded with the RDF which is produced at the site.
13. The justification given for the variation sought is that the restriction on the planning permission SW/11/548 to prohibit external storage is causing a problem in that the applicant is unable to increase the frequency of ship movements into the Dock to export the RDF at a rate that can keep up with production. The additional HGV movements sought would allow surplus RDF material to be transported to Tilbury Dock (Essex) where it can then be exported by ship. The applicant already has the infrastructure in place to export from Tilbury.
14. The applicant's reasoning for the acceptability of this proposal is that the permission granted at the company's site opposite (SW/12/1211) allows for an additional 194 vehicle movements. This consent which has yet to be implemented included a detailed transport assessment and permits greater HGV movements than the 40 proposed in the current application. As the 2012 permission has not been implemented, the additional allowance for 194 movements remains "unused" and the applicant has offered not to implement SW/12/1211 within the 12 month period that the additional 40 movements is sought, so that these movements would effectively be "borrowed" from the extant permission under SW/12/1211.
15. In response to concerns over the Highways impacts the applicant has undertaken an additional transport statement taking into account a "worst case" scenario of both sites operating at full capacity, including the additional 40 HGV movements per day at Unit 15B. Furthermore the applicant has

Section 73 application to vary condition 9 of planning permission SW/11/548 to allow an increase of HGV movements for a temporary period of 12 months (from 58 to 98 movements per day) at Sita UK, Unit 15B Ridham Dock, Iwade, Sittingbourne. Ref KCC/SW/0346/2013 (SW/13/1495)

agreed to submit and sign a legally binding planning obligation in the form of a “Unilateral Undertaking” not to build the facilities at the adjacent MRF/WTS site (SW/12/1211) for a 12 month period following the grant of this permission (i.e. so the two developments cannot operate concurrently). (A draft document has been submitted, which Officers are currently working on).

Planning Policy Context

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

- **National Planning Policy Framework, March 2012 and National Planning Policy 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 meet the challenges of global competition and low carbon future. It is committed to ensuring 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 paragraph 122 of the Framework states: Local authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than 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 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 “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.

- **Kent Waste Local Plan (1998)** – the most relevant saved policies are: W9 (Ridham area identified as suitable in principle for waste

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separation and transfer), W18 (noise, dust and odour), W19 (groundwater protection), W20 (drainage, flood control and rainwater infiltration), W21 (nature conservation), W22 (provision of adequate access arrangements, W25A (reuse of existing buildings) and W31 (visual impact and landscaping).

- **Kent Minerals and Waste Pre submission consultation document 2013-2030 January 2014** CSW1 (Sustainable development), CSW2 (Waste Hierarchy), DM1 (Sustainable Design), DM12 (Transportation of Minerals and Waste), DM14 (Safeguarding of Transport Infrastructure)
- **The Swale Borough Local Plan (2008)** – the most relevant policies are summarised below:

Policy SP1 Requires development proposals to accord with sustainable development principles.

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 visual, aural, ecological, historical, atmospheric and hydrological environment 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 need are judged to be the greater, the Council will require adverse impacts to be minimised and mitigated.

Policy E2 All development proposals will minimise and mitigate pollution impacts.

Policy E4 Where there is considered to be a risk of flooding, development proposals will be accompanied by a Flood Risk Assessment.

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

Policy B2 Provides for new employment.

Policy B10 Ridham identified as an existing committed employment site

Consultations

17. **Swale Borough Council** Raise no objection

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18. **Iwade Parish Council** raise objection due to the increase in traffic levels, including problems with roundabouts near to Iwade Village and the A249.
19. **Highways Agency** – No objection in principle on the basis that these movements have already been considered and allowed for although they would still like to see as much material taken out by ship as possible.
20. **KCC Highways and Transportation** – After receiving an amended transport statement the Highways and Transportation Officer raised no objection.
21. **Amey (Noise)** – Raise no objection
22. **Natural England** – Views awaited
23. **Biodiversity** – No objection subject to agreement seeking to prevent development under SW/12/1211 being implemented for the temporary period sought.

Local Member

24. The two local County Members were notified on the 28 November 2013. No comments have been received.

Publicity

25. The application was advertised by site notice and in the local newspaper.

Representations

26. No representations have been received.

Discussion

27. 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. The application is being reported as a result of the Parish Council's objection relating to increased traffic levels on the local highway network.
28. The site already operates under the benefit of an existing permission and issues such as the principle of development, need, noise, dust, ecology and flood risk were all addressed in the original application SW/11/548 and found

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to be acceptable. The main issue for consideration on this current application is the impact of increased 40 HGV vehicle movements from 58 to 98 per day for a temporary period of 12 months. Should permission be granted, conditions imposed on the original application to address amenity impacts would be applied to any new consent. The site and Ridham Dock is identified as a location in planning policy terms as acceptable in principle for sustainable waste management development.

Previous Application

29. In the original application (SW/11/548), access for the delivery of commercial and industrial waste for the MRF and RDF was proposed by road via the A249. There are two access points which link a private spine road that traverses the Ridham Dock Industrial Estate from the A249; one from the west assuming vehicles would exit the A249 at the roundabout with Old Ferry Road which leads into Sheppey Way, continuing on into the Ridham Dock Industrial Estate; the other to the south west via the Grovehurst Junction leading onto Barge Way and Swale Way.
30. Concerns were raised on that original application over the potential adverse impacts from lorry traffic on the local road network in terms of the existing capacity available. The Transport Statement accompanying the earlier application considered the extant trip generation of the previous industrial use of Unit 15B (as Use Class B8: Storage Warehouse or Use Class B2: General Industrial Operations – both of which were known to have taken place in the building in the past), using TRICS database based on a building footprint of some 2,895 sq. metres. It was assumed the extant use of Unit 15B could be expected to generate in the region of 5 movements during the peak hours which, during the course of a 12 hour period, could generate in the region of 37 trips (74 two-way movements). As a result, the Transport Statement identified that the proposed development was likely to result in a similar trip generation pattern during peak hours (07:00 to 19:00).
31. Kent Highways and Transportation (KHT) accepted that in terms of traffic generation, the transport impacts of the proposed use were expected to be virtually the same as that of the extant use, and raised no objection. KHT recommended that limits be placed on the volumes of commercial and industrial waste to be imported to the site and the number of HGV movements allowed per annum, reflecting the details set out in the Transport Statement. In this respect, a cap of 58 HGV movements (29 in, 29 out) was considered reasonable to allow for daily variations likely to occur, over and above the anticipated 48 HGV movements per day set out in the applicant's Transport Statement.
32. KHT further recommended that the total volume of imported waste to the site should be capped at 125,000 tpa (100,000 tpa for the RDF and 25,000 tpa for the MRF) as detailed in the application. They also recommended that a cap be placed to allow a maximum of 14,000 tpa of processed material to be

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transported away from the facility by road in recognition of the amount that could be transported by ship. However it was not considered necessary to cap the total amount of material taken away from the facility by road. Instead, planning conditions restricting the total tonnage of waste imported to the facility per annum, together with limiting the daily maximum number of HGVs was considered sufficient to secure compliance with the Transport Statement as submitted by the applicant. Furthermore, it was considered appropriate to restrict the hours of HGV movements to/from the site to between the hours of 07:00 and 19:00 seven days per week, as detailed in the application.

33. The Highways Agency raised no objection to the application subject to the total volume of material through the site being controlled by planning condition.
34. It was not considered that an objection on highway grounds was justified and that all relevant matters could be controlled by way of appropriately worded planning conditions. The export of RDF product from the facility by ship was also supported as was the site's appropriate location within the Dock.

Proposed Variation

Highways

35. The applicant has emphasised that the extant permission under SW/12/1211 would not be implemented during the 12 month period for which the increased variation in vehicle movements would last. Nonetheless, in order to assess the cumulative impact from the operation of the applicant's two sites, the applicant has submitted a supplementary transport statement in order for a "worst case" scenario of both sites being fully operational, to be assessed.
36. The applicant has used up to date data taken from the transport assessment submitted under SW/12/1211. It focuses on impacts on Grovehurst Roundabout, using basic traffic data, including committed development in the area that was obtained in order to present a base on which to undertake a cumulative traffic assessment. Junction capacity modelling at the Grovehurst Junctions has determined that they are expected to operate below their theoretical capacity limits in both peak periods, when subject to all modelled 2015 scenarios. The results also confirm that the effect of the temporary development traffic would be indiscernibly small in the context of the capacity of the Grovehurst Roundabouts. The assessment concludes that the theoretical link capacity of the A249 allows a sufficient reserve capacity to accommodate the temporary increase in traffic generated by the application site and the traffic generated by the adjacent SITA UK site on the Kings Ferry Bridge. KHT are satisfied that the methodology used in the Transport Assessment to model the worst-case scenario for traffic flows, and how this will affect the capacity of the relevant junctions, is appropriate. The survey data used to outline the baseline traffic flows, and the approach used to

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derive the flows for the committed developments is appropriate. Additionally, it considers that the resultant cumulative traffic flows provide a robust assessment, as the combination of surveyed and derived traffic flows does not account for any double counting from committed developments that may already be operating, and were therefore included within the surveyed data.

37. KHT state that the capacity calculations undertaken show that the Grovehurst junction should operate within acceptable limits during the AM and PM peaks periods of the highway network, with the worst case still retaining 19% reserve capacity. When considering that the proposed development would only contribute a 0.01% increase in the total number of vehicles passing through the junction, the impact would be imperceptible and not one where it can be justified in refusing planning permission.
38. In terms of all other considerations, the principle of development, need, noise, dust, ecology and flood risk were addressed in the original application SW/11/548 and found to be acceptable. However the Applicant resubmitted the original noise assessment as a supporting document to their proposals and so it is appropriate to seek the views of our noise consultants on the likely impacts from the proposed additional vehicle movements (their comments are set out below). There is no proposed change to operating practices, waste types or tonnages. The relevant consultees have been re-consulted regarding the additional HGV movements and save for the Parish Council each has raised no objection.

Noise

39. The Council's Environmental consultants, Amey has considered the acoustic report submitted by the applicant. They have compared the data with the submitted transport assessment, which calculates that on average, as a result of the new proposal, there will be an additional traffic flow of 4 two-way HGV movements per hour, which equates to an increase in noise to around +0.4dB(A). Amey advised that even in the unlikely event that all 40 movements were to occur at the same time, the noise would increase to 3.0dB(A). This increase is considered so minimal so as to not affect ambient noise levels which were recorded at the receptors and that "no significant impact" in terms of noise will arise from this proposal. On this basis, I am satisfied that the proposal accords with development plan policy.

Ecology

40. In terms of ecology, whilst it is acknowledged that the site is surrounded by international designated sites, no objections were raised by the KCC's Biodiversity team or Natural England under the original application (SW/11/548) or SW/12/1211, subject to appropriately worded conditions. No objection is raised by the County Council Biodiversity Officer to this current

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application, subject to a commitment that the extra HGV movements do not take place concurrently with the unimplemented permission SW/12/1211 or evidence is demonstrated that the cumulative impact upon biodiversity interests of the additional movements is acceptable. Unlike the highway assessment, the applicant has not submitted further biodiversity evidence to demonstrate that the cumulative effects of this proposal are acceptable. It is relying upon its commitment not to work the two developments concurrently so that there is no worsening of the impacts upon the designated sites. To address the concerns raised by the Biodiversity Officer, the applicant has agreed to enter into a unilateral undertaking; a legal commitment not to implement permission SW/12/1211, for the period of time sought for the increase in vehicle traffic. Natural England's views are awaited and will be reported verbally at the meeting.

41. Given the views of consultees and the applicant's commitment not to build the facilities permitted under the earlier consent with its approved 194 movements at the same time as the 40 movements proposed in this application, I am satisfied that the proposed increase in traffic movements will not give rise to unacceptable impacts upon biodiversity interests and note that for the 12 month period sought, movements would be less than those afforded by the implementation of planning permission SW/12/1211.

Economic Impact

42. The justification for the development arises from the inability to store material externally at the site and that material is currently being produced at a greater rate than the Dock's shipping timetable permits. The alternative to permitting additional HGV movements would be to consider (by way of a further planning application) additional storage which may have greater environmental impact or for the company to reduce production. The latter is contrary to the objectives of the NPPF which seek to promote economic development where it is sustainable.

Conclusion

43. Notwithstanding the objection raised by the Parish Council on highway grounds, subject to a commitment not to implement the approved 194 HGV movements on the adjacent site at the same time as this development, I can see no overriding grounds upon which to withhold planning permission. Consent is being sought for a relatively minor increase in traffic movements which does not give rise to overriding amenity impacts, including the impact at the Grovehurst Junction. There are no changes to operating practices, waste streams and tonnages and all other controls and safeguards imposed on the earlier consent for the MRF and the RDF facility (SW/11/548) would be incorporated into a new consent. I therefore conclude that the proposal is sustainable development and recommend accordingly.

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Recommendation

44.1 RECOMMEND that SUBJECT to the satisfactory completion of a UNILATERAL UNDERTAKING (within 3 months of the date of this permission) not to implement planning permission SW/12/1211 for the 12 month period covered by this application (SW/13/1495) TEMPORARY PERMISSION BE GRANTED for 12 months to vary condition 9 of planning consent SW/11/548, subject to all original conditions and informatives with the exception of condition 9, which should now restrict HGV vehicle movements to 98 (49 in and 49 out).

Case Officer: Harry Burchill

Tel. No. 01622 221058

Background Documents: see section heading.
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SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

Replacement sports court fencing and new floodlighting to existing tennis/netball Courts at Tunbridge Wells Girls Grammar School – TW/14/1580 (KCC/TW/0125/2014)

A report by Head of Planning Applications Group to Planning Applications Committee on 16 July 2014.

Application by Tunbridge Wells Girls Grammar School and Kent County Council for the proposed refurbishment of the existing tennis/netball Courts including the replacement of the sports court fencing and the provision of 6 x 10 metre high floodlights, at Tunbridge Wells Girls Grammar School, Southfield Road, Tunbridge Wells – TW/14/1580 (KCC/TW/0125/2014).

Recommendation: planning permission to be GRANTED, subject to conditions.

Local Member: Mr Peter Oakford

Classification: Unrestricted

Site

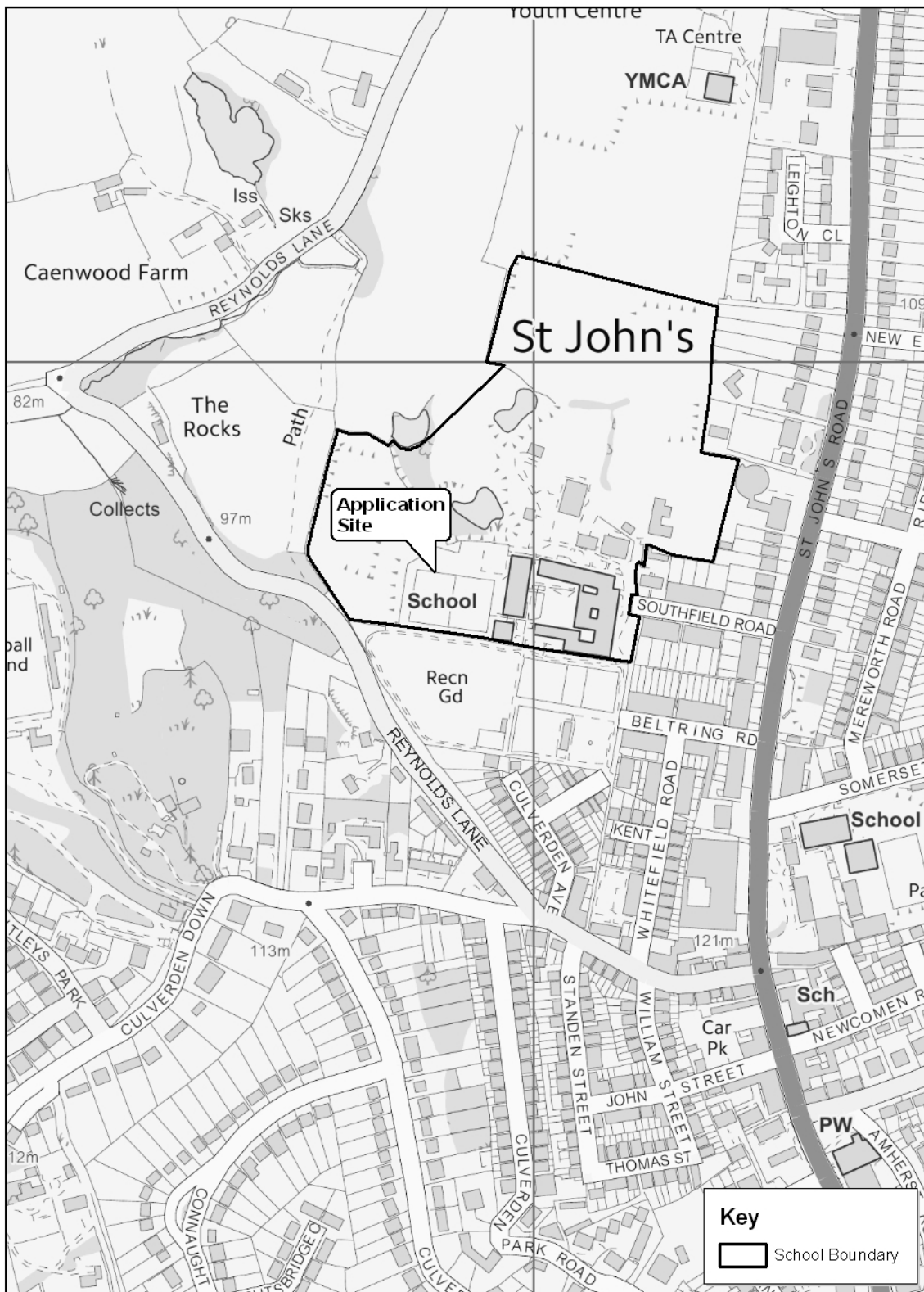
1. Tunbridge Wells Girls Grammar School is located to the north of Tunbridge Wells town centre, to the west of St. Johns Road (A26), accessed via Southfield Road. The main school buildings are located to the south-east corner of the site, adjacent to the schools only access from Southfield Road. To the north and west of the school site, playing fields and open grassland extend to the site boundary, along with some heavily wooded areas. The school site is bound to the east by residential properties on St John's Road and Southfield Road, and to the south by St John's Recreation Ground. Beyond the Recreation Ground to the south are residential properties which form part of Culverden Avenue/Campbell Road. Reynolds Lane is located to the south west of the application site, orientated southeast-northwest, upon which lie a small number of residential properties which are more rural in character. Tunbridge Wells Boys Grammar School's playing fields are located to the north of the site boundary, and open countryside to the west. The tennis/netball courts which are the subject of this application are located to the rear (west) of the main school buildings, adjacent to the schools southern boundary with St Johns Recreation Ground. The application site measures 0.33 hectares, and consists of a total of 6 tennis courts/4 netball courts, with a tarmac finish, enclosed with galvanised wire mesh fencing.

A site location plan is attached

Relevant Planning History/Background

2. Planning permission was granted by the County Council in 2008 (March 2008 Planning Applications Committee) for a new purpose built floodlit hockey pitch (TW/07/4011) which is located to the north of the school site, remote from the school buildings but adjacent to the school's main playing fields. The site has seen much development over recent years, and the following is a list of recent planning applications at the site:

Replacement sports court fencing and new floodlighting to existing tennis/netball Courts at Tunbridge Wells Girls Grammar School – TW/14/1580 (KCC/TW/0125/2014)



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Item D1 Replacement sports court fencing and new floodlighting to existing tennis/netball Courts at Tunbridge Wells Girls Grammar School – TW/14/1580 (KCC/TW/0125/2014)



Replacement sports court fencing and new floodlighting to existing tennis/netball Courts at Tunbridge Wells Girls Grammar School – TW/14/1580 (KCC/TW/0125/2014)



Replacement sports court fencing and new floodlighting to existing tennis/netball Courts at Tunbridge Wells Girls Grammar School – TW/14/1580 (KCC/TW/0125/2014)

- TW/13/913 – New Combined Cadet Force (CCF) mobile on existing site;
- TW/12/3351 – Permanent retention of existing studio building;
- TW/09/3998 – A new Sixth Form Centre located between the Performing Arts Centre and Music Building;
- TW/08/2275 – A single storey extension to the school's music centre;
- TW/08/2150 – Renewal of planning permission for the timber classroom;
- TW/07/4011 – The construction of a floodlit synthetic turf hockey pitch including fencing; and
- TW/07/2425 – Replacement windows to classrooms.

Proposal

3. This application has been submitted by Tunbridge Wells Girls Grammar School and Kent County Council and proposes the refurbishment of the existing tennis/netball courts, which in addition to repairs and repainting of the surfacing, includes two key elements – replacement of the fencing and the provision of floodlights. It is these latter two elements which give rise to new development, which is the subject of this planning application.
4. With regard to the replacement fencing, the applicant advises that the existing fencing consists of a 2.75 metre high galvanised wire mesh fence, which is in a poor state of repair. It is proposed to replace the existing perimeter fencing with a 3 metre high, dark green powder coated, weld mesh fence with posts at 2.52 metre intervals. The fencing would follow the same perimeter fence line as the existing. Two double leaf gateways (2.4 metre x 2 metre high) with a lintel infill panel above and one single leaf gate (1.2 metres wide) are proposed, with the positioning of the gates to accord with the existing. Between the courts it is also proposed to construct a 3 metre high double panelled fence line. The courts already have a dividing fence, but replacement with a double sided fence will, I am advised, improve safety as both sides of the fence would be flat (no protruding fence posts, for example).
5. The applicant is proposing to floodlight the tennis/netball courts to allow their use during the late afternoons/early evenings in the generally darker winter months. A total of 6 floodlighting columns are proposed, one in each corner of the courts, and one within the centre of each length of the courts. Each column is proposed to be 10 metres in height, consisting of galvanised static columns. A total of four lamps (each 2kmetal halide) are proposed to the two columns within the centre of the courts perimeter, while three lamps per floodlight column are proposed in each of the four corners.
6. In terms of the proposed operation of the floodlights, the applicant advises that all of the courts could be individually lit, offering flexibility to allow only one or two of the courts to be floodlit at any one time. In addition, each column would be fitted with timers and a digital clock control. The applicant further advises that the floodlights would not be used after 9pm Monday to Friday, and that the floodlighting would not be used at any time on Saturdays, Sundays or Public Holidays except for a maximum of 12 weekends per calendar year. The courts would also not be used for commercial purposes. It is proposed that the floodlighting would facilitate later use of the courts by pupils of Tunbridge Wells Girls Grammar School only, including some inter-school netball matches which pupils currently have to travel off site for.

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The application is accompanied by a Planning Statement, fencing specification and floodlighting specification.

Planning Policy

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

- (i) **National Planning Policies** – the most relevant National Planning Policies are set out in the **National Planning Policy Framework (March 2012)**, and the **National Planning Policy Guidance (March 2014)**, which set 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; and
- minimising impacts on biodiversity, and protecting and enhancing valued landscapes, contributing to the Government’s commitment to halt the overall decline in biodiversity.

- (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) **Tunbridge Wells Borough Local Plan (2006)**

Policy EN1 - Seeks all proposals to be compatible in nature and intensity with neighboring uses and not cause significant harm to character and amenities of the area in terms of daylight, sunlight, privacy, noise or excessive traffic generation. Seeks the design of the proposal to

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respect the context of the site and not cause significant harm to residential amenities.

Policy EN8 - Proposals for outdoor lighting schemes will only be permitted where all of the following criteria are satisfied:

- 1 The minimum amount of lighting necessary to achieve its purpose is specified;
- 2 The means of lighting would be unobtrusively sited or well screened by landscaping or other site features;
- 3 The design and specification of the lighting would minimise glare and light spillage in relation to local character, the visibility of the night sky, the residential amenities of adjoining occupiers, and public safety; and
- 4 Low energy lighting would be used.

Policy TP5 - Vehicle parking in connection with development proposals will be restricted to the maximum necessary having regard to local highway conditions. Kent County Council's Vehicle Parking Standards, adopted by the Council, will be applied to such development proposals.

(iv) Tunbridge Wells Core Strategy (July 2010):

Core Policy 4 – The Borough's built and natural environments will be conserved and enhanced.

Core Policy 5 – The Borough Council will apply and encourage sustainable design and construction principles and best practice. Developments should also be of high quality design, creating safe, accessible, and adaptable environments, whilst conserving and enhancing the public realm.

Core Policy 8 – Supports the provision of leisure and community facilities.

Core Policy 9 – Development must conserve and enhance the landscape, heritage and biodiversity assets of Royal Tunbridge Wells, to secure its special character in the long term.

Consultations

8. **Tunbridge Wells Borough Council** raises no objection subject to the imposition of conditions requiring the development to be undertaken in accordance with the submitted plans, that the development commences within three years, that the floodlighting is installed and set up as proposed and checked prior to first use, and that the floodlighting use be restricted to 09.00 to 21.00 on any day, with a maximum of 8 weekends use per calendar year.

