

PLANNING APPLICATIONS COMMITTEE

Wednesday, 10th September, 2014

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 10th September, 2014, at 10.00 am Ask for: **Andrew Tait**
Council Chamber, Sessions House, County Hall, Maidstone 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 - 16 July 2014 (Pages 7 - 14)
4. Site Meetings and Other Meetings
5. Dates of Committee meetings in 2015
 - Wednesday, 21 January 2015
 - Wednesday, 11 February 2015
 - Wednesday, 11 March 2015
 - Wednesday, 8 April 2015
 - Wednesday, 13 May 2015
 - Wednesday, 10 June 2015
 - Wednesday, 15 July 2015
 - Wednesday, 12 August 2015 (Provisional)
 - Wednesday, 9 September 2015
 - Wednesday, 21 October 2015
 - Wednesday, 18 November 2015
 - Wednesday, 9 December 2015

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Application DA/13/967 (KCC/DA/0201/2013) - Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver heat and power at Manor Way Business Park, Swanscombe; Teal Energy Ltd (Pages 15 - 48)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal DA/14/19 (KCC/DA/0326/2013) - Five classroom extension, new hall and provision of drop-off facility at Oakfield Community Primary School, Oakfield Lane, Dartford; KCC Property and Infrastructure Support (Pages 49 - 66)
2. Proposal DA/14/0811 (KCC/DA/0197/2014) - Temporary two classroom modular building at Oakfield Community Primary School, Oakfield Lane, Dartford; KCC Property and Infrastructure Support (Pages 67 - 76)
3. Proposal SW/14/0614 (KCC/SW/0135/2014) - Single storey extension for 2 additional classrooms and 2 temporary classrooms at Ospringe CEP School, Water Lane, Ospringe; KCC Property and Infrastructure Support (Pages 77 - 96)
4. Proposal AS/14/606 (KCC/AS/0162/2014) - Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford; KCC Property and Infrastructure Support (Pages 97 - 122)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 123 - 130)
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, 2 September 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.)

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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, 16 July 2014.

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

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer - County Council Development), Mr P Rosevear (Senior Transportation Engineer) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

50. Minutes - 11 June 2014
(Item 4)

RESOLVED that, subject to the inclusion of an additional paragraph in Minute 45 to indicate that Mr R Truelove was present and spoke as the Local Member, the Minutes of the meeting held on 11 June 2014 are correctly recorded and that they be signed by the Chairman.

51. Site Meetings and Other Meetings
(Item A4)

(1) The Committee noted that it would receive training on Members' Interests following the meeting and that a site visit to the proposed new Ridge View School site in Tonbridge had provisionally been arranged to take place on Monday, 22 September 2014.

(2) The Committee noted that it would not meet on 13 August 2014.

(3) The Committee noted confirmation that Thursday, 2 October 2014 had been set aside as a provisional date for a Committee meeting and that a half day training session would be held on 15 October 2014.

52. General Matters
(Item)

The Head of Planning Applications Group informed the Committee that the Secretary of State for Communities and Local Government had decided not to call in the application for the redevelopment of the former Wildernesse School site (SE/14/13) for a 6 form entry Grammar School Annexe and a 4 form entry Trinity School and

ancillary facilities. As a consequence, the Committee's decision to grant permission subject to conditions had been confirmed (Minute 14/47).

- 53. Application SW/11/1495 (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.**
(Item C1)

(1) The Head of Planning Applications Group informed the Committee that Natural England had raised no objection to the application subject to the satisfactory completion of the proposed Unilateral Undertaking.

(2) The Head of Planning Applications Group received the Committee's agreement to amend her recommendation so that the Unilateral Undertaking would need to be satisfactorily completed within 3 months of the date of the Committee's resolution rather than the permission.

(3) Mr J N Wedgbury moved, seconded by Mr T Gates that the recommendations of the Head of Planning Applications Group be agreed subject to the inclusion of an Informative setting out the Committee's strong support for transportation which made use of ships and wharves, and urging the applicants to seek to maximise the use that could be made of these facilities.

Carried 15 votes to 2.

(4) RESOLVED that:-

- (a) subject to the satisfactory completion of a Unilateral Undertaking (within 3 months of the date of this resolution) not to implement Permission SW/12/1211 for the 12 month period covered by this application, temporary permission be granted for a period of 12 months to the variation of Condition 9 of Permission SW/11/548, restricting HGV movements to 98 (49 in and 49 out) subject to all the other original conditions and Informatives of this Permission being retained; and
- (b) the applicants be advised by Informative of the Committee's strong support to maximise the movement of material via ships and wharves and to explore the potential for additional shipping movements to minimise environmental impacts.

- 54. 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**
(Item D1)

(1) Mr J A Davies informed the Committee that he was acquainted with one of the objectors who was a local Councillor in his division. As this was not a close

personal relationship, he was able to approach the determination of the proposal with a fresh mind.

(2) The Head of Planning Applications Group advised the Committee that the applicants had indicated that the commencement of the development would be delayed for a year if the Committee were to impose a condition that the fencing should be finished in black due to supply issues. The Committee thereupon agreed her recommendations subject to this condition being amended to require the perimeter fencing to be finished in dark green.

(3) RESOLVED that permission be granted to the proposal subject to conditions, including conditions covering a 3 year time limit for implementation; the development being carried out in accordance with the permitted details; hours of use being limited to between 0900 and 2100 on Mondays to Fridays; a limit of weekend use to 8 per year, with weekend hours of use being limited to between 0900 and 2100; no commercial use of the facility; the extinguishment of lighting when the pitch is not in use or within 15 minutes of its last use; lighting to be installed in accordance with approved details, and checked on site prior to first use; lighting levels not exceeding those specified within the application; the perimeter fencing to be finished in dark green; and hours of working during the lighting installation being restricted to between 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays.

55. 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
(Item D2)

(1) Mr T L Shonk informed the Committee that the Head Teacher of The Foreland had spoken to him about the proposal. Mr Shonk had in no way given an indication that he might have pre-determined the application and was therefore able to approach it with a fresh mind.

(2) Correspondence from the Local Member, Mr M Heale raising concern regarding pedestrian access to the proposal and from Mrs Z Wiltshire the Member for the adjacent Division (in support) was tabled.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee decided to amplify one of the conditions by requiring the completion of agreed satisfactory off-site highways works prior to first occupation of the development.

(4) The Committee also agreed to an amplification of the Memorandum of Understanding as set out in (4) below.

(5) RESOLVED that:-

(a) the proposal be referred to the Secretary of State for

Communities and Local Government and that 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 to the proposal subject to conditions, including conditions covering the standard time limit; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; the submission of 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 agreed, satisfactory off-site highway works prior to first occupation of the development; the submission of an updated Travel Plan within 6 months of the date of occupation; staggered/offset school start and finish times; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey; a BREEAM rating of 'Very Good' being achieved; the 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 being restricted to between 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a Construction Management Strategy, including the location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, signage to prevent use of Newlands Lane beyond the school access, and details of any construction accesses and management of the site access to avoid peak school times; and measures to prevent mud and debris being taken onto the public highway;

- (b) the Memorandum of Understanding set out in (a) above will require that the applicants and Kent Highways and Transportation monitor safe crossing measures for the Pysons Road/Margate Road Junction and pursue any necessary improvements required by Kent Highways and Transportation; and
- (c) the applicant be advised by Informative that:-
 - (i) their 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;
 - (ii) their attention is drawn to the letter from KCC 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 limits of the 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; and

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

56. 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

(Item D3)

(1) The Head of Planning Applications Group reported correspondence from Mr W Scobie, the Local Member, in support of the proposal.

(2) RESOLVED that:-

- (a) the application be referred to the Secretary of State for Communities and Local Government, and that subject to his decision, permission be granted to the proposal subject to conditions, including conditions covering the standard time limit for implementation; the development being carried out in accordance with the submitted details; a scheme of landscaping and replacement tree planting, including fencing detail being submitted prior to commencement; the submission of a revised travel plan within 6 months of the date of the permission and its subsequent annual review; the submission and approval of external lighting details prior to installation; the submission and approval of details of external building materials prior to commencement; the submission and approval of details of kitchen roof extract plant prior to commencement; the provision of detailed drainage details concerning foul and surface water prior to commencement; a remediation strategy should contamination not previously identified be found to be present; restriction of construction working hours to between 0800 and 1800 on Mondays to Fridays and 0800 to 1300 on Saturdays with no work on Sundays and Public Holidays; restriction on construction vehicles delivering materials to between the hours of 0800 to 0900 and 1445 to 1545 on Mondays to Fridays; the 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; the restoration and making good of any disturbed areas of field or planting; the provision of wheel washing facilities prior to commencement of work on site and for the duration of construction; the provision of funding for corner protection waiting restrictions on the corner of Northdown Road and Northumberland Avenue within 6 months of occupation of the development; the extension of the time period over which all parents can drop off and pick up children at the school to between 0800 and 1800 on Mondays to Thursdays and from 0800 to normal school finishing time on Fridays being in place prior to

occupation of the development; the submission, and approval of further details of recessed entrance, surfacing and layout of the new pedestrian waiting area and location of guard railing; the proposal not commencing until planning permission has been granted for the new Laleham Gap School and a contract has been entered into for its construction; and

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

- (i) advice from Southern Water with regard to the requirement for a formal application for connection to the public sewer system; and
- (ii) advice from the Environment Agency with regard to surface water drainage, soakaways and fuel oil and chemical storage and pollution prevention.

57. 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
(Item D4)

(1) Mr C P Smith informed the Committee that he was acquainted with a number of staff and parents whose children attended the school. As none of these acquaintanceships was a close personal relationship, he was able to approach the determination of the proposal with a fresh mind.

(2) The Head of Planning Applications Group reported an update from the County Council's Biodiversity.

(3) RESOLVED that:-

- (a) permission be granted to the proposal subject to the imposition of 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 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 being restricted to staff members only; the implementation of the updated School Travel Plan (Version 3.1, dated May 2014) and its on-going review; 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 on 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 and 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; and the development being carried out in accordance with the approved Flood Risk Assessment and the mitigation measures contained therein; and

- (b) the applicant be advised by Informative that:-
 - (i) 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;
 - (ii) the School Travel Plan Co-ordinator is encouraged to investigate with Tonbridge and Malling Borough Council of the possibility of implementing a permit scheme for use of the Upper Castle Fields car park for parents during school peak times; and
 - (iii) with regard to the requirement to implement and review the revised School Travel Plan, the applicant is advised to register with Kent County Council's Travel Plan Management system "Jambusters" using the link <http://www.jambusterstpms.co.uk>.

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

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

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

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SECTION C
MINERALS AND WASTE DISPOSAL

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

Item C1

Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power at Land at Manor Way Business Park, Swanscombe Kent DA/13/967 (KCC/DA/0201/2013)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 September 2014.

Application by Teal Energy Limited for the construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power. Land at Manor Way Business Park, Swanscombe, Kent KCC/DA/0201/2013.

Recommendation: Permission be granted subject to conditions and a Section 106 Legal Agreement.

Local Member: Mr P Harman (Local Member), and adjoining Members, Mrs S Howes and Mr V Thandi

Classification: Unrestricted

Site

1. A planning application has been submitted by Teal Energy Ltd for a renewable energy facility at the Manor Way Business Park, Swanscombe. The 250,000 tonne per annum facility proposes to use advanced conversion technology (ACT) with a potential capacity to deliver combined heat and power. Teal Energy Ltd builds, owns and operates CHP (Combined Heat and Power Plants) that produce renewable energy from the gasification of biomass derived from residual non-recyclable commercial waste.
2. The proposed site, at some 1.91ha, comprises two cleared areas of previously developed land and a private estate road connecting to the adopted highway and is located on the Manor Way Business Park immediately north of London Road (A226). The Business Park is a general industrial estate sited at the base of a former chalk quarry and mainly accommodates heavier industrial activities such as car breaking, waste processing and concrete crushing.
3. The site is accessed off London Road (A226) via Manor Way at its western end which forms part of the adopted highway. The High Speed Rail Line (HS1) runs immediately adjacent to the north eastern boundary of the application site which cuts off access to the site along Manor Way from the east. Swanscombe is the nearest residential settlement located some 300 metres to the south on the southern side of the A226 London Road.

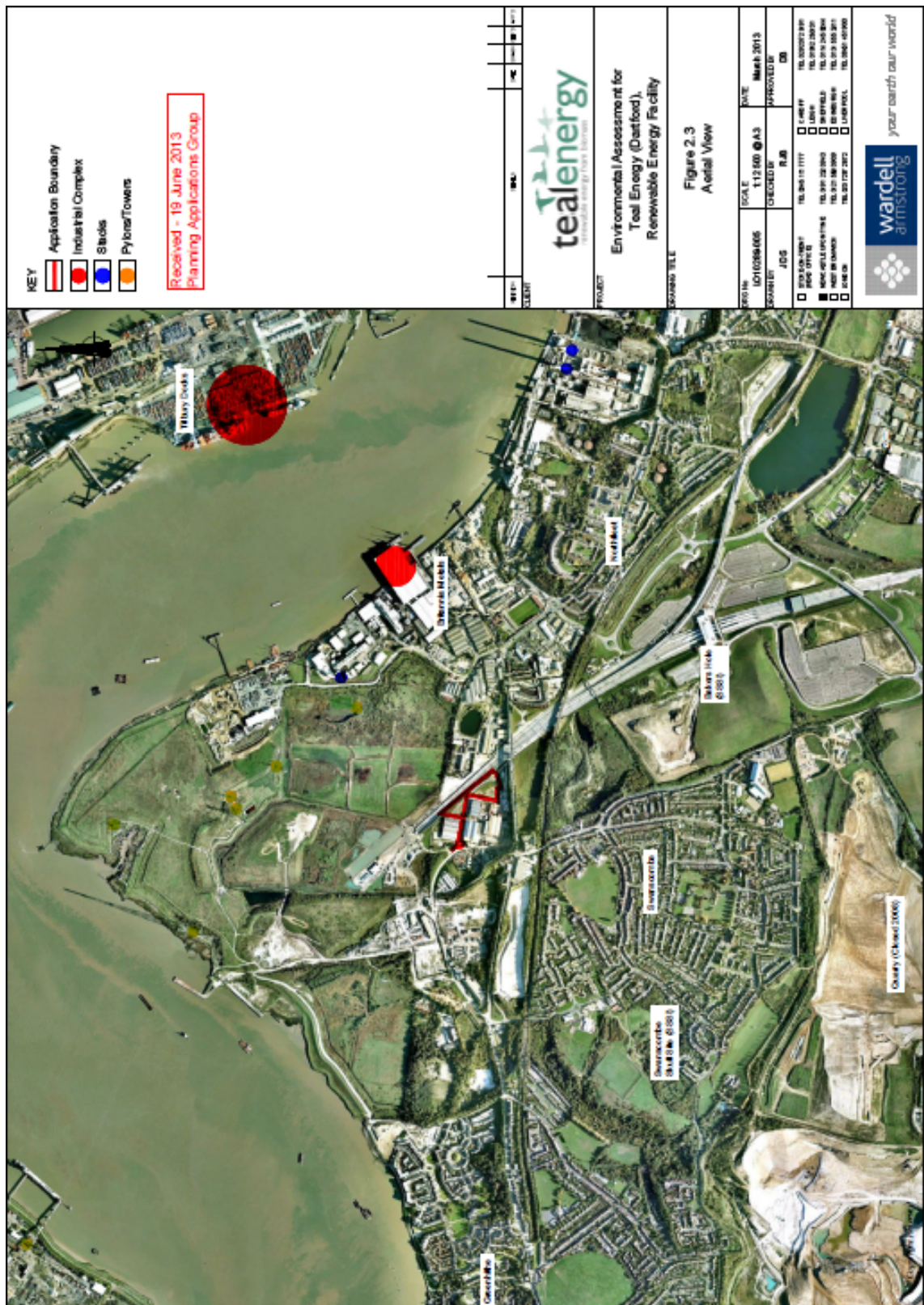
Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power at Land at Manor Way Business Park, Swanscombe Kent (KCC/DA/0201/2013)



Site Location in relation to the highway network

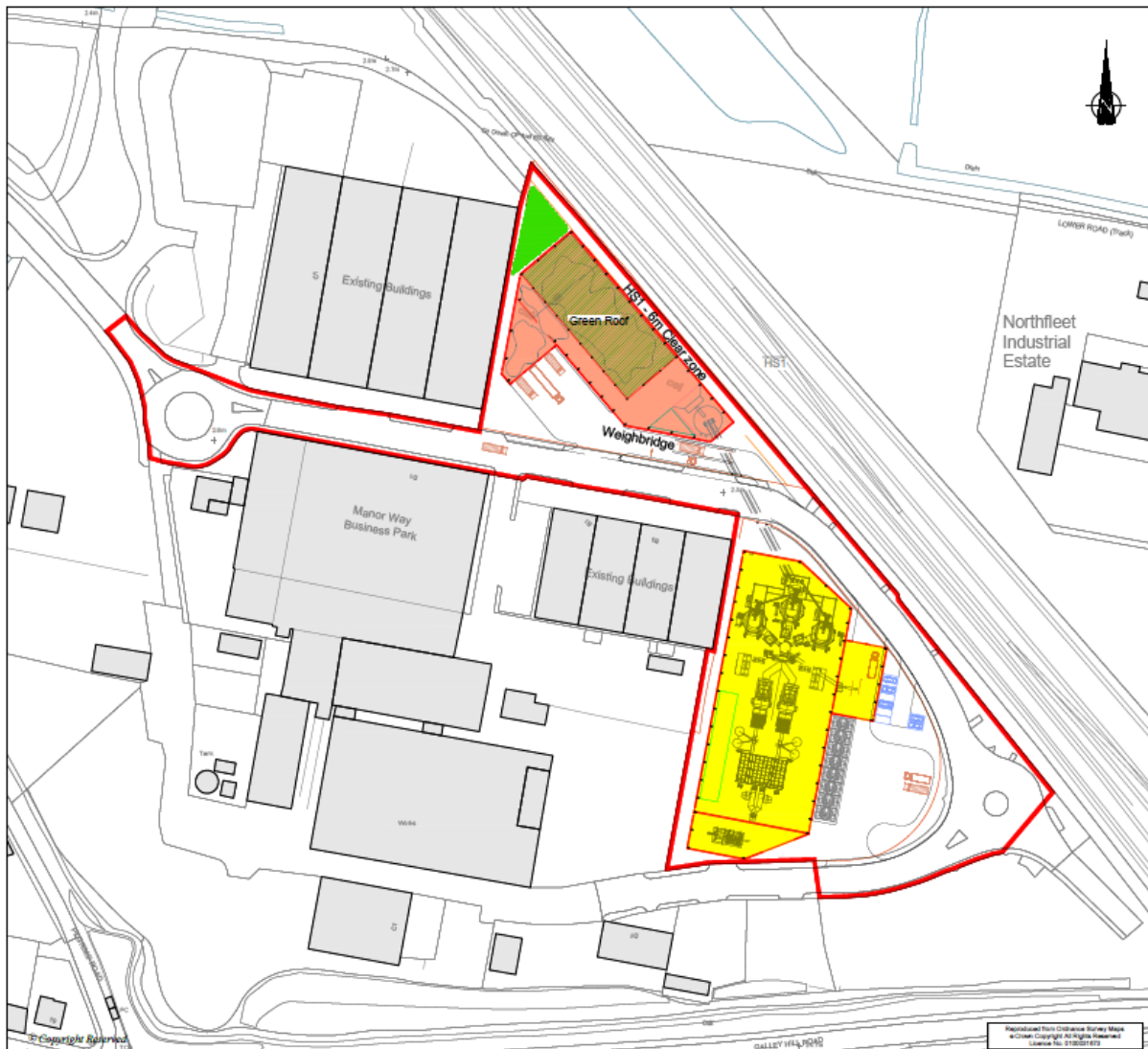


Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power at Land at Manor Way Business Park, Swanscombe Kent (KCC/DA/0201/2013)



Site Location in relation to the Manor Way Industrial Estate and Surrounding Area

Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power at Land at Manor Way Business Park, Swanscombe Kent (KCC/DA/0201/2013)



4. Earlier in January this year a group of Members visited the site who were able to listen to officers explain the proposal and who pointed out to them features of the site and other surrounding landuses.

Planning History

5. The site forms part of the Swanscombe Peninsula, which is an area of flat land alongside the River Thames, close to the towns of Dartford and Gravesend. The Peninsula has traditionally accommodated heavy industrial uses along the edge of the chalk outcrop, including a major cement works, tar/chemical works, refuse tip, numerous chalk pits, paper mills and factories. Since the 1960s this has generally declined and there is now a more mixed number of uses which includes a number of waste management facilities some of which are located in close proximity to the application site.

Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power at Land at Manor Way Business Park, Swanscombe Kent (KCC/DA/0201/2013)

6. The Manor Way Business Park is part of a swathe of mixed general industrial users along the Peninsula. This runs from the east of Pilgrim's Road to the eastern side of the Peninsula, where there are major users associated with the river wharfage. Kent Craft Industrial Estate lies to the east of HS1, which connects to Northfleet Industrial Estate and which accommodates Britannia Refined Metals refinery (with its 90m chimneys), the Bradley Shaw Ironworks and many other heavy uses. The character of the area is currently one of large industrial buildings, chimney stacks and pylons.

London Paramount Development

7. In October 2013 a formal request was made on behalf of London Resort Company Holdings (LRCH) to Dartford Borough Council to adopt a Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The request was made in order to determine whether proposals for the redevelopment of land within and to the south of the Swanscombe Peninsula to provide what was claimed to represent a world class resort and leisure entertainment district including the largest and only world class Theme Park resort in the UK (the London Paramount Development), was required to be accompanied by an Environmental Impact Assessment (EIA). The area of land identified in the Screening request includes Manor Way Business Park within which the Teal Energy application site is located.
8. Before issuing a decision on the Screening Request the Borough Council undertook formal consultations with a number of bodies including Kent County Council (KCC). In its response KCC agreed with the applicant's conclusion that a development of the scale proposed justified the need for an EIA to be prepared in accordance with the 2011 Regulations, albeit pointing out that given the applicant's intentions/proposals were insufficiently clear at that stage, further information would be required in order to establish the full extent of what is proposed. Dartford Borough Council subsequently issued a formal opinion to the effect that what was proposed would require to be accompanied by an EIA. Meanwhile the project still remains at a relatively early stage in its design evolution pending any future request being made for a formal Scoping Opinion in order to establish the information which will need to be provided in support of any future planning application.
9. On 9 May 2014 the Secretary of State for Communities and Local Government issued a Direction under Section 35(1) of the Planning Act 2008 (as amended) and the Infrastructure Planning (Business or Commercial Projects) Regulations 2013, to the effect that the London Paramount Development would be a project that would benefit from the 'single authorisation' process offered by the Planning Act 2008 regime. The Direction was given without prejudice to the Secretary of State's consideration of any future application for an order granting development consent relating to the proposal.

Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power at Land at Manor Way Business Park, Swanscombe Kent (KCC/DA/0201/2013)

Garden City Announcement

10. In his Budget Speech in March 2014, the Chancellor of the Exchequer announced plans to create a new garden city for the 21st Century at Ebbsfleet, capable of providing up to 15,000 new homes based predominantly on existing brownfield land. This would be supported by up to £200 million of Government investment, to help unlock the infrastructure needed to create a garden city.
11. Despite planning permission having already been granted in 2002 for the new international rail station at Ebbsfleet which is now operational, and the area identified as the location for 10,000 new homes in the last Government's 2003 Sustainable Communities Plan, progress on house building has been slow and has not delivered the scale of development expected. To unlock the potential of the area, and to accelerate development, Government announced in the Chancellor of the Exchequer's Budget speech that an Urban Development Corporation would be created to help coordinate development, and bring in skills and expertise.

Ebbsfleet Development Corporation

12. In August 2014 the Department for Communities and Local Government issued a formal consultation on a proposed Ebbsfleet Development Corporation (EDC). The consultation documentation makes it clear that it is not a consultation on the details of the development that will come forward as part of the garden city. This would be a matter for the EDC, once established, to work with local communities and other partners on how to take forward the development of the area, consistent with the local plans developed by the local authorities. It also makes it clear that it is separate and unconnected with any consultation related to the London Paramount Development, indicating that if taken forward, consent for this nationally significant infrastructure project will be through a Development Consent Order under the provisions of the Planning Act 2008.
13. The proposed area of the EDC is formed around 7 key strategic sites located within the Dartford and Gravesham Boroughs and are already identified in the Borough Council's Core Strategies and Local Plans. These are namely;

Eastern Quarry	Ebbsfleet
Northfleet West Sub Station	Swanscombe Peninsula
Springhead Quarter	Northfleet Embankment East
Northfleet Embankment West	

14. Assuming it becomes established it is proposed that the EDC will deal with all scales of planning applications including mineral and waste management applications which are currently made to Kent County Council. Live cases which are being handled by the local authorities will be transferred to the EDC for determination. Appeals against any refusal of planning permission by either the district authorities or the county council will continue to be handled by the authority who issued the decision. The authority must take account of any comments which the EDC make and these must be forwarded to the Planning Inspectorate. The 7 strategic sites identified to be covered by the EDC will provide for a range of developments including housing and hotel/ leisure facilities along with

Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power at Land at Manor Way Business Park, Swanscombe Kent (KCC/DA/0201/2013)

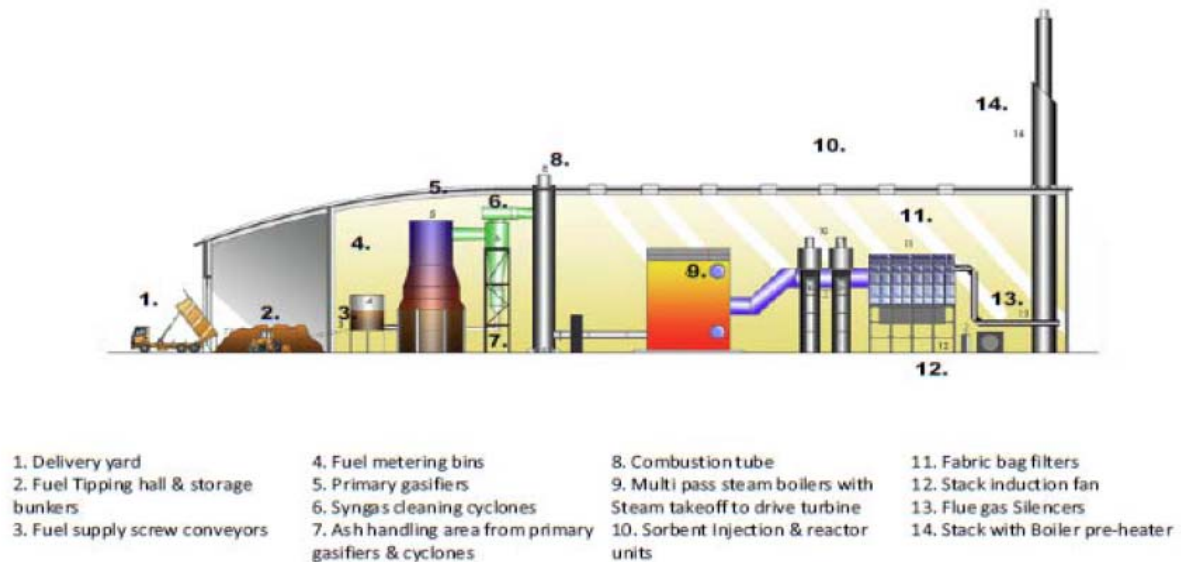
employment uses. Swanscombe Peninsula is identified as one of the seven strategic sites.

Proposal

The Process

15. The proposed facility would have an energy generation capacity of 20MWe and up to 18MWth of steam (suitable for space and water heating). The applicant proposes that the plant would operate continuously, 24 hours per day, 7 days per week. However, vehicle movements to and from the site would be restricted to between 0700 and 1900 hours Mondays to Saturdays only with no movements on Sundays or Bank Holidays. Based on a throughput of 250,000 tonnes of imported material per annum this would result on average in some 108 movements per day equivalent to 9 HGV movements to and from the site per hour or 1 movement every 7 minutes. These movements also include vehicles transporting waste char from the site for offsite disposal.
16. The biomass fuel would be a 'solid recovered fuel' (SRF) consisting of residual wastes and other organic fuels imported to the site derived from non-recyclable commercial and industrial (C&I) waste including small particulates of paper, cardboard, and other biomass and waste wood products not suited to any other use than disposal to landfill or mass burn incineration. With minor processing this is produced into a biomass-rich SRF created as a direct result of advanced recycling processing in order to recover the maximum percentage of recyclates. The recycling process and the manufacture of SRF would be undertaken by other agencies located elsewhere off site.
17. The applicant states that the SRF would be used as a fuel feedstock to generate green electricity, sufficient to supply the annual requirements of 45,000 homes. The facility would use an Advanced Conversion Technology (ACT) known as *advanced gasification*. The applicant claims that the process proposed for this development has been developed successfully elsewhere with a number of operational plants throughout the world, including Europe, with a small operational steam plant in Scotland. The process would also produce low grade heat and the applicant would actively seek opportunities to use this heat in new business premises within Manor Way Business Park wherever possible.
18. Advanced gasification is a thermochemical process which converts waste materials (i.e. organic waste) into a gaseous component called Syngas. Syngas, which is rich in carbon monoxide and hydrogen, and is produced by heating biomass-rich waste in an oxygen starved atmosphere. At a prescribed temperature, the waste breaks down (thermally separates) into its constituent chemical parts, i.e. hydrogen and carbon. The Syngas, when mixed with air is combustible at high temperatures. The resulting hot combustion gases are used in a conventional steam cycle process to generate electricity. A process overview diagram is provided below.

Construction of a renewable energy facility using advanced conversion technology with a potential capacity to deliver combined heat and power at Land at Manor Way Business Park, Swanscombe Kent (KCC/DA/0201/2013)



19. The applicant claims that advanced gasification is a clean and efficient method of producing electricity from SRF which is promoted by the Government because green electricity can be produced from fuel sources that have traditionally had little value and generally been disposed of to landfill. They point out that the process should not be confused with waste incineration which is the burning of waste directly. Although both are regulated in terms of environmental permits by the same Waste Incineration Directive, the Government classifies energy from waste (EfW) as renewable energy in policy terms. The proposal does not seek to process residual waste in any way other than to gasify it.

The Buildings

20. All operations are proposed to be housed in two single portal steel framed buildings with brick and profiled steel cladding the highest of which, the ACT building, would extend to a maximum height of 20 metres measured at its eaves. The fuel would be received and stored in one part of the site, the 'SRF storage building', which would be connected by closed conveyor to an energy plant housed in the 'ACT building'. The office and welfare facilities would also be located on a mezzanine floor within each of the buildings. A chimney of up to 65 metres above ground level is proposed to be integrated with the ACT building.
21. The Applicants have submitted, in support of the application, an Environmental Statement which seeks to assess any adverse impacts on the following, and which also includes measures to mitigate any such impacts to an acceptable level.
- Geology, geomorphology, soils and hydrogeology
 - Human beings
 - Flora and fauna

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- Air and climate
- Noise and vibration
- Landscape and visual amenity
- Water
- Land use
- Cultural heritage, archaeology and material assets
- Traffic and transport
- Use of natural resources
- Cumulative impacts
- Environmental enhancements

Further Supporting Information

22. Following formal consultations and the receipt of various comments from statutory consultees, the applicant provided further environmental information in relation to Air Quality, Odour and Noise Assessments. He also provided a supplementary planning statement, together with amended drawings of the Roof Designs of each building.

National Policy Context

23. **The National Planning Policy Framework (NPPF):** came into force on 27 March 2012; with the exception of Planning Policy Statement 10 (PPS10) Planning for Sustainable Waste Management, it replaces all previous national planning policy guidance.
24. Local Planning Authorities are expected to work proactively with applicants to secure development that improve the economic, social and environmental conditions of the area. Local Planning Authorities should now approach decision-making in a positive way to foster the delivery of sustainable development (paragraph 186) with decision-takers at every level seeking to approve applications for sustainable development where possible (paragraph 187).
25. Sustainable development seeks to ensure that society can meet the needs of the present without compromising the ability of future generations to meet their own needs. The new Framework also refers to the UK Sustainable Development Strategy Securing the Future which sets out 5 guiding principles for sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society, achieving a sustainable economy; promoting good governance and using sound science responsibly. The role of the planning system is seen as contributing to the achievement of sustainable development. The NPPF identifies that there are 3 dimensions to sustainable development which create 3 overarching roles in the planning system namely economic, social and environmental. These roles are mutually dependent. In facilitating the delivery of these roles the Framework also requires that local planning authorities should look for solutions rather than problems. It states that those determining applications should seek to approve applications for sustainable development where possible. The NPPF does not contain any specific waste policies on the basis that national waste planning policy will be published as part of the National Waste Management Plan for England, pending which PPS10 will remain in place.

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26. **National Planning Policy Guidance (NPPG):** Launched in March 2014, with regard to planning for renewable and low carbon energy recognition is given to the important role planning has in the delivery of new renewable and low carbon energy infrastructure.
27. **The Waste Strategy for England (2007)(WSE):** represents the overarching framework for national waste policies which establishes as one of its key principles the concept of a waste hierarchy, where it identifies a ranking for waste management techniques with preference given to managing waste further up the hierarchy.
28. **The UK National Renewable Action Plan (2010):** sets out measures that will enable the UK to reach its target for 15% of energy consumption in 2020 to be from renewable sources, although this should not be seen as representing an upper limit. Energy consumption from renewable resources is therefore consistent with the objectives of the WSE by managing waste further up the waste hierarchy and can also be seen as following the underlying principles of sustainable development as set out in the NPPF.
29. **Energy from Waste. A guide to the debate. (February 2014) (DEFRA):** This recent guide is mostly concerned with energy from residual waste. Residual waste is waste that is left over when all the recycling possible has been undertaken. This generally means the environmental or economic costs of further separating and cleaning the waste are greater than any potential benefit of doing so. Part of this residual waste will include plastics, food, paper, wood etc. Unlike untreated waste, RDF derived from residual waste can be exported for recovery.
30. Traditionally incinerators were disposal-only plants, which simply burned waste to reduce its volume. The introduction of landfill diversion targets in the mid 1990s helped drive a new generation of energy from waste plants, designed to meet new emissions standards, and provide valuable low carbon energy.
31. The Waste Framework Directive requires that a waste management route defined as recovery should be used ahead of an alternative that is classified as disposal. In this context for the purpose of incineration the guidance seeks to make a distinction between waste recovery (i.e where waste is principally used as a fuel to generate energy as opposed to incineration on land). What this means is that where waste is burnt as a fuel to generate energy it can potentially be considered a recovery operation but where incineration is used to get rid of waste it is hence considered disposal. This distinction is important for planning purposes as to the extent to which in considering any proposal for a waste management facility the proximity principle applies.
32. Energy recovery in the context of the waste hierarchy includes incineration. As part of its evolving waste strategy Kent County Council is seeking to place greater reliance upon a major increase in additional future capacity through the recovery of waste which is seen as a means of achieving a stepped reduction in the volume of waste going to landfill.
33. **Planning Policy Statement 10 (PPS10):** Planning for Sustainable Waste Management
Underlines the importance of planning for and consenting the necessary number and range of facilities in order to ensure that adequate provision is made for the future management of our waste. The key aim of moving waste management up the 'waste hierarchy' forms the underlying objective of national policy. The proximity of waste

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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.

Development Plan Policy

34. **Kent Waste Local Plan March 1998 (Saved Policies):** Policy W11 sets out the criteria against which proposals are required to be considered including whether the site is within a major established or committed industrial or industrial type area. Policy W17 the need to ensure airborne emissions will not adversely affect neighbouring land uses and amenity. Policy W18 requires adequate controls over noise, dust odours and other emissions. Policy W19 Surface and Ground Water protection. Policy W20 Land Stability, Drainage and Flood Control. Policy W21 seeks the satisfactory protection of Ecological Interests. Policy W22 Traffic Impacts. Policy W25 Site Design and External Appearance
35. **Dartford Borough Council Core Strategy (September 2011):** Policy CS 6: Thames Waterfront – the Council will promote the creation of a vibrant mixed-use riverfront, incorporating sustainable communities, new employment opportunities, leisure use of the river/riverside and use of the river for sustainable transport.

Emerging Policy

36. **Kent Minerals and Waste Local Plan (MWLP) 2013-30 (Submission Document):**

This Plan identifies and sets out the long term spatial vision for the period up to, and including the year 2030. Policy CSW 9: Energy from Waste Facilities for Non-hazardous Waste - seeks to identify Energy from Waste facilities sufficient to treat a capacity of 562,500 tonnes per annum. The specific sites for minerals and waste developments will be set out in the separate Kent Minerals and Waste Sites Plans. Currently the site has been allocated in the Waste Sites Plan Preferred Options Consultation document May 2012 as being suitable in principle for the establishment of an Energy from Waste facility subject to no adverse effects upon the local highway network and the nearby Air Quality Management Area. The site selection process for the final sites plans will be based on the policies in the Kent MWLP.

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37. Consultee Responses

Dartford Borough Council: Strong objections are raised for the reasons specified:

- Unacceptable increase in traffic along local roads which is detrimental to air quality and the quality of life of residents and occupiers within the surrounding area
- The proposed location of the plant is not considered to be sustainable, particularly as all waste delivered to the plant is to arrive by road.
- The proposed routing of HGVs via Stanhope Road and Swanscombe High Street is unacceptable due to the narrow form and character of the roads.
- The additional traffic resulting from the development using the Manor Way/London Road junction will prejudice the use of this junction by Fastrack busses when the new road incorporating the Fastrack route from the Ingress Park development has been completed.
- The cumulative effect of all noisy activity at the site has not been accurately assessed and therefore the Council are concerned about the impact of the proposed development on the local area and sensitive receptors.
- The proposed 65m chimney will be prominent in the local area and will have an adverse effect on the character of the area as will such a large scale building alongside a main road.
- The proposed development will prejudice the Council's objective of achieving a vibrant mixed use development on Swanscombe Peninsula and is contrary to Policy CS6 of the adopted Core Strategy.
- The proposal will prejudice the London Paramount Development and the subsequent regeneration of the wider area which is a key Thames Gateway objective.
- The Kent MWLP encourages the sustainable use of modes of transport for moving waste long distances and minimise road mileage.
- The future EfW capacity set out in the emerging Kent MWLP is not based on a robust evidence base.

Gravesham Borough Council: Objections are raised on the following grounds:

- Future impact on the development potential of Swanscombe Peninsula East and the environmental impact of the development in respect of the lack of information about lorry routes and numbers of vehicle movements
- Emerging Core Strategy Policy CS03; Northfleet Embankment and Swanscombe Peninsula East Opportunity Area indicates that the whole of the area has a substantial opportunity for major riverside regeneration and that any future proposals for the Swanscombe Peninsula East Undeveloped Area will be the subject of a comprehensive master plan but does not indicate the likely permissible uses or the likely quantum of development.
- The proposed development needs to be carefully assessed on the basis of the likelihood of development coming forward in the longer term for the development of the Swanscombe Peninsula East Undeveloped Area and the construction of this facility in this location should therefore not prejudice and future mixed use development that may take place or have any material adverse environmental impact on emerging development.

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- The BC is not convinced that the impact of the proposed development has been fully assessed on the future and emerging development [policies for Swanscombe Peninsula.
- Concerns are raised at the scale of the development and the wider impact that this may have, having regard to the height and prominence of the chimney.
- The Borough Councils Environmental Health Officer have made the following (summarised) comments:
- Whilst noise and vibration from the facility would not be a significant issue for local residents there is some concern in relation to the quantum of traffic movements and request that transport routes are agreed and conditioned for this use to avoid 'rat running' and wider impact on residential areas.
- It is considered that emissions and odour from the stack and storage facilities would be covered and controlled by an environmental permit.
- Vehicle emissions would be dependant on vehicle routing for both the construction and operational phase of the proposed development. There are concerns that the information relating to the exact route of the construction vehicles is not yet known nor are the numbers of vehicle movements.
- It is suggested that a restriction be placed on the number of hourly/daily vehicle movements and suitable route agreed prior to commencement of any construction work and control measures put in place to ensure any agreed route is adhered to.
- A condition should be imposed requiring the applicant, construction contractor and operators to submit transport strategies/traffic management plans for all phases including avoiding peak hours to KCC for approval in consultation with Dartford and Gravesham Borough Councils.
- Concerns are raised as to the vehicular access to the site from Manor Way is of a poor standard, is subject to flooding and has a poor crossroads junction with the A226 London Road.
- No objections on the basis of the additional information provided on the Air Quality Impact Assessment.

Swanscombe and Greenhithe Town Council: Objections are raised:

- Concerns about the environmental impact the site would have on the local area and in particular the potential impact from emissions in such a developed and populated area.
- The proposed development could interfere with the needs of the proposed theme park project and stunt the growth of business within the area.
- Concerns as to the potential impact of HGVs on local roads and particularly the difficulties in controlling vehicle routing should permission be granted.
- An extension of time is needed until such time as the Theme Park Project Managers have been made aware of this development therefore it is essential that they are consulted as well.

Civil Aviation Authority: No objection

Protect Kent (CPRE): Have not responded

English Heritage: No comments

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Environment Agency: No objection subject to conditions including a land contamination risk assessment, no infiltration of surface water drainage into the ground, prior approval of any piling methods, prior approval of details of a surface water drainage scheme, prior approval of a Construction Environmental Management Plan. The applicant be reminded of the need to obtain a separate Environmental Permit at which time a more detailed review of the air quality modelling would be undertaken.

Health Protection Agency: Have not responded

Health and Safety Executive: No comments on the basis that that it is not within the consultation distance of any Hazardous Installation.

Highways Agency: Permission should only be granted subject to conditions limiting the throughputs to the quantities stated in the application based on vehicles with a minimum capacity of 20 tonnes. Additional conditions restricting the numbers of movements should smaller vehicles be used should also be considered.

HS1 (Formerly Union Railways): No objection subject to conditions requiring the submission and approval of site construction methods and safeguards in order to protect the safety and operation of HighSpeed 1.

Kent Wildlife Trust: Have not responded.

National Grid: No objection.

Natural England: No objection. If the Council is minded to grant permission consideration should be given to enhance the biodiversity of the site.

Network Rail: No comments.

Thames Water: No objection subject to prior approval of a Piling Method Statement.

Southern Water: No objection subject to a condition requiring the submission and approval of details of proposed foul and surface water sewerage disposal.

County Biodiversity Officer : No objection subject to a condition on Black Redstart and the implementation of a Detailed Mitigation Strategy in respect of the offsite translocation and management of the receptor site being secured through a Section 106 Agreement.

County Landscape Officer: Whilst being comprehensive in many respects considered the Landscape and Visual Impact Assessment required further clarification on one or two elements including the need to ensure the reference to accompanying Landscape Character Assessments undertaken in 1999 and 2004 were still relevant. Following the receipt of further supporting LVIA had no further comments to make and raised no objection on landscape and visual impact grounds.

County Archaeologist: No comments.

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Conservation Officer: No objection in principle although care needs to be given to the backdrop of the chalk cliff face and adopting a white cladding to be agreed would make a strong reference to the cliff context.

AMEY (Noise, Air Quality, Odour): Consider the methodologies used to assess such impacts are appropriate and robust. No objections subject to conditions requiring agreed Dust and Odour Management Plans, Noise Management Plans during construction and operation, restriction on peak hour HGV movements and Vehicle Routing/Traffic Management plan.

Highways and Transportation: No objections subject to conditions restricting vehicle movements, the submission of a Route Management Plan which avoids vehicles using minor residential roads and the provision of wheel washing facilities to avoid mud and debris being carried out onto the public highway.

Essex County Council: Have not responded.

Thurrock Council: Have not responded.

Local Members

38. The Local Member Mr P. Harman and two adjoining Members Mrs S. Howes and Mr V. Thandi were formally notified on 24 July 2013.

Publicity and Notification

39. The application was advertised by way of an advert in the local newspaper together with the posting of a notice on site. I also wrote to some 101 near neighbours on the Manor Way Industrial Estate. The applicant also held a public exhibition prior to the formal submission of the application at Swanscombe & Greenhithe Town Council at which the applicant and his professional advisors were available to discuss the scheme with local people.

40. A leaflet was prepared to advertise the event, which was delivered to local residents and businesses. The event was also advertised on the Town Council website.

Letters of Representation

41. I have received 8 letters of representation. Three of these are from Savills who represent LRCH together with Lafarge Tarmac and EIGP who are the majority landowners of the London Paramount Development site, one from Lafarge Tarmac themselves, one from Visit Kent together with three from local residents. Their comments can be summarised as follows;

- The significant prejudice to the London Paramount Development which represents a

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material planning consideration to which much greater weight should now be given with its confirmation as being nationally significant and which should outweigh any factors the County Council considers support the application. Further LRCH who are the promoters of the scheme have signed Heads of Terms on the land option for the Peninsula with Lafarge Tarmac and EIGP. With these agreements on the principal parcels of land having been secured this strengthens the ability to deliver the Paramount proposal

- The London Paramount Development is recognised by the Secretary of State for Communities and Local Government as being of "national significance" and would therefore be considered through Nationally Significant Infrastructure process.
- London Paramount will create over 25,000 jobs and substantial economic benefits to the area representing a £2.2bn investment which will attract some 12 – 15 million visitors annually.
- The Ebbsfleet Garden City announcement by Government is a material consideration and with the proposed creation of an Urban Development Corporation whose purpose is to facilitate this being delivered, the Teal Energy proposal is premature.
- The weight to be attached to the Draft Waste Local Plan in support of the Teal Energy application is limited which has not yet been subject to scrutiny by public examination.
- There are alternative locations for the site perhaps most appropriately near the Thames Waterfront.
- The County Council will need to assess whether the Teal Energy Application would be prejudicial to the Government's announcement for a ' Garden City' at Ebbsfleet
- Lafarge UK are an important local stakeholder with significant land interests within the wider Swanscombe Peninsula, a large proportion of which lies to the north and west of the Teal Energy site and it should therefore have a greater understanding of the wider regeneration opportunities.
- The cumulative impacts of the application omit to make any assessment of future development scenarios.
- There would be unacceptable impacts from traffic and no attempt has been made to forecast future traffic scenarios.
- An insufficient business case has been made given the uncertainty over the waste source.
- The site would be visually intrusive.

Discussion

41. 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. The application for a Renewable Energy Facility using Advanced Conversion Technology with a potential to produce combined heat and power will need to be examined having regard to both national guidance and the relevant development plan policies applying to the site together with any relevant material planning considerations arising from consultation and publicity. In my opinion, the main determining issues in this particular case can be summarised under the following headings:

- Need

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- Traffic
- Air Quality
- Noise
- Nature Conservation and Ecology
- Landscape and Visual Impact
- Ebbsfleet Garden City Announcement
- London Paramount Development
- Prematurity

Need

42. One of the key aims of Government policy is to reduce the volume of Municipal Solid Waste (MSW) and Commercial and Industrial Waste (C&I) being sent to non-hazardous landfill through the establishment of alternative more sustainable waste management facilities. Energy from Waste Plants (EfW) are seen as playing an important role in helping to achieve this objective which not only help divert waste from landfill but also help towards securing the country's future energy supply. Whilst traditionally EfW plants involved the mass burn incineration of non-recycled waste, Government is seeking to encourage an increase in the amount of energy generated from renewable low carbon technologies. Whilst at present we cannot prevent, re-use or recycle all of our waste, even after extensive and sophisticated recycling techniques, the residual material left over from these processes still has a value as a fuel source. This has been recognised in a recent publication produced by DEFRA in February this year ' Energy from Waste. A guide to the debate' which is aimed at stimulating discussions over the role energy from waste might have in managing waste in the future in a more sustainable way.
43. The NPPF sets out the Government's planning policies and its aim to secure sustainable development. On March 2014 the Government launched its National Planning Practice Guidance (NPPG). This new guidance is closely linked to the NPPF and consolidates previous practice guidance. With regard to planning for renewable and low carbon energy the NPPG states '*Increasing the amount of energy from renewable and low carbon technologies will help to make sure the UK has a secure energy supply, reduce greenhouse gas emissions to slow down climate change and stimulate investment in new jobs and businesses. Planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable*'.
44. With regard to waste sources the DEFRA guidance advises that a waste management route defined as recovery should be used ahead of an alternative that is classified as disposal, and that this distinction is important for planning purposes as to the extent to which in considering any proposal for a waste management facility the proximity principle applies. It states that councils have a duty to cooperate to ensure that waste needs across their respective areas are handled properly and appropriately. Whilst they need to have regard to the proximity principle, which requires all waste for disposal and mixed municipal to be recovered in one of the nearest appropriate facilities, this principle must not be over-interpreted. There is nothing in the legislation or the proximity principle that says accepting waste from another council, city or region is a bad thing and indeed in many cases (e.g. utilising residual waste as a fuel) may be the best economic and

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environmental solution and/or be the outcome most consistent with the proximity principle.

45. Policy exists at both the national, regional and local levels which give support in principle for the establishment of alternative waste management facilities to landfill. These include Waste to Energy Plants, particularly where they also involve combined heat and power generation (CHP), where waste should be recovered as a resource to produce energy. Such objectives also support the aim of how planning should contribute towards the achievement of sustainable development by reducing the carbon footprint by lowering emissions and stabilising climate change. Emerging policy in the Kent MWLP is consistent with the principles set out in adopted national policy and guidance in so far as it aims to reduce the amount of MSW and C&I waste being sent to non-hazardous landfill and recognises there will need to be a substantial increase in the number of EfW plants during the plan period if this is to be achieved. Provision is set out in draft policies to ensure energy recovery is maximised (utilising both heat and power) consistent with the principles of sustainable development.
46. In my opinion the Teal Energy proposal is fully consistent with adopted Government policy and policy emerging through the Kent MWLP and would help contribute towards securing the country's future energy supply consistent with the principles of sustainable development as set out in the NPPF and the guidance set out in the NPPG.

Traffic

47. The environmental statement accompanying the application includes a Transport Statement (T.S.) to assess the potential impacts from traffic on the local road network. Notwithstanding the objections raised to the application on highway grounds the statement concludes that having regard to existing levels of traffic on the network the development proposals would have no adverse impact on the adjacent highway network. Notwithstanding this conclusion concerns have been raised over what is considered to be adverse impacts from traffic.
48. The proposed development would generate some 9 HGV movements (arriving and departing) per hour (i.e. one every 7 minutes). The T.S. states that strict measures will be put in place to evenly distribute HGV movements across the highway network and limit their numbers during the peak hours. The T.S. adopts a worse case scenario to assess traffic impacts from vehicles by assuming that all 9 vehicle movements per hour approach the site either easterly or westerly taking precisely the same route and using the same junctions. from the same direction namely;
- Easterly;
- i. The B2175 High Street, leading to A226 Stonebridge Road, Galley Hill Road, London road and Manor Way;
 - ii. A226 Thames Way to Stonebridge Road, Galley Hill Road and Manor Way; or
 - iii. B259 Southfleet Road, Stanhope Road High Street , A226 London Road and Manor Way.

Westerly;

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- i. A206 Crossways Blvd, A226 London Road and Manor Way;
 - ii. A226 London Road and Manor Way; or
 - iii. B225, A226 London Road and Manor Way
49. Notwithstanding concerns raised over congestion at certain junctions on routes both eastward and westward of the site, the likelihood of HGVs servicing the plant creating or exacerbating congestion has been determined to be negligible. This conclusion is based on an assumption that the existing Ratio of Flow to Capacity (RFC) is above an index of 1.00 and therefore the addition of one more HGV every 7 minutes is negligible. Traffic count data for the major routes outlined above have total movements in the 1000s (in 100s for HGVs alone).
50. The Highways Agency Network Analysis Tool suggests that no material impact may occur because there is no link between where the development of the site would generate a two-way total of more than 30 trips. Based on 9 movements per hour, it is not anticipated that the highway impact of the proposed development would exceed the aforementioned threshold and hence, no material impact is anticipated. What must be understood however is that this is based on a worse case scenario. The applicant considers that in reality this is unlikely to be the case and that HGVs are likely to access and leave the site in both directions and therefore by the time HGVs reach congestion sensitive junction, their numbers would be even less and therefore have less of an impact. To achieve this the applicant intends to manage HGV movements so as to evenly use routes to the East and West. Furthermore it is also intended that during the peak hours of 08:00 – 09:30 hours and 16:00 – 18:00 hours, HGV movements would be restricted to 4 movements per hour.
51. Following formal consultations the Highways Agency (H.A.), who are responsible for Trunk Roads, raised no objection subject to conditions limiting throughputs based on vehicles with a minimum capacity of 20 tonnes. Kent Highways and Transportation (KHT) have also raised no objection subject to a similar condition required by the H.A. and in addition have requested the submission of a Route Management Plan which avoids vehicles using minor residential roads and the provision of wheel cleaning facilities to avoid mud and debris being carried out onto the public highway. I am satisfied that provided such measures are put in place this would satisfactorily address the concerns raised over the potential impacts from traffic. Accordingly should Members be minded to grant permission I would intend such matters to be covered by condition.
52. On one final point, the Planning Statement submitted in support of the application states that ‘pre-application discussions with Kent County Council Highways indicated that the Teal Energy development should contribute £63,840. It is proposed to secure this through a s106 Agreement’. Whilst at that time this was welcomed by KHT, Dartford Borough Council have since adopted their Community Infrastructure Charging Levy (CICL) which sets out the types of infrastructure or projects Dartford may fund. The list includes Strategic junction and transport improvements as set out in Kent County Council Cabinet report 15 October 2012- Kent Thameside Strategic Transport (Homes & Roads) Programme. KHT advised that it is their understanding that they would now not be able to take S106 contributions towards the Programme as it is now identified in the Dartford Borough Council CICL list. Irrespective of whether this is the case, KHT have

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further advised that based on the number of HGV movements that would be generated by this proposal and provided there are restrictions during peak hours, this would be insufficient to make a strong case that a contribution to specific junction improvements would be required to make the application acceptable. On this basis no contribution can be sought should planning permission be granted.