Kent County Council Highways and Transportation raises no objection.

The County Council's Biodiversity Officer notes that the submitted information details that there would be no (or at least very little) light spill beyond 12 metres from the courts. From looking at the site it appears that there is at least a 10 metre buffer between the courts and the woodland on the western boundary of the courts. Therefore,

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the Biodiversity Officer is satisfied that the proposed lighting has been designed to have minimal impact on the adjacent woodland, and has no concerns over the application.

The County Council's Landscape Officer has no concerns over the application, but recommends that the perimeter fencing be powder coated black instead of green as proposed.

Local Member

9. The local County Member, Mr Peter Oakford, was notified of the application on the 16 May 2014.

Publicity

10. The application was publicised by the posting of 3 site notices, and the individual notification of 54 neighbouring properties.

Representations

11. To date, I have received 6 letters of objection/representation from local residents. A summary of the main issues raised/points of objection is set out below:

Lighting and its associated amenity and environmental impacts

- The proposed development would create light pollution, having a damaging effect on the environment and causing a loss of amenity;
- The lighting would cause light intrusion in a 'densely populated area', adversely affecting the character of the area;
- Reynolds Lane does not have street lighting and has a dark night sky. Residents would be impacted by viewing the floodlit courts and increased light pollution;
- Is 10 metres the lowest the lighting columns could be? Could the columns not be 5 metres in height?
- The development would increase noise levels during the evenings, from both players and spectators;

Use of the facility

- Although the school say the facility is not for commercial use, why do they therefore want to use the facility for 12 weekends a year? This is inconsistent with the intended users and would impact adversely on the rural feel of the area at weekends;

Traffic implications/parking

- The proposed development would bring more traffic into Southfield Road, which is already unsuitable for the current volume of traffic visiting the school;
- The development would encourage more traffic in the evenings, which is a hazard, a noise nuisance, and creates parking problems for local residents;
- The existing floodlight all weather pitch has the same restrictions as proposed here but this still creates congestion;
- Drivers visiting the school speed and take up the limited parking spaces in Southfield Road;

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- Where will parents/supporters of visiting teams park? Concern is expressed that significant numbers would park on Reynolds Lane and walk through the St John's Recreation Ground to the courts;
- Parking in Reynolds Lane is not restricted but the road is dangerous and very narrow. Parking here could also prevent residents from being able to safely access/egress their homes;
- Local residents have had to endure many years of constant building work at the school, with its associated construction traffic, noise, dirt and damage to cars. If this application is allowed to go ahead it is considered that consultation with residents about timings of deliveries/working, and arrangements for residents to safely park their cars must be put in place.

Discussion

12. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 7 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, including the new National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity. Issues of particular relevance include impact upon general amenity matters, landscape and biodiversity implications, access and highway matters, and whether the development is sustainable in light of the NPPF. Consideration should also be given to the policy support for the development of schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on amenity and other material considerations. In the Government's view, the creation and development of schools is strongly in the national interest and planning authorities should support this objective, in a manner consistent with their statutory obligations. In considering proposals for the creation, expansion and alteration of schools, the Government 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.

General amenity matters – including noise and light pollution

13. As can be seen from the summary of representations in paragraph 11 above, apart from access and highway matters which will be discussed later in this report, the primary concerns expressed by local residents relate to the impact of the lighting in terms of light pollution and associated extended hours of use and the noise implications of evening use.
14. Local residents have expressed concern that the development would create light pollution and light intrusion, having a negative impact on their amenity. It is also considered that the lighting would be visible from properties in Reynolds Lane. However, private views cannot be protected by the planning process and, although I appreciate that the lighting may be visible at night, it should be borne in mind that the facility is

Replacement sports court fencing and new floodlighting to existing tennis/netball Courts at Tunbridge Wells Girls Grammar School – TW/14/1580 (KCC/TW/0125/2014)

adjacent to existing school buildings and a well used recreation ground, and is on the edge of the urban area of Tunbridge Wells. In addition, when viewed from Reynolds Lane, the floodlighting would be screened to a degree by existing landscaping and tree planting, the school's boundary, and the facilities within the recreation ground. Given the lack of concerns raised by the County Council's Landscape Advisor, and in considering the above, I do not consider that the proposed development would be unacceptable in the location proposed in terms of its visual impact. However, the impacts of light spill need to be considered further.

15. First, it has been suggested that the lighting columns be reduced in height. However, the 10 metre high columns proposed are not unduly high, with 12 or 15 metre high columns being the height generally proposed. In fact, the floodlit hockey pitch on the Tunbridge Wells Girls Grammar School (TWGGS) site, referred to in paragraph 2 of this report, has 15 metre high columns. To further reduce the column height from 10 metres would result in the angle of the luminaires having to change. At 10 metres, the luminaires can be mounted flat, parallel to the playing surface, effectively lighting the courts which minimising any light spill and sky glow. Reducing the column height would result in the luminaires being angled upwards to achieve the required lighting levels across the courts. That would increase sky glow and light spill, and possibly glare from some vantage points. Given the 10 metre height of the proposed columns, which is lower than the 12 or 15 metre columns more commonly used in floodlighting schemes, and the implications of lowering the height further, I consider the height of the columns to be acceptable in this instance.
16. In addition to the visual impacts of the development, which I consider to be acceptable, local residents have expressed concern that the development would affect residential amenity in terms of light spill. The lighting scheme prepared by the applicant demonstrates that all light spill would be contained within 25-30 metres of the playing surface. In reality however, the spill light would be contained within a closer area to the courts than that predicted, as the lux level contours provided do not take into account landscaping, boundary treatment or buildings on site. However, in considering the worse case scenario of 25-30 metres, to the north, east and west of the courts all of the spill light would be contained within the school site. To the south of the application site, spill light would be detectible within St John's Recreation Ground although, again, the lux level contours shown do not take into account the school boundary which is heavily screened in this location. However, even when considering the worst case scenario as provided by the applicant, spill light to the south would fall to 10 lux within 2 metres of the boundary, and to 1 lux approximately 10 metres from the boundary. Given the nature of this site, and the sports uses within it, including a skate park and bowling green, I do not consider that such a low level of spill light adjacent to the boundary would have a detrimental effect on the amenity of the locality and see no reason to refuse this application on that ground.
17. With regard to neighbouring properties and light spill, the closest residential properties to the site are in Southfield Road and Beltring Road to the east. However, these properties are separated from the proposed floodlighting by all of the school buildings (many of which are higher than the 10 metre columns proposed) and would, therefore, not be able to see the floodlighting yet alone be affected by light spill. These properties are also well over 230 metres from the application site. Properties to the south of the application site lie beyond the recreation ground in Culverden Avenue/Campbell Road and are also approximately 200 metres away from the application site at the closest point. Given the fact that the spill light would all be contained within 25-30 metres of the courts, I am satisfied that these properties would not be affected by light spill associated

Replacement sports court fencing and new floodlighting to existing tennis/netball Courts at Tunbridge Wells Girls Grammar School – TW/14/1580 (KCC/TW/0125/2014)

with the proposed floodlit courts. Lastly, properties in Reynolds Lane to the south and west of the site are a considerable distance from the application site, the closest being approximately 200 metres from the edge of the courts. Considerable tree planting/woodland also lies to the south and west of the application site, further screening the development. I therefore am satisfied that properties in Reynolds Lane would also not be affected by light spill from the proposed floodlighting. In considering the above I am satisfied that the lighting scheme as proposed would not have a detrimental impact on residential amenity and would not have a significant impact upon the character of the locality, including the wider landscape.

18. Concern has also been raised with regard to use of the facility and associated noise levels. As outlined in paragraph 6 of this report, the applicant is proposing that the floodlights would not be used after 9pm Monday to Friday, and that the floodlighting would not be used at any time on Saturdays, Sunday and Bank Holidays except for a maximum of 12 weekends per calendar year. The applicant has confirmed that the courts would not be used for commercial purposes moreover, the floodlighting would enable pupils of TWGGS to use the courts in the later afternoon/evening in winter months. Some inter-school netball matches would also be played at the site. The hours and level of use proposed is the same as that permitted for the floodlit hockey pitch onsite – albeit that that facility is only permitted to be used for a maximum of 8 weekends per year.
19. I am satisfied that the facility would not be used commercially, and that the School would manage use to ensure that TWGGS pupils and matches with other local schools were all that the facility was used for. In addition, the applicant has confirmed that the hours of use proposed are worst case scenario, and it would be unlikely that the floodlighting would be used until 9pm on a regular basis. However, given the distance between the proposed floodlighting and neighbouring properties, and the fact that the facility would not be commercially available, I consider the hours of use proposed to be more than acceptable and commensurate with those permitted on other sites in similar locations. I am also of the opinion that use of the facility would not generate undue noise at nearby residential properties given the level of use proposed, the landscaping and tree planting around the site, and the degree of separation between properties and the courts (as detailed in paragraph 17 above). Given residents' concerns however, including those over access which are to be discussed later in this report, I would suggest that weekend use be limited to 8 weekends a year. That is in line with the floodlit hockey pitch on site, and the applicant has accepted such a restriction. I therefore consider that weekend use should be limited to 8 weekends a year. That also accords with the requirements of the Borough Council. In addition, use on weekends should be limited to between 9am and 9pm, to accord with Monday to Friday use. Subject to conditions controlling hours of use, ensuring the floodlighting is extinguished when not in use or within 15 minutes of its last use, and that the facility is not used on more than 8 weekends per year, I consider that the development would not have a significantly detrimental impact on neighbouring residential amenity in terms of light and noise pollution and see no reason to refuse the application on this ground.

Landscape and Biodiversity – including fencing

20. Given the limited hours of use of the facility, and the fact that light spill would be well contained, concerns have not been raised by the County Council's Landscape Advisor with regard to the landscape impacts of the lighting scheme. Although the lighting may be visible from vantage points outside of the site boundary, the development would be viewed against the context of surrounding built development and also screened by

Replacement sports court fencing and new floodlighting to existing tennis/netball Courts at Tunbridge Wells Girls Grammar School – TW/14/1580 (KCC/TW/0125/2014)

established landscaping and tree planting. I am, therefore, satisfied that the development would not have an unacceptable impact on the wider landscape.

21. With regard to ecological impacts, the County Council's Biodiversity Officer is satisfied that there would be no (or very little) light spill. The woodland boundary/area to the west of the application site is at least 10 metres from the courts and, as such, the Biodiversity Officer is satisfied that the lighting scheme has been designed to have minimal impact on the adjacent woodland and its ecological interests. I am therefore of the opinion that the proposed development would not have a detrimental impact on biodiversity.
22. The applicant advises that the existing wire mesh fencing, and the general surface of the courts, has deteriorated in condition over recent years. The fencing is rusting and leaning as a result of weathering, and the court surface has deteriorated due to general use. The replacement fencing proposed, 3 metre high weld mesh, is widely used in school site across the County as not only sports fencing, but perimeter fencing. It is robust and fit for purpose, whilst not being as visually intrusive as some more industrial fencing types. The replacement fencing would be 0.25 metres higher than the existing, and I consider that such a small increase in height would not be perceptible when viewed in the wider context of the site and surrounding built development. The applicant is proposed to powder coat the fencing dark green, but this colour finish has met with concern from the County Council's Landscape Advisor. Green is a popular colour finish for fencing, but unless the colour matches exactly the surrounding it can be visually prominent. Given that this development would be adjacent to car parking, school buildings and the site boundary, and that the surface of the courts are black, I agree that green is not the most appropriate colour finish in this particular case. I therefore advise that the fencing should be powder coated black, as also suggested by the County Council's Landscape Advisor. Subject to the imposition of a condition requiring the fencing to be finished in black, I consider that replacement fencing to be acceptable. In my view, the development would not have an unacceptable impact on the local and/or wider landscape, and would not affect local biodiversity. I therefore see no reason to refuse the application on these grounds.

Access and Highways

23. Local residents have expressed concern regarding access and parking. It is considered that the development would bring more traffic into Southfield Road, and would lead to additional on street car parking in local roads including Reynolds Lane. However, as detailed above, the proposed floodlighting would enable existing pupils of TWGGS to use the existing courts later into the evening, and in the afternoon in winter months. It is not proposed to hire the courts out on a commercial basis. It is intended that some inter-school netball matches take place at the site, but at the moment pupils have to be bussed off site to attend such matches due to a lack of on-site facilities. Away teams visiting the TWGGS site would arrive by minibus, so essentially instead of a minibus leaving TWGGS, one would arrive. With very limited weekend use (8 per year) out of school hours use would be primarily restricted to evenings only.
24. TWGGS has invested significant funds in recent years on extending the parking facilities on site, including the provision of a new surfaced car park adjacent to the Tennis/Netball courts. Out of school hours, parking on site would be available for use by visiting schools, including any spectators. This is also the case for the floodlit hockey pitch on site, and I have not received any complaints from residents regarding parking in local roads, including Reynolds Lane. With sufficient parking facilities available on site

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adjacent to the courts, I do not see any reason why visitors to the site would park on local roads.

25. Kent County Council Highways and Transportation have no objection to this application and no concerns over potential traffic and parking issues. In light of the limited hours of use, the lack of commercial use, and the provision of adequate onsite car parking, and in considering the views of the Highway Authority, I am of the view that the development as proposed would not have a significantly detrimental impact on the local highway network and see no reason to refuse the application on this ground.

Construction matters

26. Residents have expressed their concern about continued construction at the school, and the associated noise, dust, construction traffic and damage to cars. Although I do have sympathy with this, Southfield Road is the only vehicular access into the school and, therefore, construction vehicles have no viable alternative route. I am advised by the applicant, however, that the installation of the floodlighting and fencing would take approximately 4 weeks and would be undertaken within the school holidays when there would be no school traffic. Although an inconvenience to residents, the impacts of construction would be limited and of short duration, and I do not consider that the application should be refused on this ground.
27. However, given that there are neighbouring residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction to protect residential amenity. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays.

Conclusion

28. In summary, I consider that, subject to the imposition of appropriate planning conditions, this proposed development constitutes sustainable development, with an appropriate standard of design, including the lighting specification, which would not have significantly detrimental effects on residential amenity, the wider landscape or upon the local highway. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies, as well as the National Planning Policy Framework. I am aware of no material planning considerations that indicate that the conclusion should be made otherwise. However I recommend that various conditions be placed on any planning permission, including those outlined below.

Recommendation

29. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- 3 year time limit for implementation;
 - the development to be carried out in accordance with the permitted details;
 - hours of use limited to between 9.00am and 9.00pm Monday to Friday;
 - limit of weekend use to 8 per year, with weekend hours of use limited to between 9.00am and 9.00pm;
 - no commercial use of the facility;
 - extinguishing of lighting when pitch not in use or 15 minutes of last use;

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- lighting to be installed in accordance with approved details, and checked on site prior to first use;
- lighting levels not to exceed those specified within the application;
- perimeter fencing to be finished in black;
- hours of working during the lighting installation 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;

Case officer – Mary Green

01622 221066

Background documents - See section heading
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Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Newlands Lane, Ramsgate – TH/14/112 (KCC/TH/0388/2013)

A report by Head of Planning Applications Group to Planning Applications Committee on 16 July 2014.

Application by Kent County Council Property and Infrastructure Support for the construction of new single storey Special Education Needs (SEN) School for pupils aged between 2 and 19, with associated car parking and hard/soft landscaping for the relocation of The Foreland School, at land north of Ellington and Hereson School, Newlands Lane, Ramsgate – TH/14/112 (KCC/TH/0388/2013).

Recommendation: the application be referred to the Secretary of State for Communities and Local Government and subject to his decision, and subject to a Memorandum of Understanding relating to highway improvements, planning permission to be granted, subject to conditions

Local Members: Mr Trevor Shonk & Mr Martyn Heale

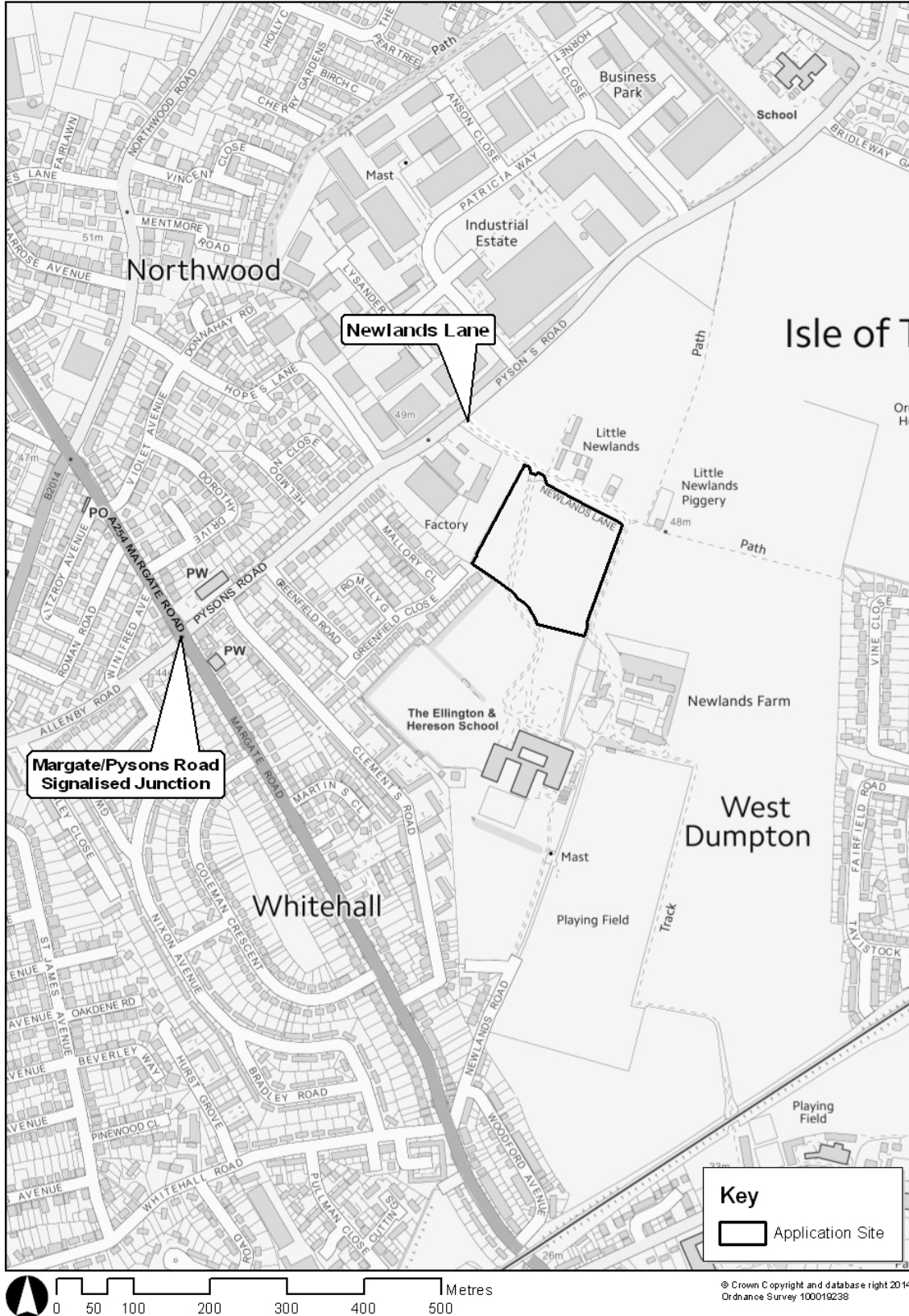
Classification: Unrestricted

Site Description/Background

1. The Foreland School is currently located at Lanthorne Road, Broadstairs, and is an all through nursery, primary and secondary school (ages 2–19). The school is a Local Authority Special School catering for pupils who have Profound and Multiple Learning Difficulties (PMLD), Severe Learning Difficulties (SLD), Complex Learning Difficulties (CLD), Primary Autistic Spectrum Disorder (ASD) and/or Primary Communication and Interaction Difficulties (C&I). The School currently has 172 pupils. However, as a result of Kent's Special School Review it has been agreed that the School roll should increase to 200 pupils. The applicant advises that the existing school facilities and site are not fit for purpose, and are not capable of accommodating the required increase in pupil numbers. It is therefore proposed to relocate the school to new purpose built facilities on a green field site next to Ellington and Hereson School, located to the north of Ramsgate.
2. The application site is fairly central within the Isle of Thanet, located to the north of Ramsgate, the south of Margate and to the south west of Broadstairs. The A254 Margate Road, which links Ramsgate and Margate is located to the east of the application site (separated from it by housing and Ellington & Hereson School), with the application site accessed via Newlands Lane, a turning off Pysons Road. Until such time as the Ellington and Hereson School was built in 2007 (outline application TH/03/1433, reserved matters applications TH/04/1266 & TH/05/1433), Newlands Lane was primarily an access to Newlands Farm and a small number of properties. That farm is still accessed via Newlands Lane, although the western end has been widened and surfaced to provide appropriate access to the Ellington and Hereson School. Beyond the school entrance, the road is private with pedestrian right of way only.
3. The 2.54 hectare application site is within the existing fenced boundary of the Ellington and Hereson School site, to the north of the existing school building and associated school facilities. The application site is mown amenity grassland, and is divided into two parts by the vehicular access to the Ellington and Hereson School which runs from Newlands Lane, through the application site to the buildings beyond. The application site, and surrounding land to the north, south and east (including the existing Ellington

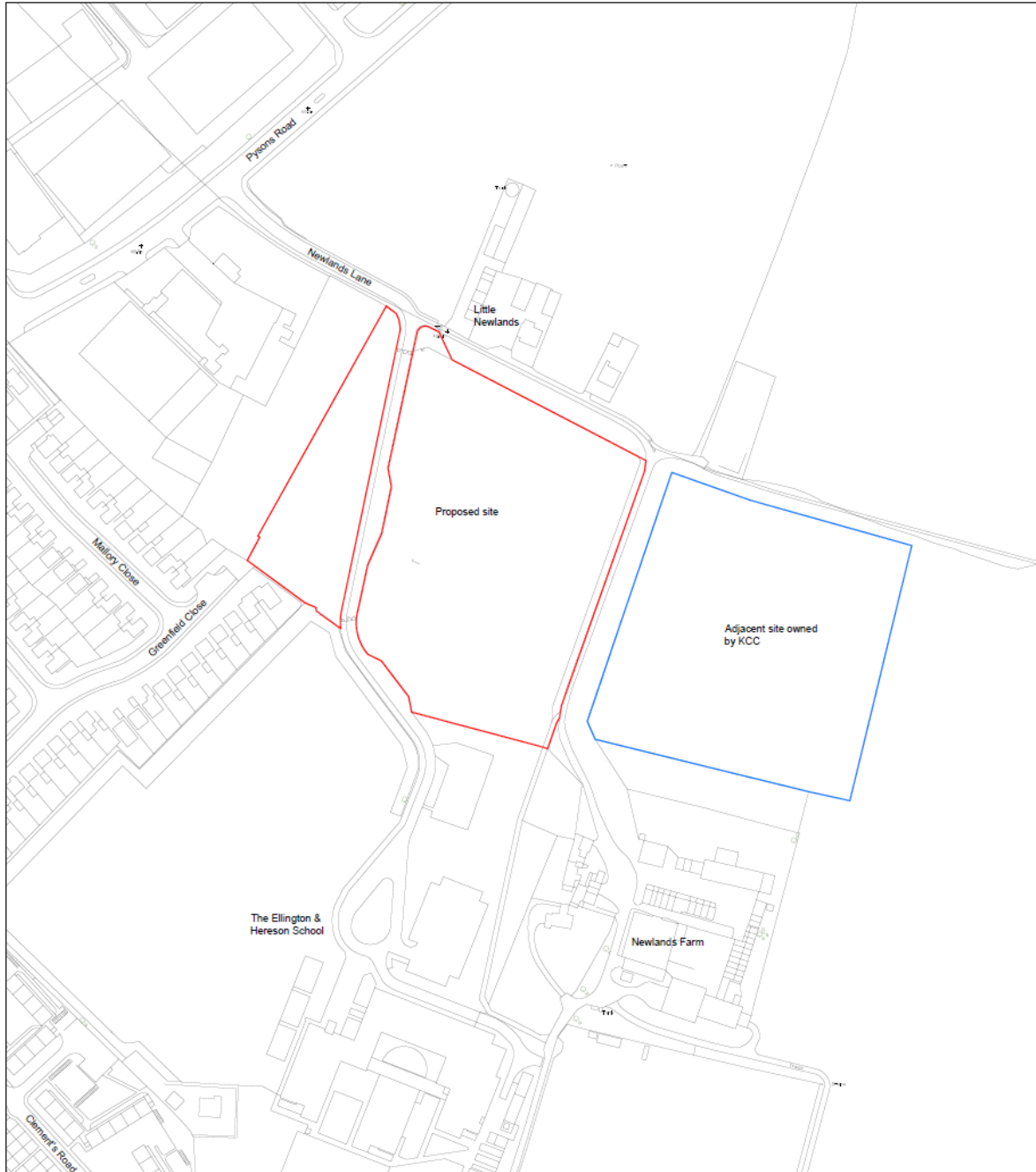
Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Ramsgate – TH/14/112 (KCC/TH/0388/2013)