Air Quality

53. The Environmental Statement also includes an Air Quality and Odour Assessment which provides an assessment of emissions both during the site construction stage and also when the plant is operating along with associated HGV movements. It provides information on the existing air quality and local meteorological conditions in the vicinity of the site and describes the mitigation measures that have been incorporated into the design proposals, in order to minimise the potential adverse impacts and risk associated with the proposed development. The assessment then considers whether adverse air quality impacts are likely to arise and draws conclusions as to whether these are significant.

Site Construction

54. The risk of dust effects is considered to be low for earthworks and construction activities. To control such impacts during these phases mitigation measures include the provision of a best practice Dust Management Plan for the duration of the construction phase works which will set out practical measures to be implemented at the site. Measures such as protection of surfaces, sheeting of vehicles, dampening down of exposed materials and avoiding activities that generate large amounts of dust during windy conditions will be included in the DMP. Provided such measures are put in place the assessment concludes that impacts from dust would be negligible.
55. Whilst no objections have been raised specifically into adverse dust impacts, the E.A. and Amey have both recommended that conditions are imposed on any future permission requiring the submission and approval of dust and odour Management Plans. I am therefore satisfied that should Members be minded to grant permission conditions can be imposed to ensure any dust emissions during site construction can be satisfactorily mitigated.

Operational Phase

56. With regard to impacts during the operational phase, mitigation measures would be implemented to ensure emissions of odour and bioaerosols can be satisfactorily controlled, although given that there would be no waste processing on site it is considered that the potential for the generation of odour and bioaerosol emissions would be significantly reduced. Measures include carrying out all operations within a fully enclosed building. Air extracted from the SRF storage building would be drawn through the ACT building, through the advanced gasification system and treated by the abatement system prior to release from the stack. With regard to dust and particulates as there is no requirement for waste to be processed on the site the generation of dust

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and particulate emissions is considered to be significantly reduced. The building would operate an air extraction system, thereby retaining any dust within the building. The levels of dust in the atmosphere within the building would be controlled through a combination of mist suppressant sprays, good housekeeping and air extraction.

57. Whilst no objections have been raised specifically on the potential adverse impacts from dust and bioaerosols during the operational phase, I would expect the conditions recommended by the E.A and Amey requiring the submission and approval of Dust and Odour Management Plans to apply not only during site construction but also during the operational phase. I am therefore satisfied that should Members be minded to grant permission conditions can be imposed to ensure that during the operational phase of the development any dust and bioaerosol emissions can be satisfactorily mitigated.

Stack Emissions

58. The ACT building contains the gasification plant that would provide a staged control to the combustion process which the applicant claims would enable a rigorous control of emissions to air. The gasification process together with operational controls and abatement techniques proposed include:
- A secondary combustion chamber operating at a temperature of over 875 degrees Celsius with a gas residence time of over 2 seconds.
 - A flue gas cleaning and conditioning system ; and
 - Continuous emissions monitoring of a range of gases.
59. In combination the applicant considers that the process and emission controls represent the best available technology for emissions abatement and monitoring of the proposed plant.
60. Dispersion modelling has been undertaken to assess any adverse impacts from stack emissions from the plant. The predicted Environmental Concentrations have been determined and compared against current Air Quality Objectives and Environmental Assessment Levels. The results indicate that based on a proposed 65m high stack height, the short and long term predicted concentrations for the pollutants considered lie within the respective Air Quality Objectives and Assessment Levels. The applicant considers that any short-term problem or increase in emissions from the proposed facility could be prevented, or rapidly detected and remedial action taken. It is considered that any short term emissions to air would not be expected to have significant adverse health or environmental effects.
61. No objections have been raised specifically in relation to stack emissions. The E.A. in their response on the application whilst raising no objection in principle have requested that the applicant be reminded of the need to obtain a separate Environmental Permit at which time a more detailed review of the air quality modelling would be undertaken. Irrespective of whether planning permission is granted the applicant would not be able to operate the facility until such times as he obtains a Permit from the E.A.
62. I am therefore satisfied that with regard to stack emissions appropriate controls would be put in place to ensure there would be no adverse effects.

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Vehicle Emissions

63. Finally, emissions from exhaust gases of HGVs has been assessed in relation to the potential impact of development generated traffic upon the existing Air Quality Management Area (AQMA) along the A226 London Road. The assessment states that its scope was discussed and agreed with Dartford Borough Council. Similar to the exercise undertaken for the Traffic Assessment, modelling undertaken adopts a worse case scenario which assumes that all traffic would use the routes referred to under paragraph (48) above whereby all traffic would either enter and leave to the East or to the West. Five representative existing sensitive receptors, located along the A226 London Road and within the AQMA were considered as part of the assessment. By comparing existing measured pollutant levels at these locations compared to the predicted increase from the proposed development the assessment indicated that there would be a small adverse effect on NO₂ concentrations and a negligible impact on PM₁₀ concentrations in the year 2013. However, these were not predicted to exceed the air quality objectives of the AQMA. In reality given that HGVs would not all travel in the same direction this was considered to represent a worse case scenario.
64. Following formal consultations, in response to comments made by consultees including the County Council's Air Quality advisor Amey, further supplementary information on Air Quality was submitted which sought to address a number of issues. A revised modelling exercise was undertaken which assessed the year 2017 (i.e. the likely year the plant would become operational), with and without the proposed development in place and year 2022 with and without the proposed development in place. Whilst 2012 background concentrations and emission factors were applied to the 2017 opening and 2022 future year scenarios this was considered to represent a conservative approach as it is likely there will be some improvement in background air quality and emissions before 2022.. No exceedance of the annual mean standards for NO₂ or PM₁₀ is predicted in 2017 or 2022. This is on the basis of 100% of development traffic taking each of the proposed routes thereby significantly overestimating the actual potential impact. This is considered to be a conservative approach and in reality it is likely that traffic would be more evenly spread. Amey considered this represented a robust approach. As referred to under paragraph (51) above should Members be minded to grant permission the routing of vehicles can be secured by condition.
65. Whilst Dartford Borough Council still has some concerns over the revised Air Quality Assessment in terms of the assumptions made over predicted background concentrations of pollutants without the development, I am satisfied that given the predicted increase in concentrations of pollutants is based on a worse case scenario and that I would propose that matters concerning the routing of vehicles which would ensure that traffic is not concentrated along a single route can be covered by condition, in my view having regard to the County council's Air Quality Advisor Amey, there are no overriding objections from the impacts of the development on the AQMA.
66. Dartford have also questioned whether given that there are several proposed developments of a similar nature in the immediate area reliant upon using London Road, the application should not be considered in isolation and these developments should also be taken into account. However, in my view it would be unreasonable for the applicant to assess the impacts from their development having regard to future developments which may or may not be permitted and therefore the application can only

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reasonably be determined having regard to the circumstances which prevail at the time a decision is taken.

Noise

67. The Noise Impact Assessment set out in the Environmental Statement assesses the potential noise impact from the development upon identified noise-sensitive receptors. The assessment has been made for the noise generated during construction and operational phases of the development. Baseline noise monitoring locations were selected at 3 residential properties considered to be the closest noise sensitive receptors to the site along Pilgrims Road, High Street and Manor Way with the nearest at the junction of Pilgrims Road and London Road being some 250 metres to the south. The dominant noise sources at these locations were associated with road traffic on the adjacent road network and industrial noise from the neighbouring sites.

Construction Noise

68. The noise levels likely to be generated by the enabling works and construction phase have been assessed having regard to the ambient noise levels at each receptor rounded to the nearest 5 db (A) to determine the threshold value in accordance with BS 5228-1 whose method is to establish 3 separate values ranging from low to high based on the variation in ambient noise levels measured at each receptor. The noise level likely to be generated at the receptor during the construction phase, i.e. the ambient noise level plus construction noise, is then compared to the appropriate category value. If the noise level is greater than the category value, a significant noise impact may be registered. The enabling and construction works would be restricted to daytime hours, i.e. between 0700 and 1900 hours Monday to Friday and 0800 and 1300 on Saturdays. The assessment demonstrated that the impact (construction noise + ambient noise) at the identified receptors would not exceed their respective threshold values and therefore the impacts would be insignificant.

Operational Noise

69. The assessment of operational noise impacts is based on the following principle noise sources;

- SRF Storage Building ;
- ACT building;
- Closed Conveyer connecting the two buildings;
- Flue Stack and Cooling array; and
- External mobile plant activity (generally HGVs delivering SRF to the site)

70. The assessment calculated the noise impact at the identified noise-sensitive receptors. A worse case assessment assumed all of the above sources operating simultaneously. For plant located within the buildings the assessment assumed that the plant would be located directly adjacent to the façade closest to the 3 noise sensitive receptors. The

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assessment demonstrated that the noise impact from the proposed development would be insignificant and therefore not have any adverse effects on any noise sensitive receptors either during the daytime or nighttime.

Additional Road Traffic Noise

71. The effects of the proposed development from traffic have been assessed based on the following 5 sensitive locations along the local road network;

- 4 All Saints Close
- 19a London Road
- 1a Knockhall Chase
- Flat 23, Nelson House, London Road
- 29 London Road

72. The noise predictions compared the 2013 baseline noise levels with the operational traffic added. The impact was predicted to be insignificant.

Mitigation

73. Whilst the predicted impacts on noise from the proposed development concluded there would be no adverse impacts a number of mitigation measures are proposed ranging from the adoption of best working practices including regular plant maintenance, staff awareness when working near to noise sensitive locations during site construction to the screening of noisier operations.

74. Following formal consultations a number of issues were raised by consultees including the County Council's noise advisor Amey. This included further clarification over what time period background noise levels were measured and a request that the applicant demonstrate that noise levels 10 db (A) below the lowest measured background noise level can be achieved. It was also suggested that consideration be given to the imposition of a condition requiring Noise Management Plans both during construction and when the site is operational. As a result further information on the Noise Assessment was provided on which further consultations were undertaken with relevant consultees. On the basis of the further information provided, with the exception of nighttime levels along Pilgrim Road where it is predicted they would be 6db(A) below the lowest measured background levels, Amey were satisfied that when the site is operational the noise levels would be more than 10db(A) below the lowest measured background levels at all other sensitive receptors. Notwithstanding the predicted levels along Pilgrim Road, Amey are satisfied that these levels of noise are unlikely to significantly affect the amenity of local residents. Dartford Borough Council have suggested that if planning permission is granted for the development an acoustic validation report should be undertaken after construction and further noise measures be implemented where the predicted noise levels at the residential receptors are exceeded by more than 3db(A) or more.

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75. On the basis of consultee responses following the submission of further information on noise impacts, I am satisfied that there are no overriding objections on noise. However, if Members are minded to grant permission I would recommend that a condition be imposed as advised by Amey requiring the submission for approval of Noise Management Plans in respect of both the construction and operational phase of the development. This in my view would also address the suggestion made by Dartford Borough Council in respect of an acoustic validation report.

Nature Conservation and Ecology

76. The site has been subject to a Phase 1 Habitat Survey. The presence of reptiles at the site has been confirmed by a reptile survey undertaken during 2012 albeit numbers recorded were low. A detailed Mitigation Strategy setting out measures to safeguard any adverse effects on protected species forms part of the Ecology section of the Environmental Statement. Whilst the Mitigation Strategy identified the need for an offsite receptor site into which species from the application could be translated, initially no suitable site was identified. The County Council's Biodiversity Officer therefore requested that a suitable site be found in order to ensure the interests of protected species at the site are satisfactorily safeguarded. She also required confirmation as to whether Black Redstart were present at the site which, if so there would be a greater need to provide replacement habitat of a similar extent to that lost.

77. In response the applicants provided further supporting information on how the buildings would incorporate a living roof which would replicate the habitat that would be lost at ground level. They also confirmed that they were in the process of identifying a suitable offsite receptor site. The County Council's Biodiversity Officer welcomed the living roof proposals and recommended that any permission should include a condition requiring the submission of an ecological design strategy addressing mitigation for the loss of black redstart habitat for the approval of the Local Planning Authority. With regard to the proposed receptor site she advised that one should be identified prior to the determination of the planning application to ensure adequate provision is made for the prevention of harm and long-term conservation of the affected protected species population.

78. The applicant has since provided details of an offsite receptor site which the County Council's Biodiversity Officer considers is suitable. He has also provided a Detailed Mitigation Strategy which will ensure that suitable habitat would be created at the receptor site prior to the translocation of protected species from the application site and thereafter appropriately managed. Given that the receptor site falls outside the control of the applicant it would need to be formally secured and managed by way of a Section 106 Agreement.

79. I am satisfied that with the imposition of the condition recommended by the County Council's Biodiversity Officer in respect of black redstarts and the satisfactory conclusion of a Section 106 Agreement to secure the required offsite ecological mitigation there are no overriding ecological objections to the proposed development.

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Landscape & Visual Impact

80. The application has been subject to a Landscape and Visual Impact Assessment (LVIA) which assesses the impacts upon Landscape Character, Visual impacts upon highways, Public Rights of Way, residential properties and Public Open Space.
81. Following formal consultations concerns were raised over the adverse visual impacts from the development given the scale of the proposed buildings and in particular the proposed stack height which would extend above the height of the adjoining chalk face. The County Council's Landscape Officer initially felt that whilst being comprehensive in many respects, a few elements of the LVIA were either missing or remained unclear. For example it did not provide a clear assessment upon the landscape and heritage assets especially given the potential for long views of the stack. She also stressed the need to ensure the Landscape Character Assessments (LCA) from 1999 and 2004 were still relevant and the amount of change since these assessments was not sufficient to require an additional LCA for the site and local context to be undertaken. Whilst a landscape baseline had been provided there was no equivalent visual baseline. The use of visual mapping and photomontages was considered to be very effective but it was considered that the written document wasn't as clear as it could be. On the positive side the green roof was supported as a means of mitigating visual impacts as well as offering rain attenuation and creating a useable space for wildlife. She also considered that the Zones of Theoretical Visibility were supported and clearly presented.

Further supporting information

82. In response to comments made on the LVIA the applicant provided further supporting information on potential landscape impacts. With regard to the 65m high stack the applicant considered that it would generally be viewed within the context of a number of existing structures including Tilbury docks, Radar Tower, Britannia Metals chimney and electricity towers resulting in a visual landscape impact of slight adverse with the only more substantial impact being viewed within the context of the listed structure of All Saints Church when the impact would be moderate adverse.
83. It was considered the impacts upon Landscape Character have to be considered within the context of the Greater Thames Estuary character which reflects the landscape within it. This now physically contains the Manor Way Business Park between the rail cutting and tunnel to the north and the chalk cliff of the former quarry immediately to the south of the site further separating the development from the wider landscape described within the LCA. On this basis the impact on landscape character during construction and upon completion of the development is considered by the applicant to be negligible adverse as the proposed development is within the footprint of an existing business complex, located within a zone of existing industry and is characteristic of this landscape character area. Visual impacts of the proposal are considered by the applicant to be restricted by its location within a former quarry, with the majority of the impacts relating to those caused by the 65m stack. He also considers the building mass is in keeping with the existing industrial use of Manor Way. The significance of impact is considered to be affected by proximity to the development, with impacts reducing when the stack is seen within a wider view where existing vertical elements including electricity towers, container gantries and venting stacks/chimneys are visible. On this basis it is considered the impacts of the proposed development are slight to moderate adverse. On the basis

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of the additional landscape information provided the County Council's Landscape Officer had no further comments to make.

84. The site is located at the base of a former chalk quarry adjacent to an existing quarry face which serves as a backdrop when viewed from the north. With the exception of the proposed 65m high stack, at a maximum height of 20m when measured at the eaves of the roof, the largest of the two buildings, namely the ACT building falls below the height of the quarry face, in between which views would largely be obscured by HS1 which runs adjacent to the north east boundary of the site. I am mindful of the advice from the County Council's Conservation officer, who recommended that details be submitted for approval in respect of the external finish of the buildings which take account of the chalk cliff face, and also of the intention to create a green roof on the buildings, both of which can be secured by condition. Notwithstanding concerns raised over the potential adverse visual impacts from the proposed development, I am satisfied that having regard to the location of the site at the base of a former quarry and given the nature of the surrounding landscape, which is dominated by existing industrial developments, some of which are of a similar scale and nature to that proposed, there are no overriding landscape objections to the proposed development.

Ebbsfleet Garden City Announcement

85. The announcement by the Chancellor of the Exchequer in his Budget Speech earlier in March this year for plans to create a new garden city at Ebbsfleet was made in order to unlock the potential of the area, and to accelerate development primarily in order to provide up to 15,000 new homes. To act as the catalyst for achieving this Government announced that a UDC would be created to help coordinate development, and bring in the necessary skills and expertise that will be needed. In August this year DCLG issued a formal consultation document on a proposed Ebbsfleet Development Corporation (EDC). It invites views on the proposals to create a Development Corporation for Ebbsfleet, focussing specifically on the area in which the corporation will operate, the planning powers it will be granted and the composition of the Board. The consultation closes on 6 October 2014.
86. The consultation document makes it clear that it is not a consultation on the details of the development that will come forward as part of the garden city. This would be a matter for the EDC, once established, to work with local communities and other partners on how to take forward the development of the area, consistent with the local plans developed by the local authorities. It also makes it clear that it is separate from the London Paramount Development, indicating that if taken forward, consent for this would be through a Development Consent Order under the provisions of the Planning Act 2008.
87. The Government will prepare a summary of responses to the consultation and, depending on the outcome of the consultation, will bring forward secondary legislation to establish the EDC and transfer planning powers to it. Subject to Parliamentary approval it is expected that the Corporation will be established in early 2015. Once established, the Corporation will develop and implement a business plan, working with local authorities, local communities and other partners to take forward the plans for the 21st century garden city at Ebbsfleet.

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88. The County Council has yet to formally respond to the DCLG consultation on the proposals to establish an EDC. However, having regard to one of the key aims of the NPPF which is to foster the delivery of sustainable development that improves the economic conditions of an area, as a matter of principle the County Council welcomes and supports Governments' intention to provide such a mechanism to stimulate and accelerate development in an area of the county which despite having previously been identified as the location for up to 10,000 new homes has failed to live up to its expectations with progress on the scale of such development being slow. In order to help secure the future objectives of the EDC the County Council will continue to work and cooperate closely with the Corporation and other key stakeholders.

London Paramount Development

89. Objections to the Teal Energy proposal have been made on behalf of LRCH, the promoters of the London Paramount Development and also by Lafarge Tarmac who have a major land interest in the area that would be occupied by the Paramount development. The main basis of their objections is that should permission be granted for the Teal Energy development this would significantly prejudice the delivery of the London Paramount Development.

90. In the absence of any detailed planning application for the Paramount proposal, at this stage it is not possible to make a proper assessment of how the current Teal Energy development or any other applications which may come forward to develop areas of the Swanscombe Peninsula may or may not prejudice Paramount's future aspirations. All that is available at present is a schematic plan which accompanied a Formal Screening Opinion Request made to Dartford Borough Council last October and which shows a transport link between Ebbsfleet Station and an area within the northern half of the Paramount site which I understand would consist of a monorail system and whose route currently runs through the Teal Energy site. In its response to Dartford Borough Council on the Screening Opinion request, the County Council drew attention to the fact that at that stage the applicant's intentions/proposals were insufficiently clear and that further information should be required in order to establish the full extent of what is proposed. In the last representation on the Teal proposal from Savills which was received on 21 August 2014, they confirmed that LRCH's consultant team is currently in dialogue with the extensive range of statutory and non-statutory stakeholders on the key NSIP deliverables including the Transport Assessment, Environmental Impact Assessment, Masterplanning, Consultation and Infrastructure provision. It is clear therefore that only once these negotiations have been completed which will enable an application to be properly formulated, will there be any specific details of what Paramount's proposals entail.

91. The London Paramount Development has been recognised by the Secretary of State for Communities and Local Government as being of "national significance" and would therefore need to be considered through the Nationally Significant Infrastructure Project planning regime managed by the Planning Inspectorate. However, in reaching this decision he stated that this was without prejudice to his consideration of any future application for an order granting development consent. On this basis recognition of the proposal being nationally significant does not guarantee any future consent, which would need to be considered on its own merits having regard to government policy, the

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development plan for the area along with other material planning considerations. Meanwhile the proposal remains at the Pre-Application stage.

92. Whilst London Paramount purport to have signed Heads of Terms on the land option with Larfarge Tarmac and EIGP on the principal parcels of land required for their development, there are also a number of other parcels of land either currently occupied by existing developments or are subject to current planning applications which are not under the control of Paramount including the Teal Energy site. Therefore, in the event that Paramount obtain a Development Order Consent and wish to proceed with their development, they would need to enter into negotiations with other landowners to secure the land required to carry out their development and this may include taking advantage of the compulsory purchase order powers afforded under the NSIP regime. The planning system exists to protect the general public interest and not the interests of individuals or private enterprise. For this reason any negotiations to secure control over land following the grant of planning permission are not material to the determination of a planning application. Therefore, should Members be minded to grant permission for the Teal Energy proposal, this in my view would not prejudice the London Paramount Development who, if they needed to secure the land occupied by Teal or any other landowner, would have mechanisms available to them to achieve this.
93. On this basis whilst London Paramount represents a material consideration and in this respect the County Council in recognition of what future economic role it could play in the area, fully supports such initiatives, in my opinion it can only be given limited weight given that at this stage there is no guarantee that any future application will be made, neither are there any specific details as to what the proposal will entail and finally to accord any greater weight at this stage could be seen as prejudging the Secretary of State's formal consideration and determination of the proposal.

Prematurity

94. Objections have been raised to the Teal Energy proposal on the basis that it is premature pending the establishment of the EDC and which could therefore be prejudicial to the proposed garden city at Ebbsfleet. As mentioned in paragraph (87) above, following formal consultations on the establishment of the EDC, which already has a nominated Chairman, statutory instruments are to be laid before parliament and it is expected that the Corporation will be established in early 2015 at which time planning powers will be transferred to it. Until such times as this occurs the existing local planning authorities (LPA) including Kent County Council acting in its capacity as the Minerals and Waste Planning Authority, will be responsible for considering and formally determining any applications it has before it. This includes the Teal Energy application. In my view it would be unreasonable to delay the determination of this application pending the establishment of the EDC and could be seen to prejudice the parliamentary approvals process. It would also be contrary to the NPPF which sends a clear signal to LPAs that they are expected to work proactively with applicants to secure development that is consistent with the principles of sustainable development in a timely manner.
95. Energy generation is clearly relevant to a new settlement and arguably Teal Energy's proposal could be viewed as a positive asset by providing a source of low carbon

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energy in the form of combined heat and power close to new homes. To this end there is synergy between the Teal Energy proposal and the Garden City concept by it being able to provide the green energy supply necessary to enable any new developments to meet the stringent CO2 and energy targets. The proposal could also prove of equal value to London Paramount which, given the scale and nature of their proposal would be a major energy consumer. This in my view is fully consistent with government policy which considers planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

96. In my opinion contrary to the assertions that the Teal Energy proposal could potentially prejudice the garden city concept, I consider it is fully consistent with Government policy which recognises planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable.

Emerging Policy

97. In accordance with paragraph 216 of the NPPF, weight should only be given to relevant policies in existing plans according to their degree of consistency with the NPPF (*the closer the policies in the plan to the policies in the NPPF, the greater weight that may be given*).

98. Paragraph 216 of the NPPF states that decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

99. The NPPG states that in some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a plan is in preparation. However, this is likely to be limited to situations where both:

- a) The development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) The emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

100. In relation to the latter point it states that refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination.

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101. The guidance also clarifies prematurity in relation to the presumption in favour of sustainable development in the NPPF. It states that arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the NPPF and any other material considerations into account.
102. The formal Submission Document for the emerging Kent Minerals and Waste Local Plan 2013 – 2030 is currently out to consultation and has not yet been submitted to the Secretary of State, according to the NPPG it is unlikely that a prematurity argument could succeed. But, irrespective of the stage the Plan has reached, the evidence base strongly suggests the County is likely to require 562,000 tpa of additional recovery capacity for non hazardous waste. Further it goes on to state that ‘ new EfW plants will need to be designed and constructed to operate as recovery processes producing (or capable of producing) both heat and power.’ In this context, the scale of development proposed in the current Teal Energy application does not prejudice this emerging Plan, as it falls well within the projected need for recovery capacity. The projected amount of new recovery capacity in the Plan will clearly need to be accommodated on a range of sites and the Teal Energy site is one of four sites allocated in the Waste Sites Plan Preferred Options Consultation May 2012. The site selection process for the final sites included in the Sites Plans will be based on the policies in the Kent MWLP.
103. Having regard to paragraph 216 of the NPPF, whilst the emerging Kent MWLP has yet to be given scrutiny before a Planning Inspector at the Examination in Public, in my view given the degree of consistency of the relevant policies in it with the NPPF and NPPG, this affords it sufficient weight such that it is a material consideration in the determination of the Teal Energy proposal.

Conclusion

104. It is clear from latest Government guidance that it is considered planning has an important role in the delivery of new renewable and low carbon energy infrastructure in locations where the local environmental impact is acceptable. The use of SRF derived from residual waste streams is seen as one of a number of ways of securing a low carbon energy supply and which also serves to reduce the amount of waste going to landfill. This is fully consistent with Government policy as set out in the NPPF which seeks to ensure LPAs approach decision making in a positive way to foster the delivery of sustainable development in a way which secures economic growth. Emerging policy in the Kent MWLP is consistent with the principles set out in adopted national policy and guidance in so far as it aims to reduce the amount of MSW and C&I waste being sent to non-hazardous landfill and recognises that in order to achieve this there will be a need to a substantial increase in the number of EfW plants during the plan period if a rapid shift away from landfill is to occur.
105. The Teal Energy site has been allocated in the Waste Sites Plan Preferred Options Consultation document May 2012 subject to no adverse effects upon the local highway network and the nearby AQMA. Whilst the site selection process for the final sites plan will be based on the policies in the Kent MWLP I am satisfied that on the basis of

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consultee responses and in particular having regard to the conditions that would be imposed on any future permission, the development could take place such that there would be no adverse impacts on the local environment. In my opinion the proposal is fully consistent with Government Policy and Guidance together with those relevant development plan policies applying to the site as set out under paragraphs 34. and 35. above. In particular I consider given its green energy credentials it lends support to sustainable communities, which is a key Government objective for the area as recognised by the intended creation of a garden city at Ebbsfleet.

106. Whilst objections have been raised as set out under paragraph 41. above on the grounds that the proposal would be prejudicial to the Government's announcement for a garden city at Ebbsfleet, and would also significantly prejudice the London Paramount proposal, for the reasons set out above I would strongly dispute such assertions. In my opinion having regard to Government Guidance which encourages LPAs to work proactively with applicants to secure sustainable development and as a means of achieving this considers planning has an important role in the delivery of new renewable and low carbon energy infrastructure, arguably Teal Energy's proposal should be viewed as being a positive asset to Government's aspirations for the area.

107. With regard to London Paramount, the County Council supports such initiatives in recognition of the future economic role it could potentially play for the area. In this respect it is my view the Teal proposal could prove of value in supporting London Paramount by having the potential to provide a much needed new source of future energy supply. I also consider that given there are existing processes available that would allow Paramount to enter into negotiations to secure any land necessary to carry out their development (*i.e. as is part of the normal process following the grant of any planning permission where an applicant is not a landowner*) this would not in itself significantly prejudice Paramount's proposal from going ahead should any future development consent order be forthcoming. However, Paramount's proposals remain at a relatively early stage where in the absence of any detailed planning application having been made, precise details of the development remain unclear. Furthermore, the Secretary of State for Communities and Local Government in reaching his decision that the proposal would need to be formally considered through the NSIP regime, has made it clear that this decision is without prejudice to his consideration of any future application for an order granting development consent. On this basis there is no guarantee that any such consent would be forthcoming. Given these uncertainties, in my view it would be unreasonable to delay making a decision on Teal's proposal which I consider is fully consistent with Government policy and guidance and those relevant development plan policies applying to the site.

108. Accordingly I recommend that subject to the satisfactory completion of a Legal Agreement to secure the translocation of protected species from the site to an offsite receptor site, permission be granted subject to the imposition of appropriately worded conditions.

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Recommendation

109.I RECOMMEND that SUBJECT TO the satisfactory completion of a Legal Agreement to secure the translocation of protected species from the site to an offsite receptor site that PERMISSION BE GRANTED SUBJECT TO conditions covering amongst other matters;

- Maximum waste throughputs restricted to 250,000 tonnes per annum and all vehicles to have a minimum carrying capacity of 20 tonnes.
- Vehicle movements to and from the site restricted to between 0700 and 1900 hours Mondays to Saturdays only with no movements on Sundays or Bank Holidays.
- Maximum number of vehicle movements per hour restricted to 9 movements per hour. During peak hours of 0800 to 0930 hours and 1600 to 1800 hours vehicle movements restricted to a maximum of 4 movements per hour.
- Submission of a Route Management Plan which avoids vehicles using minor residential roads.
- Provision of wheel washing facilities.
- Land Contamination Risk Assessment.
- No infiltration of surface water into the ground.
- Details of piling methods.
- Details of a Surface Water Drainage Scheme.
- Details of a Construction Environmental Management Plan.
- Details of Site Construction methods and safeguards during the operation of the site to protect the interests of HS1.
- Details of foul water disposal.
- Details of Dust, Odour, Noise Management Plans during construction and operation of the site.
- Details of an Ecological Mitigation Strategy designed to address mitigation for the loss of black redstart habitat.
- Details of the external finish of buildings.

Case Officer: Mike Clifton

Tel. no: 03000 413350

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

Five classroom extension, new hall, and provision of drop-off facility at Oakfield Lane Primary School, Dartford – DA/14/19 (KCC/DA/0326/2013)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 September 2014.

Proposed erection of a new 5 classroom block extension and a new hall, including the demolition of the existing hall and former air raid shelters, provision of a new drop-off point for parents and the erection of an external covered walkway to part of the extension at Oakfield Lane Primary School, Oakfield Lane, Dartford - DA/14/19 (KCC/DA/0326/2013)

Recommendation: planning permission be GRANTED subject to CONDITIONS.

Local Members: Mrs Ann Allen

Classification: Unrestricted

Site

1. Oakfield Lane Primary School is located to the south of Dartford town centre and to the west of Wilmington. The Primary School is 2 form of entry (FE) at present, with built accommodation largely located to the north of the site, although a newly built nursery is located to the south east of the main school building (see paragraph 4 for planning history). The 2.33 hectare (5.75 acres) school site is bounded to the north by Oakfield Lane, with facing residential properties opposite the site, to the east by the A225 with a Sure Start Children's Centre, Public House (The Orange Tree) and residential properties backing onto the site, to the south by Church Hill, with facing residential properties, and to the west by properties in Oakfield Park Road/Carsington Gardens which back onto the site. To the north west of the application site, a property to the south of Oakfield Lane (number 2 Oakfield Lane) is adjacent to school site boundary.
2. The school site is accessed from Oakfield Lane, with car parking (30 spaces for school staff, 4 disabled spaces and 3 spaces allocated to the Sure Start Centre) to the north east of the school building. To the north/north west of the application site the school building is separated from Oakfield Lane by a playground which is limited in its northern extent by former air raid shelters. The playground is at a lower level than Oakfield Lane, with an embankment rising up from the playground to the site boundary. The air raid shelters are at the base of the embankment, which is unused and overgrown with trees and vegetation. To the south of the application site lies a small car park and separate controlled access from Church Hill for use by staff associated with the Nursery only.
3. This application proposes development to the north west of the school site, between the existing school building to the south and the Oakfield Road site boundary to the north. The red line application site boundary includes the existing access from Oakfield Lane and abuts the western school site boundary which adjoins number 2 Oakfield Lane.

A site location plan is attached.

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Site Location Plan

NOTES

Check all dimensions and all bearings.
 Check all the locations of all the buildings.
 The site location plan is provided as a guide only.
 It is not intended to be used as a basis for any other
 arrangements between the developer and other
 interested parties.

Scale: 1:1000

N

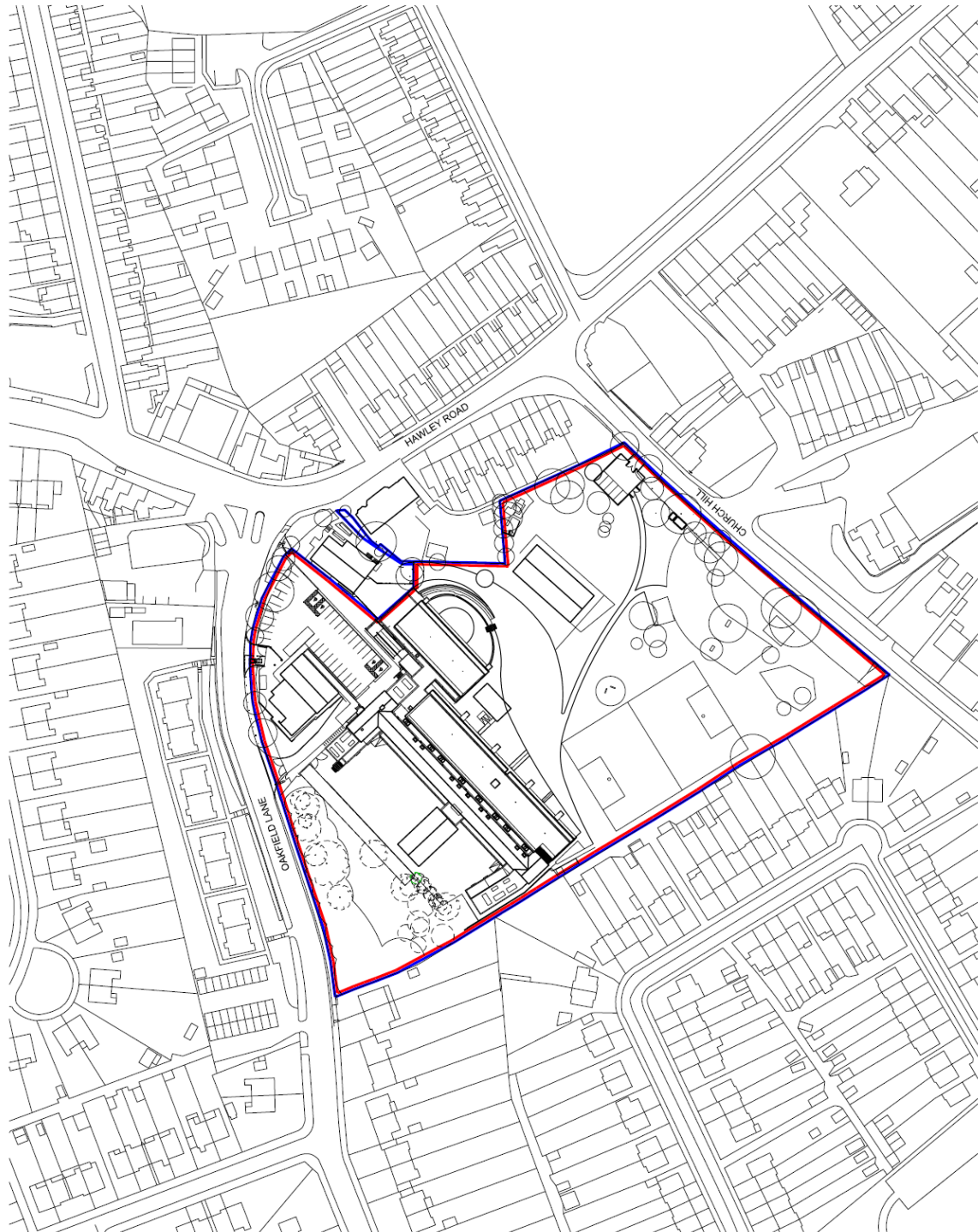
DATE: 14 OCT 2013 PLANNING ISSUE

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PROJECT: OAKFIELD PRIMARY SCHOOL, DARTFORD

LOCATION PLAN	
DATE	14 OCT 2013
DESIGNER	GM
DATE	10 SEP 13
DATE	JK
DATE	RM
DATE	PT



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Proposed Site Plan



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Proposed Floor Plan



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Background/Relevant Planning History

4. Oakfield Primary School was previously split into two schools, Oakfield Junior and Oakfield Infant Schools, both of which had their own buildings on the site. Application reference DA/08/209 proposed the demolition of the existing Infant School buildings, and the construction of a 2FE Primary School including partial refurbishment of the existing Junior School buildings. That application was granted permission under delegated powers in April 2008, and was subsequently implemented. Subsequent to that, planning permission has been granted under delegated powers for the following on the site:
 - DA/08/842 – renewal of planning application for mobile units;
 - DA/10/252 – retention of construction access on Church Hill for maintenance access;
 - DA/12/625 – new temporary modular building;
 - DA/12/762 – single storey nursery building and 5 car parking spaces accessed via Church Hill;
 - DA/13/457 – renewal of temporary permission DA/12/625; and
 - DA/13/1676 – renewal of temporary permission DA/08/842;

5. This application proposes to provide the accommodation required to cater for a previously agreed expansion of Oakfield Lane Primary School from 2FE to 3FE. The applicant advises that due to changing demographics in the area, with an increasing birth rate and in-migration, Oakfield Lane Primary School has expanded from 2FE to 3FE, with reception stage classes already at 3FE with teaching accommodation provided in temporary modular accommodation. This application was validated in December 2013, and has taken longer than expected to determine due to a requirement to undertake ecological surveys which have only recently been concluded and submitted. As the school's intake has already had to expand to 3 FE, additional accommodation is needed in September 2014 to accommodate the additional class to be admitted in the next academic year. Due to the delay in the determination of this application, meaning the provision of permanent accommodation has not been possible, an application has been submitted for the provision of a temporary two classroom modular building. That application, reference KCC/DA/0197/2014, is on the papers for this Planning Application's Committee under Item D2.

Proposal

6. This application has been submitted by Kent County Council Property and Infrastructure Support and is part of the County wide Basic Needs Programme. The application proposes the demolition of the existing hall and the former air raid shelters and the erection of a 5 classroom extension and a new school hall. A drop off point for parents is also proposed. The expansion from 2FE to 3FE would increase pupil numbers to 630 (2FE intake is 420), and staff numbers would increase from 30 full time to 36, and 53 part time to 55. It should be noted that the reception year is already operating at 3FE, and that pupil and staff numbers would increase gradually over a period of time (as each year group expands to 3FE as they move up through the school).

7. With regard to the classroom block, it is proposed that an extension is added to the western elevation of the existing school building, returning east to run parallel with the existing school building to create a courtyard playground. It is proposed to provide two classrooms to the extension to the western elevation, which would run parallel with the western site boundary. A further three classrooms are proposed in the return wing, which is proposed to run east-west, parallel with the existing school building. Each of the 5 classrooms would provide a minimum of 60m² internal floor space, and would

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include a resource store and wet area. Additional toilet facilities, cloak areas and a plant room are also proposed within the extension. At the eastern end of the classroom wing a new main school hall is proposed. The classroom extension would be linked to the existing building internally by linking with an existing corridor, and externally by the provision of a covered walk way to the eastern elevation of the western classroom wing.

8. The applicant advises that the existing hall does not comply with the current DfE and Kent County Council recommendations in size to cater for a 3FE intake (289m²). To accommodate all 630 pupils associated with a 3FE school and staff, the proposed hall would be 300m², sufficient to comply with size recommendations. In addition, the proposed hall would comply with Sport England design guidelines in terms of the provision of a 2-court sports hall.
9. To accommodate the extension on site without encroaching onto playing field or car parking areas, it has been necessary to propose the extension on a footprint that would necessitate the removal of the former air raid shelters cutting into the embankment to the north west of the school site. The single storey extension would adopt the design of the newly built school building in terms of mass, scale and form, with roofs sloping down towards the site boundaries and classrooms opening onto the playground. To the rear of the new classroom block a maintenance and emergency access route would run between the building and the necessary retaining wall.
10. The proposed building is to be clad in a combination of dark grey brick and yellow fibre cement panelling. Windows and doors would be aluminium framed units, powder coated mid grey with some feature windows in red and orange (to match the existing school buildings). A shallow pitched dark grey slate insulated roof is proposed, again to match the existing school. The hall roof is proposed to be clad with a dark grey insulated metal finish, with the roof curving and continue to ground level (albeit higher than the internal floor level) to the rear of the building, facing Oakfield Lane. The two side walls of the hall are proposed to be finished in yellow fibre cement panelling, with the front elevation facing into the site finished in glass.
11. The school would continue to be accessed on foot using the existing pedestrian entrance on Oakfield Lane. This application does, however, propose changes to the current vehicular access arrangements. An additional exit point is proposed to the west of the existing site access on Oakfield Lane. Those using the existing access to enter the car park would enter and exit as per the current one way system on site. However, the new exit point would be linked to the existing access via a new parent drop-off point, located to the north of the proposed new hall on the currently unused and overgrown embankment area. The area proposed for the new drop-off facility is at the top of the embankment and fairly flat in nature. The drop-off area would contain 6 bays for parents to pull into the drop off pupils, and it is also proposed that these spaces be used during the school day by part time staff that are not on site at the start and end of the school day.

The application is supported by a Design and Access Statement, Ecological Scoping Survey Report, Reptile Survey Report, Bat Survey Report, Arboricultural Impact Assessment, Desktop Study and Walkover Survey, Transport Statement, and Travel Plan.

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Planning Policies

12. **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;
- promoting sustainable transport.

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.

Development Plan Policies

- (i) The adopted 1995 **Dartford Borough Council Local Plan (Saved Policies)**:

Policy B1 Development proposals should be appropriate for the location and should not have a detrimental amenity impact on the local area. A high standard of design should be implemented in proposals with layout, materials, adequate infrastructure, access and parking taken into consideration.

Policy B12 Archaeological sites will be preserved and protected.

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- Policy S6** Development proposals should conserve and improve the existing built environment and a high quality and standard of design shall be achieved in new development.
- Policy T19** Development proposals should be appropriately related to the highway network and not generate volumes of traffic in excess of the capacity of the highway network.
- Policy T23** Development proposals should include adequate off-street parking facilities.
- Policy T27** Development proposals shall make adequate provision for pedestrians.

(ii) **Dartford Borough Core Strategy (2011)**

- Policy CS15 Managing Transport Demand:** Development proposals which generate additional traffic should use measures to encourage sustainable patterns of travel including travel plans and Car Parking Supplementary Planning Document.
- Policy CS21 Community Services:** Seeks to ensure the effective provision of community services.
- Policy CS23 Minimising Carbon Emissions:** Development proposals shall ensure reductions in energy use through design and layout of development
- Policy CS25 Water Management:** Development proposals shall ensure that the quality of surface and groundwater's is protected and enhanced.

Consultations

13. **Dartford Borough Council** raises no objection to the proposal and comments as follows:

“The County Council are asked to consider the highways and parking implications of the proposal in the interests of local residential amenity and highway and parking conditions. Consideration should also be given to maintaining a historic record of the air raid shelters lost as a result of the development and a copy of any such record sent to the Wilmington Heritage Centre.”

Wilmington Parish Council has no comments/observations to make other than welcoming the proposed provision of a new drop-off point for parents.

Kent County Council Highways and Transportation considers that the expanded school should be able to function without excessive impact on the road network, provided that school traffic and parking is managed adequately. The issue of parents setting down and picking up children without creating difficulties for other road users is fundamental to making the enlarged school acceptable in highway terms. Highways and Transportation suggest that the School should work with the parking enforcement authority (Dartford Borough Council) and the Police to ensure that parking offences

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result in fines in order that offending parents take traffic signs and parking restrictions seriously. It is recommended that that be included within the School Travel Plan.

Although the provision of additional on-site car parking would be preferred, an objection would not be warranted as the impacts of the proposal on the local highway network would not be severe without the provision of additional on-site car parking. It is recommended that the applicants seriously consider making parking available to school staff in the car park off Church Lane (Nursery car park).

Should planning permission be granted, Highways and Transportation recommend that conditions be imposed requiring:

- 1) the submission of a construction site and traffic management plan, showing parking during construction and procedures governing HGVs entering and leaving the site, including wheel washing measures;
- 2) the submission of plans to show acceptable visibility plays at the new exit.

Environment Agency raises no objection to the proposal subject to the imposition of a condition of consent requiring the submission of a remediation strategy to deal with the risks associated with contamination of the site including a verification report, the submission of a scheme for the disposal of surface water, and conditions controlling the infiltration of surface water drainage into the ground and further land contamination.

The County Council's Biodiversity Officer comments as follows:

"We are satisfied that the surveys were carried out to an appropriate standard.

No reptiles were recorded during the survey and as such no further work is required in relation to their potential presence.

Low levels of bat use of the site for commuting and foraging were recorded but there was no evidence recorded of bats roosting on the site. As stated in the report, there remains some potential for occasional use of the trees by bats during the active season. If the tree removal works are to be carried out between October and February, no ecological supervision is considered necessary as it is reported that the trees do not contain suitable bat hibernation features. This timing would also reduce the potential for offences against breeding birds. If the works to remove the trees are to be carried out during the active season (March to September (October if mild)), then reasonable avoidance measures will need to be implemented. This should be secured by condition, if planning permission is granted. Suggested condition wording is provided below. Please note that we do not consider it necessary for this to be an extensive document.

No development shall take place until an ecological method statement for the removal of trees with bat roosting potential has been submitted to and approved in writing by the local planning authority. The EDS shall include the following:

- a) *Purpose and conservation objectives for the proposed works;*
- b) *Detailed design(s) and/or working method(s) to achieve stated objectives;*
- c) *Extent and location/area of proposed works on appropriate scale maps and plans;*
- d) *Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;*
- e) *Persons responsible for implementing the works;*

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As recommended in the *Bat Survey Report*, any external lighting required should be designed to minimise the potential for impacts to bats that use the site for foraging and commuting through the use of hoods/cowls/shields, and by avoiding direct illumination of trees and other vegetation.

We advise that the landscaping of the site should incorporate appropriate native species planting to replace the features that will be lost.”

The County Archaeologist no comments received to date.

The County Council’s Landscape Advisor raises no objection to the application, and is happy with the applicant’s response to previous queries raised, including the submission of an amended Arboricultural Impact Assessment. Replacement planting should be secured by condition of consent, with specific reference to the provision of replacement trees and planting to the area between the drop off area and the Oakfield Lane site boundary.

The County Council’s School Travel Plan Advisor considers that an amended/updated School Travel Plan should be submitted, which should address any outstanding matters. It is advised that the School register with the County Council’s new Jambusters system, and prepare the Travel Plan using that purpose built data base.

Local Member

14. The local County Member, Mrs Ann Allen, was notified of the application on the 7 January 2014.

Publicity

15. The application was publicised by the posting of 3 site notices and the individual notification of 64 neighbouring properties.

Representations

16. To date, I have received a total of 7 individual letters of representation from 5 local properties/residents.

A summary of the main issues raised/points made to date are set out below:

Access and car parking

- On-street parking space in **Oakfield Lane** would be lost as a result of providing the proposed drop-off access for school parents – parking space is limited on Oakfield Lane and losing spaces for the new access is absurd;
- The proposed drop-off may alleviate traffic problems in the morning, but the problems would still persist in the afternoons.
- There is no regulation of parking by the School, with staff from the school and the SureStart Centre parking on the road themselves;
- Better use should be made of land within the site for parking spaces for visitors, parents and staff;
- The proposed pick-up and drop-off area would not reduce the increased traffic flow at peak times, and may even cause more congestion with vehicles entering and leaving;

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- Whilst the peak-time congestion is only for half an hour twice a day, parked vehicles from 0800 to 1700 hours makes it dangerous for residents using driveways because of impeded visibility up and down Oakfield Lane;
- KCC should acquire the Alsford Timber site [at the corner of Oakfield Lane and Lowfield Street] for school parking use, rather than its proposed re-use for commercial vehicle hire, which will add to local traffic problems;
- KCC should introduce yellow lines to prohibit on-street parking altogether on this part of Oakfield Lane;
- The Travel Plan refers to opening up a side gate from **Oakfield Park Road** to the west, but that is in private ownership, and its use would be resisted because of extra traffic congestion, difficulties for parking by residents and the need for constant access to properties;
- Use of the suggested western access is via a rough alleyway providing access to rear garages, and previous blocking of the access by vehicles meant residents could not get their vehicles out; following complaints the School closed that gate and the problem was solved, but we would strongly object to re-establishing that school access;
- Nuisance parking and blocking of house driveways previously occurred in Oakfield Park Road, and we were assured by the School that parent access via this access would not be allowed again.

Amenity Aspects

- Would like to see more flowering trees to improve the visual aspect;
- Sympathetic to the School's requirements for new buildings, but would like to see any trees removed being replaced to preserve the views and birdlife.

Following correspondence with those submitting representations, one resident in Oakfield Lane has maintained their objections as follows:

- The land proposed for the drop off would be better used for parking rather than drop-off and collection, since the same volume of traffic would use Oakfield Lane and the congestion likely to be made worse;
- If zig-zag lines are only to restrict parking at school peak times, why cannot a similar arrangement be introduced outside the houses farther up the road? Efforts should be made to resolve the problems for residents of cars constantly parked outside our houses during the day;
- When exiting driveways it is frequently impossible, with the parked cars, to see traffic approaching in either direction;
- The main problem is not the parking by school parents but the parking throughout the day, aggravated by inadequate parking available within the school grounds, including for the adjacent Children's Centre.

Discussion

17. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 12 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance, including the new National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity. Issues of particular relevance include design and layout considerations, parking and access, biodiversity, landscaping and tree protection and residential amenities.

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Need

18. The expansion of the school is part of the targeted Basic Needs programme to provide new school places across Kent, and the whole country, to cater for the demand created by the previously underestimated national demographic changes. In West Kent this demand is increased by the in-migration of pupils either moving out of London or opting to send children to schools in Kent rather than neighbouring London Boroughs. The National Planning Policy Framework, together with the Planning for Schools Development Policy Statement, strongly promote the provision of new or expanded schools and exhort local planning authorities to work with developers to overcome any obstacle to the securing planning consents. I therefore see no objection in principle to the proposed development, which is strongly supported by the general thrust of planning policy.

Design and Layout

19. The proposed design of the new buildings has been carefully considered to correlate with some of the more recent built development at the school, including the choice of materials and colours to be employed externally. Whilst the materials and colour treatment might seem incongruous on some school sites, it is important to respect the local context, and since the neighbouring built development is largely modern with no distinctive or heritage characteristics to follow, the design details proposed here appropriately respond to the recent school buildings on the site itself.
20. The proposed siting and layout logically groups the new build with the existing buildings and where there would be the least conflict with other requirements for playspace and playing field protection. To accommodate the new build and the proposed new access and parent drop-off area however in this northern part of the site would however involve the loss of trees and a landscaped part of the site, and the visual impact and arboricultural impacts of that is discussed further below.