Site Location Plan



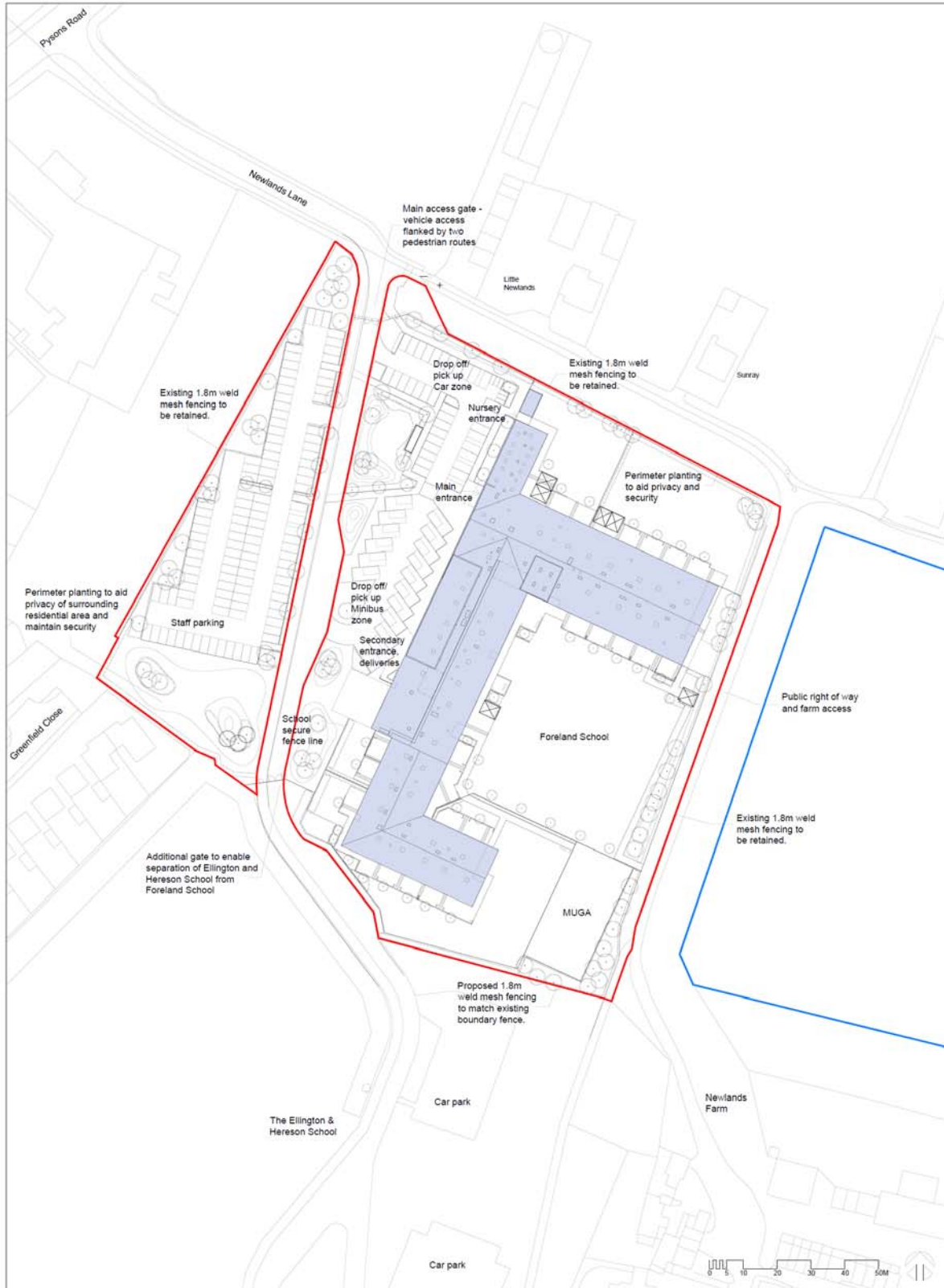
Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Ramsgate – TH/14/112 (KCC/TH/0388/2013)

Site Plan



Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Ramsgate - TH/14/112 (KCC/TH/0388/2013)

Proposed Site Plan



PLEASE NOTE:
 ALL CONSTRUCTION PURVISERS USE ONLY POLISHED
 APPROVED. THIS DRAWING IS NOT TO BE USED
 FOR CONSTRUCTION WITHOUT THE ISSUANCE OF A
 CONTRACT. ALWAYS CHECK ANY DOCUMENTS
 FOR THE ACCURACY OF THE CONTRACT ADMINISTRATION

NO.	DATE	DESCRIPTION
1	2013/07/13	ISSUED FOR INFO
2	2013/07/13	ISSUED FOR INFO
3	2013/07/13	ISSUED FOR INFO
4	2013/07/13	ISSUED FOR INFO
5	2013/07/13	ISSUED FOR INFO
6	2013/07/13	ISSUED FOR INFO
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9	2013/07/13	ISSUED FOR INFO
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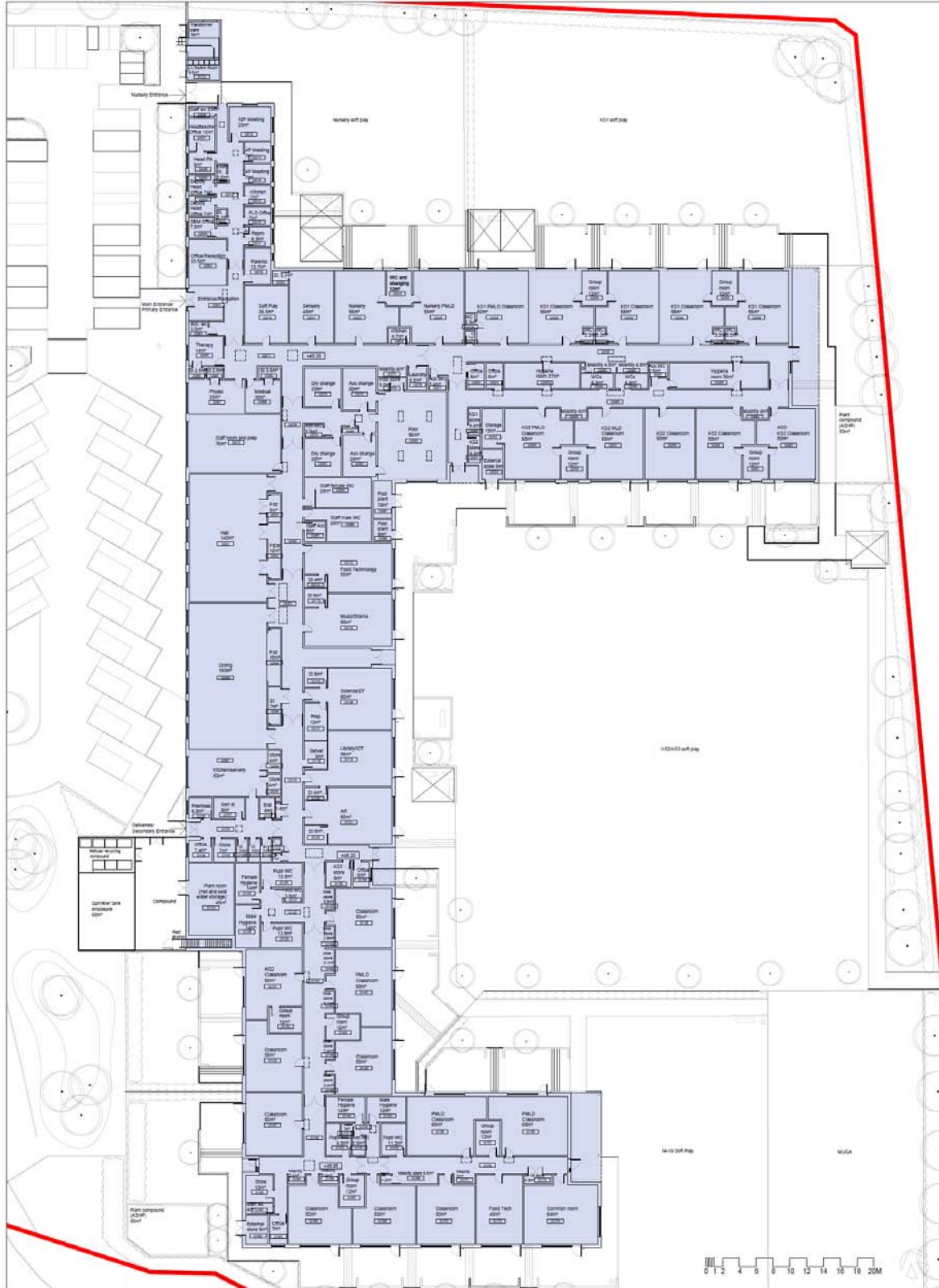
Title Proposed Site Plan Client The Foreland School Kier Construction (Southern)	Date July 13 Drawn by H 500
Project No. 1611 FLS-HMY-GA-00-00-002	Revision PS Approval



1611 FLS-HMY-GA-00-00-002

Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Ramsgate - TH/14/112 (KCC/TH/0388/2013)

Proposed Floor Plan



PLEASE NOTE:
NEW CONSTRUCTION ELEMENTS (IN ONLY RED) ARE SHOWN. THIS INCLUDES ALL NEW WORK.
COLLATION WITH ALL RELEVANT PROJECT DETAILS.
ALL DIMENSIONS MUST BE CHECKED ON SITE AND TO THE CONTRACTOR'S RESPONSIBILITY.
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Revisions	By	Date
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GA Ground Floor Plan
The Foreland School
Kier Construction (Southern)
1611_FLS-HMY-GA-(10)-00-001 P9

Date	July 13
Drawing	1:200
Scale	1:200
Information	



Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School for the land north of Ellington and Hereson School, Ramsgate - TH/14/112 (KCC/TH/0388/2013)

Landscape Master Plan



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- Proposed Tree
- Proposed Hedge
- Proposed Planting
- Assembly Grass
- Mature Grass
- Proposed Path
- Proposed Boundary
- Proposed Access
- Asphalt Road
- Asphalt Footpath
- Concrete Flag
- Concrete Block
- Coloured Paving
- Paved Area
- Proposed Access
- Proposed Path
- Proposed Boundary
- Proposed Access
- Asphalt Road
- Asphalt Footpath
- Concrete Flag
- Concrete Block
- Coloured Paving
- Paved Area

Client: FLS LTD, 041-010-010-C
 New Construction
 Foreland SEN School
 Landscape Master Plan

Lloydbore
 PLANNING
 1500 4th Street, NC
 Raleigh, NC 27601
 Tel: 01277 441111
 Fax: 01277 441111
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Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Ramsgate – TH/14/112 (KCC/TH/0388/2013)

and Hereson School) is located within the Green Wedge (Policy CC5 of Thanet District Local Plan 2006), being of 'landscape value' separating the built up areas of Ramsgate and Broadstairs. However, the application site, and land to the south and east (again including Ellington and Hereson School) is also allocated as a 'new education site' under Policy CF6 of the Thanet District Local Plan, which seeks to provide an educational complex in this location.

4. The application site is bounded by Newlands Lane to the north, with two facing residential properties and development associated with the farm on the northern side of the Lane. Open agricultural fields extend to the north and east of the application site. A Public Right of Way follows the line of Newlands Lane, which turns to the south at the eastern edge of the application site, following the eastern boundary of the application site and providing access to the Newlands Farm buildings beyond. To the south of the application site lies Ellington and Hereson School. Residential properties lie adjacent to the south western corner of the application site, and a timber yard and other industrial buildings lie to the west of the site, accessed via Pyson's Road.

Relevant Planning History

5. The application site has an expired outline planning permission (planning reference TH/09/955 which was granted on 27 May 2010). That outline permission was for the relocation of Laleham Gap Special School buildings, including a single storey school building for 164 pupils age 3 - 16 and 130 staff and a two storey residential institution building for 60 pupils and 8 staff. That development had a total internal area of approximately 6,400 sq m.

Amendments

6. When originally submitted this current application met with objection from Kent County Council Highways and Transportation on the grounds that the development would exacerbate existing capacity problems at the A254 Margate Road/Pysons Road junction. Highways and Transportation considered that the initial mitigation measures proposed by the applicant, including shorter traffic signal cycle times, were not acceptable as they would compromise future highway network enhancements. Highways and Transportation concluded that appropriate mitigation would require the removal of the existing central islands on the Margate Road approaches of the junction and the provision of dedicated right turn lanes. Subsequently, the applicant has agreed to undertake the works required by Highways and Transportation, and has agreed to fully fund the provision of the right turn lanes. This will be detailed further within the discussion section of this report.

Proposal

7. This application has been submitted by Kent County Council Property and Infrastructure Support, and seeks to provide relocated purpose built facilities for the intended expanded Foreland School (currently located at Lanthorne Road, Broadstairs). The applicant advises that the proposed building would provide for an increased role of 200 special educational needs pupils aged 2-19 years. The existing school currently has 172 pupils, 104 full time staff and 50 part-time staff. This would increase to 138 full time staff and 62 part-time staff to support the increase in pupil numbers. The school will continue to cater for children with Profound and Multiple Learning Difficulties (PMLD), Severe

Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Ramsgate – TH/14/112 (KCC/TH/0388/2013)

Learning Difficulties (SLD), Complex Learning Difficulties (CLD), Primary Autistic Spectrum Disorder (ASD) and/or Primary Communication & Interaction Difficulties (C&I).

8. The proposed school building would be located to the eastern side of the existing access road through the site. The 'U' shaped building would be single storey throughout to ensure ease of access to all parts of the school for all pupils and give good access to outdoor play and learning spaces. The proposed building would provide a gross internal floor area of 4312 sq m, which the applicant advises has been derived from the guidance in Building Bulletin (BB) 102 Designing for disabled children and children with special educational needs, adjusted to suit current Department for Education funding requirements and also in response to consultations with The Foreland School and Kent County Council. The class bases would be contained within two distinct wings, one containing Nursery, KS1 & 2 (Primary) and the other KS3 and 14-19 (Secondary). Each class base would have access to an external learning area and soft play areas beyond.
9. The western elevation of the building would contain the main entrance to the school, in addition to two further entrances to be used at pick-up/drop-off to relieve congestion at the main entrance. Shared and communal facilities are proposed along the west elevation, enabling easy access for the various Key Stage class bases and for community access. The single storey building would have a single membrane insulated flat roof system, coloured light grey, with parapet detailing. A simple palette of pale yellow facing bricks are proposed for the external walls with powder coated aluminium windows and doors. The general colour finish to the powder coated elements would be mid-grey, although some doors and infill panels would be various colours to differentiate each class base. The taller elements of the building (4.5 metres internal height) such as the hall and dining room, are proposed to be finished with a contrasting timber rain screen cladding with a vertical emphasis to provide some height against the long low brick elevations.
10. Externally, the applicant advises that the mix of hard and soft surface play and learning spaces have been designed using guidance from BB102. Outdoor learning spaces are proposed adjacent to each classroom, leading onto soft grassed play areas beyond. The centre of the site, enclosed on three sides by the 'U' shaped building, has a large open grassed area bounded by paths with a multi-use games area (MUGA) to the south-east. The external areas proposed across the whole site are divided as follows:
 - Vehicular asphalt roads and hardstanding 3,870 m²
 - Pedestrian areas 1,943 m²
 - Outdoor learning areas 722m²
 - Multi Use Games Area 685m²
 - General amenity grass 6,992m²
 - Wildflower meadows 1,385m²
11. The proposed school would use the existing Ellington and Hereson School vehicular and pedestrian access point on Newlands Lane. The existing access gates into the site from Newlands Lane would be modified to allow remote controlled secure access by both the Ellington and Hereson School and the proposed Foreland School. To maintain Ellington and Hereson School's control over their own site, it is further proposed that an additional access gate would be provided along the existing access road at the southern boundary of the Foreland School site. This would ensure that the two schools are separately secured.

Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Ramsgate – TH/14/112 (KCC/TH/0388/2013)

12. The alignment of the existing access road would be retained which, as previously explained, splits the application site into two parts, the larger eastern portion which would accommodate the school buildings, and a smaller triangular shaped area to the west. That triangular shaped area would accommodate 114 parking spaces for staff and visitors only. The applicant advises that that area would not be suitable for pupil pick-up/drop-off due to the fact that the access road would need to be crossed in order to reach the building. Therefore, to the east of the access road, to the immediate frontage of the proposed school building, the applicant is further proposing 36 car parking spaces for parents and visitors, including pupil pick-up/drop-off, and a further 16 mini bus parking spaces. 20 cycle stands and 4 motorcycle bays are also proposed.
13. The applicant advises that the building has been designed to achieve a BREEAM rating of 'very good', with an energy strategy predicting an overall carbon emission saving of 15.37%. The development includes a number of sustainable design features, including:
 - A natural ventilation system consisting of localised wall mounted inlet louvres and roof turrets which would cool and ventilate the classrooms;
 - The building has been designed to utilise the maximum potential of natural daylighting to illuminate the occupied areas in accordance with the BREEAM requirements;
 - High efficient lighting systems;
 - External LED lighting with intelligent lighting control;
 - The building fabric components shall comply with or better where possible the requirements of the Building Regulations 2010; and
 - Air Source Heat Pumps to service under floor heating systems and heating of water.
14. The application site is within the fenced boundary of the Ellington and Hereson School, which is secured with black weldmesh fencing. It is proposed that that fencing be reinforced with hedging to provide further screening and security. The southern site boundary is undefined and currently open as it is part of the wider Ellington and Hereson School site. It is proposed to secure the southern boundary with 1.8 metre high black weldmesh fencing, to match the existing. The application site is open mown amenity grassland and, as a result, the development would not result in the loss of any trees. Extensive soft landscaping is proposed, including ornamental planting beds, structural tree planting, amenity grassland, wildflower meadows, native species hedgerows and ecology areas. With regard to ecology and biodiversity issues, the applicant has submitted an Ecological Scoping Survey with this application which does not recommend the need for more detailed species specific surveys. However, management of the site and further recommendations are made with regard to reptiles, nesting birds, badgers, hedgehogs and hares. Biodiversity enhancement measures are also recommended.
15. On the current Foreland School site the facilities are not conducive to community use and therefore the School have not been able to develop relationships. The new building and site would provide an opportunity to broaden links with the wider community and offer contemporary facilities which would be attractive to parents, visitors and local groups. It is recognised that the adjacent Ellington & Hereson School has a more attractive mix of sports facilities for community use, but the Foreland School would be able to offer complementary facilities including specialist therapy, meeting rooms, hall and dining hall to the community.

The application is supported by a Design and Access Statement, Accommodation

Construction of new Special Education Needs (SEN) School for the relocation of The Foreland School at land north of Ellington and Hereson School, Ramsgate – TH/14/112 (KCC/TH/0388/2013)

Schedule, Landscape Design Strategy, Environmental Strategy, External Lighting Design, BREEAM Assessment, Ecology Scoping Report, Geotechnical Report, Phase 1 Contamination Assessment, Geophysical Survey, Flood Risk Assessment, Ambient Noise Level Survey, Waste Management and Construction Plan, Planning Statement, Travel Plan and Transport Assessment/Statement.

Planning Policy Context

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

- (i) **National Planning Policies** – the most relevant National Planning Policies are set out in the **National Planning Policy Framework (March 2012)**, and the **National Planning Policy Guidance (March 2014)**, which set 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).

The NPPF states that, in determining applications, 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:

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- minimising impacts on biodiversity, and protecting and enhancing valued landscapes, contributing to the Government's commitment to halt the overall decline in biodiversity;
- 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;

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 (15 August 2011) sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.

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(ii) **Development Plan Policies**

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

- Policy D1** All new development is required to provide high quality and inclusive design, sustainability, layout and materials.
- Policy D2** Development proposals will be well landscaped and maximise the nature conservation opportunities wherever possible.
- Policy HE12** Archaeological sites will be preserved and protected.
- Policy CC1** Within the countryside, new development will not be permitted unless there is a need for the development that overrides the need to protect the countryside.
- Policy CC5** Within the Green Wedge new development will not be permitted unless it can be demonstrated that the development is not detrimental or contrary to the stated aims of the Policy. New development that is permitted should make a positive contribution to the area in terms of siting, design, scale and use of materials.
- Policy CF1** Planning permission will be granted for new community facilities if the proposals are not contrary to other Local Plan policies and the community use and location are demonstrated as acceptable.
- Policy CF6** The site around Newlands Farm is allocated to provide an education complex, and development which would preclude development for such purpose will be refused. Development will be permitted only at such time as a comprehensive master plan has been developed.
- Policy SR3 -** Proposals for the multiple use of existing facilities and new development which will create opportunities for recreational use by the public additional to the existing use of the facilities will normally be permitted.
- Policy SR12** Built development will not be permitted on playing fields if it would be detrimental to the character of the area. Moreover, no development will be permitted on land last used as playing field unless there are exceptional circumstances.
- Policy TR12** Substantial development generating travel demand will be required to provide convenient and secure cycle parking and changing facilities.
- 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 required to make satisfactory provision for the parking of vehicles.

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Consultations

17. **Thanet District Council:** no comments received to date (consulted 30 January 2014).

Broadstairs and St Peters Town Council recommends approval of the application and consider the proposals to be beneficial to the School.

Manston Parish Council is of the opinion that although they recognise there is a necessity for this school, it would be better suited at an alternative site, separate from other schools and the industrial area, in order for the children's needs to be more appropriately met.

Kent County Council Highways and Transportation has no objection to the application, subject to conditions, and comments as follows:

"I confirm that confirmation of appropriate mitigation has been agreed by the applicant to offset their traffic impact at the junction of Pysons Road and Margate Road.

To address resident concerns, I confirm Newlands Lane is a private road and any queuing occurring at drop off/pick up time back onto the private street is not an issue for KCC. If it affects the operation of the school then the school should seek to widen the approach or address the junction arrangement. In accordance with current crash data for the last three years there have been no crashes occurring at the junction. I do not consider that the widening of Newlands Lane to accommodate large HGVs or farm vehicles an issue for KCC either. As pointed out, Newlands Lane is private and only gets busy in terms of vehicular traffic for two short periods of time, during school drop off between 8.30am and 9.00am and afternoon pick up between 3.00pm and 3.30pm. and I would anticipate that farm vehicles are more than aware of these busy periods and do themselves not generate such a high degree of trip generation as to be considered a material issue.

The introduction of the SEN school will not attract additional parent parking as all the transport needs of the children are catered for by minibus and private ambulances/taxis and will only collect and drop of within the curtilage of the school grounds with some of the vehicles already being retained at the site throughout the day. I hope this clarifies our viewpoint in regard to the operation of Newlands Lane/Pysons Road junction.

I therefore have no objection to the proposal subject to conditions covering:

- 1) Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
- 2) Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
- 3) Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.
- 4) Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
- 5) Provision and permanent retention of the vehicle loading/unloading and

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turning facilities shown on the submitted plans prior to the use of the site commencing.

6) Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.

7) The applicant will need to enter into a Section 106 Agreement to secure the funding for the necessary road works.

INFORMATIVE: It is the responsibility of the applicant to ensure, 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 to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement.”

Sport England objects to the application and comments as follows:

“Whilst Sport England has not visited the site, the proposed development would appear to be sited on an existing area of playing field. Locating the proposed development on the existing playing field would prejudice the use of the playing field. Furthermore, protecting the existing playing field from the proposed development would be supported by Thanet District Council's adopted Local Plan (2006) Policy SR12 – Playing fields.

In light of the above, Sport England objects to the proposal because is not considered to accord with any of the exceptions in Sport England's Playing Fields Policy.

Should your Council be minded to grant planning permission for the development then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG letter of 10 March 2011, the application should be referred to the National Planning Casework Unit.”

Environment Agency has no objection to the application subject to the imposition of conditions regarding land contamination and the infiltration of surface water.

The County Council's Biodiversity Officer comments as follows:

“We have reviewed the ecological information which has been submitted with the planning application in conjunction with the desk top information we have available to us. We are satisfied with the information which has been provided and we require no additional information to be submitted prior to determination of the planning application.

Reptiles

The precautionary mitigation detailed within the ecology report must be implemented to ensure that the site does not become suitable for reptiles before or during construction works if planning permission is granted.

The landscape plan shows that there is landscaping proposed. We recommend

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that landscaping to the south and west of the car park is designed to be suitable for reptiles. This will increase the amount of suitable reptile habitat within the area. We advise that if this area is designed to be suitable for reptiles there is a need for a management plan to be produced to ensure it can be managed appropriately.

Bats

The ecological survey has advised that the site may be used by foraging and commuting bats. We advise that the Bat Conservation Trust's *Bats and Lighting in the UK* guidance is adhered to in the lighting design.

Other

The report has made recommendations for precautionary mitigation for hedgehogs we advise that the applicant implements these recommendations when the work is being carried out, if planning permission is granted.

Enhancements

We advise that the School erects a number of bat and bird boxes within the grounds of the school to incorporate ecological enhancements in to the site."

The County Council's Landscape Officer has no particular concerns over the proposed application, but requests that boundary planting uses locally appropriate and native species.

Public Rights of Way has no objections to the application but requests that the applicant's attention is drawn to the following points;

- no furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority;
- there must be no disturbance to the surface of the right of way, or obstruction of its use, either during or following any approved development; and
- 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 highway Authority.

County Archaeologist raises no objection subject to a condition being placed on any grant of planning permission requiring the securing of the implementation of a programme of archaeological work, to be undertaken in accordance with a written specification and timetable which should be submitted for prior approval.

Manston Airport Operators no comments received.

The County Council's School Travel Plan Advisor states that the Travel Plan is good and meets the County Council's criteria. However, the action plan needs to have some more specific dates added, but it is considered that these can be added when occupation is known and dates can be formalised.

Local Members

18. The Local County Council Members, Mr Trevor Shonk and Mr Martyn Heale, were notified of the application on the 4 February 2014. The County Members for the adjacent Division, Mr Alan Terry and Ms Zita Wiltshire, was also notified of the application on the

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4 February 2014.

Publicity

19. The application was publicised by the posting of 3 site notices around the application site, a newspaper advertisement and the individual notification of 34 neighbouring properties.

Representations

20. To date I have received 7 letters of representation, from 5 properties including the adjacent timber merchants, Newlands Farm and The Corporation of St. Lawrence College, the freehold owners of Newlands Farm. The main points of concern/objection are summarised as follows:-

Access and Highway Matters

- Local roads are already congested, and this application would make that worse;
- Queuing traffic on Pysons Road often blocks the turning into Greenfield Road;
- Congestion at peak times already occurs at the traffic light controlled junction between Pyson's Road and Margate Road. The proposed development would make this worse;
- The site has inadequate highway access. Observing day to day issues with cars, buses and pedestrians accessing the site from a busy road, in a predominately industrial area is an accident waiting to happen;
- Newlands Lane was originally only a farm road. The access was upgraded when Ellington and Hereson School was built, but continued agricultural use was regarded as being most important and needing full retention;
- Farm use of Newlands Lane is steady over a 12 to 18 hour period. Even with the current levels of traffic, at peak times farm traffic (including HGVs and Tractors) is unable to turn into Newlands Lane due to the volume of cars entering and leaving the road, coupled with cars parking close to the school;
- The school entrance is narrow and not wide enough for two buses to pass;
- The proposed development would extend AM and PM peak school traffic periods by 45 minutes;
- The Pyson's Road/Newlands Lane junction needs to be substantially enlarged, or indeed a new vehicular access for non school users should be created;
- Parents already park on the farm track part of Newlands Lane whilst waiting for their children. Signs should be erected to prevent non-farm vehicle movements into this part of Newlands Lane;

General matters

- The development is proposed to be built upon playing field;
- The site has the Ellington & Hereson School access road running through it. Is that not a safety issue?
- Part of the access road to the school, adjacent to the road junction and the timber merchants is built on land which does not belong to KCC - the title's are retained by the timber merchants;
- Pupils at the Ellington and Hereson School have broken down fences and cut through adjacent farm land. This is not only trespass, but also causes crop damage on a regular

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basis. Increasing the pupil numbers on site means that if the fences are not upgraded there would be a very significant increase in trespass, and the risk to pupils wandering across an active farm;

- High fencing should be erected around the whole school site;
- More effective screening of the school should be provided, to not only lessen the impact of the development on the outlook from an adjacent property, but to screen pupils from farming activities and noise;
- A 3 metre hedge around the school site is requested;
- Contractors vehicles should not block or park on Newlands Lane and appropriate signage should be erected during construction.

Discussion

Introduction

21. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 16 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, including the new National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity. Issues of particular relevance include impact upon the highway network, playing field provision, general amenity matters, and whether the development is sustainable in light of the NPPF.
22. In this case the key determining factors, in my view, are the impact upon the highway network, playing field provision, general amenity matters, and the policy support for the development of schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on amenity and other material considerations. In the Government's view the creation and development of schools is strongly in the national interest and planning authorities should support this objective, in a manner consistent with their statutory obligations. In considering proposals for the creation, expansion and alteration of schools, the Government 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.

Access and Highway Matters

23. As can be seen in paragraph 20 of this report, local objection to the development is primarily with regard to access and highway matters. It is considered that local roads are already congested, including Pyson's Road and the Pyson's Road/Margate Road Junction, and that Newlands Lane cannot safely accommodate additional traffic with existing issues regarding accessing and exiting Newlands Lane and conflicts with farm vehicles. First, with regard to congestion on local roads, this was an initial concern of Kent County Council Highways and Transportation, who considered that without appropriate mitigation the traffic impacts of the proposed relocation would be severe at

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the junction of Pyson's Road/Margate Road. Transport Assessments submitted with the application demonstrate that the junction already operates above capacity during the morning peak and that the relocation of the Foreland School would generate additional traffic at that junction. Mitigation originally proposed by the applicant included an alteration to the phasing of the traffic signals which, the Transport Consultants considered, would bring the junction back to within capacity. However, the County Council's Traffic Signals expert were of the opinion that the methodology proposed by the applicants would not be effective and could result in increased queuing on the approaches to the junction. In addition, Highways and Transportation considered that altering the phasing of the signals at the junction (which Highways and Transportation consider to be a 'strategic location') would compromise future network enhancements. For these reasons the initial mitigation proposed by the applicant was not accepted by Highways and Transportation and objection was raised to the application on the grounds of the impact of the proposals on the Pyson's Road/Margate Road signalised junction.

24. Kent County Council Highways and Transportation, as a result of further investigative work carried out by design engineers, consider that appropriate mitigation to address the impacts of the development would require the removal of the existing central islands on the Margate Road approaches of the junction and the provision of dedicated right turn lanes. Indicative costs to carry out these works are in the region of £35,000, although I am advised that such costings do not take account of 'lane rental' charges. Subsequent to the advice of Highways and Transportation, the applicant's Transport Consultants prepared additional information in support of the development, including the provision of dedicated right turn lanes at the Pysons Road/Margate Road junction. Having drawn up the scheme, the Transport Consultants concluded that the works would increase traffic capacity at the junction and vastly improve junction reliability and reduce blocking.
25. The applicant initially proposed to make a contribution towards the cost of the scheme, and stated that they would fund no more than a third of the scheme. Highways and Transportation rejected such a contribution as the junction improvements would need to be completed prior to occupation of the development. The Highway Authority could not, therefore rely on other developments coming forward within the given timescales from which to seek the remainder of the costs for the work. The applicant has subsequently agreed to fund all of the works.
26. Kent County Council Highways and Transportation raise no objection to the development as now proposed, subject to the necessary junction improvements being completed prior to occupation of the development. It was requested that this be secured by way of a Section 106 Agreement. However, as the County Council is both the applicant and the determining authority, and due to the fact that the County Council cannot enter into a legal agreement with itself, a Section 106 Agreement is not an appropriate way of securing the works. Instead, a Memorandum of Understanding is being drawn up between the applicant and the Highways and Transportation which will detail the required works, funding mechanisms and a timeframe for implementation. That document would be signed by relevant parties, and would thereafter be referred to within the planning decision and relevant conditions of consent, should permission be granted. Subject to the preparation and signing of a Memorandum of Understanding, and further subject to the provision of the required off site highway works prior to the occupation of the development, I am satisfied that appropriate mitigation for the development has been provided. I therefore do not consider that the development would have a significantly detrimental impact on the local highway network

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27. However, further concerns have been expressed regarding the Newlands Lane/Pysons Road junction, and the suitability of Newlands Lane to accommodate additional traffic movements. As detailed in paragraph 2 of this report, until such time as the Ellington & Hereson School was built in 2007, Newlands Lane was only an access to Newlands Farm and a small number of residential properties. Following the development of the Ellington and Hereson School the western end of the lane, between the school site and Pysons Road, was widened and surfaced to provide appropriate access to the school.
28. Local representations consider that the Newlands Lane/Pysons Road junction needs to be upgraded, or a separate access provided so that school and farm vehicles are separated. Parents parking in Newlands Lane, and the volume of school traffic, also prevent/hinder farm vehicles accessing the lane. First, as noted in Highways and Transportation's views on this application, Newlands Lane is a private road, albeit the western end is built to an adoptable standard, and therefore any congestion/issues within the road are not a matter that can be dealt with by the County Council. However, crash data for the last three years do not record any crashes at the Newlands Lane/Pysons Road junction. The access also only gets busy for two short periods of time (start and end of the school day), Monday to Friday in term time only. Highways and Transportation also consider that farm vehicles would not generate a sufficient degree of trip generation to warrant a purpose built access. In any event, the County Council is not in a position to seek and/or provide such an access.
29. However, to mitigate an increase in traffic at peak school times, the applicant is proposing to stagger the start and end of the school day to avoid the start and end times of Ellington & Hereson School. Although this would extend the peak traffic period in the morning and afternoon, it would aid in the better functioning of the school access and the junction with Pysons Road by separating out school traffic. In addition, and as stated by Highways and Transportation, the introduction of a SEN school would not result in parents parking in Newlands Lane and/or other local roads as all the transport needs of the pupils are catered for by minibus/private taxis and would only collect and drop-off within the curtilage of the school grounds. Highways and Transportation are of the view that sufficient car parking is proposed on site to cater for staff (in considering car sharing, lunch time/part time staff using parent drop off parking, and Travel Plan targets encouraging sustainable transport), and any parents visiting the site have adequate parking facilities adjacent to the school entrance. In light of the above, and in considering the views of Highways and Transportation, I am of the opinion that the proposed development would not have a significantly detrimental impact on the Newlands Lane/Pysons Road junction or the operation of Newlands Lane itself. However, car parking, cycle parking, vehicle loading/unloading and turning facilities on site should be provided prior to occupation of the building and thereafter retained. In addition, should permission be granted, I also consider that a revised School Travel Plan should be submitted within 6 months of the date of occupation of the development, and that staggered school start/end times are implemented. Subject to the imposition of conditions covering these matters, I am satisfied that the development would not have an unacceptable impact on Newlands Lane and its users.

Sport England Objection

30. As can be seen in paragraph 17 of this report, Sport England has raised objection to this application as they consider that the proposed school would be constructed upon existing playing field. Sport England was not originally consulted on this application as the site is not, in my opinion, playing field land. However, due to a neighbour

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representation which objected to the proposal as the site was used as playing field, I considered it necessary to seek further clarification from the applicant and to also consult Sport England.

31. As outlined in paragraphs 3, the 2.54 hectare application site is within the fenced boundary of the Ellington and Hereson School, and is mown amenity grassland. Ellington and Hereson School has, to the south of the site, formal playing fields which meet Sport England requirements. The applicant has confirmed that the application site, previously a meadow area within the school, was mown by the school and used as a social/recreational area during school break times only. I am further advised that the School's Physical Education Department have infrequently used the field for some informal sports, but that pitches are not marked out. In addition, it is important to note, as outlined in paragraph of this report, that the application site has an expired outline planning permission (planning reference TH/09/955 granted 27 May 2010) for the relocation of Laleham Gap School. In addition, the site is allocated within Thanet District Council Local Plan as a 'new education site' under Policy CF6.
32. I am of the opinion that, although the application site is used informally for recreation, it is not formal playing field and is surplus to the playing fields requirements of the Ellington and Hereson School. In considering the above, I am of the opinion that the loss of some informal recreation space should not warrant an objection, especially when balanced against the need for the development, the wider benefits to the community of this education facility, and the replacement facilities proposed. I do not therefore consider there is any basis for a planning objection on the grounds that the development would lead to unacceptable loss of playing field land or would affect the ability of the Ellington and Hereson School to use playing fields as they have adequate provision to the south. Whilst I understand Sport England's objection in principle to the loss of any playing field land, it is important to view that in the wider context of needs other than just sport. In addition, I am firmly of the view that the application site is not playing field.
33. Should Members be minded to agree with the recommendation of this report and grant planning permission subject to conditions, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, and the DCLG letter of 10 March 2011, the application should be referred to the Secretary of State for Communities and Local Government for his consideration

Design/Siting/Massing

34. Development Plan policies promote high quality design, sustainable development, and significant improvements to the built environment. Although no objections to the design and general principle of the proposed development have been received, it is important to discuss these matters to ensure that the proposal is in accordance with the general design principles expressed in Development Plan policies. It should also be noted here that the application site is within the Green Wedge as designated under Thanet District Local Plan Policy CC5. That Policy states that new development within the Green Wedge will not be permitted unless it can be demonstrated that the development is not detrimental or contrary to the stated aims of the Policy. However, the site is also designated under Policy CF6 of the same Local Plan as an education complex. Development of the nature proposed would therefore, in my view, be acceptable in principle in terms of Policy designations, and would not be detrimental to the functioning of the Green Wedge in terms of settlement separation as the application site is already within the fenced boundary of an existing school. New development within the Green

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Wedge should, however, make a positive contribution to the areas in terms of siting, design, scale and use of materials.

35. Although a local resident has requested additional screening and a secure site boundary (to be discussed later in this report), I have not received any objections to the siting, massing and/or design of the school. The single storey building would not, in my opinion, be unduly visible or prominent within the wider landscape, and the layout of the site is such that the development would not result in overlooking of neighbouring properties, or be overbearing in nature. Although the site is split into two by the existing access road for Ellington and Hereson School, the applicant has designed the scheme to make best use of available land and used the smaller part of the site for car parking for staff and visitors only. Pupils would not, therefore, have to cross that road at any time. I consider the layout of the site to be logical, providing a building and facilities that are fit for purpose and designed to meet the needs of the user group. In my view, the siting and massing of the development is appropriate for the site, and would not be contrary to the relevant principles of Development Plan Policy, with particular regard to Policy CC5 of the Local Plan.
36. The applicant advises that the single storey building would have a single membrane insulated flat roof system, coloured light grey, with parapet detailing. A simple palette of pale yellow facing bricks are proposed for the external walls with powder coated aluminium windows and doors. The general colour finish to the powder coated elements would be mid-grey, although some doors and infill panels would be various colours to differentiate each class base. The taller elements of the building (4.5 metres internal height) such as the hall and dining room, are proposed to be finished with a contrasting timber rain screen cladding with a vertical emphasis to provide some height against the long low brick elevations. I have no objection to the materials proposed, but consider that further details should be provided for approval should permission be granted. Subject to the imposition of a condition requiring the submission and approval of all materials to be used externally, I consider the design of the building to be acceptable and in accordance with Development Plan policies.

Landscaping, Screening and Site Security

37. As the site is open grassland this application would not result in the loss of any trees, nor would any trees be affected by the proposals. In addition, as detailed in the paragraphs above, I do not consider that the proposals would be detrimental to the character and appearance of the wider landscape, including the Green Wedge. However, local representations have raised matters regarding fencing and proposed landscaping which need to be considered and addressed.
38. As detailed in paragraph 14 of this report, the application site is within the fenced boundary of the Ellington and Hereson School, which is secured with black weldmesh fencing. It is proposed that that fencing be reinforced with hedging to provide further screening and security. The southern site boundary is undefined and currently open as it is part of the wider Ellington and Hereson School site. It is proposed to secure the southern boundary with 1.8 metre high black weldmesh fencing, to match the existing. First, with regard to fencing, local residents, including the occupants of Newlands Farm, consider that the perimeter fencing should be replaced and upgraded as existing pupils at Ellington and Hereson School climb over the fencing, resulting in trespass to adjoining farmland, which is not only illegal, but damages crops and is unsafe for the pupils. The applicant confirms, however, that the existing 1.8 metre weldmesh fence would be

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retained as the fence was approved as adequate for the original Ellington and Hereson School application and is also typical of security fencing at schools across the County.

39. The applicant further advises that the SEN nature of the proposed school and the physical capabilities of the pupils means that the children would be highly supervised when compared to a typical non-SEN school. The risk of pupils being able to attempt to climb a 1.8 metre high fence is therefore considerably lower than a non-SEN School. In addition, the older pupils at the proposed school (14-19), who may be more capable of climbing, are located in a part of the site where their external landscaped areas do not adjoin directly to the sites external boundary line. If any pupils of that age were able to climb over a fence, they would merely end up in another part of the school site, or in the adjacent Ellington & Hereson School. In addition to the existing fencing to be retained, a native species hedgerow is proposed to the inside of the fence line along the northern and eastern boundaries (to be discussed in more detail below). This would further discourage anyone from attempting to climb over the fence. Further to this, the applicant also advises that by far the majority of the pupils at the proposed school would be bought to and collected from the school by either parents or specialist transport. It is not anticipated that pupils would return home alone and/or unsupervised. Given the above, I consider it unlikely that pupils at the proposed school would climb over the security fencing and trespass in local farmland. In addition, the construction of the proposed school would actually have the affect of eliminating Ellington and Hereson pupils climbing over perimeter fencing as those pupils would no longer have access to the sections of fence in question, and would be forced to use the official school access road to enter and leave the site. I therefore consider the 1.8 metre high weldmesh fencing to be more than acceptable, and see no reason for this to be replaced with a higher or more industrial fencing type which would also be more visually intrusive.
40. It is also considered by the occupants of facing properties to the north of the application site that more effective screening of the school should be provided, not only to lessen the impact of the development on the outlook from their properties, but to screen pupils from farming activities and noise. A 3 metre high hedge around the school site is requested. The applicant advises that this matter was considered from the outset of the design process, hence the inclusion of a native species hedgerow and 'hedgerow trees' along the northern and eastern boundaries of the site. The applicant considers that the hedgerow proposed is fully capable of providing adequate and sufficient screening between the proposed school and Newlands Lane. The hedgerow is capable of being maintained at a range of heights, from 1.5 metres up to 6-8 metres. Due to practical maintenance issues, it is the intention that the hedgerow would be maintained at 2.4 metres which, when fully established would provide a solid and continuous enclosure to the site. Although it should be noted that protection of private views is not a material planning consideration, I consider the screening proposed by the applicant to be more than adequate. However, to agree final details of planting across the site, including the boundary hedgerow, I consider that a detailed scheme of landscaping should be submitted pursuant to condition should planning permission be granted.

Biodiversity

41. With regard the ecology, an Ecological Scoping Survey Report has been submitted which concludes that the development would not have a detrimental impact on biodiversity, subject to precautionary approaches with regard to bats, hedgehogs and reptiles. The County Council's Biodiversity Officer is satisfied with the level of information provided. However, should permission be granted, conditions of consent should be imposed

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requiring that the development is undertaken in accordance with the recommendations and precautionary measures as detailed within the submitted Ecological Scoping Survey Report. Biodiversity enhancement measures should also be explored, and I consider that this matter could be dealt with by way of an informative.

Public Right of Way

42. As outlined in paragraph 4 of this report, a Public Right of Way runs along the northern and eastern site boundary. As can be seen in paragraph 16 of this report, Public Rights of Way have been consulted on this application and have provided advice with regard to erecting furniture, disturbance to the surface, and obstruction of use. The applicant has confirmed that the Public Right of Way would be unaffected by the development, that no works are proposed to be undertaken to the Right of Way, and that no temporary closure would be required during construction works, should permission be granted. In this instance, therefore, I consider it sufficient to draw the applicant's attention to the advice provided by Public Rights of Way by way of an informative only.

Archaeology

43. The County Archaeologist has concluded that in order to secure the appropriate level of evaluation and mitigation of archaeological potential at the site, a condition of consent should be imposed. It is requested that no development takes place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable. I consider that the suggested condition would be an appropriate requirement in ensuring an acceptable level of evaluation and mitigation of the archaeological potential of the site. Therefore, subject to the imposition of the required condition, I do not consider that this proposal would have a detrimental impact on archaeological remains.

Drainage and land contamination

44. The Environment Agency raises no objection to the proposal, however requests a condition be attached to any consent requiring that there is no infiltration of surface water drainage into the ground at the site without the express written consent of the County Planning Authority. A further condition regarding land contamination is required. Therefore, should permission be granted, conditions would be imposed covering the matters raised above. That would ensure that the development would not result in an unacceptable level of pollution, in accordance with the principles of Development Plan Policy.

Sustainable construction

45. The applicant advises that the project would achieve a minimum 'Very Good' rating under BREEAM for schools. As outlined in paragraph 13 of this report, the building would include a number of sustainable features and I consider that the applicant has given sufficient information within the planning application to demonstrate how the rating of 'Very Good' would be achieved. I therefore consider it sufficient and acceptable to condition that the development achieve at least a 'Very Good' rating, but not to request the submission of further details in relation to this.

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Construction matters

46. Given that there are neighbouring residential and industrial properties, including Newlands Farm, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction to protect residential amenity. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also good practice on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day. Given the neighbouring Ellington and Hereson School, and the joint access, I consider it appropriate that details of how the site access would be managed to avoid peak school times should also be included within the Construction Management Strategy.
47. I also consider it appropriate that details of a full Construction Management Strategy be submitted for approval prior to the commencement of development. That should include details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid peak school times, signage to prevent use of Newlands Lane beyond the school entrance by vehicles associated with the construction, and details of any construction accesses. Such a strategy would also address the conditions required by Highways and Transportation with regard to the construction of the development. Therefore, should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy.
48. In addition to the above, should permission be granted, conditions of consent would ensure that dust, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Conclusion

49. In summary, I consider that, subject to the imposition of appropriate planning conditions and the completion of the highway mitigation works, this proposed development constitutes sustainable development, with an appropriate standard of design and layout, which would not have significantly detrimental effects on the sporting facilities at the Ellington and Hereson School, the wider landscape, residential amenity or upon the local highway network. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies, as well as the National Planning Policy Framework. I am aware of no material planning considerations that indicate that the conclusion should be made otherwise.
50. However I recommend that various conditions be placed on any planning permission, including those outlined below. Given the Sport England objection, should Members support my views expressed in paragraphs 21 to 48 above and decide against refusal of this application, the County Planning Authority is required to consult the Secretary of State for Communities and Local Government at the National Planning Casework Unit and not grant planning permission until the Secretary of State has first had opportunity

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to consider the application. The Town and Country Planning (Consultation) (England) Direction 2009, requires that the Authority may only proceed to determine an application once the Secretary Of State has had an opportunity to consider whether or not to call in the application for his own determination.

Recommendation

51. I RECOMMEND that the application BE REFERRED to the Secretary of State for Communities and Local Government and SUBJECT TO his decision, and SUBJECT TO a Memorandum of Understanding between the applicant and Kent County Council Highways and Transportation to address the provision of the required offsite highway works, 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 materials to be used externally;
- the submission of the scheme of landscaping;
- the provision and permanent retention of the car parking, cycle parking, drop-off and turning/loading/unloading areas as shown on the submitted plans;
- the completion of off-site highway works prior to first occupation of the development;
- submission of an updated Travel Plan within 6 months of the date of occupation;
- staggered/offset school start and finish times;
- the development to be undertaken in accordance with the recommendations of the Ecological Scoping Survey;
- a BREEAM rating of 'Very Good' to be achieved;
- submission of a specification and timetable for the implementation of a programme of archaeological work;
- control of surface water drainage and infiltration to ground;
- control of the development should land contamination be identified;
- 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;
- 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, signage to prevent use of Newlands Lane beyond the school access, and details of any construction accesses & management of the site access to avoid peak school times;
- measures to prevent mud and debris being taken onto the public highway.

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

- The applicant's attention is drawn to the letter from Public Rights of Way which contains general informatives with regard to 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;
- The applicant's attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained and that the

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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 to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement;

- the potential for biodiversity enhancement opportunities should be further explored.

Case officer – Mary Green	01622 221055
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Background documents - See section heading
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Application for an extension to Cliftonville Primary School, Margate – TH/14/0148 (KCC/TH/0005/2014)

A report by Head of Planning Applications Group to Planning Applications Committee on 16th July 2014.

Application by Kent County Council Property and Infrastructure for an eight classroom extension along with a multi use hall and kitchen, plant room, toilets and staff room and external playspace at Cliftonville Primary School, Northumberland Avenue, Margate – KCC/TH/0005/2014 (TH/14/0148).

Recommendation: SUBJECT TO any further views received from Sport England before the Committee meeting, the application be referred to the Secretary of State for Communities and Local Government and subject to his decision planning permission be granted subject to conditions.

Local Member(s): Mr W Scobie & Mrs M Elenor

Classification: Unrestricted

Site

1. Cliftonville Primary School is located off Northumberland Avenue, to the east of Margate Town Centre and to the south of Cliftonville.
2. The school is surrounded by residential property to the north and east, school playing fields to the west and south and the Laleham Gap School also to the south. A footpath runs between Northdown Park Road and Northdown Road to the west of the School site and between the Laleham Gap School playing fields.
3. This application is on land which is currently part of the school playing field at the existing Laleham Gap School. The applicant expects the Laleham Gap School to be relocated to a new site which would then make land available to this proposal. A planning application has been received for a new site for the Laleham Gap School at land at Ozengell Place Ramsgate planning application reference KCC/TH/0139/2014.
4. The nearest residential property to the proposal is approximately 38m east of the building façade at 87 Northumberland Avenue.