Parking and Access

21. Most of the local neighbour objections relate to the potential for parking nuisance and congestion in Oakfield Park Road, in the event that the former side access to the school site is re-opened there. Following discussion with the applicants, the School has confirmed that there 'are absolutely no plans to re-open the Oakfield Park Road gate as an alternative access'. Although the School use the access for quick access to Oakfield Park, with residents' agreement, the School have confirmed that they would never consider use of the gate as a permanent alternative access. Consequently all those objections have been withdrawn.
22. The objections which cannot be resolved relate to parking in Oakfield Lane, which would appear to be a perennial occurrence and not necessarily related only to the operation of the Primary School. There are other activities that would account for some of the on-street parking, but the school staff are understood to exacerbate the problem by parking throughout the working day. However, it is not clear why school staff would opt to park some distance away from the school entrance, by the complainant's house, when there is other unrestricted parking space closer and presumably not occupied by school parents when most staff arrive. Nevertheless, the current proposal includes improved on-site drop-off and pick-up provision and increased parking provision for part-time/lunch time staff (within the drop-off/pick-up area). In addition, as required by Highways and Transportation, should permission be granted a revised Travel Plan

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would be required pursuant to condition, which must include, amongst other matters, measures to promote safer and more considerate parking by parents associated with the school, and measures to encourage use of the drop-off facility. These Travel Plan initiatives would further reduce the likelihood of continued on-street parking by both staff and parents.

23. Although it is argued that roadside parking spaces would be lost with the creation of the extra access point, the improved on-site parking and circulation space would compensate for that loss, as well as encouraging those just dropping-off/collecting to enter the site rather than occupy roadside space, and then depart leaving space for others to follow them. Criticism of drop-off facilities is common in places where they have not operated effectively, but where the parents are properly informed and understand from the outset how they are intended to be used, there is the potential to avoid dozens of on-street parking spaces being occupied and no need to permanently sterilise significant areas of the school site for parking that is only need for a few minutes twice per school day. Clearly careful management of the use of drop-off spaces is crucial to avoid them being misused as parking spaces, but I see no reason why that could not be achieved here, backed up by an updated School Travel Plan.
24. It also needs to be borne in mind that Oakfield Lane is public highway, and the public highway is there to be used as such - either by passing and re-passing or by parking - and it is not possible to restrict its use to one category of user such as adjacent residents. It is also important not to confuse parking that might be an inconvenience or an irritation, with parking that is actually causing a danger to road safety. Where there is a serious danger or regular obstruction being caused, then the Borough Council and the Highway Authority work together to introduce parking or waiting restrictions where it is practicable and has widespread support. In particular, Traffic Regulation Orders cannot always be pursued if other users, residents, businesses object to the restrictions being introduced, which is a common problem where some residents with their own off-road parking want on-street parking controls introduced but other residents or businesses without their own private facilities do not. In particular, in this case, we received objections to a loss on on-street car parking, and representations from those who wished to see all on-street car parking removed. With regard to concerns regarding a loss on on-street car parking, these were overcome by an agreement by the applicant to provide signage enabling parking on 'School Keep Clear' zig-zag markings for safe roadside parking between the hours of 6pm and 7am Monday to Friday and anytime on Saturdays and Sundays.
25. Although Highways and Transportation would recommend that additional onsite car parking be provided in the car park on site accessed via Church Hill, they do not consider the impacts of the proposal to be unacceptable without such increased parking provision. It should be noted that that car park is for use by staff associated with the on-site stand alone Nursery unit only, and is subject to conditions of consent which limit its use. The car park would need to be extended to enable additional use, and additional use of that access point would need to be subject to further consultation. I therefore do not consider increased use of that car park to be acceptable at this time, especially in considering that the Highway Authority are satisfied that the application as proposed would not have an 'excessive impact on the local road network. However, in the light of the continued concern, I consider that it would be appropriate to ask for the off-site situation to be regularly monitored and for the School to work further with Highways and Transportation to explore any necessary measures to further reduce parking on Oakfield Lane by school staff and visitors. In this regard, there is scope to manage the use of the drop-off area so that it can be used for staff parking during the rest of the school day, eg. by part-time staff, midday supervisors and visitors. This is something that the school

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are proposing to do, in addition to the Travel Plan targets referred to in paragraph 22 above.

26. It is suggested by a local resident that the County Council buy the Alsford Timber site on the corner of Oakfield Lane and the A225, to provide additional car parking for the school. However, it would be impracticable and unaffordable for KCC or the School to acquire a neighbouring business premises solely for the purpose of providing some extra top-up parking space for the school, when most of its parking needs can be met within the school grounds. Moreover, even it was feasible, an off-site parking area would be empty for most of the working day, and completely unused at weekends and school holiday times, potentially presenting maintenance and security problems. Under the circumstances, I consider that the combination of the proposed drop-off facilities (including use for parking during the school day) and the Travel Plan initiatives are sufficient in this particular case to ensure that the use of Oakfield Lane is made no worse with the rise in the school roll, and potentially would be improved.
27. In considering the above, I am satisfied that subject to the imposition of conditions requiring the submission of visibility splays at the new exit, the submission of an updated/revised Travel Plan within 6 months of the date of occupation, the provision of the drop-off facility prior to occupation and its subsequent retention, and the provision of signage enabling parking on 'School Keep Clear' zig-zag markings for safe roadside parking between the hours of 6pm and 7am Monday to Friday and anytime on Saturdays and Sundays, that the development would not have a significantly detrimental impact on the local highway network. I therefore see no reason to refuse the application on this ground.

Landscaping and Ecology

28. The proposal necessitates the removal of some trees and undergrowth within the school site, which is regrettable but unavoidable given the extent of trees on the site and the lack of other space within the grounds which is not needed for other purposes. Nevertheless, I am satisfied that there would sufficient trees retained within this part of the site to not unduly alter the existing landscape character. In addition, replacement trees are proposed to be planted as part of the proposals, as requested by the Landscape Officer and one of the neighbouring residents, and the School has agreed to consider the possibility of flowering trees. The Biodiversity Officer has however advised that native species trees should be used to replicate the wildlife habitat that would be lost to the development
29. The submitted Arboricultural Impact Assessment uses a standard methodology for categorisation of the trees in terms of their health, longevity and species value. 17 Grade C trees would be lost, together with 4 groups of Grade C trees, plus 3 Grade U trees to be removed anyway in the interests of sound arboricultural management. These trees are judged to be of low quality and value in terms of retention, and whilst they are nevertheless of some visual screening value, the proposed scheme of replanting is judged to be capable of restoring that screening value. The trees to be lost would include largely Norway Maples with Sycamore, Beech and Elm, which are either native or now naturalised in the UK.
30. Both the requirement for a scheme of landscaping and tree planting, and the Biodiversity Officer's requirements relating to bat roost protection (if works to remove trees are to be undertaken between March and October, an ecological method statement for the removal of trees with bat roost potential must be submitted and approved prior to commencement) would be covered by planning conditions in the event that planning

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consent was given. Similarly, further aspects of potential concern raised by the Biodiversity Officer would also be covered by planning conditions to ensure best practice and appropriate mitigation is followed. Subject to the imposition of the conditions outlined above, I am of the view that the development would not have a detrimental impact on the local landscape, trees on site, or ecology/biodiversity.

Residential Amenities and Construction Matters

31. Other than off-site traffic and parking issues, and the replacement of trees, no issues of specific residential amenity have been raised by objectors, and I am satisfied that the proposed development is sufficiently distanced from neighbouring properties to avoid any adverse impacts. However, given that there are nearby residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction and demolition in order 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 normal on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.
32. In accordance with the requirements of Highways and Transportation, 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, and details of any construction accesses. 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.
33. 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.

Other Matters

34. The Borough Council has suggested that building recording should be undertaken in relation to the air raid shelters due to be removed, and if planning consent was to be granted, then that could be made a conditional requirement. The drainage and potential contamination aspects raised by the Environment Agency relate to standard precautionary requirements and would also be covered by routine planning conditions.

Conclusion

35. The proposed development is strongly supported by current planning policy and is wholly acceptable in principle, as well being in accordance with the general thrust of the relevant Development Plan policies. The details of the proposed development are also fully acceptable to my mind, and the objections that the application has attracted relate to parking and access considerations, rather than the proposed development itself. These aspects have been thoroughly investigated and responded to through further correspondence with both applicants and neighbouring residents. The only maintained

Five classroom extension, new hall, and provision of drop-off facility at Oakfield Lane Primary School – DA/14/19 (KCC/DA/0326/2013)

objection relates to on-street parking in Oakfield Lane which is essentially a wider matter, and not wholly related to the proposed school development. Under the circumstances, I consider that planning consent should be granted subject to appropriate conditions to address the key issues raised by respondents and discussed above, including monitoring of school parking on Oakfield Lane.

Recommendation

36. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the submission of details of all materials to be used externally;
- a scheme of landscaping, including hard surfacing, its implementation and maintenance;
- measures to protect trees to be retained;
- if works to remove trees are to be undertaken between March and October, an ecological method statement for the removal of trees with bat roost potential must be submitted and approved prior to commencement;
- no tree removal during the bird breeding season;
- development to accord with the recommendations of the ecological survey;
- submission of an updated Travel Plan within six months of occupation, and thereafter ongoing monitoring and review. Updated Travel Plan to include measures to promote safer and more considerate parking by parents associated with the school, measures to manage and encourage efficient use of the drop-off facility, further monitoring of school parking on Oakfield Lane, and the School and Nursery working together to investigate the scope for optimum use of the car park on Church Hill;
- provision and retention of access, the drop-off/pick-up facility, & circulatory routes;
- submission of visibility splays at the new exit point onto Oakfield Lane;
- provision of signage to enable unrestricted parking on the proposed road markings/zig-zag lines between the hours of 6pm and 7am Monday to Friday and anytime on Saturdays and Sundays;
- recording of the former air raid shelters prior to demolition;
- the submission and approval of further works with regards to contaminated land;
- the submission and approval of details of a surface water drainage scheme;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- construction management strategy, including access, lorry routing, parking and circulation within the site for contractor's and other vehicles related to construction and demolition operations;
- measures to prevent mud and debris being taken onto the public highway.

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

- With regard to the requirement to prepare and submit a (revised/amended) School Travel Plan, the applicant is advised to register with Kent County Council's Travel Plan Management system 'Jambusters' using the following link <http://www.jambusterstpms.co.uk>. Jambusters is a County Wide initiative aiding Schools in the preparation and ongoing monitoring of School Travel Plans.

Item D1

Five classroom extension, new hall, and provision of drop-off facility at Oakfield Lane Primary School – DA/14/19 (KCC/DA/0326/2013)

- 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.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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Item D2

Temporary two classroom modular building at Oakfield Lane Primary School, Dartford - DA/14/00811 (KCC/DA/0197/2014)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 September 2014

Application by Kent County Council Property & Infrastructure Support for the siting of a temporary two classroom modular building at Oakfield Primary School, Oakfield Lane, Dartford (Ref:KCC/DA/0197/2014 and DA/14/00811)

Recommendation: Temporary planning permission be granted, subject to conditions.

Local Member: Mrs Ann Allen

Classification: Unrestricted

Site

1. Oakfield Lane Primary School is located to the south of Dartford town centre and to the west of Wilmington. The Primary School is 2 form of entry (FE) at present, with built accommodation largely located to the north of the site, although a newly built nursery is located to the south east of the main school building (see paragraph 3 for planning history). The 2.33 hectare (5.75 acres) school site is bounded to the north by Oakfield Lane, with facing residential properties opposite the site, to the east by the A225 with a Sure Start Children's Centre, Public House (The Orange Tree) and residential properties backing onto the site, to the south by Church Hill, with facing residential properties, and to the west by properties in Oakfield Park Road/Carsington Gardens which back onto the site. To the north west of the application site, a property to the south of Oakfield Lane (number 2 Oakfield Lane) is adjacent to school site boundary.
2. The school site is accessed from Oakfield Lane, with car parking (30 spaces for school staff, 4 disabled spaces and 3 spaces allocated to the Sure Start Centre) to the north east of the school building. To the north/north west of the application site the school building is separated from Oakfield Lane by a playground which is limited in its northern extent by former air raid shelters. The playground is at a lower level than Oakfield Lane, with an embankment rising up from the playground to the site boundary. The air raid shelters are at the base of the embankment, which is unused and overgrown with trees and vegetation. To the south of the application site lies a small car park and separate controlled access from Church Hill for use by staff associated with the Nursery only. Please see site location plan for the proposed location of the modular building.

Background/Recent Site History

3. Oakfield Primary School was previously split into two schools, Oakfield Junior and Oakfield Infant Schools, both of which had their own buildings on the site. Application reference DA/08/209 proposed the demolition of the existing Infant School buildings, and the construction of a 2FE Primary School including partial refurbishment of the existing Junior School buildings. That application was granted permission under delegated powers in April 2008, and was subsequently implemented. Subsequent to that, planning permission has been granted under delegated powers for the following on the site:

Modular building at Oakfield Primary School, Dartford - DA/14/00811

- a. DA/08/842 – renewal of planning application for mobile units;
 - b. DA/10/252 – retention of construction access on Church Hill for maintenance access;
 - c. DA/12/625 – new temporary modular building;
 - d. DA/12/762 – single storey nursery building and 5 car parking spaces accessed via Church Hill;
 - e. DA/13/457 – renewal of temporary permission DA/12/625; and
 - f. DA/13/1676 – renewal of temporary permission DA/08/842;
4. This application proposes to provide temporary accommodation required to cater for a previously agreed expansion of Oakfield Lane Primary School from 2FE to 3FE. The applicant advises that due to changing demographics in the area, with an increasing birth rate and in-migration, Oakfield Lane Primary School has expanded from 2FE to 3FE, with foundation stage classes already at 3FE with teaching accommodation provided in temporary modular accommodation. The modular double classroom teaching block is required for a temporary period due to the delay in the determination for the erection of a new five classroom block extension to accommodate the additional class to be admitted in the next academic year. The application for a five classroom extension, new hall, and provision of drop-off facility, reference KCC/DA/0326/2013, is on the papers for this Planning Applications Committee Meeting under Item D1.

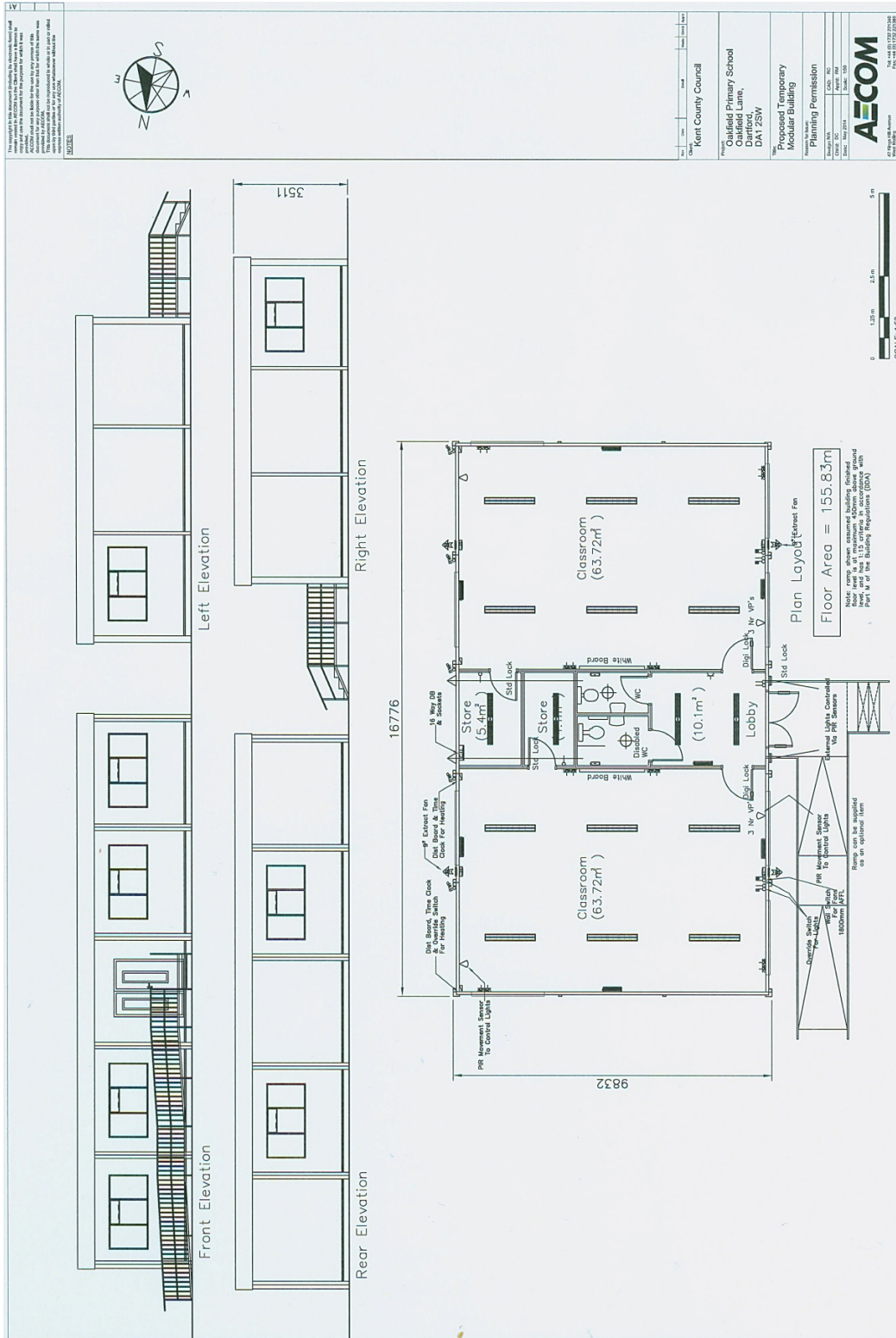
Proposal

5. Kent County Council Property & Infrastructure Support is applying for planning permission for a two classroom temporary modular building at Oakfield Primary School. The applicant states that the mobile classrooms are required to ensure the availability of adequate teaching space for 60 key stage two pupils. The mobile unit would require planning permission for a period of seven months while Kent County Council is seeking planning permission for the erection of a new five classroom block extension (Ref: KCC/DA/0326/2013). Until planning permission is obtained and construction is completed of the new five classroom block it is considered necessary for the installation of a temporary modular unit to allow the school to run effectively in the interim. It is hoped that the new five classroom block would open in approximately March 2015 and therefore this planning application is for temporary planning permission until such a time that the new five classroom block is complete.
6. The site of the proposed building is an area of grass and concrete between an existing brick building and part of the wider open space/playground area. The proposed modular building will be a single storey unit with a shallow felted flat roof, and double glazed UPVC windows. The appearance of the building would be a 'buttermilk' colour, finished in a low maintenance plastisol-coated galvanised steel cladding. The proposed modular building would not be higher than the existing buildings surrounding the site.

Site Location Plan



Elevations and Plan



Planning Policy

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

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

The National Planning Policy Framework (March 2012) and the National Planning Policy Guidance (March 2014) set out the Government's planning policy and guidance for England, and is a material consideration for the determination of planning applications. It does not change the statutory status of the development plan which remains the starting point for decision making. The NPPF and its guidance replace the majority of former Planning Policy Guidance Notes (PPG's) and Planning Policy Statements (PPS's). However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan are 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:

- Promoting sustainable transport;
- Achieving the requirement for high quality design and a good standard of amenity;
- The promotion of health communities;
- Conserving and enhancing the natural environment, including protecting and enhancing valued landscapes.

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 and alter schools, and work with school promoters to identify and resolve key planning issues before applications are submitted.*

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

(ii) **The adopted 1995 Dartford Borough Council Local Plan (Saved Policies):**

Policy B1 Development proposals should be appropriate for the location and should not have a detrimental amenity impact on the local area. A high standard of design should be implemented in proposals with

layout, materials, adequate infrastructure, access and parking taken into consideration.

Policy B12 Archaeological sites will be preserved and protected.

Policy S6 Development proposals should conserve and improve the existing built environment and a high quality and standard of design shall be achieved in new development.

Policy T19 Development proposals should be appropriately related to the highway network and not generate volumes of traffic in excess of the capacity of the highway network.

Policy T23 Development proposals should include adequate off-street parking facilities.

Policy T27 Development proposals shall make adequate provision for pedestrians.

(iii) **Dartford Borough Core Strategy (2011)**

Policy CS15 Managing Transport Demand: Development proposals which generate additional traffic should use measures to encourage sustainable patterns of travel including travel plans and Car Parking Supplementary Planning Document.

Policy CS21 Community Services: Seeks to ensure the effective provision of community services.

Policy CS23 Minimising Carbon Emissions: Development proposals shall ensure reductions in energy use through design and layout of development

Policy CS25 Water Management: Development proposals shall ensure that the quality of surface and groundwater's is protected and enhanced.

Consultations

8. **Dartford Borough Council** – No objection subject to a restriction on the duration for the siting period.

Environment Agency (Kent Area) – No comments.

Kent County Council Highways and Transportation - Although the provision of additional on-site car parking would be preferred, an objection would not be warranted as the impacts of the proposal on the local highway network would not be severe without the provision of additional on-site car parking. It is recommended that the applicants seriously consider making parking available to school staff in the car park off Church Hill (Nursery car park).

Wilmington Parish Council - No objection.

Local Member

9. The local County Member, Mrs Ann Allen was notified of the application on 4th August and has stated support for the application and welcomes the extra facilities at the school.

Publicity

10. The application was publicised by the posting of a site notice and the notification of 19 neighbours.

Representations

11. In response to the publicity, 1 letter of representation has been received objecting to the proposal. The key points raised can be summarised as follows:
 - Concern over the increased roll of the school resulting in increased traffic movements on Oakfield Lane from parents during the school drop off and pick up periods.

Discussion

12. In considering this proposal regard must be had to the 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 the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In my opinion, the key material planning considerations in this particular case can be summarised by the following headings:

- Siting and Design
- Need
- Potential impact on Highways and Transportation

13. This application has been reported for determination by the Planning Applications Committee following the receipt of a representation from a local resident. Objection has been raised on the grounds of the extensive parking on Oakfield Lane in the vicinity of the school. The resident is concerned that the increased school roll could further impact on the local highway in the vicinity of the school.

Siting and Design

14. The site of the proposed building is an area of grass and concrete between an existing building and part of the wider open space/playground area. A number of temporary mobile units of varying sizes have been placed at the school with one unit adjoining the proposed location of this application.
15. With regard to development of this location, the grassed area does not form part of any playing area but the proposal would encroach onto the playground. However, as this application is only for a temporary solution pending the erection of a new five classroom block extension referred to in paragraph (5) above. I would not therefore

raise an objection on the basis of a temporary loss of open space or playing area land.

16. Given the appearance of the classroom buildings would be of low visual quality it could be argued that it does not meet all the planning policy objectives for a high standard of design. The appearance of the classroom buildings would be of lower visual quality to the high quality detailing and materials used in the recently built adjacent buildings. However, given the short term need and as it is intended to be temporary I do not consider an objection on these grounds would be justified in this particular case.

Need

17. The purpose of this application is to provide classroom accommodation for additional pupils at the school. The proposal would provide teaching facilities for 60 key stage two pupils. If permission is granted the applicant proposes that the mobile classrooms would be used from September 2014. The proposed mobile unit would require planning permission for a period of seven months until the construction of a new five classroom block is in operation anticipated in March 2015, and therefore this planning application is for temporary planning permission until such a time that the new five classroom block is complete. The applicant is proposing that once the new permanent classroom units are operational the proposed two classroom modular unit would be removed from the site, so the development is genuinely temporary.
18. The NPPF considers that a key fact of delivering sustainable development is promoting healthy communities and as part of this attaches great importance to ensuring sufficient choice of school places to meet demand. It advises that local planning authorities should give great weight to the need to create, expand or alter schools and to work with schools promoters to identify and resolve key planning issues before applications are submitted. The Government's planning statement "Planning for Schools Development" (August 2011) also concerns the sufficient provision to meet growing demand for school places, increased choice and opportunity and raising educational standards. There is strong planning policy support for the improvement of school facilities and for local planning authorities to take a positive approach when dealing with such proposals. That includes the adaptation and improvement of existing school facilities.
19. I am therefore persuaded that the School has a genuine need for this proposal given the information provided within the application.

Highways and traffic

20. Vehicle access to the school is via Oakfield Lane which is a residential street as well as a through road. The road is single carriageway with adequate room for two vehicles to pass safely, however this is restricted when vehicles are parked in the road.
21. Highways & Transportation raises no objections to the mobile building on the basis of it being for a temporary period only, and whilst they would prefer to see additional on-site car parking be provided they do not consider the impacts of the proposal to be unacceptable without such increased parking provision. The suggestion of making greater use of the on-site car park accessed via Church Hill however is not as straight forward as it might seem. First, that car park is for use by staff associated

with the on-site standalone Nursery unit only, and is subject to conditions of consent which limit its use to the Nursery. Secondly, increased use of Church Hill as a school access has previously been presumed against because of the poor ability of the Church Hill junction with the A225 to accommodate significant extra traffic movements. Thirdly, the car park might need to be extended to enable any additional use to occur, and is likely to impact on playing field land, and would nevertheless require further consultation as part of a further planning application. Under the circumstances, I have some doubts over the deliverability of that option, but would recommend that the use of that car park be re-investigated as part of the School Travel Plan work to be required pursuant to the application for the permanent new classroom development (DA/14/19).

22. A local resident has objected to the application on the grounds of unacceptable impact on the local highway on Oakfield Lane due to parents setting down and picking up children. Given that the proposal is for temporary planning permission and a planning application has been submitted indicating a clear intention to develop a more permanent solution to address any potential adverse highway impact from the school by providing on-site drop-off and pick-up provision and increased parking provision for part-time/lunch time staff (within the drop-off/pick-up area). I am confident that the measures promoted within application Ref KCC/DA/0326/2013 will mitigate the temporary adverse highway impact on Oakfield Lane on implementation, and the potential impact from the increased school roll does not outweigh the importance placed by the NPPF on ensuring sufficient school places are available. Therefore, I do not consider that there is any significant basis on which to raise a material highway objection in this particular case.

Conclusion

23. The application has been considered on its own merits and in the light of the NPPF, the Planning for Schools Development Policy Statement, the Development Plan and the material considerations including comments received about the scheme. Whilst the proposal does not fully accord with Development Plan Policies or the NPPF in respect of design, given the importance the NPPF places on ensuring sufficient school places are available to meet demand, that the proposal would be temporary, and a planning application has been submitted indicating a clear intention to develop a more permanent solution to the school's accommodation needs, I therefore do not consider that an objection would be warranted in this particular case, subject to the imposition of conditions.

Recommendation

24. I RECOMMEND that TEMPORARY PERMISSION BE GRANTED, SUBJECT TO the following conditions:
- The units to be removed from the site by the end of July 2015 and that the site to be satisfactorily restored;
 - That the development be carried out in accordance with submitted details;
 - Restriction of construction hours to between 0800 and 1800 Monday to Friday, 0900 and 1300 Saturday with no operations on Sundays and Bank 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.