Background

5. This proposal is for new classroom and hall space that would be required for expansion of the Cliftonville Community Primary School to a 4FE 810 place school. The school currently has a published admission number of 90 which means that the school currently admits 90 children as a 3FE school to Reception classes each year. It is proposed to increase the reception intake from 90 to 120 so that the school would admit 120 children into Reception in September and each year thereafter to provide an additional 210 school places between Reception and Year 6. Numbers would gradually increase by 30 each year over a 7 year period.
6. Expansion of the school is considered by the applicant to be necessary to help meet the future demand for school places within Margate and to provide school places for local children. The applicant considers that even with the proposed enlargement of the School a deficit of places is expected to exist in Margate. The Kent Commissioning Plan for Education Provision 2013 to 2018 provides forecasts of demand for primary school capacity and includes provision for commissioning an additional 1FE at Cliftonville Primary School.

Planning History

7. The original school was built in the late 1970's and further extended in 1996. The school site currently includes a main building with a number of satellite buildings located to the south and west. There is a separate nursery building to the south of the site.
8. Planning permission (reference TH/13/0585) was recently granted (30th August 2013) by Thanet District Council for change of use from residential use to use as meeting rooms for Cliftonville Primary School for the nearest property which is to the north east of the proposal at no. 88 Northumberland Avenue. Prior to that the following more recent planning applications relate to the Cliftonville Primary School site:

TH/12/755 - Retrospective application for two timber framed chalet style buildings to provide specialist mentoring for pupils was granted 17th December 2012.

TH/10/963 – A meeting room and classroom extension was granted 29th December 2010.

TH/07/681 – A three classroom teaching block, extension to the junior playground and re-location of the PTA building was granted 27th June 2007.

TH/05/535 – A disabled persons' entrance, reception area and extending head teacher's office and staff room was granted 11th August 2005.

TH/05/233 - Retention and continued use of 1 no. 2 bay and 1 no. 3 bay mobile classroom was granted 6th April 2005.

TH/02/699 – Permission was granted for a four classroom teaching block was granted 6th December 2002.

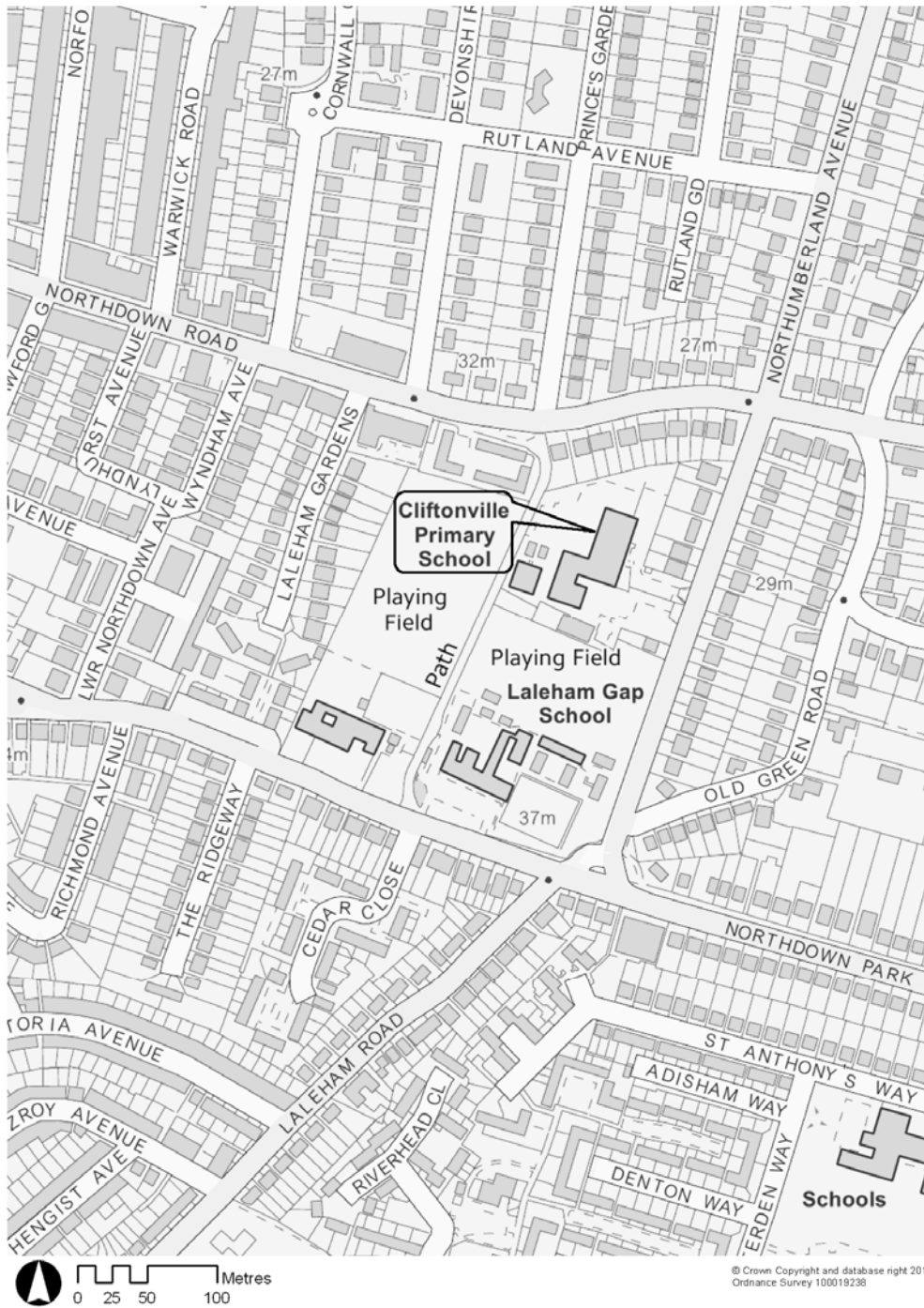
Proposal

9. The application is for a new build 8 classroom extension, multi-use hall with allocated storage and a plant room, kitchen, toilets, staff room and new external play space. These aspects of the development are to the south of the existing school buildings on land which is currently part of the Laleham Gap school playing fields.
10. The proposal would result in some internal reconfiguration and reassignment of spaces to the existing school buildings and would connect the existing nursery building to the proposed buildings to the south.
11. The proposed new hall (215m²), and kitchen (58m²) would be to the south east of the site, connected with an internal hall store, lobby, staff room and plant room area. Space for a future hall extension of 80m² is indicated in the application plans submitted although its inclusion is not part of this planning application proposal.
12. The proposed key stage 1 extension area for 8 classrooms would link to the existing nursery building and the proposed new hall and kitchen areas. There would be new courtyard, canopy and outdoor play areas between the two and new toilet areas internally.
13. The classroom block is proposed to be single storey with a flat roof with rooflights. The roof is to be extended over the line of the building to act also as a sun shield and shelter. The building materials proposed are brick with sections of render.

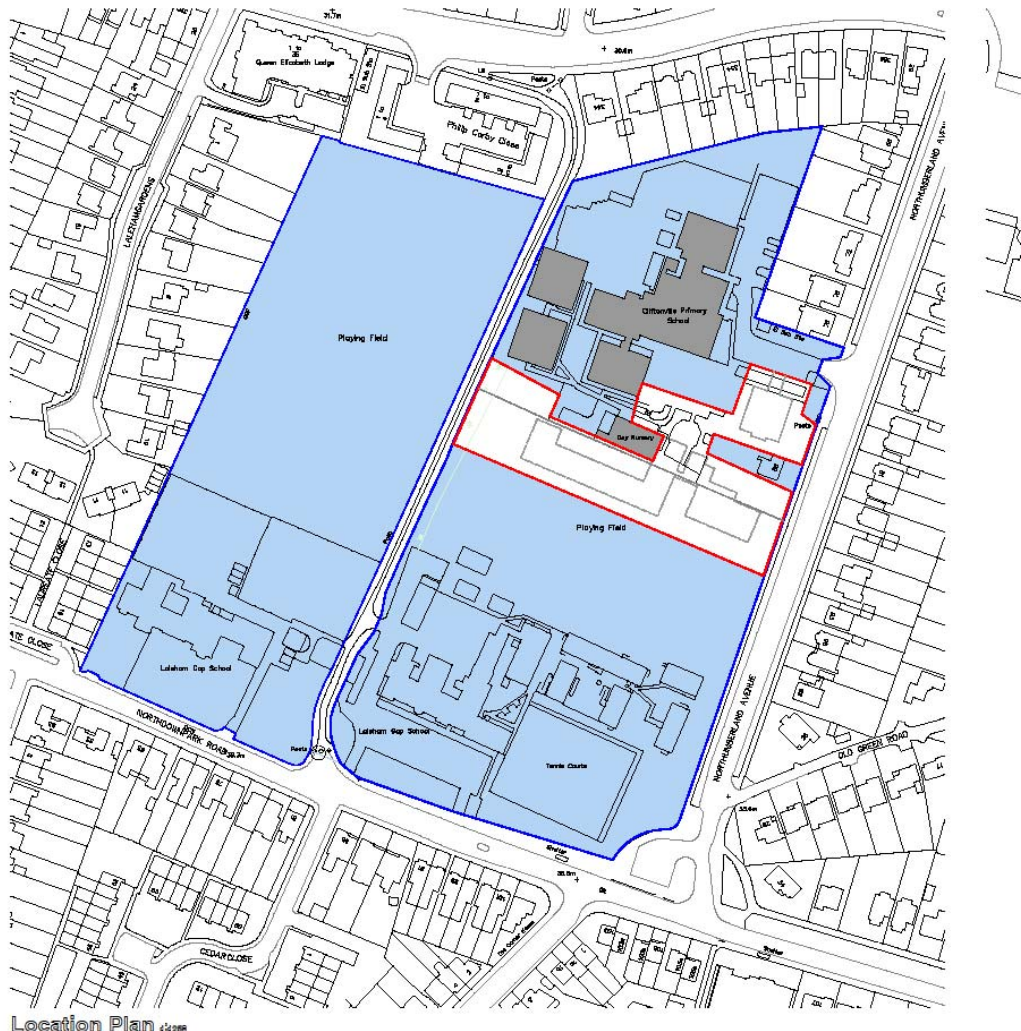
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Location

Cliftonville Primary School, Margate



Proposed Site Plan



Location Plan



14. The hall, which would be 6m high, is also proposed with a flat roof and would be constructed in Marley Eternit panels with an off white colour finish, which according to the applicant is designed to match the render although with a more hardwearing finish. The kitchen is proposed to be a flat roof to a height of 3.8m. The application shows the location of possible extractor plant on the roof of the kitchen although no details are provided.
15. The buildings would be set back from the road being 10.5m at its nearest to the site boundary with Northumberland Avenue.

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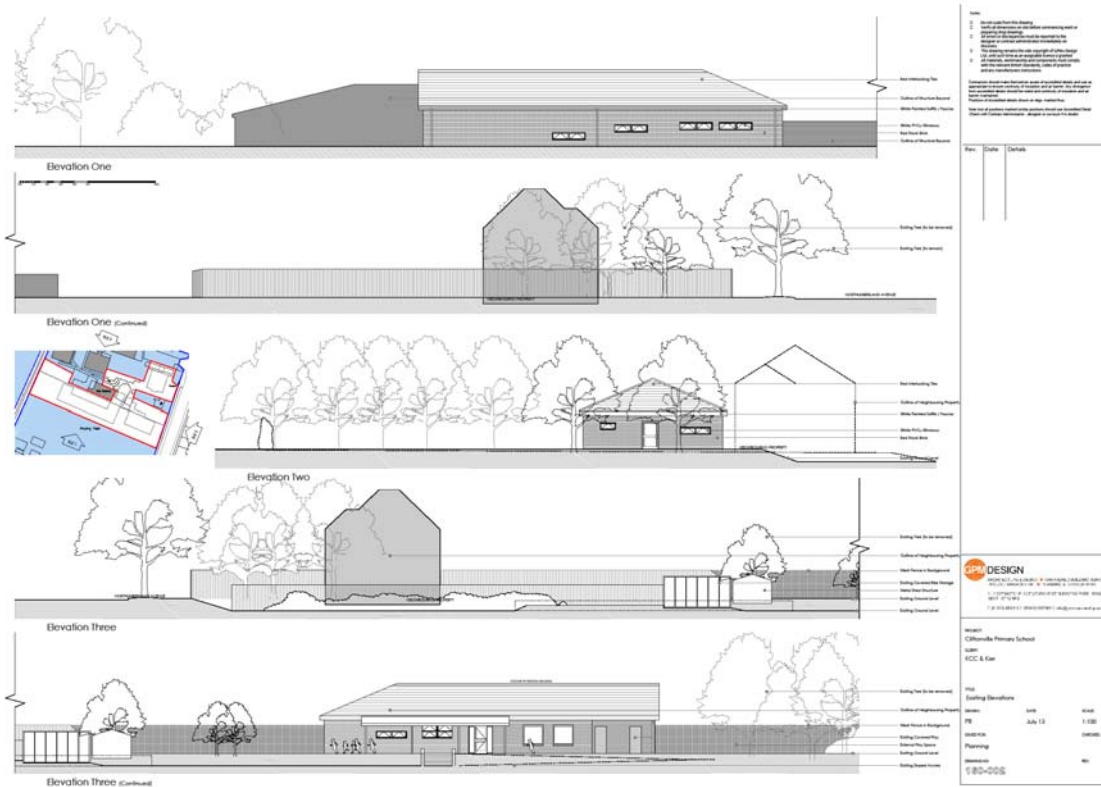
16. The proposal also includes additional staff parking for 12 cars within the existing school area, provision for 20 scooter parking spaces and a new pedestrian access route from Northumberland Avenue to the proposed hall block. The proposed new pedestrian access would be set back from the road and incorporates a waiting area for parents. The proposal includes a separate contractor's construction access from Northumberland Avenue. It is intended that there would be a contractor's site compound for the proposed construction works on site.
17. The Applicant states that the school would also have in the future access to 8510m² playing fields immediately adjacent to the west of the site.
18. The applicant states that all trees at the site would be retained except for 3 trees that would need to be removed to the north of the proposed kitchen extension in order to allow space for the proposed new pedestrian access.
19. New fencing and planting to the new southern boundary between the site and the Laleham Gap School is proposed.

Proposed Hall and KS1 Floorplan



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Existing Elevations

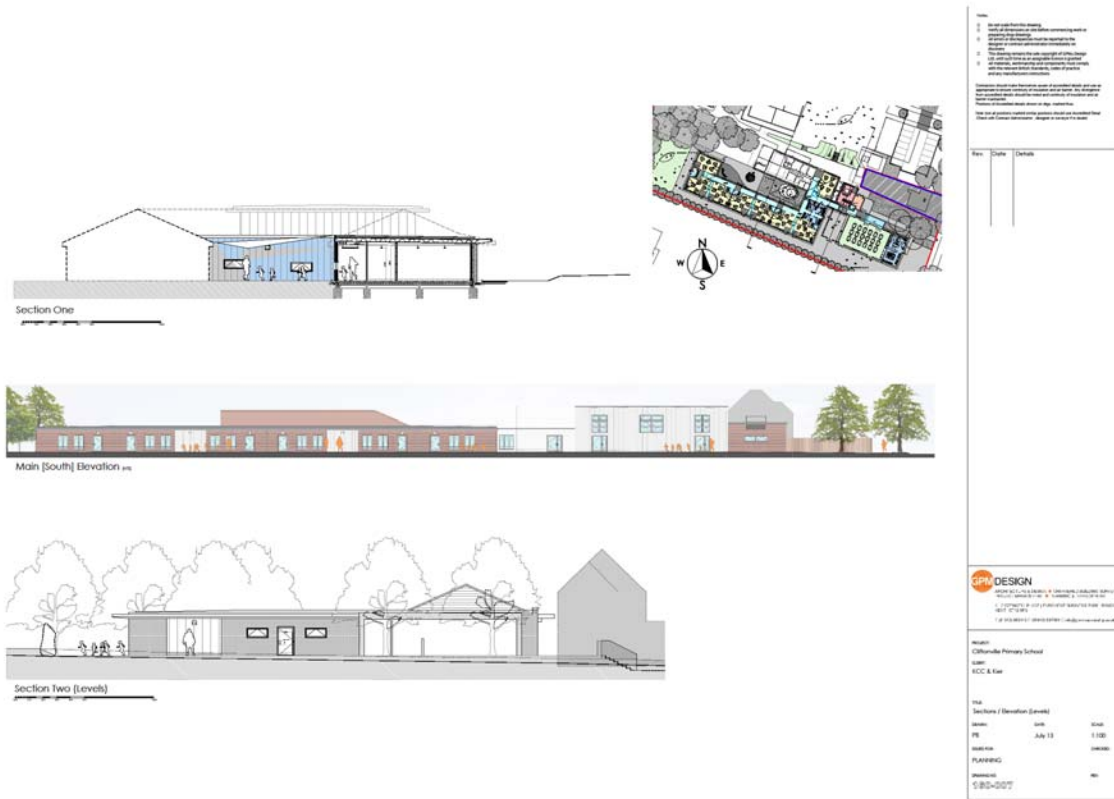


Proposed Elevations



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Sections and Elevations



View of Site Location on Field in Yellow



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View across existing site showing nursery building to the west of the site.



View of western edge of site and view to the south toward Laleham Gap School



Planning Policy

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

National Planning Policy Framework (NPPF) March 2012, and the 2014 guidance 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;

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- the promotion of healthy communities; including that great weight 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 that there is opportunity for sport and recreation and that existing open space, sport and recreation land including playing fields are protected; and
- conserving and enhancing the natural environment.

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

Local Plan/Local Development Framework policies are contained in the Thanet Local Plan 2006 Saved Policies.

Thanet Local Plan 2006 Saved Policies:

Policy TR12 – promotes the increased use of cycling including incorporation of cycle parking facilities.

Policy TR15 – supports measures that assist implementation of school travel plans

Policy TR16 – seeks to ensure satisfactory provision for parking of vehicles

Policy D1 – all new development is required to provide high quality and inclusive design, sustainability, layout and materials and which respects the character and appearance of the surrounding area which is compatible with neighbouring buildings and spaces and does not result in unacceptable loss of amenity. Development is required to consider means of access, retain and respects biodiversity and the quality of the local environment.

Policy D2 – seeks to enhance the development site in its setting by retention and protection during site works of as many of the existing trees, hedges and habitat features as possible; provision of maintenance of landscape planting.

Policy SR12 – seeks to protect playing field land from development if it would be detrimental to the character of the area and provides exceptions where development on playing field land would be acceptable including where there is an excess of playing field provision in the area, where the land is incapable of forming a pitch and does not result in loss of use of a pitch, if the playing fields that would be lost as a consequence of the development would be replaced.

Policy CF1 – concerns proposals for new and reuse of or alternative community facilities which accord with other local plan policies and the community use and location are appropriate and

Policy HE11 – concerns assessment of the archaeological or historical importance of the site and the likely impact on development.

Policy HE12 – concerns arrangements to ensure that arrangements are in place to allow satisfactory archaeological investigation and recording.

21. The school is not within the Cliftonville Development Plan Document area and there are no site specific land designations within the Development Plan in association with the site.

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Consultations

22. **Thanet District Council** raises no objections.

Environment Agency has no objection in principle and request a number of conditions relating to dealing with contamination should it be identified, foul and surface water drainage and fuel, oil and chemical storage.

Southern Water requests a condition on any approval to require details of the proposed means of foul and surface sewerage disposal.

KCC Biodiversity Officer comments that the proposed development has limited potential to be used by protected/notable species and requires no additional information to be submitted prior to determination.

Public Rights of Way and Access Service raises no objections.

Kent Highways and Transportation raises no objection to the proposal subject to inclusion of scooter parking spaces, funding of corner protection waiting restrictions at the corner of Northumberland Avenue and Northdown Road, provision of a suitably surfaced pedestrian waiting area within the proposed new pedestrian access, a guard rail between the verge and the highway and provision of an extended period of time for dropping off and picking up which is available to all children at the school and which will be at no cost to parents.

Sport England raises a holding objection to the proposal as it is not considered to accord with any of the exceptions in Sport England playing fields policy. However, Sport England indicates that it would be prepared to review the position if it can be demonstrated that one of the policy exceptions can be met. It requested further information from the applicant with regard to the provision of replacement playing field provision within a fixed and clearly defined timescale before providing a further formal consultation response to the proposal. Further information has been provided by the applicant and a further response from Sport England is awaited. I will update Members of the position at the Committee meeting.

Local Member(s)

The Local Members for Margate and Cliftonville, Mrs Mo Elenor and Mr William Scobie were notified of the application on 11th February 2014.

Publicity

23. The application has been advertised by the posting of site notice in two locations, newspaper advertisement and by the individual notification of 37 properties. Two responses have been received.

Representations

24. The neighbouring Laleham Gap School is in support of the development of the Cliftonville School extension as long as the date of completion of the Laleham Gap new school is taken into consideration. They say that this is proposed to be open for pupils in September 2015 although is behind schedule and planning permission not yet agreed. Meanwhile the Laleham Gap School continues to be fully functioning and

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oversubscribed with very little playground and sporting facilities and that the proposed field for the Cliftonville extension is the only large outside functioning area for the Laleham Gap School which is for high functioning pupils with Autism Spectrum Disorders who have very low sensory thresholds. The School would not support any building works whilst the school is in session as it would affect the behaviour and progress of students. The School comments that the expansion of good schools is supported, but not to the detriment of some of the most vulnerable pupils in society.

25. An objection to the proposal has been received from a local resident who considers that there is a lack of cohesion between this application and the Laleham School development (reference F/TH/14/0518) for 70 houses. The neighbour comments that the transport report for this application suggests a further 50 cars both morning and afternoon attending at the school and does not take into account the large surge of travel caused by the occupiers of 70 new houses within a hundred yards of the school entrance. The School and road residents make repeated attempts to educate drivers about suitable parking, and littering, when picking up children, to add to this will see a considerable increase in friction between residents and the school.

Discussion

26. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (8) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
27. This application is being reported to the Planning Applications Committee because of the Sport England objection to the proposal and also because of neighbour representation.
28. I consider that the key determining issues in relation to this application are the need for expansion and the locational impacts, including design and the impact upon school playing field land. These matters are discussed further below under the headings of Need, Location and Impacts.

Need

29. This proposal is part of the Kent County Council's Basic Needs project. The Commissioning Plan for Education Provision in Kent (2013 to 2018) forecasts demand for primary school capacity which in Thanet indicates that there is pressure on primary school places in the Margate area and that a deficit of places is expected within the Margate planning area over the next four year period. The applicant states that this proposal is to increase the number of places available at Cliftonville Primary School in order to help meet future demand in Margate.
30. Given the national planning context relating to promoting healthy communities and a presumption in favour of the sustainable development of state-funded schools in order to meet the needs of existing and new communities I accept that there is a need for this proposal. However, that must be balanced against the location of this proposal on playing field land and the impacts to healthy communities as a result of the loss of playing field land and the wider amenity impacts that the development may create.

Location

31. The application states that a number of previous piecemeal building projects at the school have impacted on circulation and levels around the school site. The applicant states that a number of design options were initially considered and that the opportunity to secure and use extra land as a result of planned relocation of the Laleham Gap School offered an opportunity to establish a design proposal that addressed the requirement to provide additional accommodation, improves circulation within the existing site, and limits the impact of the building works during construction to the existing children at the school.
32. As a result, utilising the extra land has been taken forward in this planning application. This proposal is located to the south of the existing nursery building on land which is currently part of the Laleham Gap School playing field. It would extend and link to the existing nursery building, enabling key stage one children to all be located in one building. That in turn provided the applicant with opportunities to review and reconfigure the existing collection of buildings at the site and to group year classes together elsewhere within the site.
33. In considering the location of this proposal it should be noted that the closest property at 88 Northumberland Avenue has recently been granted permission by Thanet District Council for a change of use from residential use to use as part of the school pastoral activities and would as a result be incorporated into the school grounds. The proposed buildings would be approximately 35m from the nearest residential property to the east of the site along Northumberland Avenue.
34. It should also be noted that there has recently been a planning application (reference F/TH/14/0518) to Thanet District Council for a residential development at Laleham School, Northdown Park Road, which if permitted would follow demolition of the existing Laleham School buildings. That application was made by Kent County Council Property Services to Thanet District Council in June 2014 and has not yet been determined by Thanet District Council. It does not include the area of playing field land that this proposal relates to. The neighbour objection referred to above relates to the impact of additional traffic which may result from proposed housing in the location proposed within the F/TH/14/0518 application to Thanet District Council. This is discussed further below in relation to highways impacts.
35. Playing field land is protected from development in planning policy terms and there are only a limited number of exceptions to playing field policy whereby development of playing field land would generally be regarded as acceptable. Sport England is a statutory consultee for all development proposals affecting playing fields or land used as playing fields.
36. The NPPF paragraph 74 states that playing field land should not be built on unless an assessment has been undertaken which has clearly shown the land to be surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss. That is within the context of the contribution that open space and opportunity for sport and recreation has to the health and well being of communities.
37. This proposal would result in the reduction in width of the Laleham Gap field from 60m to 40m wide and a consequential loss of 2000sq m of playing field. The applicant states

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that an additional 10,500 sq m area of playing field would still be available to the north west of the site.