Modular building at Oakfield Primary School, Dartford - DA/14/00811

I FURTHER RECOMMEND THAT the School and the Nursery work together to ensure the optimum use of the Nursery car park accessed off Church Hill.

Case Officer: Adam Reynolds

Tel. no: 03000 413446

Background Documents: see section heading

Single storey extension for 2 additional classrooms and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham
SW/14/0614 (KCC/SW/0135/2014)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 September 2014.

Application by Kent County Council Property and Infrastructure Support for the construction of a single storey extension to provide 2 additional classrooms with toilets together with external playground space, and the siting of two temporary mobile classrooms and toilets for use during the construction phase at Ospringe Church of England School, Water Lane, Ospringe, Faversham, Kent ME13 8TX – SW/14/0614 (KCC/SW/0135/2014)

Recommendation: Permission be granted subject to conditions.

Local Members: Mr A Bowles & Mr T Gates

Classification: Unrestricted

Site

1. Ospringe Primary School is located on the southern edge of Faversham in the hamlet of Ospringe. The original school is a single storey yellow brick building with clay roof tiles, which sits along the road frontage. It has two gable features, white windows and stone window plinths and is of a very traditional design. White railings enclose the school along the front of the site by the footpath and vehicle access to the parking area is towards the northern end of the site.
2. The school has had numerous modern extensions added to the rear, which are also mainly of yellow brick but with flat roofs, and of little architectural merit. Teddies pre-school building is located to the west of the school and also backs onto the playing fields.
3. There is a sports field located to the north-east of the school, laid to grass and enclosed along the boundaries with mature trees. There are allotment gardens to the west of the school and playing fields. The eastern boundary of the playing field is formed with the rear gardens of the properties which front onto Water Lane. Number 50 Water Lane is the closest to the school and is a bungalow, whilst 44, 46 and 48 are two storey properties. Opposite the school on the other side of Water Lane are bungalows.
4. Water Lane is a predominantly residential street. The road varies in width along its length but is relatively narrow overall with parking on both sides of the road, requiring cars to pass in single file in places, although not outside the school frontage. Water Lane meets the A2 with a T-junction at the northern end of the road, where the road width is restricted by historic buildings.
5. The school lies within the Ospringe Conservation Area, which extends further south along Water Lane and north to the properties along the A2.

2 classroom extension and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham
SW/14/0614 (KCC/SW/0135/2014)

Background

6. Ospringe CE Primary School is a 1 Form Entry school. In September 2011, due to demand for school places in Faversham, the Local Authority increased the Published Admission Number (PAN) from 30 to 40 on a temporary basis, and the school has continued this temporary expansion for the last three years admitting 40 reception age pupils in September 2011, 2012 and 2013. In order to continue to meet the demand for primary school places in Faversham, the temporary increase in the PAN will be continued for one more year - with the PAN increasing to 45 for this September (2014). From September 2015 the PAN will revert back to 30 pupils.
7. Whilst the PAN reduces again from next September the School needs to accommodate this temporary 4 year bulge as it works its way through the school. The School have advised that in order to keep infant class sizes down to 30 pupils, and avoid having mixed key stage classes (which compromise the quality of the delivery of the curriculum), the school need 10 classrooms in all. To partly meet the demand caused over the previous 3 years the School converted their ICT suite into a classroom last summer (2013) and therefore currently have 8 classrooms, with some being mixed year classes.
8. This planning application therefore seeks to provide the additional 2 classrooms required by the School, and the 2 temporary classrooms are proposed to accommodate the children whilst the permanent classrooms are being constructed.

Recent Site History

9. The planning history for Ospringe CE School is as follows:

SW/02/175	Retention of mobile classroom Approved 25 March 2002
SW/02/1007	Extension of school car park, demolition of building partly within the Conservation Area, felling of a tree in Conservation Area, erection of 2m high fence, and erection of sign. Approved 23/10/2002
SW/03/444	Single storey extension to form new main entrance, reception area, head teachers office and administration office. Approved 02/06/2003
SW/03/876	Resubmission of SW/03/444 for a larger extension. Approved 13/08/2003
SW/06/544	Provision of access ramps for disabled access to main entrance and infant and junior school blocks. Approved 20/08/2006
SW/07/62	Extension to provide a care suite facility. Approved 21/02/2007
SW/07/660	Retention and renewal of mobile classroom. Approved 17/07/2007
SW/07/1411	Demolition of outbuilding and extension of existing car parking and erection of brick wall and gates. Approved 31/01/2008

2 classroom extension and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham
SW/14/0614 (KCC/SW/0135/2014)

General Location Plan



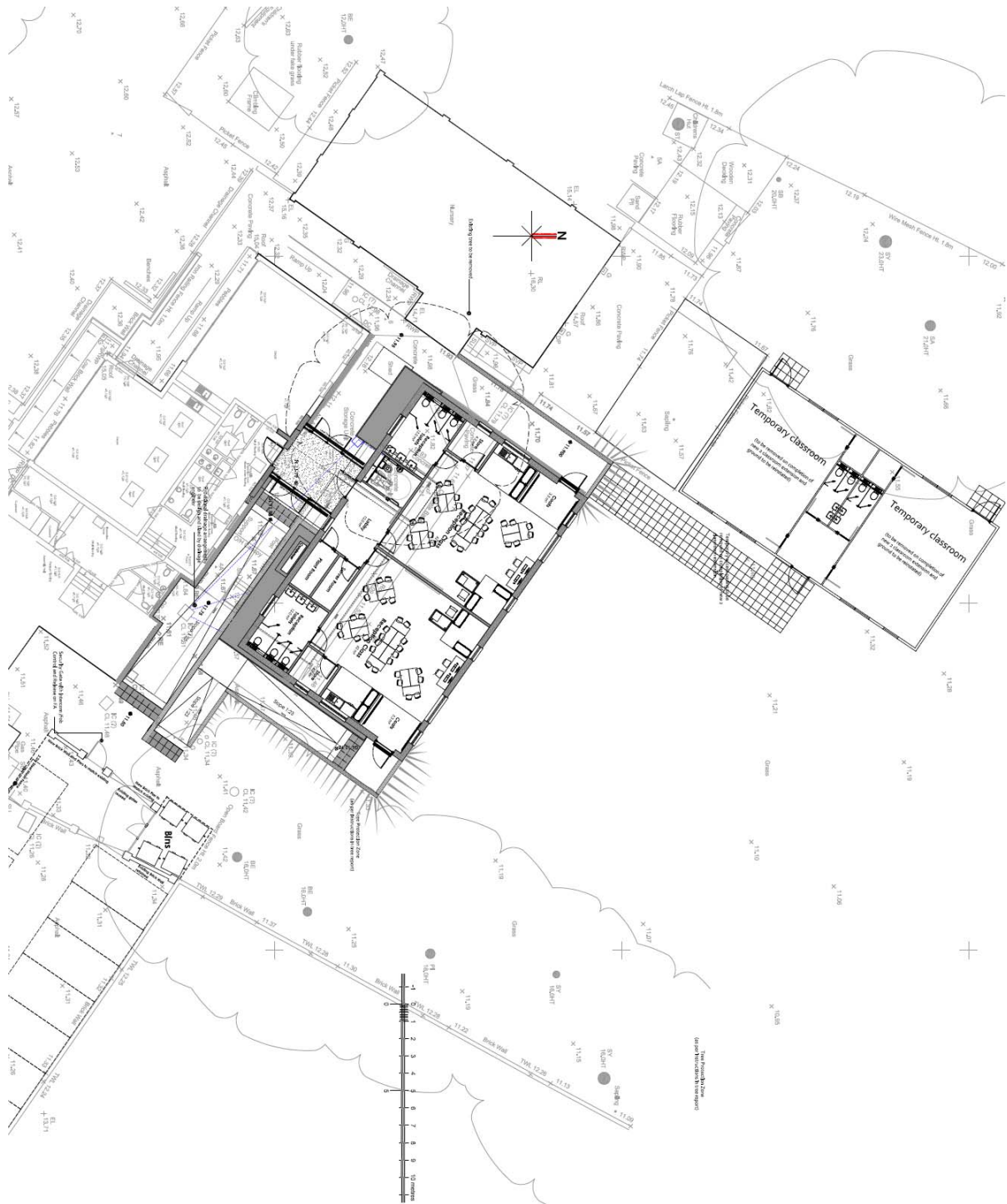
2 classroom extension and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham
SW/14/0614 (KCC/SW/0135/2014)

Site Layout Plans

OSPRINGE CE PS

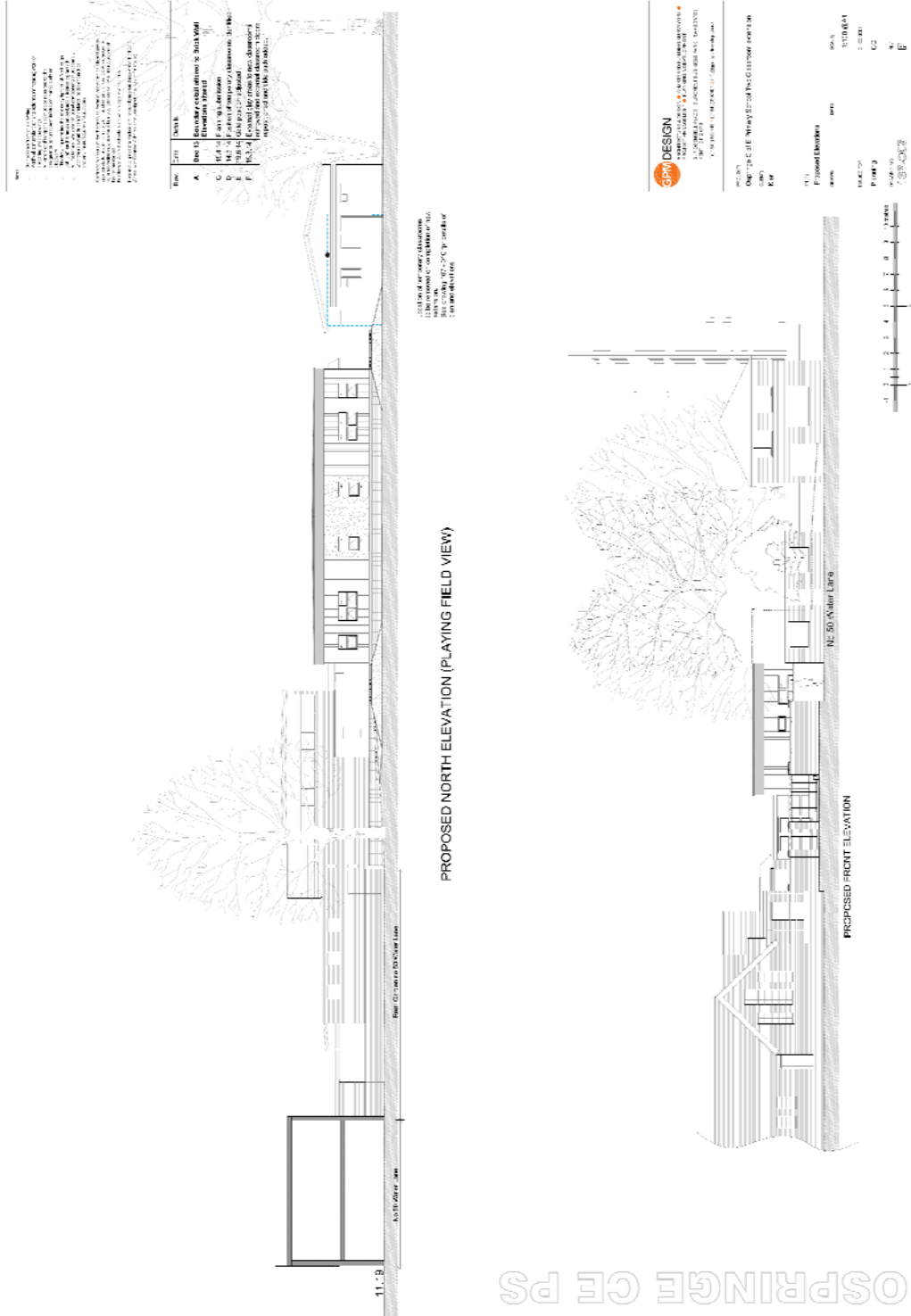


2 classroom extension and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham SW/14/0614 (KCC/SW/0135/2014)

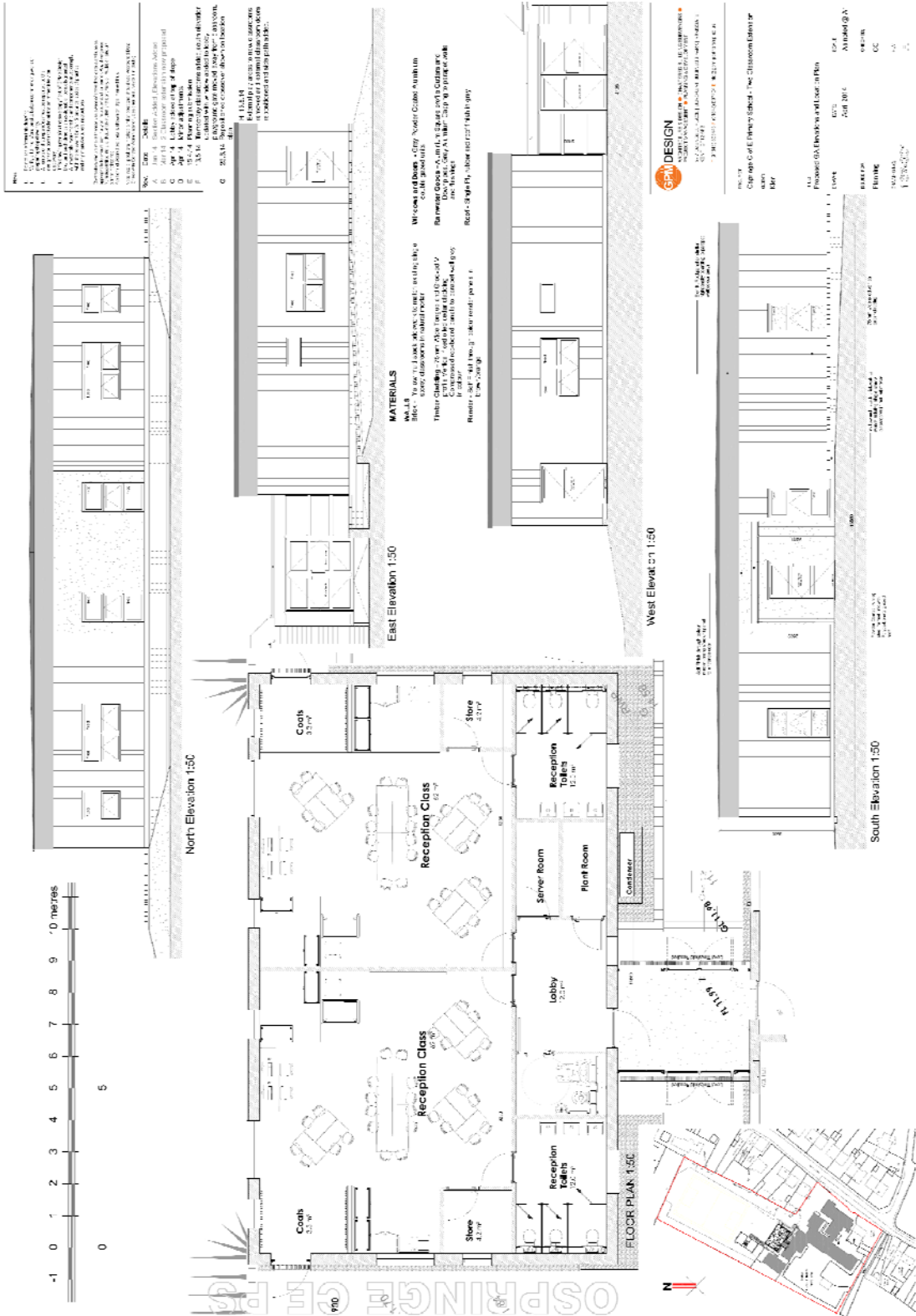


2 classroom extension and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham SW/14/0614 (KCC/SW/0135/2014)

Proposed Elevations of Extension

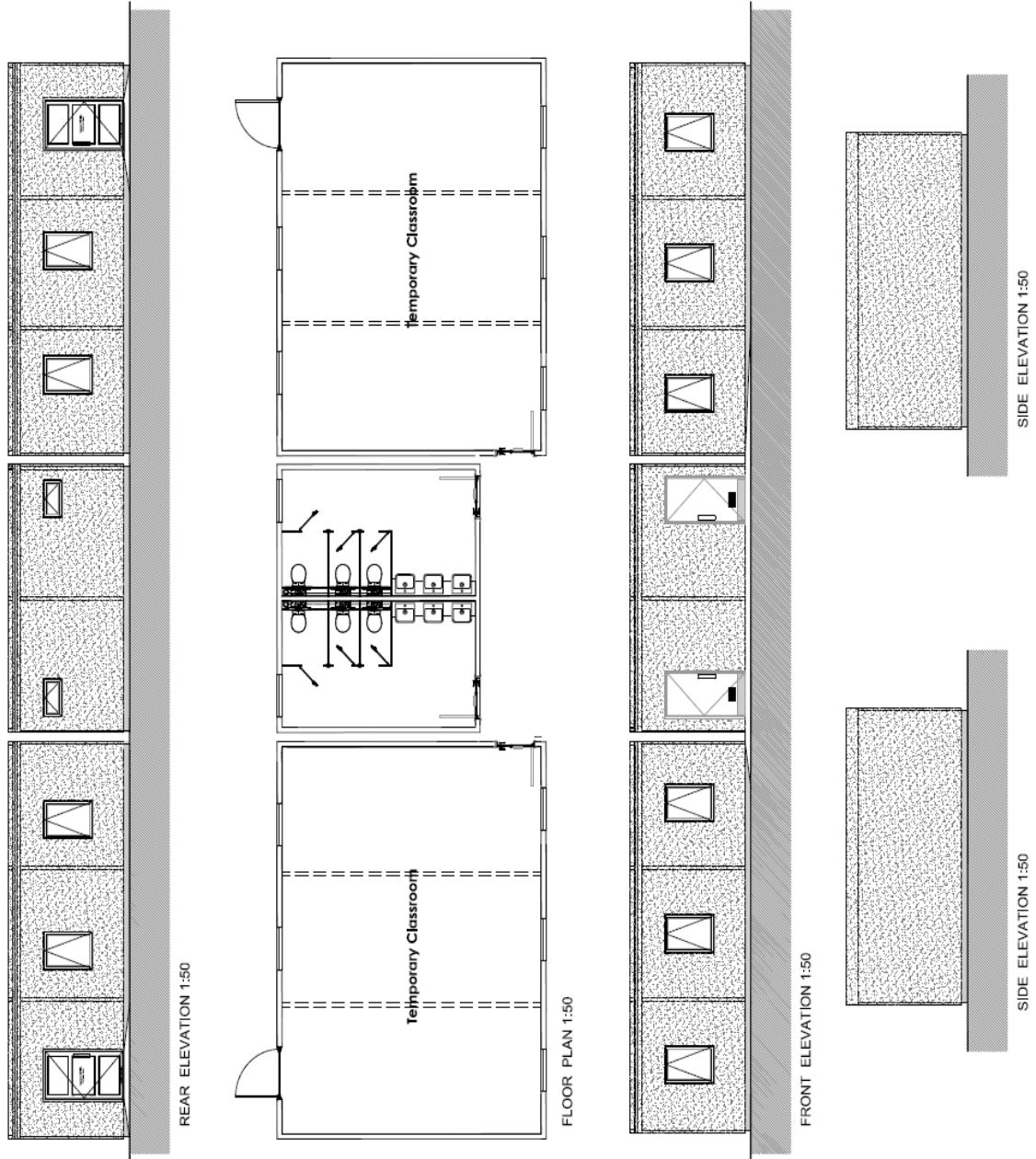


2 classroom extension and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham SW/14/0614 (KCC/SW/0135/2014)



2 classroom extension and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham SW/14/0614 (KCC/SW/0135/2014)

Proposed Elevations of Temporary classrooms



OSPRINGE C of E PS

Prepared - 20 May 2014
Planning Applications Group

2 classroom extension and 2 temporary classrooms, Ospringe CE School, Water Lane, Ospringe, Faversham
SW/14/0614 (KCC/SW/0135/2014)

Proposal

10. The application involves the removal of an existing mobile classroom (which is currently unused due to the fact it cannot accommodate 30 pupils due to its small size) and in the same location the erection of a single storey extension to provide two additional reception classrooms.
11. The extension would be attached to the existing building with a small glazed link which would open into a lobby serving both classrooms. The classrooms would have a floor area of 62m², with their own cloakroom area, store cupboard and access to toilet facilities.
12. The building and link would have a flat roof, with a yellow brick plinth and vertical cedar cladding above, grey in colour. A section of through coloured render would be provided centrally on each of the north and south elevations, and the scheme proposes grey rainwater goods and grey powder coated aluminium double glazed windows and doors.
13. A shallow ramped access would be created from the eastern direction up to a level threshold into the link building, and additional ramps would provide access to each classroom via the cloakroom.
14. The two temporary classrooms would be positioned to the west of the proposed extension and to the north of the existing nursery, with a separate central unit that would provide two sets of toilets. These would be standard modular buildings which would be rendered and have flat roofs, and would be retained for the construction period of the permanent extension.
15. At the front of the site, the application also proposes the slight relocation of the access from the car park onto Water Lane. The crossover would be moved further to the north to allow for a reorganisation of the school car park to formally lay out 19 parking spaces, including 1 disabled space.
16. As a result of the proposals two trees would be removed from the site. One is a walnut tree located close to the existing school buildings, which it would not be possible to retain given the proposed footprint of the development. The other is a blue atlas cedar located along the eastern boundary of the playing field by the rear garden of 48 Water Lane, which had suffered major crown damage during the high winds last winter, and has already been removed for sound arboricultural reasons.

Planning Policy

17. The most relevant Government Guidance and Development Plan Policies summarised below are pertinent to the consideration of this application:
 - (i) **National Planning Policy 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

2 classroom extension and 2 temporary classrooms, Ospringle CE School, Water Lane, Ospringle, Faversham
SW/14/0614 (KCC/SW/0135/2014)

closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

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

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

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

(ii) **Policy Statement – Planning for Schools Development** (15 August 2011) which sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system.

(iii) **Swale Borough Local Plan 2008:**

Policy SP1 Sustainable Development: Proposals should accord with principles of sustainable development that increase local self-sufficiency, satisfy human needs, and provide a robust, adaptable and enhanced environment.

Policy SP2 Environment: Development should avoid adverse environmental impact, and where development needs are greater, adverse impacts should be minimised and mitigated.

Policy C1 Existing and New Community Services and Facilities: The Borough Council will grant planning permission for new or improved community services and facilities, and particularly those that include provision for wider public use.

Policy E1 General Development Criteria: Proposals should cause no demonstrable harm to residential amenity and other sensitive uses or areas; reflect positively characteristics and features of the site surroundings; and protect and enhance the natural and built environments.

Policy E15 Development Affecting a Conservation Area: Development within, affecting the setting of, or views into and out of a conservation area, will preserve or enhance all features that contribute positively to the area’s special character or appearance

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- Policy E19 Achieving High Quality Design and Distinctiveness:** Development proposals should be of a high quality design and respond positively to design criteria.
- Policy E21 Sustainable Design and Build:** Proposals should incorporate sustainable design and build measures into the detailed design of new development in its use of siting, design, materials and landscaping.
- Policy T1 Providing Safe Access to New Development:** Proposals which cause unacceptable impacts of the capacity of the highway network or on highway safety will not be granted planning permission.
- Policy T3 Vehicle Parking for New Development:** Requires appropriate vehicle parking for new development in accordance with the adopted Kent County Council parking standards.
- Policy T4 Cyclists and pedestrians:** Requires cycle parking facilities for new development in accordance with the Kent County Council cycle parking standards.

- (iv) The draft **Swale Borough Local Plan ('Bearing Fruits')** (August 2013) also contains broadly similar policies on transport, parking, design and general development criteria, but these policies currently carry very little weight, given their draft status.

Consultations

18. **Swale Borough Council** has been consulted (both initially and regarding the amendments) but no comments received.

Faversham Town Council raises no objection subject to the removal of the temporary accommodation before the new classrooms are bought into use; a refinement of the design of the building to provide a much neater parapet detail; and the adoption of a school travel plan. They also note that they are concerned to prevent any further escalation of present traffic problems in the area. (No further comments were received following the re-consultation).

Ospringe Parish Council gave the following comments to the original consultation: They were opposed to the application due to the fact the documents gave contradictory statements; the traffic implications of increasing the size of the school; resultant grid lock at the junction with the A2; pollution from the congestion; parking and traffic issues around the school; and insufficient on site staff parking.

Upon receipt of the amended plans and documents, the Parish Council further objected to the scheme and any increase in the size of the school or pupil numbers on the grounds that Water Lane is completely unsuitable to support that. The knock-on effects on the A2 at this point are already serious without any further school expansion. They note that it is the school related on-road parking that is the main cause of residents' issues with the school, and also requested details of the replacement trees and their locations.

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Sport England, following the receipt of amended plans, have raised no objection to the application.

Kent County Council's Highways and Transportation Officer raised concerns over the discrepancies between the documents and confusion over the proposed numbers of pupils which did not allow an accurate assessment of the impact to be made. In response to the amended plans and documents he advises that whilst vehicular activity associated with the school in relation to traffic using Water Lane and its junction with the A2 is a concern, given the modest increase in pupil numbers by 15 beyond the current roll over a temporary period of 4 years, it is considered that the proposal is acceptable on balance, subject to the imposition of a condition requiring a School Travel Plan.

Biodiversity Officer raises no objection subject to the mitigation measures detailed in the Ecological Appraisal being implemented; that any lighting proposed does not illuminate the hedgerows; and that the two replacement trees should be native species, appropriate to the area.

Conservation Officer raises no objection.

Local Member

19. The local County Members Mr Andrew Bowles and Mr Tom Gates were notified of the application on 12th May, 28th May and 7th July. Mr Gates advised that he had no views to make at the time but that as a member of the Planning Applications Committee he could speak at the meeting.

Publicity

20. The application was publicised by the posting of a site notice at the front of the school, an advertisement in a local newspaper, and the individual notification of 48 residential properties.

Representations

21. In response to the original publicity, 24 letters of representation were received. The key points raised can be summarised as follows:
- Object to any increase in pupil numbers at the school
 - Increase in staff numbers would cause more parking problems
 - No objection to the flat roof classrooms but have an issue with the current and unwelcome increase in parking, traffic movement and pollution such an expansion at the school would bring to Water Lane.
 - Concern over the accuracy of the figures in the supporting information regarding staff numbers, which are believed to be greater than stated, and will increase further with this application.
 - Current parking provision for staff is inadequate and any school expansion will result in more parking congestion in Water Lane.
 - School expansion will increase traffic at the T-junction with the A2, which lacks common sense and a duty of care for residents.

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- No sound proposals offered to try and mitigate the increase in traffic and parking congestions – 2 additional parking places and asking parents to speed up their drop off would have a minimal effect.
- Teddies Pre-School Nursery also contributes to the congestion on Water Lane, and this combined with overflow staff parking, visitors' cars, and the morning and afternoon school runs would result in increased discomfort for residents every school day.
- Extra traffic will make the problems of cars mounting kerbs, blocking residents' driveways and pollution worse.
- Replanting of trees along neighbours rear boundary will reduce sunlight to the house and garden. Ask for re-planting to take place away from neighbour's boundary.
- Could the field behind the allotments, with access onto Main Road, be purchased and used for parking?
- Understood permission to expand the school roll had been turned down due to highway objections
- Additional traffic would further affect air quality
- No additional car parking seems to be included in the application
- School pupil numbers are only temporarily increased due to admissions over the published numbers – therefore numbers will revert to previous levels and decrease in time.
- Transport Statement inaccurate and misleading
- Significant residential developments planned in the area, therefore how will roll numbers decrease?
- Should look to provide a new school instead of extending existing schools which will bring chaos, noise, pollution and congestion for local residents.
- Due to narrow width of road cars frequently mount the pavement to pass each other, putting children's safety at risk
- More staff work at the school than stated in the transport statement and they cannot all park in the school grounds
- Staff numbers do not include nursery staff (also on site) or ancillary staff
- Staff should drop material off and then park elsewhere – on allotment path or by the church
- Applications for additional houses have been turned down due to extra traffic generated
- Classroom extensions would be too close to the rear gardens of the properties on Water Lane
- Previous damage from footballs being kicked at the rear fence with neighbouring property

In response to the publicity following receipt of the amended plans and documents 43 letters of representation have been received. The key points raised can be summarised as follows:

- Object to any increase in pupil numbers
- Application accepts there is a problem with congestion and parking
- Parents will not use the car park on London Road as an alternative as it is too far from the school
- Car park is already busy and almost full on most weekdays with no spare capacity for school parking
- Access into and out of the car park is narrow

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- The walk from the car park to the school is not only long but dangerous as cars park on the pavements forcing pedestrians into the road
- Suggest increasing the car park size and creating a pathway from there to the school through the fields at the rear
- Increasing the yellow lines in Water Lane will further inconvenience residents and restrict the available parking area for parents near the school
- Increasing the zigzag parking restrictions outside the school will also make parking problems worse
- Increased parking restrictions and the overflow of staff parking will impact on residents entering and exiting their drives at peak times
- Cars constantly mounting the pavement at the T-junction with the A2, and any increase in traffic will exacerbate this
- Recent injury to a school pupil hit by a car near the junction of Water Lane and the A2
- Planning application offers no credible solution to these problems and is likely to exacerbate the problem
- The T junction of Water Lane and the A2 is not designed for this level of vehicle movements
- Traffic congestion and high pollution are common issues experienced by residents
- Accident figures out of date as more accidents recently near the junction with the A2
- The School have advised that the walking bus is not allowed along Water Lane due to safety concerns
- Contest that 16 parking spaces can be provided in the school grounds
- Consistently 8-10 staff cars parked in the street
- Residents cannot access their own driveways at peak school times
- School minibus is always parked on site, taking up 1½ bays
- There are parking problems and traffic issues every day (not just when the School had extra staff on site for teacher training) and it has been ongoing for years
- Parking solutions are not as simple as portrayed in the Transport Statement

Discussion

22. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 15 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.
23. This application is being reported to the Planning Applications Committee following the number of objections received. In my view the main issues to consider are the design and layout of the extension and its impact on the Conservation Area; the traffic and parking implications of the proposal and the amenity aspects for residents arising from this; and the loss of part of the playing field.

Design and Layout

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24. The proposed extension would be a simple flat roof design which, although of little architectural merit in itself, would be in keeping with the other flat roof extensions to the rear of the original school. The building would have a brick plinth constructed with yellow bricks to match the rest of the school, with timber cladding above, which would give it a more modern appearance.
25. The extension is set well back from the road frontage and would be viewed across the existing parking area. Although partly visible from the road the extension would have a limited impact on the street scene due to both the set back, and the fact that it would be behind a new brick wall and access gates. In addition part of the extension would be screened behind number 50 Water Lane. In overall terms it is considered that the extension would be of an appropriate design, in keeping with the design of the remainder of the school, and would not harm the appearance of the street scene.
26. The extension would be set away from the shared boundary with the properties fronting Water Lane, and also screened by the existing trees along this boundary. Given the low building height and the separation between the houses and the school extension, it is considered that the layout of the extension would have a very limited impact on the residents of the neighbouring properties.
27. The temporary classrooms would be located to the north-west of the extension, in front of the existing Teddies Nursery. These temporary buildings would be of a standard modular design, with flat roofs and cream coloured rendered panels. The temporary buildings would be located away from Water Lane towards the allotments which are located along the western boundary, and as such would have a very minimal impact on the wider appearance of the school site. Given that these would only be sited in the grounds on a temporary basis whilst the extension is constructed, it is considered that they would be acceptable in terms of both siting and appearance.
28. In general design and layout terms it is therefore considered that the proposals would accord with the aims of Policies E19 and E21 of the Swale Borough Local Plan, and the aims of the NPPF.

Impact on Conservation Area

29. Ospringe CE School lies in the middle of the Ospringe Conservation Area, and therefore due regard needs to be had to the need to conserve and enhance the character of the Conservation Area. The Character Appraisal of the Conservation Area makes reference to the yellow brick village school, and its "...hotch-potch of modern buildings at the back", and then goes on to refer to the twentieth century dwellings which characterise the opposite side of Water Lane, as being "...rather undistinguished in appearance and fails to respond to the form and character of the older development elsewhere along Water Lane".
30. The proposed extension would be in keeping with the other flat roof extensions at the rear of the school and therefore, when viewed as a whole with these extensions would not drastically alter the appearance of the school within the street scene. This part of Water Lane, as outlined in the Conservation Area Appraisal, is characterised by more modern development, and as such it is considered that the proposed scheme would not cause any demonstrable harm to the character or appearance of the Conservation Area. In particular, the proposed new built development would be barely visible from any

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public vantage points in the Conservation Area, nor would it introduce any visually incongruous or inharmonious development that would significantly alter the special character of the Conservation Area. The development would therefore accord with Policy E15 of the Swale Borough Local Plan.

Traffic and Parking

31. The school is located in a predominantly residential street, where there is a mixture of off-road and on street parking for the residents. In addition Water Lane is quite narrow in places and traffic often has to pass in single file passed parked cars. The junction with the A2 is busy and traffic entering Water Lane from the East (Faversham town centre) has to swing onto the wrong side of the road to enter, again causing traffic to have to queue and let other cars pass by.
32. The school has a small parking area, which to date has been used informally with cars often taking up slightly more than one space and hence not optimising the space available. Under the current scheme the vehicle crossover is proposed to be relocated slightly to the north-east (towards 50 Water Lane) in order that the on site parking area can be better used and formal spaces would be laid out providing 19 spaces (including 1 disabled space) on site. I accept that there is no additional space on site to realistically create additional parking areas, and the proposed alterations therefore make the best use of the space that is available.
33. As with all schools, traffic and parking problems are generated at peak drop off and collection times in both the morning and the afternoon. In cases such as this one, where the school is located within a narrow residential street, such traffic generation can have a great impact on nearby residential properties. What needs to be considered in this case is whether the additional pupils that are being enrolled at the school this year, compared to the school roll of previous years, would detrimentally affect the capacity of the highway network and the amenities of the occupiers nearby to a significant enough degree to presume against planning consent.
34. In order to keep in context, it needs to be borne in mind that Water Lane is part of the public highway and the public highway is there to be used, and not reserved for the sole use of just one group of users. Use of Water Lane for access and parking by others, might well be an irritant for Water Lane residents but that is not a reason to presume against much needed community infrastructure. Similarly, if use of the road and its junction with the A2 is acceptable for continual use by residential traffic, it follows that its less frequent use by school traffic ought to be acceptable as well. What is important is to try and better manage the use of Water Lane so that risks to road safety are minimised and that nuisance for residents is reduced as far as is practicable.
35. The school has taken in an additional 10 pupils each year, above the published 1FE number of 30, for the past three years. This bulge is due to continue for one more year where an additional 15 children will be enrolled (September 2014), and after this the school roll is due to revert to 30 per year. This four year bulge would need to work its way through the school, so the following table illustrates total pupil numbers from 2013 up to 2021 when the bulge will have worked its way through the school.

Year Group	Sept 2013	Sept 2014	Sept 2015	Sept 2016	Sept 2017	Sept 2018	Sept 2019	Sept 2020	Sept 2021

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Year R	40	45	30	30	30	30	30	30	30
Year 1	40	40	45	30	30	30	30	30	30
Year 2	40	40	40	45	30	30	30	30	30
Year 3	30	40	40	40	45	30	30	30	30
Year 4	30	30	40	40	40	45	30	30	30
Year 5	30	30	30	40	40	40	45	30	30
Year 6	30	30	30	30	40	40	40	45	30
Total	240	255	255	255	255	245	235	225	210
Change	-	+15	-	-	-	-10	-20	-30	-45

As this table demonstrates, the numbers of pupils start to drop again in September 2018, from the peak of 255 this year (2014).

36. Although the development for a two classroom extension seems to imply a large increase in pupil numbers there would only be an actual increase of 15 pupils this year over and above the numbers already enrolled at the school last year. This total pupil roll of 255 would then remain static through to the end of the academic year 2017/2018, when the numbers would start to decrease, eventually returning to the 1FE figure of 210 pupils by September 2021.
37. The School could be required by condition to submit an updated School Travel Plan which would need to include details of ways to encourage alternative means of travel to school for both staff and pupils, such as walking, cycling, public transport and car sharing. In addition it should be noted that some of the additional pupils will be siblings to those already present at the school and therefore would not generate additional traffic movements above the existing situation.
38. The zig-zag markings outside the school would be increased to cover the school car park entrance, and white lines are proposed outside residential accesses, which would help deter parents from blocking residents' driveways. The proposal to increase the single yellow lines (prohibiting parking during peak drop off and pick up times) is a suggestion of something that *could* be considered rather than something that is actually going to happen as part of this planning application. It is not something that is *required* to mitigate this development, as the temporary increase in pupil numbers would not warrant this.
39. Concerns about traffic dangers are often an expression of complaints about unwanted traffic congestion, although congested road space can have the benefit of deterring motorists and encouraging other means of travel. Whilst the car park on London Road may be some distance from the school, it does provide a realistic 'park and stride' option for pupils at this school, especially given the difficulties in entering and exiting Water Lane, and similarly the option of using the footpaths to the west of the school grounds during the warmer months are initiatives that could be implemented through the School Travel Plan.
40. The Highways and Transportation Officer has acknowledged that there is concern over the vehicular activity generated by the school in relation to traffic using Water Lane and its junction with the A2, but given the modest increase in pupil numbers by 15 over a four year period, and then its reduction as set out above, along with the requirement for an updated School Travel Plan, it is considered that the proposal is acceptable in

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highway terms. I therefore consider that the scheme accords with Policies T1, T3 and T4 of the Swale Borough Local Plan.

Other Matters

Construction

41. 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.
42. 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.
43. 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

Biodiversity

44. The application has been supported by the submission of an Ecological Appraisal covering flora, birds, mammals (bats, water voles, badger and hedgehog), amphibians (great crested newts and toads), reptiles and invertebrates. Kent County Council's Biodiversity Officer has considered the information submitted and confirmed that the proposals would not have any adverse effect on any of the species assessed, subject to the precautionary mitigation detailed in the report being carried out.
45. Such mitigation includes, for example, that construction should not be undertaken during spring/summer months to avoid disturbance to roosting birds; that lighting is kept to a minimum and directed away from hedgerows to avoid disturbing foraging and commuting bats; and that works should be undertaken with care in case any hedgehogs that are found during construction can be relocated to a safe area. Such mitigation could be covered by condition, if consent was granted.

Tree Protection

46. The development would require two trees to be removed from the site. One is a Blue Atlas Cedar that was damaged in the storms and has already been felled for safety reasons. The other, a Walnut, would need to be removed in order to allow room for the proposed extension. The remaining four trees along the eastern boundary, where the playing fields back onto the rear gardens of 46-50 Water Lane are shown to be retained and would need to be protected during the course of the development with appropriate fencing around the Root Protection Area. A condition ensuring this takes place could be

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imposed if consent was granted. An additional condition requiring the details of the replacement trees to be submitted and approved, prior to planting could also be imposed to ensure the replacement trees are native and appropriate to the site. Their location could be agreed so as to avoid any impact on neighbouring properties from undue overshadowing.

Future use of the Classrooms

47. The proposed extension would not provide sufficient space for the school to sustain a permanent move to a 2 FE school. Once the bulge of pupils has moved through the school, the additional space that will be vacated is proposed to be used by the School for those functions such as the IT suite which were previously lost to provide classroom space for the additional pupils over the past 3 years, and the functions which are currently housed in the adjoining School House (staff room and toilet, and 3 group work rooms, which are used for supporting pupils in small numbers, physiotherapy, music lessons, etc). The rent for the School House has to be met by the School (previously it was funded by the Local Authority) and the relocation of these uses into the main school would help with the School's finances. Whilst this is not a planning matter, it provides a long term view for the use of these permanent structures.

Conclusion

48. 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 extension to Ospringe School would be acceptable from a design point of view, and would not harm the character of the street scene or the Conservation Area. In addition, it is considered that the extra traffic generated as a result of the relatively modest increase in pupil numbers would not result in an unacceptable adverse impact on the highway network or residential amenity, as it would only be for a temporary 4 year period before pupil numbers begin to decrease, and therefore the development would accord with the principles of sustainable development as set out in the NPPF.
49. 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

50. I RECOMMEND that PERMISSION BE APPROVED 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;
- the submission of an updated School Travel Plan and its ongoing review;
- The parking to be laid out as approved and thereafter maintained and used for no other purpose;
- 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 submission of tree protection details during construction;
- The submission of details of replacement tree planting, and timing for their planting;
- The submission of details, and written approval, of any external lighting.
- The removal of the 2 temporary classrooms within 1 month of completion of the construction works.

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

- The registering with Kent County Council of the revised School Travel Plan through the “Jambusters” website following the link <http://www.jambusterstpms.co.uk>;
- That all necessary highway approvals and consents are obtained; and
- That a statutory licence must be obtained for the construction of the required vehicular crossover.

Case Officer: Helen Edwards	Tel. no: 03000 413366
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Background Documents: see section heading

Item D4

Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 September 2014.

Application by Kent County Council, Property & Infrastructure Support for erection of new two storey building, provision of 32 additional car parking spaces and 34 cycle spaces and additional hard and soft landscaping at Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014).

Recommendation: permission be granted subject to conditions.

Local Member: Mr Michael Angell

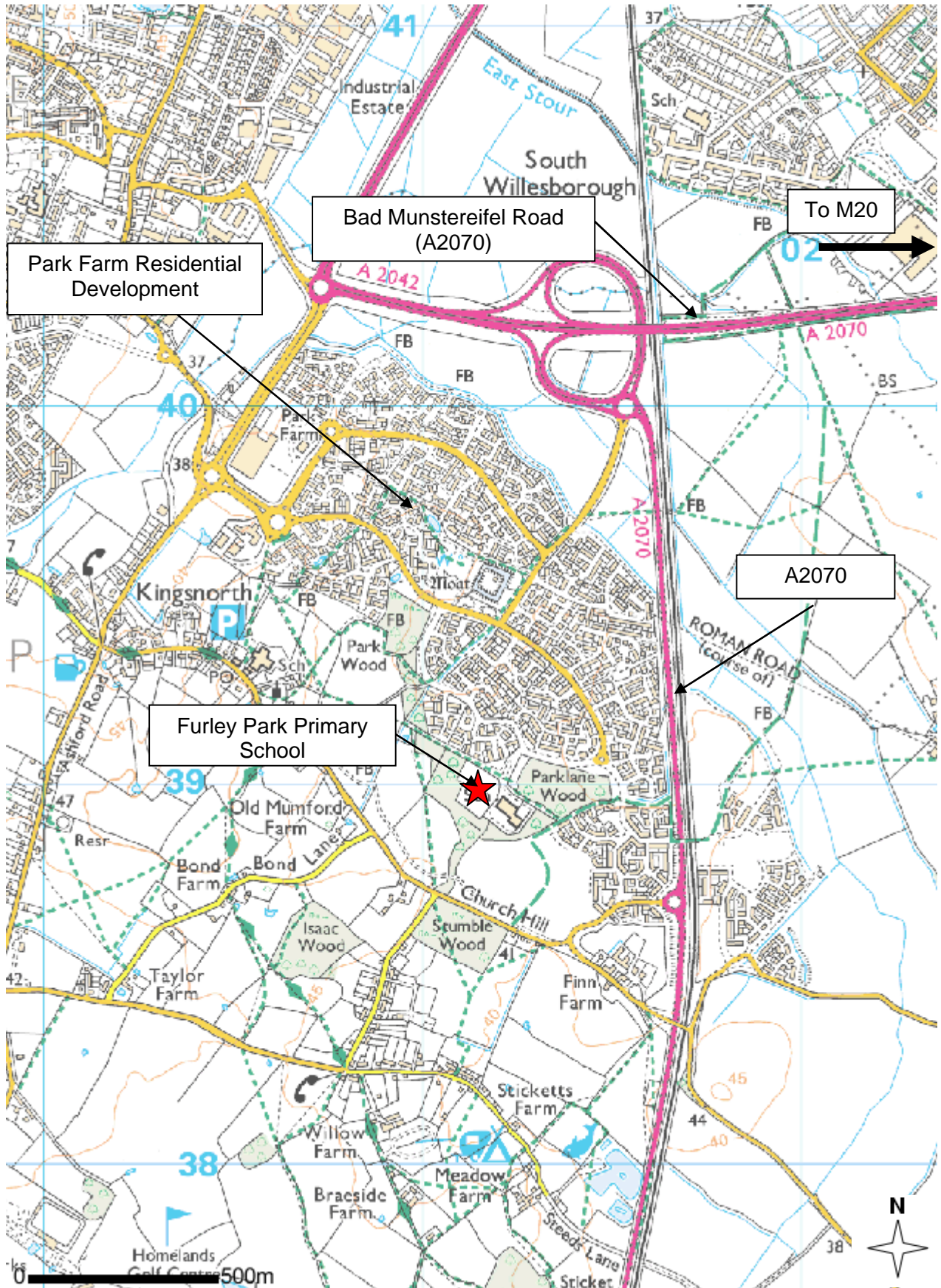
Classification: Unrestricted

Site Description

1. Furley Park Primary School is located on the Park Farm Housing Estate, north-east of the village of Kingsnorth, Ashford. The site is bounded to the north-east, south and west by woodland with residential development situated to the north-west. Parklane Wood located adjacent to the north-east of the school site is designated as an area of Ancient Woodland. The school buildings are located to the east of the site with playing field to the west. A public right of way runs through the site from the north-west and forms the northern boundary to the north-eastern section of the school site.
2. The site comprises three single storey buildings including the main school building, the school hall and the school kitchens. A modular building accommodating two classrooms is located on the school playground, to the eastern boundary. A Children's Centre is located to the north of the site which is currently in use but being considered for closure. There are playgrounds located to the front and rear of the school and nature area with a pond situated within the north-eastern part of the site, adjacent to the public right of way. The playing field, within the western part of the site is a community play area within the management of the school but also accessible to members of the public via the public right of way. The school's pedestrian and vehicular entrances are accessed from Reed Crescent. Pedestrian access is also gained by the public right of way that runs through the site.
3. The school is defined in the Local Plan as within the Park Farm development allocation. Park Farm consists of a major housing development site with associated open space and facilities, more general policies are set out in paragraph (14).

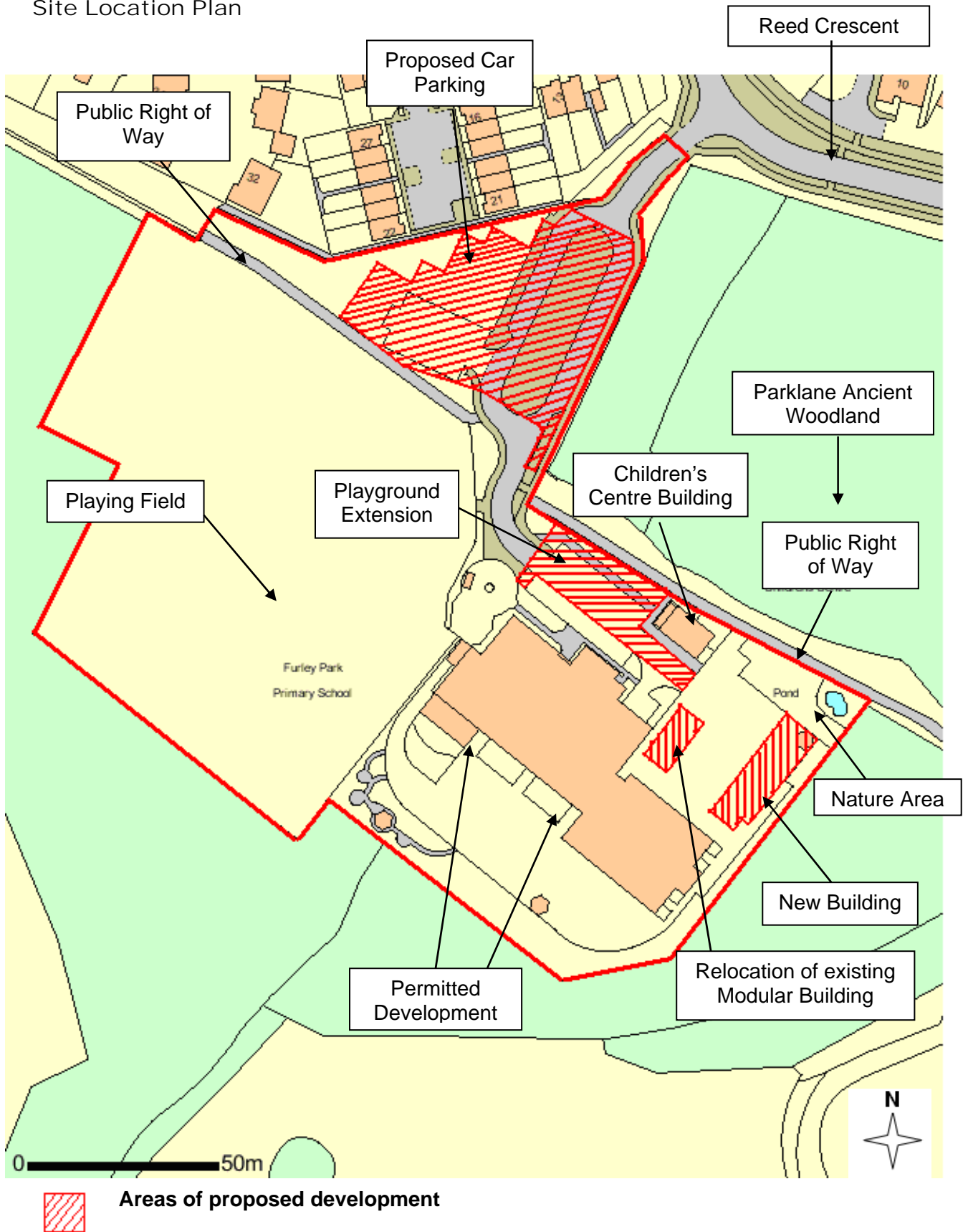
Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Wider Site Location Plan



Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Site Location Plan



Aerial View of Site



Relevant Planning History

4. In recent years, Furley Park Primary School has been granted planning permission for a modular two classroom building (AS/12/598). Planning permission for the construction of a single story building for use as a Children Centre with associated boundary fencing with associated boundary fencing was given by the County Council in May 2010 (AS/10/468). Other recent applications include the provision of a canopy to the Key Stage 1 area (AS/06/311) and various extensions and alterations to the main school building including a severy store and detached storage building (AS/04/1296).

Background and Proposal

5. This application has been submitted by Kent County Council Property and Infrastructure Support and is part of the countywide Basic Needs Programme for educational purposes. The applicant states that the Borough of Ashford has seen significant growth in the pupil population over the last few years due to factors including the scale of housing development over the last decade and subsequent inward migration and also a rise in the birth rate.