38. However, the applicant also states that the playing fields that would be lost as a result of this development proposal would be replaced by playing fields elsewhere. They propose that the replacement for the Laleham Gap School, at land at Ozengell Place, Ramsgate, Kent, CT12 6PB would provide the replacement playing field land in exchange for that which would be lost in this location should planning permission be granted for this proposal. They also propose that the replacement playing field land would be greater in area as the proposed new school at Ozengell Place would provide an additional 11,000 sq m of playing field. That would represent an overall increase in provision of 9000 sq m when considering the provision holistically.
39. Whilst a planning application (ref KCC/TH/0139/2014) has been received for the replacement Laleham Gap School, it has not yet been determined and there would in any event be a timing issue in relation to the availability of the replacement playing fields. That might lead to a temporary shortfall in availability of playing field land or, should permission not be granted for the replacement Laleham Gap School or should it not be relocated, the proposal would lead to a loss of 2000 sq m of available playing field space in the Thanet district. That would have impacts to the facilities and environment currently enjoyed by pupils at the existing Laleham Gap School.
40. The response to the neighbour notification from the Headteacher of the Laleham Gap School was that whilst in support of the proposal it requested the date of completion of the Laleham Gap new school to be taken into consideration and also the requirement for the existing school to be fully functional, including use of the field, in the meanwhile. The Headteacher states that the Laleham Gap School would not support any building works whilst the school is in session as it would affect the behaviour and progress of students.
41. The location of the proposal on playing field land therefore has the potential for a short term negative impact to the functioning of the KCC Laleham Gap School. KCC, which is also the applicant for this proposal, state that this would only be a temporary shortfall which would not have significant impact as the school would still have access to the retained open space. On moving to a new site, the Laleham Gap School would no longer need to use the playing field area. A timetable for the project is not included within the application. In my opinion, some disruption would be inevitable and it would be expected that the applicant manages the project timings in order to minimise conflict and disruption to both schools given the nature of the works proposed, the interests of the applicant and the longer term objectives for education and the learning environment and the provision of sufficient places for Kent's young people. The amenity impacts of the proposal to neighbouring property and the timing of works are discussed in relation to amenity impacts below.
42. The applicant considers that the shortfall of open space as a result of this development proposal would only be short term and that the Laleham Gap School would still have access to the open space to the north of the site. The applicant requests that commencement of the proposed scheme be allowed should planning permission be granted once a contract for the delivery of the new Laleham Gap School has been signed such that there would be a guarantee in place that the lost land would be replaced. Furthermore, in order to address the Sport England holding objection, the applicant suggested that either an agreement be entered into or a condition be imposed preventing commencement of the development until permission has been granted for the new Laleham Gap School and a contract entered into for its construction. This may

allow Sport England to remove its holding objection to the proposal. Sport England comments are awaited and I will update Members of the position at the Committee meeting. This may also address some of the concerns discussed above with regard to the proposed timescales and the functioning of the Laleham Gap School. Given that there is currently no planning permission in place, there can be no certainty that the proposed Laleham Gap School would be relocated to the proposed location. It is also not known as to whether the application for proposed demolition of the Laleham Gap school and redevelopment with housing will succeed. The relative timing of each of these projects should permission be granted is also not known.

43. Sport England policy exception E4 requires the playing fields to be lost as a result of the proposed development to be replaced prior to the commencement of the development by playing fields of equivalent or better quality and of equivalent or greater quantity; in a suitable location and subject to better management arrangements. There is currently not the certainty over whether the proposed replacement playing fields as part of the new site proposed for the Laleham Gap School will receive planning permission and there would in any case be a time lag between any grant of permission and the grounds becoming available as a replacement. A condition preventing commencement of the development until permission has been granted for the new Laleham Gap School and a contract entered into for its construction would in my view address this policy requirement. The view of Sport England is awaited.
44. The applicant does not provide any information with regard to a comparison of the quality of the proposed replacement field in relation to the quality of the existing field, suitability of location or management arrangements. However, in my opinion the proposal to replace the area of playing field lost by a larger area of school playing field, subject to planning permission being granted would be at an appropriate location. The proposed replacement location is approximately 4.5 miles from the site. Whilst information about management arrangements has not been provided by the applicant at this stage, I consider that it is reasonable to assume that the management arrangements of school playing field land will be at least equivalent.
45. Unless Sport England confirm removal of their holding objection, I consider that, on the basis of the information provided within the application, arguably, the proposal would be against national planning policy contained within the NPPF because it may lead to loss of playing field land. Currently, there is no certainty that the proposal for the replacement Laleham Gap site and therefore the replacement playing field land will succeed in planning terms. Given the Sport England holding objection to this proposal a decision to grant planning permission for the proposal would need to be first referred to the Secretary of State.
46. Local Plan Policy SR12 also seeks to protect playing field land from development if it would be detrimental to the character of the area and provides exceptions where development on playing field land would be acceptable. That includes where there is an excess of playing field provision in the area, where the land is incapable of forming a pitch and does not result in loss of use of a pitch and if the playing fields that would be lost as a consequence of the development would be replaced. No information has been provided by the applicant in relation to the general playing field provision in the area or with regard to a comparison of the quality and the impact of the loss of pitch on the wider Thanet Area. However, Thanet District Council has carried out an Open Space, Sport and Recreation Assessment in July 2005 which looks at provision and quality of facilities in the area. The planning consultation with Thanet District Council does not give rise to any objection to the proposal.

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47. Given the scale of the proposal, that Thanet District Council does not object to the proposal and that replacement provision is intended (although not yet secured) at the proposed location for the new Laleham Gap School, and that there is an intention to not commence development until permission has been granted for the new Laleham Gap School and a contract entered into for its construction, I consider that it is reasonable to conclude that the loss of playing field land when balanced against the need to provide additional school places to meet the demand in this location would not be significantly detrimental to the character of the area and would generally be an acceptable exception in this location and in these circumstances. However, I am also mindful that the outcome of the Laleham Gap application cannot be predetermined and that this proposal would at this point in time, be against Sport England policy for playing fields.
48. Determination of the planning application for the replacement Laleham Gap School at Ozengell Place (KCC/TH/0139/2014) would give a clearer picture as to the likelihood and timing of the applicant's proposed replacement playing field land coming forward. However, that information is not currently available, although at the time of writing it is expected that it will be possible to determine this application shortly, subject to resolution of an outstanding objection. I will update Members of the position at the Committee meeting.
49. Therefore, should Sport England not remove their holding objection to this proposal in response to additional information from the applicant, my view is that in determining this application consideration needs to be given as to whether to give more weight to the national policy concerning the protection of playing field land contained in the NPPF and Sport England policy, or to the national policy concerning the development of schools proposals and meeting the need for school places in a local context. Given that Thanet District Council and the response discussed above to the neighbour publicity, my recommendation to Members is to give more weight to the local context and meeting the need for the development by extension at this already established school site. However, if Members are minded to grant planning permission, unless Sport England confirms removal of their holding objection, the application would have to be subject to a referral to the Secretary of State in view of Sport England's objection.

Impacts

50. The NPPF and Local Plan policy in particular, Policy D1, requires consideration of design matters, impacts and amenity for new development proposals.
51. The main publicity of this proposal took place in February and March 2014. This attracted one response from the neighbouring Laleham Gap School, which is discussed above in relation to the proposed location on school playing field and consideration of timing of the proposal. It includes also concern for the proposal to adversely impact on the behaviour and progress of the students is discussed below as it relates to the amenity impacts of the proposal to neighbouring property.
52. A further neighbour response was received in July 2014. That concerns the impact of another planning application in the vicinity of the site at the Laleham Gap School (application reference F/TH/14/0518). This is discussed below in relation to Highway and other matters.
53. It should be noted that the proposal has not attracted any other comments from neighbouring property with regard to unacceptable design or amenity impacts. Notwithstanding this, I summarise the main issues of consideration of impacts arising from the proposal below.

Highway matters

54. The NPPF suggests that developments should only be refused on transport grounds where the residual cumulative impacts of development are severe.
55. The Transport Assessment submitted with the planning application states that this planning application should not have a significant impact in terms of transport. The Transport Assessment was submitted at the time of the application in December 2013. It calculates that there will be an increase of 53 vehicles in the morning peak (0800-0900) and 52 vehicles in the afternoon peak (1500-1600).
56. The neighbour representation raises a concern about a lack of cohesion between this application and the proposed Laleham School development (reference F/TH/14/0518) for demolition and 70 houses. It suggests that the Transport Assessment submitted with this application should take account of the proposed housing development at the Laleham Gap School. There is a concern for the potential for increased "friction" between residents and the school. It should be noted that this application was submitted to this Authority in December 2013 whereas the application F/TH/14/0518 has only recently been submitted to Thanet District Council. At the time of submission of the school extension application, the application for housing had not been made and so it would have been difficult to include reference to it within the Transport Assessment. Given the relative timing of these applications I consider that it would be appropriate for the highways impacts and travel patterns arising from the proposed housing development to be considered afresh and assessed within the processing and context of the housing planning application F/TH/14/0518. It should be noted that Kent County Council Highways and Transportation are also a statutory consultee in relation to that proposal. It should further be noted that there is also opportunity for comments to be made to Thanet District Council in response to publicity for the planning application F/TH/14/0518. These would be considered in relation to determination of that planning application. I do not consider that this proposal should be expected to mitigate against the highway impacts of the proposed residential development nearby, which would be subject to separate consideration within the planning process.
57. I am informed by Kent Highway and Transportation that there has recently been an e-petition in relation to perceived safety issues for current pupils crossing Northumberland Avenue. As a result of the petition, a Member funded scheme has been proposed which seeks to provide a new zebra crossing outside the school entrance. This has recently been approved and is due to be constructed within the coming months. It is evident from this, and also by the presence of cones marking the driveways of neighbouring property at school pick up times, that in common with many schools, there are currently issues concerning road safety and access to neighbouring property in the vicinity of the school.
58. In response to initial comments from Kent Highways and Transportation, the applicant has made amendments to the original proposal in order to accommodate a range of measures to mitigate against potential adverse highway impacts. That includes agreement to provision of 20 scooter parking spaces, funding of new corner protection waiting restrictions on the corner of Northdown Road and Northumberland Avenue, incorporation of a suitably surfaced pedestrian waiting area within the proposed new pedestrian access area which is recessed from the pavement and also provision of a guard rail between the verge and the highway. In addition, the applicant has agreed to provision of staggered dropping off and picking up times in order to reduce the concentration and impact of additional traffic as a result of the proposal at peak times at the beginning and end of the school day. The proposal takes the form of extended drop

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off and pick up times by provision of an out of hours club facility which would be free of charge and have the capacity to accommodate all of the children at the school from 8am Monday to Friday morning until 6pm Monday to Thursday and to the normal finishing time on a Friday afternoon. The School currently has a school travel plan in place and proposes to update this upon development of the school. A revised travel plan could be required by planning condition.

59. Given this package of proposals I am satisfied that there is a range of mitigation measures that can be underpinned by planning conditions in order to address the potential highways impacts of this proposal such that it would not give rise to unacceptable adverse impacts within the existing site context. I am therefore satisfied that the proposal accords with the Local Plan policies TR12, TR15, TR16 and D1 in relation to access, pedestrian safety and highways matters. I am also satisfied that the highways impacts of the proposal for demolition and housing at the Laleham Gap School will also be assessed and considered within the determination of that planning application.

Design matters

60. The proposal has not attracted any comments with regard to design matters. Local Plan policy D1 requires consideration of a number of principles including inclusive design, sustainability, layout and materials with respect of the character and appearance of the surrounding area and also gives consideration to safe and satisfactory access arrangements, landscaping and open spaces, and the quality of the local environment. Policy D2 concerns the enhancement of development sites with regard to landscaping, including by retention of existing planting and new planting.
61. The application including the additional highway mitigation measures discussed above gives consideration to access and highway matters arising from the proposed development in terms of provision for pedestrians with an extra pedestrian entrance, cars with provision for additional parking and for scooters to add to the existing provision at the site for cyclists. It also includes consideration within the design for safety and including spreading the use of the highway at school drop off and pick up time and these matters are discussed above.
62. The layout of the building gives consideration to movement and traffic on and around the site and to linking the new buildings proposed with the existing buildings at the site.
63. The extension has been designed to reduce the impact of the build on the existing buildings in design and construction and to limit the requirement for mechanical cooling by making use of passive ventilation via orientation of the building and the location of windows and rooflights. The single storey design for the KS1 classrooms, in my view links well with the existing site context. Whilst the hall building is taller it is lower than the elevation of the nearest building at 88 Northumberland Avenue and is set back from the road and uses the height of the proposed new kitchen and store in order to create a stepped approach. The hall building is proposed with a flat roof and in off white eternit boards and render which is intended to contrast with the red brick used elsewhere.
64. The application shows the location of possible extractor plant on the roof of the kitchen although no details are provided. I am satisfied that additional details can be required by condition in order to address any potential for visual impact which may arise from this.
65. The site is currently well screened by fencing and vegetation from residential property along Northumberland Avenue and also from views along the footpath to the west of the

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site. The existing buildings would screen the development from views from the north. The proposal includes planting and fencing to the southern boundary which would help further screen the proposed development, from views from the neighbouring school to the south. The proposal involves the removal of three trees to the east of the site and replacement planting. I would recommend further detail be provided with regard to the landscaping and planting plan and this could be required by planning condition.

66. National planning policy requires good design and positive contributions to making better places for people and this includes making developments visually attractive as a result of good architecture and appropriate landscaping. In my opinion, care has been taken to ensure that the proposal is well designed and to incorporate the existing building form and function. It would be set back and subservient to the existing frontage and would not result in a bringing forward of the current building line. I consider that the proposed design would not be out of keeping with the street scene in this location.

Amenity Impacts

67. NPPF and Local Plan policy D1 also requires consideration of other amenity impacts resulting from proposals.
68. The neighbouring Laleham Gap School has concerns that the proposed building works may have potential to adversely impact on the behaviour and progress of the students at the school. The school is for high functioning pupils with Autism Spectrum Disorders and who have very low sensory thresholds. A timetable for the works should planning permission be granted has not been provided within the application. The timetable for relocation of the Laleham Gap School is also not fully known. Clearly given this concern, any change would need to be managed carefully with due consideration to pupils currently at both of the schools as well as neighbouring residents, and I would regard this as a managerial as well as a good neighbour issue. Given that the applicant for this proposal, the replacement Laleham Gap School proposal and the proposed demolition of the existing Laleham Gap School is Kent County Council Property, and that the Laleham Gap School is also KCC Property I would regard this as an issue which should be resolvable within project planning and timescales and local construction site management should permission be granted. However, this issue also relates to the promotion of healthy communities. The guidance within the NPPF encourages planning decisions which aim to achieve places that promote safe and accessible environments and developments which deliver social and recreational facilities which the community needs and which guard against the loss of valued facilities and services particularly where this would reduce the community's ability to meet everyday needs. It also encourages decisions that ensure that established facilities and services are able to develop and modernise in a way that is sustainable and are retained for the benefit of the community.
69. I consider that temporary disruption arising from building works needs to be balanced against the longer term need for developing and modernising community facilities and ensuring that there is sufficient choice of school places to meet the needs of existing and new communities. The Government attaches great importance to this consideration.
70. The proposal includes provision for a separate construction access to the south of the site, and provision for a construction compound within the site, although further details of the specific location and size of the temporary compound would need to be secured by planning condition. I consider that planning conditions can be used to control construction hours. The applicant states that they propose to use heras fencing with netting to limit the temporary visual impacts during construction and to assist with dust

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management. I consider that conditions can be used to provide control over the potential for impacts from dust and noise during construction activities and over other potential impacts from lighting.

Biodiversity and other matters

71. Taking into account comments received from Kent County Council Biodiversity, I consider the impacts in terms of biodiversity not to be unacceptable in planning policy terms. The proposal is located on land which is currently short amenity grassland and it is considered that this has limited potential to be used by protected species. The applicant has submitted a specification for an archaeological watching brief during proposed groundworks. The applicant has also submitted a desktop study and site walkover survey to address the risk of contamination of the existing site. Taking into account comments received from the Environment Agency and Southern Water, I am satisfied that conditions can be used in relation to groundwater protection matters and surface water and foul water drainage. I consider that the application accords with development plan policies D2, HE11 and HE12 in relation to these matters.

Conclusion

72. Planning policy seeks to promote healthy and inclusive communities. It seeks to prevent the loss of recreational and open space which can make an important contribution to the health and well being of communities. However, it also seeks to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities and this is also relevant to promotion of healthy communities.
73. In this case, given the need for additional school places and within the context of the intention to provide replacement playing field land, I consider that the need for school places to meet demand outweighs the detriment caused by loss of part of the playing field in this location.
74. Taking into account the views from Kent Highways and Transportation received in relation to highways matters, and that in my opinion the proposal is acceptable in terms of location, need, design and amenity impacts, I conclude that the proposal would be acceptable in this location.
75. However, in the event that a Sport England objection remains, should Members support my views expressed in paragraph (50) above and be minded to grant planning permission, the County Planning Authority is required to consult the Secretary of State and not grant planning permission until the Secretary of State has first considered the application. The Town and Country Planning (Consultation) (England) Direction 2009, requires that the Authority may only proceed to determine an application once the Secretary of State has had an opportunity to consider whether to call in the application for his own determination.

Recommendation

76. SUBJECT TO any further views received from Sport England before the Committee meeting, I RECOMMEND that the application BE REFERRED to the Secretary of State for Communities and Local Government, and SUBJECT TO his decision, PLANNING PERMISSION BE GRANTED, SUBJECT TO conditions, including:

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- The standard time limit for implementation;
- That the development be carried out in accordance with submitted details
- That a scheme of landscaping and replacement tree planting, including fencing detail be submitted prior to commencement;
- Submission of a revised travel plan within 6 months of the date of the permission and subsequent annual review;
- Submission and approval of external lighting details prior to installation;;
- Submission and approval of details of external building materials prior to commencement;;
- Submission and approval of details of kitchen roof extract plant prior to commencement;
- Provision of detailed drainage details concerning foul and surface water prior to commencement;
- Remediation strategy should contamination not previously been identified be found to be present
- Restriction of construction working hours to between 0800 and 1800 Monday to Friday and 0800 to 1300 Saturday with no work on Sundays and Public Holidays;
- Restriction of construction vehicles delivering materials between the hours of 08:00 to 09:00 and 14:45 to 15:45 Monday to Friday;
- Submission of details of construction vehicle loading, unloading, turning, circulation and parking and details of the location of the construction compound prior to commencement of work on site
- Restoration and making good of any disturbed areas of field or planting.
- Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction;
- Within 6 months of occupation of the development, provision of funding of corner protection waiting restrictions on the corner of Northdown Road and Northumberland Avenue;
- Extension of the time period over which all parents can drop off and pick up children at the school from 8am to 6pm Monday to Thursday and from 8am to normal school time on Fridays, to be in place prior to occupation of the development;
- Submission, and approval of further details of recessed entrance, surfacing and layout of the new pedestrian waiting area and location of guard railing;
- That the proposal not commence until planning permission has been granted for the new Laleham Gap School and a contract has been entered into for its construction.

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

Advice from Southern Water with regard to the requirement for a formal application for connection to the public sewer system;

Advice from the Environment Agency with regard to surface water drainage, soakaways and fuel oil and chemical storage and pollution prevention.

Case officer – Hazel Mallett	01622 221075
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Background documents - See section heading
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Conversion of light industrial building into 5 classrooms,
Slade Primary School, The Slade, Tonbridge
TM/14/1687 (KCC/TM/0107/2014)

A report by Head of Planning Applications Group to Planning Applications Committee on 16 July 2014.

Application by Kent County Council Property and Infrastructure Support for the conversion of existing light industrial building into 5 classrooms, a Plan Prepare and Assess (PPA) room with new staircase/lift extension and associated external works, including fencing, canopy and access platform, and the removal of existing mobile classroom at Slade Primary School, The Slade, Tonbridge – TM/14/1687 (KCC/TM/0107/2014)

Recommendation: Permission be granted subject to conditions.

Local Members: Mr. R. Long & Mr. C. Smith

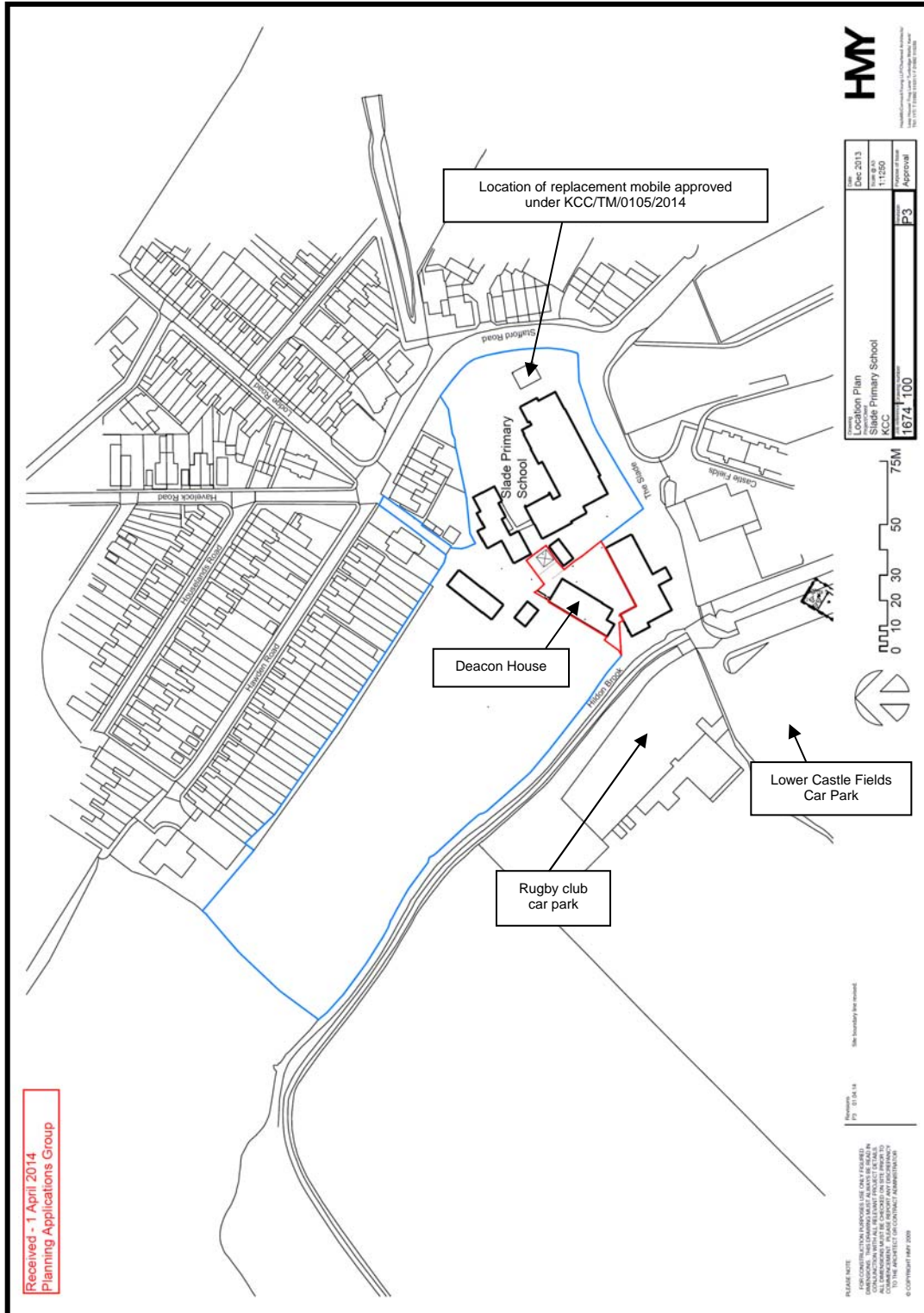
Classification: Unrestricted

Site

1. Slade Primary School is located close to the centre of Tonbridge, to the north-west of the High Street. The school's main elevation fronts The Slade, with the side of the school leading out onto Stafford Road. Stafford Road provides access to a high density residential area, which lies to the north and east of the school. The school playing fields are located to the west, with agricultural fields beyond. Located to the south-west are the Tonbridge swimming pool and rugby club along with an extensive public car park. To the south, opposite the school on The Slade, are further buildings and an area of open space.
2. Immediately to the south-west of the school are two buildings, known as Deacon House and Hildenbrook House. Hildenbrook House is a four-storey building with office use at ground floor level and residential use above, which has a frontage onto The Slade, and lying to the rear of this is Deacon House, the subject of this planning application.
3. Deacon House is a two/three story disused building, originally built as an industrial unit but later converted into offices. There is an area of hardstanding between the two buildings forming an informal courtyard, and an existing vehicular and pedestrian access onto The Slade, which lies between the school and Hildenbrook House. Deacon House backs onto the existing school playing fields.
4. Deacon House lies adjacent to but outside of both the Tonbridge Conservation Area and the Metropolitan Green Belt, but within the urban boundary of Tonbridge. Hilden Brook runs along the western boundary of the site and the school playing fields.

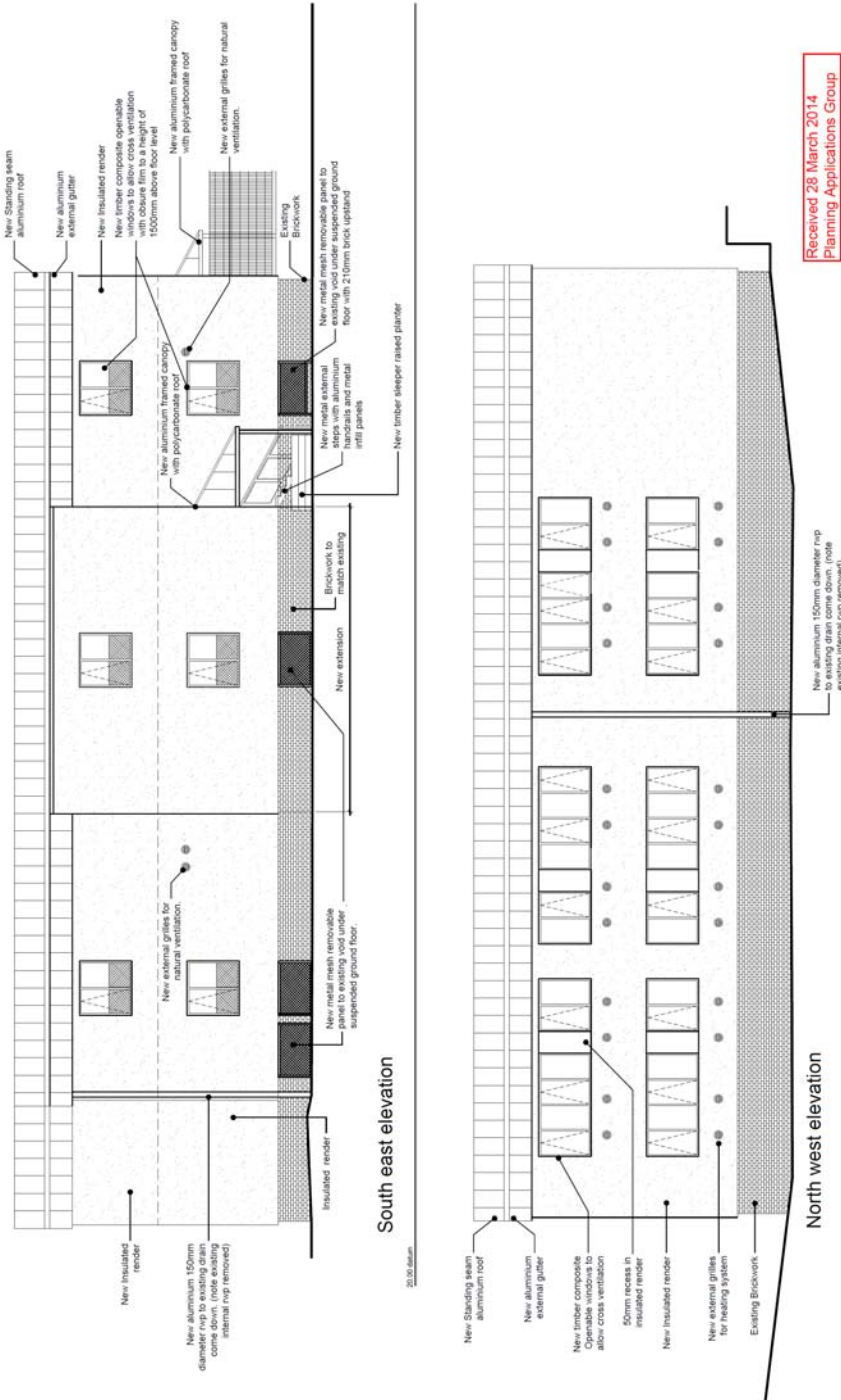
Conversion of light industrial building into 5 classrooms, Slade Primary School, The Slade, Tonbridge
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General Location Plan

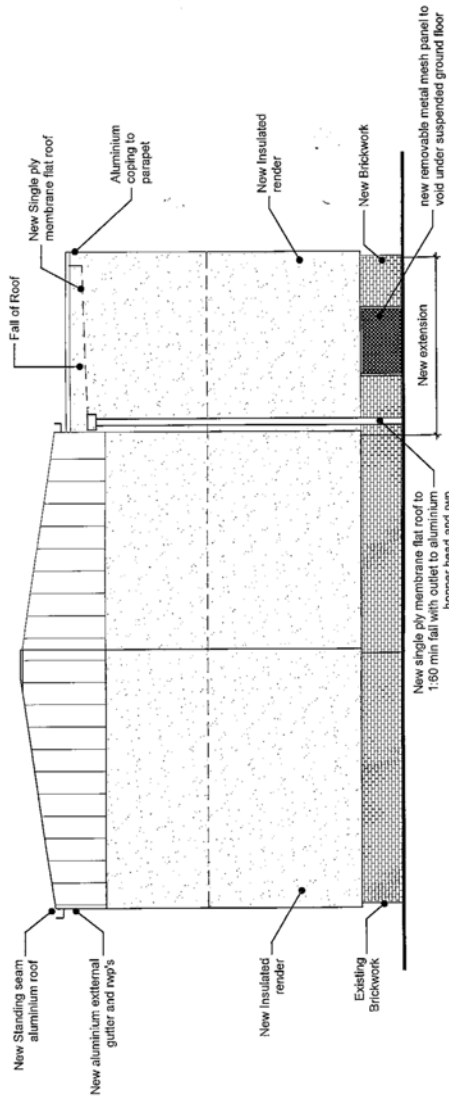


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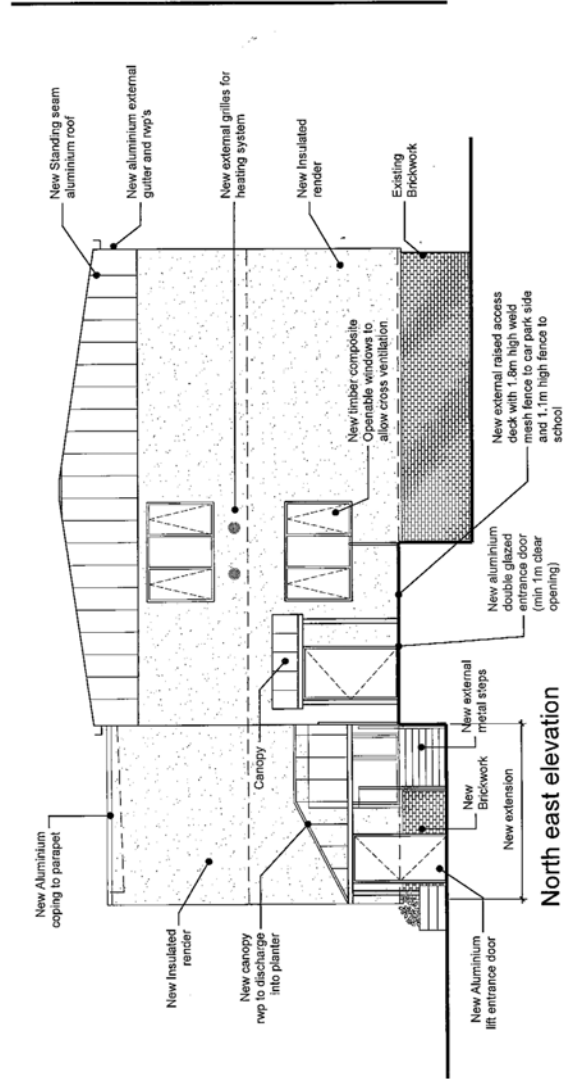
Proposed Elevations



Conversion of light industrial building into 5 classrooms, Slade Primary School, The Slade, Tonbridge
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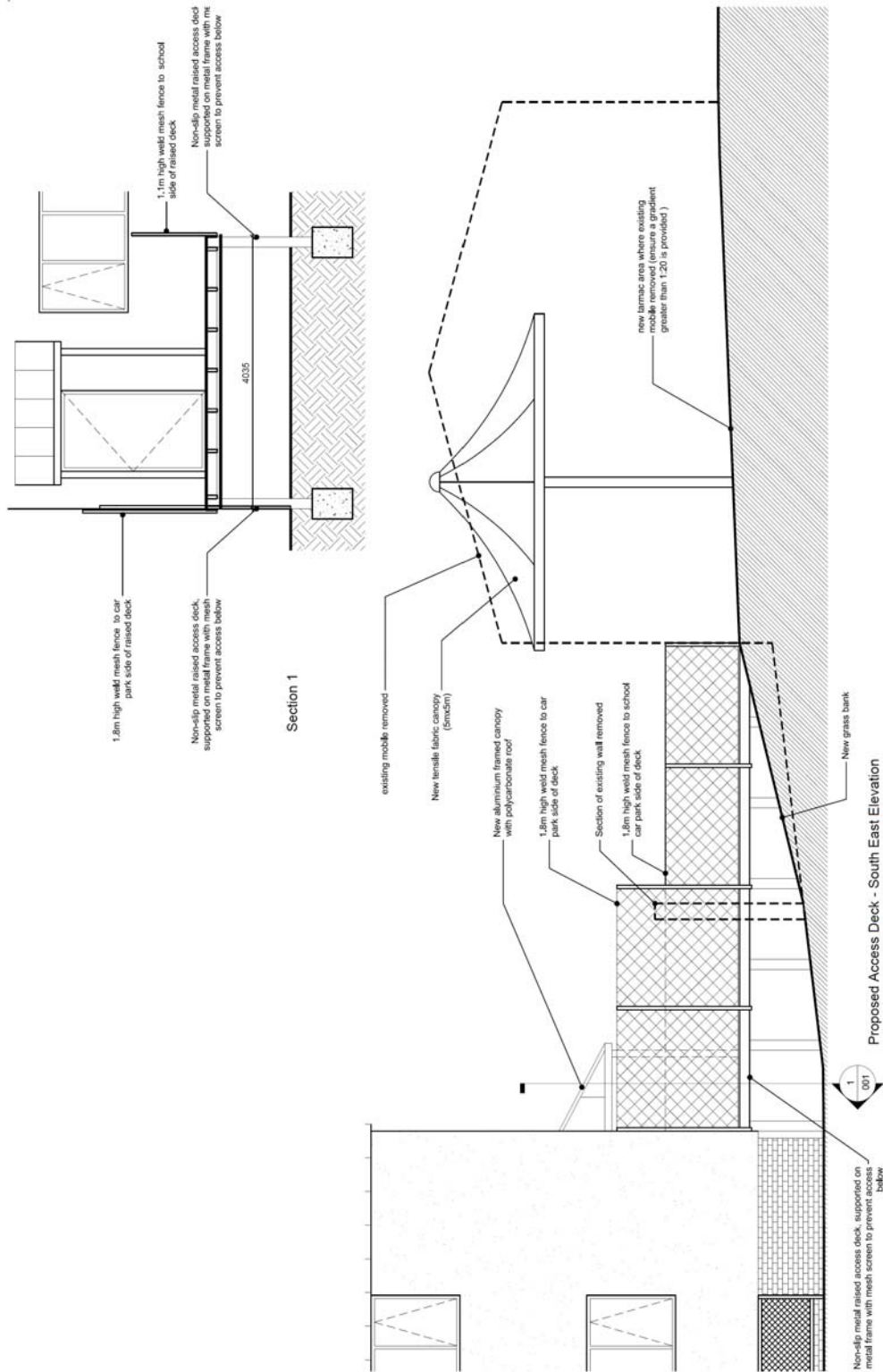


South west elevation



North east elevation

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Background

5. Slade Primary School is currently a 1.5 Form Entry school, with a yearly admission number of 45 pupils. The Kent Commissioning Plan for 2013-2018 has identified a significant requirement for reception year school places in the Tonbridge and Malling Local Authority area. Slade Primary School is consistently oversubscribed, and with an Ofsted grading of 'outstanding' is first preference for many parents. Slade Primary School has therefore been identified for expansion to meet the projected increase in demand for primary school places in Tonbridge South. KCC has secured funding for this expansion through the 'Targeted Basic Needs' programme.
6. The intention is for Slade Primary School to permanently increase to a 2 Form Entry school, admitting 60 reception year pupils each year. This increase would take place from this September (2014), and each year thereafter, so that total pupil numbers at the school would eventually increase from 315 to 420. The number of staff at the school would increase from 40 to 44.
7. The increase in pupil numbers requires the addition of 4 new classrooms and attendant facilities. The proposal is outlined in detail in paragraph 10.

Recent Site History

8. There is a lengthy planning history relating to the school itself, for various extensions, fencing and the siting of, and renewal of, mobile classrooms on the site, dating from 2013 back to 1956. Recent approval (under delegated powers) has been given for the replacement of the existing mobile classroom which lies on the corner of The Slade and Stafford Road, with a slightly larger mobile for a temporary period of 5 years (reference KCC/TM/0105/2014).
9. The planning history for Deacon House itself is as follows:

TM/67/10089/OLD	Storage building for building materials and temporary office Approved
TM/03/00270/FL	Conversion and extension of existing office buildings into residential use with ancillary car parking and landscape works Approved
TM/05/00308/FL	Demolition of existing two storey office building and construction of 6 no. town houses Approved
TM/08/01875/FL	Renovation of existing building to create 8 no. two bedroom units and formation of new second floor to create a further 2 no. two bedroom units and 1 no. one bedroom unit, including formation of two new stair pods and car parking layout Approved
TM/11/01392/FL	Extend time limit for planning approval TM/08/01875/FL (renovation of existing building to create 8 no. two bedroom units and formation of new second floor to create a further 2 no. two bedroom units and 1 no. one bedroom unit, including formation of two new stair pods and car parking layout) Approved

Conversion of light industrial building into 5 classrooms, Slade Primary School, The Slade, Tonbridge
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Proposal

10. The application seeks to convert the existing building, build a small two storey extension and provide direct access to this building from the existing school site. The existing building would be re-clad in insulated render with a brick plinth at the bottom, and a new standing seam aluminium roof. Removable mesh panels would be inserted in the brick plinth on the south-east and south-west elevations. The windows would be timber and opening to allow ventilation. The windows on the south-eastern elevation would serve the corridors and would be provided with obscure film up to a height of 1500mm above floor level. The classroom windows would be located on the north-west and north-east elevations.
11. Due to the change in ground floor levels between the two sites, Deacon House would have a suspended ground floor with a void below of 0.975m. On this suspended ground floor level the conversion would provide three classrooms with a corridor access and boys wc; whilst at first floor level the accommodation provided would be the girls wc, a fourth classroom, a PPA room and an additional room which could either serve as a small hall or an additional (5th) classroom. This 5th classroom would be 89m² in area, approximately 30m² larger than the other classrooms thus allowing it to be used for either purpose.
12. The extension would be located on the southern elevation and would provide room for the staircase and lift, and a small store room at first floor level.
13. Two entry points would be created for the building. The first would be direct from the hardstanding/courtyard between Deacon House and Hildenbrook House. A level threshold would be provided for the lift from this courtyard, as well as stairs from here to the upper ground floor level into the new stairwell. The second access would be directly into the upper ground floor level on the eastern elevation across a raised access deck linking this building with the existing school site (see drawing on page D4.8). An opening would be created in the existing perimeter wall in this location.
14. To facilitate this access from the school site a temporary mobile classroom, currently sited along the western boundary, would be removed along with three small self-seeded trees. A new tensile fabric canopy would be erected in this location. For safety reasons a 1.8m high mesh fence would be used on the car park side of the raised access into Deacon House above the courtyard/hardstanding area, reducing to 1.1m high fencing within the existing school site.
15. Within the courtyard, 8 parking spaces would be provided, including 1 space for disabled users, and these would be allocated for staff parking only (increasing the current on site staff parking from 18 spaces to 26 spaces). New gates would be positioned across the access, in line with the corner of Hildenbrook House (and set back from The Slade road frontage).

Planning Policy

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

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- (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 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) **Tonbridge and Malling Borough Core Strategy September 2007:**

Policy CP1 Sustainable Development: 1) All proposals for new development must result in a high quality sustainable environment; 2) provision should be made for housing, employment and other development to meet the needs of existing and future residents of the Borough; 3) the need for development will be balanced against the need to protect and enhance the natural and built environment; 4) locations for development should seek to minimise waste generation, water and energy consumption, reduce the need to travel and where possible avoid areas liable to flooding; 5) new housing development should include a mix of house types and tenure and mixed use developments promoted where appropriate; 6) development to be concentrated at the highest density compatible with the local environment, and be well served by public modes of transport; 7) that development should minimise the risk of crime and make appropriate provision for infrastructure to serve the new development including social leisure, cultural and community facilities and adequate open space accessible to all.

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- Policy CP2 Sustainable Transport:** New development that is likely to generate a significant number of trips should (a) be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres; (b) minimise the need to travel through the implementation of Travel Plans and the provision or retention of local services and facilities; (c) either provide or make use of, and if necessary enhance, a choice of transport modes, including public transport, cycling and walking; (d) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated; (e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural or historic environment or the character of the area; and (f) ensure accessibility for all, including elderly people, people with disabilities and others with restricted mobility.
- Policy CP10 Flood Protection:** 1) Within the floodplain, development should seek to make use of areas at no or low risk to flooding before areas at higher risk, where possible and compatible with other policies; 2) development which is acceptable (in terms of PPS25) or otherwise exceptionally justified within areas at risk of flooding must be (a) subject to a flood risk assessment, and (b) include an appropriately safe means of escape above flood levels anticipated during the lifetime of the development, and (c) be designed and controlled to mitigate the effects of flooding on the site and the potential impact of the development on flooding elsewhere in the floodplain.
- Policy CP11 Urban Areas:** States that development should be concentrated within the confines of the urban areas which include Tonbridge.
- Policy CP23 Tonbridge Town Centre:** Within Tonbridge Town Centre there should be a sustainable development pattern of retail, employment, housing and leisure uses, and a range of other services to regenerate and enhance the vitality and viability of the Town centre.
- Policy CP25 Mitigation of Development Impacts:** Development will not be permitted unless the service, transport and community infrastructure necessary to serve it is either available, or will be made available by the time it is needed. Development proposals must therefore either incorporate the infrastructure required as a result of the scheme, or make provision for financial contributions and/or land to secure such infrastructure or service provision at the time it is needed, by means of conditions or a planning obligation.

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(iv) Tonbridge and Malling Managing Development and the Environment Development Plan Document April 2010:

Policy CC1 Mitigation – Sustainable Design: Requires all proposals for new development, building conversions, refurbishments and extensions to incorporate passive design measures to reduce energy demand.

Policy CC3 Adaptation – Sustainable Drainage: Requires the provision of sustainable drainage systems (SUDS) appropriate to the local ground water and soil conditions and drainage regimes. Where SUDS are not practical the proposal should incorporate alternative means of surface water drainage to ground watercourses or surface water sewers.

Policy NE3 Impact of Development on Biodiversity: Seeks to protect biodiversity interest across the Borough.

Policy SQ1 Landscape and Townscape Protection and Enhancement: Proposals for development are required to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Character Area Appraisals SPD. All new development should protect, conserve and where possible enhance (a) the character and local distinctiveness of the area including its historical and architectural interest and the prevailing level of tranquillity; (b) the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views; and (c) the biodiversity value of the area, including patterns of vegetation, property boundaries and water bodies.

Policy SQ6 Noise: Proposals for noise sensitive development (including schools) will be required to demonstrate that noise levels are appropriate for the proposed use. Proposals for built development should incorporate design measures such that internal noise levels are demonstrated to meet criteria levels in relevant guidance, including BS 8233:1999 and Building Bulletin 93.

(v) Tonbridge Central Area Action Plan April 2008:

Policy TCA1 Quality of Development: Development within the Central Area of Tonbridge is required to satisfy requirements regarding (a) positively addressing the river Medway; (b) providing animated and well designed street frontages; (c) make provision for a good connection of streets, footpaths and cycle paths; (d) the integration into the design of car, motorbike and cycle parking; (e) the design of development respecting the context of the site and its character especially when viewed from the castle and high view points; and (f) a mix of land uses with regard being had to the compatibility of neighbouring uses.

Policy TCA15 Parking Standards: Parking within the Central Area will be in accordance with PPG13, PPS3 and the adopted Kent County Council parking standards.

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Consultations

17. **Tonbridge and Malling Borough Council** has no objection to the application subject to a condition requiring the removal of the mobile classrooms once they are no longer required, and providing the Environment Agency has been consulted and are satisfied that the development is acceptable.

Environment Agency raises no objection subject to the imposition of a condition requiring the works to be carried out in accordance with the approved Flood Risk Assessment and the mitigation measures contained within the report.

School Travel Planner commented on the draft School Travel Plan which has since been updated to incorporate her comments, and can be secured via condition.

Conservation Officer and County Archaeological Officers were consulted on 7th May 2014. No comments received to date.

Kent County Council's Highways and Transportation raise no objection subject to conditions covering the updating of the school travel plan, and the submission of a construction management plan.

Local Member

18. The local County Members Mr Christopher Smith, and Mr Richard Long, were notified of the application on 7th May 2014.

Publicity

19. The application was publicised by the posting of two site notices, and the individual notification of 45 residential properties.

Representations

20. In response to the publicity, one letter of representation has been received from the Slade Area Residents Association. The key points raised can be summarised as follows:

- No objection to school buildings but regret that the speed with which the plans are being effected means a portacabin still features on site
- Concerned about traffic problems in the area, which are underestimated in the Transport Statement
- Main entrance to the school is on Stafford Road and not The Slade. If those making the site visit were under the impression that the main gate was in the Slade they were observing the wrong place
- Congestion and danger to pedestrians on Stafford Road at drop off time due to illegal parking and dangerous turning
- Transport Statement ignores the fact that Stafford Road is the sole vehicle exit for the main part of the housing estate comprising some 200 households

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- Statement supposes problems do not exist as parents can park in Lower Castlefields, but parents do not use that facility
- Transport Statement based on one afternoon visit, when problems less severe as pick up is extended over several hours due to after school clubs, parents not being in such a rush, and traffic not conflicting with local residents returning from work
- Observations should have been made over several days at both am and pm
- Do not agree that increase in school roll will not proportionately increase traffic movements
- Revised School Travel Plan relies on encouraging more walking to school and more cooperative behaviour of parents – not solved the problem up to now, so why would it work in the future?
- Should include other measures such as traffic warden policing and allowing the concessionary parking to apply to Upper Castlefields car park as well.

Discussion

21. In considering this proposal regard must be had to the 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 the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
22. This application is being reported for determination by Members of the Planning Applications Committee following the objections raised by the Slade Area Residents' Association. In my view the main issues to consider are the principle of the conversion, its design and appearance; the impact on residential amenity with particular regard to the residents in Hildenbrook House; and the highway and parking implications arising from the development and the school expansion in general. Other matters to consider relate to landscape and ecology, flood risk, contamination, construction management and archaeology and conservation issues.

Conversion, Design and Appearance

23. Deacon House forms a previously developed site within the built up urban area of Tonbridge, where the re-use and redevelopment of land and buildings is supported by policies CP1 and CP11 of the Tonbridge and Malling Core Strategy. The principle of its re-use for education purposes therefore accords with planning policy and guidance. The school site is extremely constrained for new development opportunities within the existing grounds due to the presence of the mains sewers within the site, which cannot be built over. The re-use of this existing building, located in such close proximity, therefore makes an excellent use of a previously developed site to the advantage of the local school and welcome community infrastructure.
24. The appearance of the building (which appears generally run-down at present and visually detracts from the street scene) would be enhanced through the re-cladding of the elevations with render and the introduction of a new standing seam roof. The design of the building would reflect the design of Hildenbrook House to the south, and bears many similarities to the redevelopment of the building when it was approved for

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residential conversion in 2008 and 2011. A two storey extension would be included on the south-east elevation to provide space for the lift and stair core. This element would have a flat roof slotting in just below the gutter level of the main building and thus appearing as a subservient element to the main building. It would be similarly clad in render and I consider that this would not detract from the overall appearance of the scheme.

25. It is considered that the modern design would reflect the appearance of the immediately adjoining property and be in keeping with more modern development within Tonbridge generally. Whilst it does not reflect the traditional Victorian school building, the redevelopment of Deacon House would improve its overall appearance within the street scene, thus positively contributing to the character of the area, rather than detracting from it. Deacon House is located just outside, but adjacent to, the Tonbridge Conservation Area, which includes the original school building. By improving the overall appearance of this building through its redevelopment, it is considered that the character and appearance of the Conservation Area would be enhanced.
26. The difference in ground floor levels between the school site and Deacon House requires an access deck to be provided for entry into Deacon House from the school and a small element of the existing boundary wall would be removed to accommodate this. For safety reasons a 1.8m high fence would be provided on the car park side of the access deck where it crosses from the existing boundary wall to Deacon House itself. On the other side and within the existing school site this fence would be at a height of 1.1m only. The fence would be open mesh, thus reducing its visual impact, and although relatively high would be necessary from a safety point of view. A condition requiring details of the colour of the fencing could be imposed to ensure its appearance was in keeping with the overall area, and the school buildings.
27. The existing modular building which is located in this area would be removed and a tensile canopy erected here, which would provide a focus and link between what would be the two parts of the school. In addition framed canopies would be provided over both entry doors into Deacon House, enhancing the overall design through their detailing.
28. The mobile classroom located on the corner of The Slade and Stafford Road, is substandard and approval has been given for the replacement of this with a slightly larger mobile in the same location for a period of 5 years. This mobile would still be required even with the approval of the conversion of Deacon House and therefore the only modular building to be removed as a result of this scheme is the one referred to in the paragraph above. A condition requiring the removal of mobile classrooms as suggested by Tonbridge and Malling BC would therefore not be necessary.
29. In terms of design the scheme is considered to meet the aims of Core Strategy Policies CP1, CP23 and CP24 and Policy SQ1 of the Managing Development and the Environment DPD.

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Amenity Issues

30. The main residential area close to the school lies to the north and north-east, accessed from Stafford Road, however the upper floors of Hildenbrook House are also residential flats and the impact of this conversion should therefore be considered in terms of their residential amenity.
31. The internal layout of Deacon House has located all of the classrooms at the northern side of the building, with the classroom windows all facing north towards the school playing fields, or north-east towards the existing school. The windows on the south-east elevation would serve the corridors and stair and lift core only, and would be provided with an obscure film to a height of 1.5m above floor level. This design was incorporated following the public consultation carried out by the applicants prior to the submission of the application, and in response to concerns raised regarding privacy, and is considered to address their concerns adequately.
32. Some low level external lighting is proposed around Deacon House in order to ensure the safety of users around the site in the evening and night time. The exact details could be secured through a condition to ensure that the lighting would not be intrusive to the occupiers of the neighbouring building and would be switched off at a reasonable time.
33. The use of the courtyard between Hildenbrook House and Deacon House for parking may introduce a noise disturbance to the neighbouring residents. However, the car park would only provide 8 spaces, and it is considered that as this area would be restricted for staff parking, where they would arrive in the morning and leave after school, rather than general visitor parking that may take place throughout the day, the impact would be very limited.
34. The applicants have submitted a Noise Report which looked at the impact of noise of the development – both in terms of noise created by the use of the building as a school, and whether the existing noise levels would affect the pupils and staff in using the building. The report concluded that the site and setting was sufficiently quiet to allow free ventilation to teaching spaces by means of natural ventilation through open windows. The report also made recommendations on plant noise design levels, which if adhered to would allow plant to be selected that is appropriately quiet for the area, and would mean that the conversion would not adversely affect noise levels in the area during the day or evening periods. A condition is recommended to ensure the development is carried out in accordance with the recommendations of the submitted Noise Report.
35. It is therefore considered that the development would accord with Policy SQ6 of the Managing Development and the Environment DPD.

Highway and Parking Issues

36. As set out in the background section of this report, Slade Primary School is proposing changing to a 2 Form Entry primary school, which would eventually result in there being 420 pupils at the school, increasing from the existing school roll of 315 pupils. Staff numbers will increase from 40 to 44. In support of the application a Transport Statement

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has been submitted which has been considered by KCC's Highways and Transportation Advisor.

37. The current parking provision on site is 18 spaces, restricted to staff parking only and no provision is made for parent drop off or parking within the site due to its constrained nature. With the proposed conversion of Deacon House the parking provision would increase to 26 spaces, but again this would be allocated for staff parking only. Kent Vehicle Parking standards would permit up to a maximum of 48 spaces for the school, therefore although the school does not provide this full allocation, the 26 spaces provided would comply with the parking guidelines.
38. By assessing the existing travel modes for pupils attending the school, the Transport Statement has calculated the likely increase in vehicle trips that would be associated with the rise in pupil numbers, and has calculated that there could be a 30% increase in traffic movements. This would be a 'worst case' scenario as it does not take into account the effects of the School Travel Plan, any absences from school, and also assumes that all pupils and staff travel in the same peak period, which is very unlikely. Notwithstanding this, and whilst it is acknowledged that some incidences of increased inconvenience to residents in the Slade area to the north of the site may occur, the additional traffic generated as a result of this scheme could not be classed as significant compared to overall traffic movements in this neighbourhood nor would it be detrimental to highway safety.
39. In support of the application the school have submitted a revised School Travel Plan, which has been assessed by the County Council's school travel planner. She states that the Travel Plan reaches the KCC criteria and is considered to be a very good plan. It is expected that the implementation of the School Travel Plan would assist with the increase in traffic generated. Parents would continue to be able to make use of the agreement with Tonbridge and Malling Borough Council to use the Lower Castle Fields and leisure centre car parks for free at drop off and pick up times, provided they have a permit.
40. The objections received from the Slade Area Residents' Association (SARA) are related to traffic and parking concerns and the impact the additional pupils will have on the surrounding residential area. With regard to their concerns regarding the robustness of the Transport Statement, it has been confirmed that two site visits were completed, and the correct accesses into the school observed. It is generally accepted that accumulations of parents at school are greater in the afternoon and from a parking perspective agreed that this is the worst case scenario, hence the survey being carried out during the afternoon.
41. The site visits undertaken for the Transport Statement showed that parents did use the Lower Castle Fields car park, and have demonstrated that sufficient capacity exists in these car parks for parental use. The SARA suggestion that the concession parking should also be applied to the Upper Castle Fields car park may have some merit but would rely on agreement with Tonbridge and Malling BC. Should consent be granted, an informative encouraging this to be investigated is recommended, along with greater engagement between the School Travel Plan Co-ordinator and the community through SARA, in order to try and minimise the impact the school has on the surrounds at peak times. Further processes in the School Travel Plan, such as using a 'name and shame'

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process, could also be implemented to address some of the inconsiderate behaviour observed by SARA of some drivers in terms of parking and manoeuvring.

42. Given the above, it is considered that the proposals would not have a significant impact in transport terms, and would therefore accord with Policy CP2 of the Core Strategy and Policy TCA15 of the Tonbridge Central Area Action Plan.

Other Matters

Landscape and Ecology

43. A Tree Survey of the site was carried out, which assessed the trees within the school site and around Deacon House. No Tree Preservation Orders were found within either area. A group of 3 self seeded trees located within the existing school site where the access deck would lead across to Deacon House would need to be removed for the development to proceed. However, these are constrained by their location next to the mobile classroom (which is also to be removed) and classed as category C trees only, where they should not be a reason to restrict development.
44. An Ecological Appraisal of the site, including a Phase 1 Habitat Survey was also carried out for the site. The report concluded that there was limited potential to provide habitat for protected species, and that there was no requirement for further work for most protected species. The potential for bat roosts within Deacon House, however, was recommended for further assessment, and emergence surveys are currently being undertaken. The outcome of these surveys will be reported verbally to Members at the Planning Applications Committee meeting.
45. The survey also recommended that the trees should be removed outside of the bird breeding season and if this was not possible that the site should be checked by a suitably qualified ecologist for the presence of breeding birds prior to the start of the works (and that if breeding/nest building birds were found that no works should commence that are likely to disturb the nest, until the young have fully fledged).
46. Provided the development is carried out in accordance with the recommendations contained within this report, and subject to the findings of the bat emergence surveys, the development would accord with Policy CP1 of the Core Strategy, and Policy NE3 of the Managing Development and the Environment DPD.

Flood Risk

47. A Flood Risk Assessment (FRA) has been submitted to accompany the application, given that the site falls within Flood Zone 3, where there is a high risk of fluvial flooding. Deacon House has been confirmed as being liable to flood, and has flooded as recently as December 2013. The ground floor of Deacon House would be raised above the designed flood level and the FRA confirms that this would mitigate the risk of internal flooding. The void beneath the lower ground floor would be allowed to be inundated in the event of extreme flood events, and that by allowing the building to flood internally the available volume within the floodplain would increase by at least 56m³, thus reducing the risk of flooding to those on site and those locally.

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48. A range of sustainable drainage measures were considered, but due to the constrained nature of the site there are limited opportunities to introduce SuDS (sustainable urban drainage systems) to manage surface water runoff at source. In addition its proximity to Hilden Brook would mean that drainage systems that utilise infiltration as a means of disposal would not be suitable due to high groundwater.
49. The consideration of alternative sites for the development in zones with a lower probability for flooding have also been addressed in the FRA. The redevelopment of Deacon House is highly specific to this school and no suitable alternative sites in the locality upon which to relocate the entire school are reasonably available. Failing this the scheme is required to pass the exception test in accordance with paragraph 102 of the NPPF. This requires that it should be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a strategic FRA where one has been prepared; and a site specific FRA must demonstrate that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere.
50. The FRA demonstrated that the development proposals would reduce the risk of flooding to those off site and would be safe for its lifetime, therefore the conversion scheme is considered acceptable in relation to the exception test.
51. The Environment Agency has considered the details submitted and has raised no objection to the scheme, subject to the imposition of a condition requiring the works to be carried out in accordance with the approved FRA and the mitigation measures contained within the report. The scheme would therefore comply with Policy CP10 of the Core Strategy.

Contamination

52. A Phase 1 Geo Environmental Assessment has been submitted to accompany the report which outlined the possible contamination risks due to the site's historic use as a builders yard prior to its office and commercial use. Contamination tests did not indicate any elevated concentrations of contaminants and given that the development involves minimal ground works as the scheme is for the conversion of the building, it is considered that there would be little contamination risk associated with the development.
53. No objection has been raised in relation to contamination on site from the Environment Agency, nor highlighted the need for any specific conditions.

Construction

54. 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.

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55. 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.
56. 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.

Conservation and Archaeology

57. Deacon House lies outside the Tonbridge Conservation Area, but adjacent to it, along the existing school boundary. The conversion of Deacon House and its renovation, is considered to enhance the appearance of this building, which is on the periphery of the Conservation Area. I therefore consider that the proposal would not harm the setting or character of the Conservation Area and would be acceptable in relation to Policy SQ1 of the Managing Development and the Environment DPD and Policy TCA1 of the Tonbridge Central Area Action Plan.
58. Deacon House lies within an area identified as being of archaeological interest and the application has therefore been supported by a desktop assessment. Whilst the report states that there is a moderate to high potential for archaeology within the school site, the conversion of Deacon House involves only limited intrusive ground works due to the building's current existence. The small extension would be in an area where ground disruption has already occurred and as such it is considered unnecessary to require any archaeological watching brief condition in this instance.

Conclusion

59. 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. I consider that the proposed conversion of Deacon House would be in keeping with the surrounding area from a design point of view, and would improve the appearance of the building within the street scene and adjoining Conservation Area. In addition it is considered that the extra traffic generated as a result of the increase in pupil numbers would not result in an unacceptable impact on the highway network or residential amenity, and would accord with the principles of sustainable development as set out in the NPPF.
60. 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.

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Recommendation

61. I RECOMMEND that 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 and approval of details of all construction materials to be used externally including the access deck fence;
- the submission and approval of details of the lighting scheme, including hours of use;
- the development being carried out in accordance with the recommendations in the submitted Acoustics Specification;
- the parking permitted outside Deacon House to be restricted to the use of staff members only;
- the implementation of the updated School Travel Plan (Version 3.1, dated May 2014) and its on-going review;
- measures to be taken to prevent mud and debris being deposited on the public highway;
- 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;
- 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 development being carried out in accordance with the precautionary measures, recommendations, and mitigation works detailed in the submitted Ecological Appraisal;
- The development being carried out in accordance with the approved Flood Risk Assessment and the mitigation measures contained therein.

62. I FURTHER RECOMMEND that the following INFORMATIVES be added:

- The School Travel Plan Co-ordinator should engage with the community through the Slade Area Residents Association in order to minimise the impact the school has on the surrounds with regard to traffic generation and parking problems at peak times.
- The School Travel Plan Co-ordinator is encouraged to investigate the possibility of implementing a permit scheme for using the Upper Castle Fields car park for parents during school peak times with Tonbridge and Malling Borough Council.
- The registering with Kent County Council of the revised School Travel Plan through the “Jambusters” website following the link <http://www.jambusterstpms.co.uk>.

Case officer – Helen Edwards	01622 221055
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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/14/159	Motor control centre kiosk within High Halden Wastewater Treatment Works. High Halden WTW, Off Wrens Nest Road, High Halden, Ashford
DA/12/1170/R14	Details pursuant to condition (14) – Construction Environmental Management Plan of planning permission DA/12/1170 for an upgrade to sewage treatment works. Long Reach Sewage Treatment Works, Marsh Street, Dartford
DA/13/140/R11	Details pursuant to condition (11) - Ecological mitigation of planning permission DA/13/140. Stone Pit 1, Cotton Lane, Stone, Dartford
DA/13/140/R13	Details pursuant to condition (13) – Details of a risk assessment (Leachate Discharge) of planning permission DA/13/140. Stone Pit 1, Cotton Lane, Stone, Dartford
DA/13/140/R15	Details pursuant to condition (15) – Surface water storage of planning permission DA/13/140. Stone Pit 1, Cotton Lane, Stone, Dartford
DA/13/140/RVAR	Details pursuant to conditions (4) - access improvements, (5) - wheel washing and dust mitigation and (20) - vehicle routing of planning permission DA/13/140. Stone Pit 1, Cotton Lane, Stone, Dartford
GR/10/1127/R	Non-material amendment to planning permission GR/10/1127 to alter the site layout and drainage details to accommodate lime stabilisation operations (intended to improve the movement and transportability of excavated materials with a high moisture content). Northfleet Tunnelling Logistics Facility, Northfleet Works, The Shore, Northfleet, Gravesend
SH/14/751	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
SW/05/726/R	Non-material amendment to planning permission SW/05/726/R for the siting of additional plant and equipment within the gas utilisation compound, retention of compound lighting and changes to layout and configuration of the compound. Norwood Farm Landfill Site, Lower Road, Minster on Sea, Sheerness

- SW/14/76 Revised surface water drainage scheme.
Land at Ridham Dock, Iwade, Sittingbourne
- SW/14/99 Variation of conditions (6) and (9) of planning permission SW/10/774.
Land at Ridham Dock, Iwade, Sittingbourne
- TM/11/1096/RVAR Details of Landscaping Wildlife Enhancement and Public Rights of Way Enhancement pursuant to conditions (2), (3) and (14) (respectively) of TM/11/1096 (Retention of Rail Sidings for permanent use to import construction aggregates. Relocation of Ready Mix Concrete Plant).
East Peckham Quarry, Hale Street, East Peckham, Tonbridge

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.

- AS/14/188 Single storey timber detached outbuilding for use as music practice room.
Phoenix Community Primary School, Belmont Road, Kennington
- CA/13/1230/
R3A (PART) Part discharge of condition 3 – Details of proposed window replacement (aluminium) to the former adult education centre only.
St Johns Primary School, St Johns Place, Canterbury
- CA/14/174/R5 Submission of details of biodiversity method statement pursuant to condition (5) of planning permission CA/14/174.
Simon Langton Grammar School for Boys, Langton Lane, Canterbury
- CA/14/174/
RVAR Submission of details of construction management plan (4), adjustments (6) and ecological design strategy (8) of planning permission CA/14/174.
Simon Langton Grammar School for Boys, Langton Lane, Canterbury
- CA/14/890 Removal of existing defective timber sash windows throughout the existing Kingsmead building and replacement with new in double glazed polyester powder-coated aluminium to match the appearance of the existing timber windows.
St Johns Primary School, St Johns Place, Canterbury
- DA/14/541 Relocation of the proposed MUGA granted under planning permission DA/13/1203.
Maypole Primary School, Franklin Road, Dartford

- DA/14/542 Single storey extension to form a classroom, staff room, and toilet block.
Holy Trinity CE Primary School, Chatsworth Road, Dartford
- DO/13/1114/
R3, 9,11 & 20 Details pursuant to conditions (3) – Materials, (9) – Car Parking, (11) –
Cycle Parking and (20) – Refuse Store - Demolition of an existing one and
two storey nursing home with pitched roof and the construction of an extra
care building of 1, 2 and 3 storeys containing 40 flats and associated
communal and community facilities. The proposals include the creation of a
new entrance into the site with associated crossover.
Cornfields, Cranleigh Drive, Whitfield, Dover
- DO/13/1114/
R12 Details pursuant to condition 12 (Landscape) - Demolition of an existing one
and two storey nursing home with pitched roof and the construction of an
extra care building of 1, 2 and 3 storeys containing 40 flats and associated
communal and community facilities. The proposals include the creation of a
new entrance into the site with associated crossover.
Cornfields, Cranleigh Drive, Whitfield, Dover
- DO/13/1114
R15 Details pursuant to condition 15 (Tree Management Strategy) – Demolition
of an existing one and two storey nursing home with pitched roof and the
construction of an extra care building of 1, 2 and 3 storeys containing 40
flats and associated communal and community facilities. The proposals
include the creation of a new entrance into the site with associated
crossover.
Cornfields, Cranleigh Drive, Whitfield, Dover
- DO/13/1114/
18 Details pursuant to condition 18 (Ecology) – Demolition of an existing one
and two storey nursing home with pitched roof and the construction of an
extra care building of 1, 2 and 3 storeys containing 40 flats and associated
communal and community facilities. The proposals include the creation of a
new entrance into the site with associated crossover.
Cornfields, Cranleigh Drive, Whitfield, Dover
- DO/14/339 Construction of a 4 x 3m timber clad shed, situated 1.5 away from the
Southern Boundary of the school.
Cartwright & Kelsey Primary School, School Road, Ash, Canterbury
- DO/14/349 Proposed reception extension.
Charlton C of E Primary School, Barton Road, Dover
- GR/14/250 New sports, arts and cultural centre
Ifield Foundation Special School, Cedar Avenue, Gravesend
- GR/14/393 Extension of existing social education centre providing additional reception
and ancillary office area and a main entrance lobby. Existing windows to be
replaced.
Gravesend Social Education Centre, Haig Gardens, Gravesend
- GR/14/411 The demolition of two timber demountable buildings and canopy and the
erection of two replacement modular buildings.
Shears Green Junior School, White Avenue, Northfleet, Gravesend
- MA/13/898/R3
R4 & R5 Details of all materials to be used externally; external lighting and a scheme
of landscaping including revised positioning of cycle parking.
St Johns Primary School, Provender Way, Maidstone

- MA/14/619 Section 73 application for the variation of condition 3 of planning permission MA/12/448 to allow the change of use of part of first floor of the building from Class D1 use as a training/conference use to Class B1 office use for a temporary period of 18 months.
Oakwood House, Oakwood Park, Tonbridge Road, Maidstone
- MA/14/715 Proposed well infill and office extension
Bower Grove School, Fant Lane, Maidstone
- SE/12/1163/R Application for a non-material amendment – additional window at first floor level of the south east elevation.
Knole Academy, Bradbourne Vale Road, Sevenoaks
- SE/14/61 Alterations to the existing Swanley Library to facilitate the transformation to a KCC Gateway
Swanley Library, London Road, Swanley
- SE/14/727 Change of use and conversion of a Public WC block adjoining a school to a Music Classroom.
Leigh Primary School, The Green, Leigh, Tonbridge
- SH/13/965/R4 Details of all external lighting, including hours of operation.
Marsh Academy, Station Road, New Romney
- SH/14/162 Proposed erection of new entrance foyer with internal reconfiguration of associated accommodation.
Greatstone Primary School, Baldwin Road, Greatstone, New Romney
- SH/14/486 Installation of a Permeable Paving Road to provide access for grounds maintenance equipment for the soft landscaping and routine and regular maintenance of the sports pitches, as well as for emergency vehicle access for sports injuries generally
The Marsh Academy, Station Road, New Romney
- SW/13/633/R Non material amendment to side elevation window to form boiler room double door and to omit lower windows and infill with walling and omit front elevation side light window next to single door
Westlands Primary School, Homewood Avenue, Sittingbourne, Kent
- SW/13/633/R4 Submission of surface water drainage details pursuant to condition (4) of planning permission SW/13/633.
Westlands Primary School, Homewood Avenue, Sittingbourne
- SW/14/139 Proposed single storey two classroom extension with associated toilets and storage facilities inclusive of the re-instatement/relocation of hard and soft play areas.
Eastchurch C of E Primary School, Warden Road, Eastchurch, Sheerness
- SW/14/485 Renewal of planning permission SW/11/193 for two number existing mobile classrooms situated to the rear of the school.
Bapchild and Tonge CEP School, School Lane, Bapchild, Sittingbourne
- TH/13/102/R7 Details of a specification for a programme of archaeological work and archaeological watching brief report, pursuant to condition (7) of planning permission TH/13/102.
The Foreland School, Lanthorne Road, Broadstairs

- TH/13/104/
R4 & R9 Details of covered link and specification for a programme of archaeological work and archaeological watching brief report, pursuant to conditions (4) and (9) of planning permission TH/13/104.
The Foreland School, Lanthorne Road, Broadstairs
- TH/13/666/R Non-material amendment to planning permission TH/13/666 for timber frame construction, blue brick plinth, re-use of existing entrance door and windows (uPVC) and change other windows to match, 2No. rooflights and removal of windows to east elevation.
Newington Community Primary School, Princess Margaret Avenue, Ramsgate
- TH/13/1014/
RVAR Details of external materials, fencing, a specification for archaeological watching brief, bird management plan, noise mitigation assessment, construction management strategy, cycle storage and refuse store pursuant to conditions (4), (10), (13), (14), (16), (17), (18) of planning permission TH/13/1014.
Former Newington Primary School, Melbourne Avenue, Ramsgate
- TH/14/1/R8
& R11 Details of a specification for an archaeological watching brief and construction management strategy pursuant to conditions 8 and 11 of planning permission TH/14/1.
Newington Library, Newington Road, Ramsgate
- TH/14/1/RVAR Details of external materials, fencing, surface water drainage, cycle storage and refuse store pursuant to conditions 3, 4, 9, 16 & 17 of planning permission TH/14/1.
Newington Library, Newington Road, Ramsgate
- TM/14/1558 Replacement of existing single storey mobile classroom with new single storey mobile classroom and associated external works, including ramps and stepped access and willow screening to existing railings.
Slade Primary School, The Slade, Tonbridge
- TW/14/132/R6 Submission of drainage details pursuant to condition 6 of planning permission TW/14/132
Lamberhurst St Marys COFE School, Pearse Place, Lamberhurst, Tunbridge Wells
- TW/14/132/R7 Details of materials pursuant to condition 7 of planning permission TW/14/132
Lamberhurst St Marys COFE School, Pearse Place, Lamberhurst, Tunbridge Wells
- TW/14/668 Two single storey extensions to the existing school buildings including carpark layout adjustments and expansion.
Oakley School, Pembury Road, Royal Tunbridge Wells
- TW/14/983 Proposed erection of a new stand alone studio hall, 2 No. canopies and extension of hard play surface.
St Marks C of E Primary School, Ramslye Road, Royal Tunbridge Wells

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/AS/0162/2014 - Erection of new two storey building provision of 24 additional car parking spaces and 16 cycle spaces and additional hard and soft landscaping at Furley Park Primary School, Park Farm, Ashford
- KCC/SCR/SW/0128/2014 – Aggregate Recycling Facility at Gas Road, Sittingbourne
- KCC/TM/0173/2014 – Erection of a new school together with new car parking, associated playing field and landscaping at Land at Leybourne Chase, London Road, Ryarsh, West Malling
- KCC/TM/0185/2014 - Creation of a one form entry (1FE) primary school, including erection of a two storey school building, provision of hard and soft playing pitches, vehicular access way and on site drop off area, provision of car parking and cycle parking spaces, together with hard and soft landscaping at Holborough Lakes, Snodland at Polyfield Close, Snodland
- KCC/TW/0194/2014 - Creation of a two form entry (2FE) primary school, including erection of a two storey school building, provision of hard play space and an all weather sports pitch, vehicular access way and a remote site drop off area, provision of car parking and cycle parking spaces, together with hard and soft landscaping on land at Knights Park, Tunbridge Wells
- KCC/TW/0208/2014 - Installation of an agricultural anaerobic digestion plant including digester, storage and hydrolysis tanks, clamps, CHP unit, substation, transformer, portacabin and associated infrastructure at Conghurst Farm, Conghurst Lane, Hawkhurst, Cranbrook
- (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

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