Proposed expansion of Furley Park Primary School, Reed Crescent,
Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

6. The Commissioning Plan for Education Provision in Kent 2013-2018 provides forecasts that indicate an increase in the demand for primary school capacity in some areas of Ashford, indicating a surplus of places to the south and south west of the Borough and growing pressures in the Town. This proposal aims to provide some of the school place provision needed in Ashford Town. As of September 2014, Furley Park Primary School will have 510 pupils enrolled at the school. The expansion programme would enable an increase from 2 form entry to 3 form entry with an additional 30 places each year for six years. The proposed accommodation would allow for the provision of a total of 630 pupils at the school.
7. The School currently employs 26 full time equivalent (FTE) staff positions who are at the school site on a daily basis. The proposal would lead to an increase of 7 FTE additional staff members, bringing the total members of full time staff to 33. An additional 15 part time members of staff would be employed at the school.
8. The application proposes the construction of a two storey standalone building to be located in the location of the existing modular classroom block. The modular classroom block which has temporary planning consent until July 2017, would be re-located to the western side of the playground. The proposed building would accommodate six classrooms, a school hall and associated facilities and storage. As part of the proposals, a new playground would be created to the north of the main school building on the existing car park. 32 additional car parking spaces are proposed as part of the development within the main car park area located within the north-west part of the site. 34 cycle spaces are also proposed as part of the application. The proposals would allow the provision of accommodation for another form of entry each year thereby increasing Furley Park Primary School from 2 form entry to 3 form entry. A small extension to the rear of the school for the provision of a new classroom and extension of the existing canopy to the outdoor play area will be carried out under permitted development rights with planning permission not required for this element of the works.
9. The proposed building would be a two storey construction with single membrane flat roof and blue and buff brickwork with polyester powder coated aluminium windows to match the existing main school building. The overall footprint of the building has been reduced through the design of a two storey building to limit the loss of playground.
10. The application proposes the creation of 32 additional car parking spaces within the parking area located to the north-west of the school site to replace the spaces that would be lost through the extension of the main school playground within the north-east of the site and accommodate the expansion in pupil numbers. The staff car parking area is proposed to be modified to accommodate 44 vehicles. Parking for parents and visitors would be provided within the existing looped area with the existing central island, along the access road and area to the west accommodating 35 parking spaces provided in an echelon format. This would include 2 disabled parking bays. The lay-by to the east of the access road is to remain in use, providing 10 parking spaces for use as a quick collection area for use by parents dropping off and picking up pupils with a further 2 disabled bays. This would provide a total of 91 parking spaces overall, an increase from 59 spaces. Secure fencing is to be provided to the staff car park, extended playground area and existing bin storage and servicing area.
11. Provision for 34 cycle spaces is also included within the proposals with an additional 17 Sheffield cycle stands proposed to be located close to the school's main entrance.

Proposed expansion of Furley Park Primary School, Reed Crescent,
Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

12. Fifteen young semi-mature trees are proposed to be removed as part of the proposed development along with an area of grassland and thicket shrub planting. The majority of the trees are located in the vicinity of the main school car park, within the north-west part of the site and within the existing central island. One tree is located in the vicinity of the car park to the north of the main school building. The applicant proposes to plant fifteen trees, together with shrub planting to the central road island within the access road. Native hedgerow planting is proposed along the existing western path, adjacent to the staff car park and further areas of thicket planting along the boundary north-western boundary, adjacent to residential properties. Additionally, soft landscaping is proposed to the playground extension as part of the landscaping scheme.
13. The application is accompanied by a Transport Statement setting out the potential impact the proposed expansion of pupil numbers would have on the surrounding local highway network. Through the successful adoption of the School's Travel Plan, the applicant's transport consultant concludes that this would help to mitigate the traffic impacts of the proposed development. Modification to the parent and visitor parking area have been proposed as well as the provision of additional staff car parking spaces to accommodate the increase in staff numbers resulting from the expansion of the school and mitigate the loss of parking provision adjacent to the main entrance. The proposal as originally submitted was amended to provide 32 additional car parking spaces as a result of KCC Highways & Transportation officer comments that the originally proposed 24 additional car parking spaces was insufficient. Cycle storage provision has also been modified through the processing of this application from 16 spaces to 34 spaces based on comments from KCC Highways & Transportation.

Planning Policy Context

14. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:
 - (i) **National Planning Policy Framework (NPPF)** March 2012 and the **National Planning Policy Guidance (March 2014)** sets out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning application but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

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

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

- consideration of whether the opportunities for sustainable transport have been taken up and safe and suitable access to the site can be achieved for all people;
- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

Proposed expansion of Furley Park Primary School, Reed Crescent,
Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

- 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 that
- Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education.

(ii) **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.

(iii) **The Ashford Borough Local Development Framework Core Strategy 2008:**

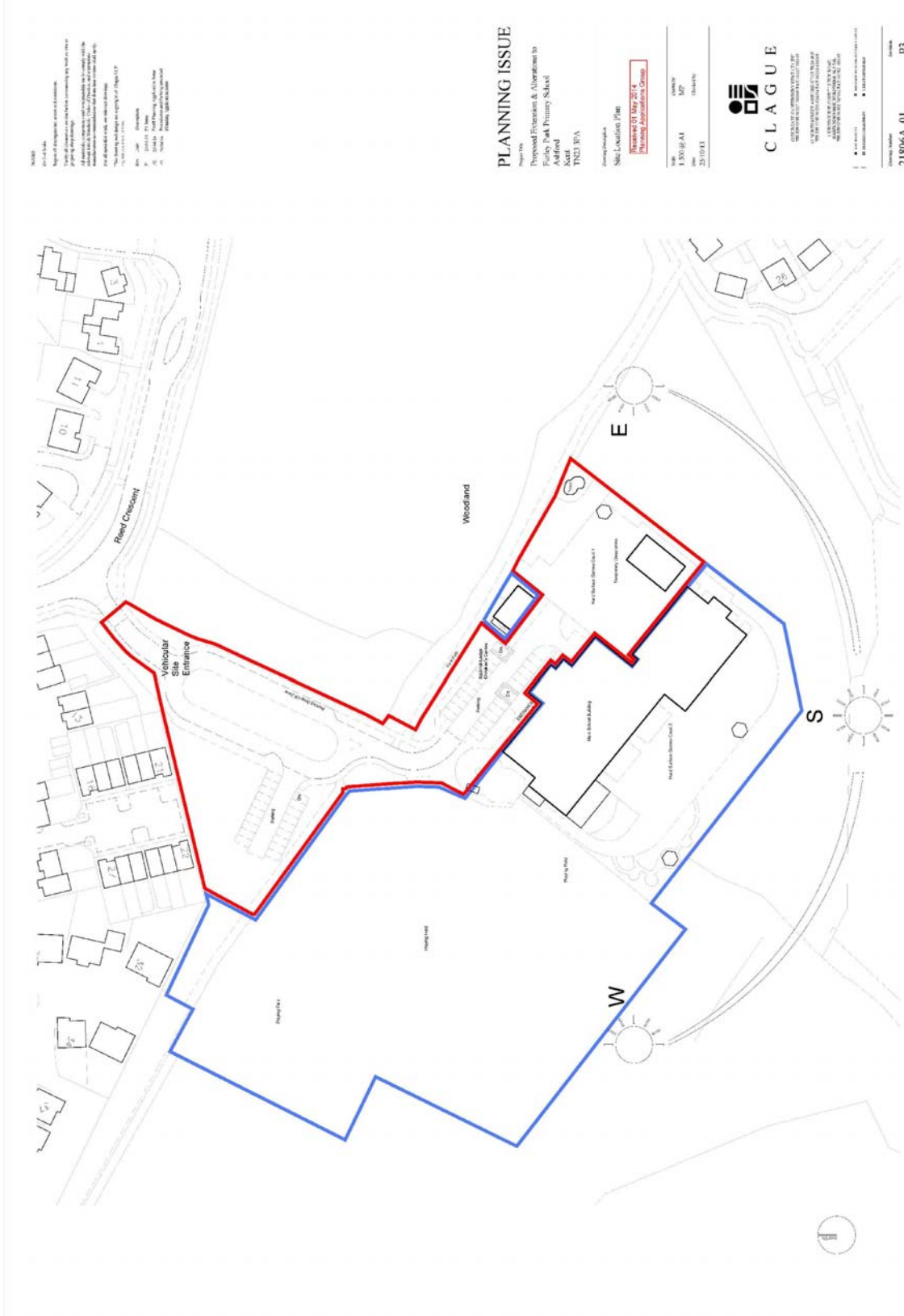
- Policy CS1** Sustainable developments and high quality design are at the centre of the approach to deciding planning applications, the key objectives of which include the timely provision of community services and encouraging use of sustainable transport
- Policy CS2** 'The Borough Wide Strategy' – Focuses large scale development within the Ashford Growth Area. Key infrastructure projects, including education, to be delivered at the same time as the development that they would serve.
- Policy CS9** Development proposals must be of high quality design and address issues such as character, distinctiveness, sense of place, permeability, ease of movement, legibility, mixed use and diversity, continuity and enclosure, quality of public spaces, flexibility, adaptability and liveability, richness in detail and efficient use of natural resources.
- Policy CS10** All major development must incorporate sustainable design features to reduce the consumption of natural resources.
- Policy CS11** Development proposals should avoid harm to biodiversity and geological conservation interests and seek to enhance and expand biodiversity.
- Policy CS15** Promotes public transport and other non-car based modes of travel including measures to encourage cycling, and sets out maximum vehicle parking standards. Development proposals must show that transport needs can be satisfied
- Policy CS18** School and community facilities should be timely and provided to meet the needs generated by new development.
- Policy CS20** All developments should include appropriate sustainable drainage systems for the disposal of surface water.

Proposed expansion of Furley Park Primary School, Reed Crescent,
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- (iv) The adopted **Ashford Borough Local Plan 2000:**
- Policy EN23** Archaeological sites will be preserved and protected.
- Policy S17** Park Farm Allocation which covers the Furley Park Primary School site and includes the protection of key habitats including Park and Parklane Woods.
- (v) The adopted **Urban Sites and Infrastructure Development Plan Document 2012:**
- Policy U0** Presumption in favour of sustainable development within the Ashford urban area supporting development proposals that accord with the policies in the Core Strategy.
- Policy U23** Development proposals on the edge of an urban area should complement and enhance the landscape character area, taking into consideration the composition of trees, woodlands and wildlife habitats, the distribution of footpaths and the scale, layout and design of vernacular buildings along with the guidance in the Landscape Character Supplementary Planning Document.
- (vi) The adopted **Landscape Character Supplementary Planning Document 2011:** Furley Park Primary School is located on the boundary of the urban area and the 'Bethersden Farmlands' landscape character area, characterised by an undulating landscape with blocks of woodland. Development proposals should demonstrate regard for this landscape character, ensuring that the development is appropriate to its location and character and incorporate high quality design principles.
- (vii) The adopted **Sustainable Design and Construction Supplementary Planning Document 2012:** Development proposals should incorporate sustainable design and construction principles and comply with environmental performance standards under Policy CS10.
- (viii) The adopted **Sustainable Drainage Supplementary Planning Document 2010:** Development proposals should incorporate sustainable surface water management supporting Policy CS20.

Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Site Location Plan



Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

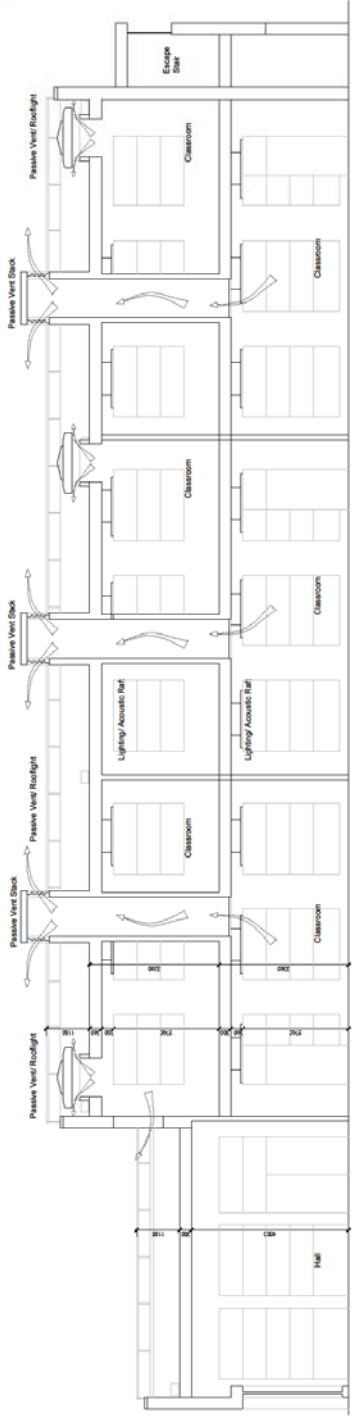
Proposed Floor Plan of New Building



Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Proposed Sections Plan of New Building

NOTES
 1. See also the Report of design, cost and programme estimates.
 2. All work is to be completed in accordance with the programme of work.
 3. All work is to be completed in accordance with the programme of work.
 4. All work is to be completed in accordance with the programme of work.
 5. All work is to be completed in accordance with the programme of work.
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 30. All work is to be completed in accordance with the programme of work.



Section A-A

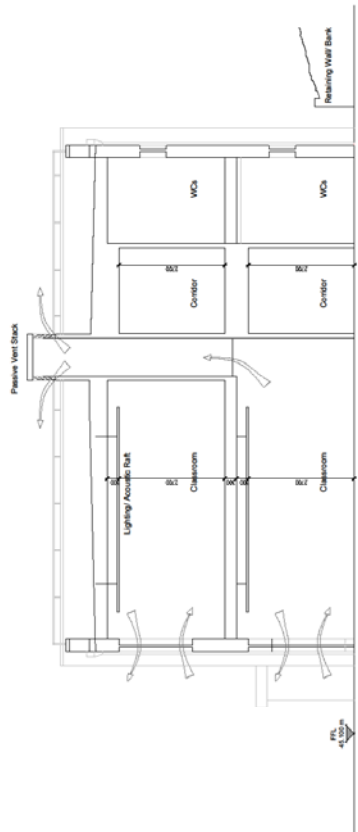
PLANNING ISSUE

Proposed Extension & Alteration to
 Furley Park Primary School
 Ashford
 Kent
 TN23 3PA

Drawn by: JRM (JAI)
 Date: 25/11/14
 Checked by: BK
 Date: 25/11/14

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Drawing Number: 21806A 11
 Revision: P5



Section B-B

Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Proposed Elevation Plan of New Building

Autodesk Revit

Notes:
 1. All elevations are shown as proposed.
 2. All elevations are shown as proposed.
 3. All elevations are shown as proposed.
 4. All elevations are shown as proposed.
 5. All elevations are shown as proposed.
 6. All elevations are shown as proposed.
 7. All elevations are shown as proposed.
 8. All elevations are shown as proposed.
 9. All elevations are shown as proposed.
 10. All elevations are shown as proposed.

Rev. C/N	Description
1/1	Issue for Planning
2/1	Issue for Planning
3/1	Issue for Planning
4/1	Issue for Planning

PLANNING ISSUE

Project Title
Proposed Extensions & Alterations to Furley Park Primary School Ashford Kent TN23 3PA

Client
Clague

Scale
1:100

Date
March 14

Project No
21806A_20

Sheet No
P4

West Elevation
1 : 100

North Elevation
1 : 100

South Elevation
1 : 100

East Elevation
1 : 100

Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Proposed Views of New Building

NOTES:
 01. The building is proposed to be constructed in accordance with the approved plans and specifications.
 02. The building is proposed to be constructed in accordance with the approved plans and specifications.
 03. The building is proposed to be constructed in accordance with the approved plans and specifications.
 04. The building is proposed to be constructed in accordance with the approved plans and specifications.
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 08. The building is proposed to be constructed in accordance with the approved plans and specifications.
 09. The building is proposed to be constructed in accordance with the approved plans and specifications.
 10. The building is proposed to be constructed in accordance with the approved plans and specifications.



Sketch View of North West Elevation

Planning Issue

Project Title:
 Proposed Expansion and Alterations to
 Furley Park Primary School
 Ashford
 Kent
 TN21 3PA

Project Reference:
 Proposed Sketch Views

Client:
 KCC

Scale:
 1:100

Date:
 14/06/14



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Drawn By:
 21806A_22

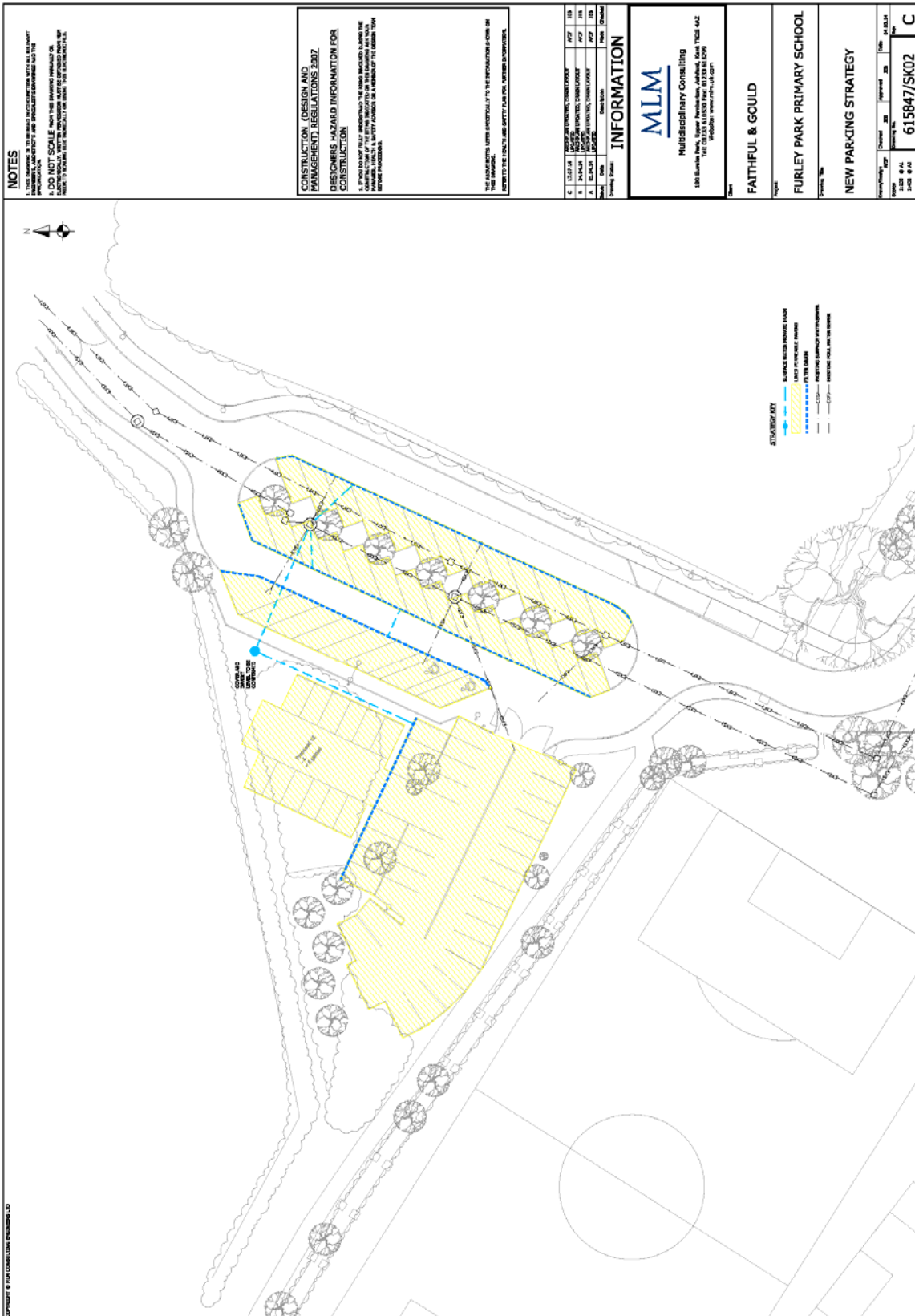
Checked By:
 PJ



Sketch View of South West Elevation

Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Car Parking Proposals



Consultations

15. **Ashford Borough Council** – Raises no objection to the proposal subject to the imposition of a number of conditions including the submission of details covering materials, landscaping scheme, archaeological watching brief, ecological mitigation measures, phase II ground investigation report and remediation scheme and conditions imposed securing provision of car parking spaces, bicycle storage, implementation of School Travel Plan, implementation of approved Sustainable Urban Drainage System, reporting of unexpected contamination and provision of Tree Protection measures.

Kingsnorth Parish Council – No comments received to date.

Kent County Council Highways and Transportation – Raises no objection to the application. Following amendments being made to the number of car parking and cycle spaces, KCC Highways and Transportation consider that the parking provision is now sufficient for the extra one form entry that the new building would accommodate. This is subject to the implementation of conditions including the provision of parking facilities for site personnel and visitors, construction vehicle loading/unloading and turning facilities, the use of vehicle cleansing and wheel washing equipment during construction to prevent mud and other debris being deposited on the public highway, the provision of the vehicle parking spaces and turning space and the provision of the cycle spaces.

The County Council's School Travel Plan Advisor – Provides advice on how the School can produce an updated School Travel Plan using a new dedicated online system.

Environment Agency – Raises no objection to the proposal and has classified that the development is of low environmental risk.

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

Public Rights of Way Officer – Raises no objection as the proposed development does not directly affect the public right of way 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;
- no hedging or shrubs should be planted within 1 metre of the edge of the Public Path; 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.

The County Council's Landscape Officer – Raises no objection subject to the tree species proposed to be planted being changed to native species to avoid potential hybridisation within the Ancient Woodland and retention of its character. A Tree Protection Plan has also been requested in the form of a planning condition.

Proposed expansion of Furley Park Primary School, Reed Crescent,
Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Biodiversity Officer – *Originally* commented that insufficient ecological information had been provided and additional information regarding the impact that the proposed development could possibly have on Great Crested Newts (GCN). Further to the submission of an updated ecological report from the applicant's ecologist detailing precaution and avoidance measures during the construction phase to limit any potential impact on GCNs, KCC's Biodiversity Officer considers the information provided to be satisfactory and *raises no objections* to the proposal. This is subject to precautionary approach recommendations to GCN as detailed within the updated ecological survey being implemented during construction works to minimise the potential of GCN being impacted by the proposed development. Further recommendations have been made by KCC's Biodiversity officer that any lighting for the proposed development should be designed sensitively due to the new buildings proximity to Ancient Woodland and enhancements to biodiversity within the vicinity of the nature area should be provided.

Local Member

16. The County Council Local Member Mr Michael Angell was notified of the application on the 21 May 2014 and has commented that he supports the proposals and would like the opportunity to address the Committee.

Publicity

17. The application was publicised by the posting of 3 site notices, on Reed Crescent at the main vehicular and pedestrian entrance to the school, along the public right of way to the north west and north east. The individual notification of 33 neighbouring properties was carried out as part of the consultation.

Representations

18. I have received 5 letters/emails of objection to the proposal to date. The main points of objection are summarised as follows:-

Access, Parking and Highway Safety

- Concerns regarding the current levels of traffic along surrounding roads and the safety implications that this currently creates and the belief that the school expansion would exacerbate the problem
- Concerns regarding vehicles being driven dangerously and parents parking in local roads and blocking driveways, which is a nuisance to local residents
- The behaviour and attitude of some parents towards local residents in relation to parking issues is reportedly poor and can be aggressive.
- Suggestion that one side of Reed Crescent should be marked out with double yellow lines to prevent vehicles impeding the flow of traffic
- Consider that Reed Crescent is not wide enough for the current flow of traffic which is not only inconvenient but considered a danger to pupils due to restricted driver view and aggressive behaviour
- Roadside vegetation is poorly maintained, which is a danger to both pedestrian and drivers, restricting visibility
- Consider that Kent County Council should assess the current road layout of Reed Crescent and that either parking restrictions are imposed or the road is widened
- Consider that school sustainable transport strategies such a walking bus are of limited success especially during poor weather

Proposed expansion of Furley Park Primary School, Reed Crescent, Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

- Re-routing of buses due to on street parking is considered to be unfair for local residents who will have to walk further to use public transport
- Concerns regarding lack of access for emergency service vehicles when cars are parked along Reed Crescent
- Acknowledge that a proportion of the additional school places will be taken up by siblings/existing families driving to the school, but consider that extra traffic will still be generated
- Consider that the plans for the school expansion are unworkable unless all traffic except by local residents is banned within a 2 mile radius of the school
- Note that the School made a loudspeaker announcement during the morning drop-off time requesting that vehicles which were parked on double yellow lines should be removed as a bus was not able to get through.

Need for the development and impact on the school

- Sympathetic with the need to expand the school but feel the overall impact of the expansion on the area needs to be taken into consideration.

Discussion

Introduction

19. The application seeks planning permission for a two storey building, comprising of six classrooms, school hall, small group room, toilets and storage space. Additionally, the application seeks permission for the creation of 32 car parking spaces, 34 cycle spaces and associated hard and soft landscaping works including an extension to the northern playground. The application is being reported to the Planning Applications Committee as a result of the objections received from local residents regarding the proposal.

20. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph 14 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, the proposal needs to be considered in the context of Development Plan Policies, Government Guidance and other material planning considerations including those arising from consultation and publicity. The other aspects to consider are the issues to do with the design, layout and scale of the development, residential amenity concerns including noise disturbance and implications of the proposal on the local road network and highway safety considerations.

Need

21. The strong policy support for the development of schools must be considered to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on amenity and other material considerations. In the Government's view the creation and development of schools is strongly in the national interest and planning authorities should support this objective, in a manner consistent with their statutory obligations. In considering proposals for the creation, expansion and alteration of schools, the Government considers that there is a strong presumption in favour of state funded schools, as expressed in the National Planning Policy Framework and reflected in the Policy Statement for Schools. Planning authorities should give full and thorough consideration to the importance of enabling such development, attaching significant weight to the need to establish and develop state funded schools, and making full use of their planning powers to support such

Proposed expansion of Furley Park Primary School, Reed Crescent,
Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

development, only imposing conditions that are absolutely necessary and that meet the tests set out in Circular 11/95.

Design, Layout and Scale of Development Issues

22. The Ashford Borough Council Local Plan (2000) and Core Strategy (2008) promote high quality design and sustainable development. The proposed layout, scale and design of the development should be considered to establish whether the development, as proposed, is acceptable and is sensitively designed within its residential and woodland setting. The layout of the proposed development aims to provide the most feasible option for providing more teaching accommodation to allow for the proposed expansion of pupil numbers at the school. The application documents show other layout options for the proposed development which were investigated by the applicant's architect including various different locations for the new classroom block in relation to the existing mobile building and Children's Centre. Many of the options were reliant on the closure of the Children's Centre, which at the moment is being considered. These options assessed the feasibility of demolishing or remodelling the existing building as part of the proposals however the Centre's closure is still under consideration and it was deemed that such proposals would not provide sufficient teaching space. An option based on leaving the Children's Centre in its current use was subsequently chosen. The option which has been proposed as part of this application is for the re-location of the existing modular classroom block to the west of the school playground and the construction of a two storey building on the site of the existing modular classroom block. The car park to the north-west of the school playground is proposed to be replaced with a new external play area and an additional 32 car parking spaces are to be provided within the existing main car park to the north east of the site, resulting in a total of 91 parking spaces. In my view the proposed layout of the development is acceptable and the most coherent option considered by the applicant's architect.
23. The proposed development has been designed to match the existing school buildings and is reflected in the choice of external materials and colour scheme chosen for the proposed development. The proposed new building would be constructed using blue and buff brickwork and matching polyester powder coated aluminium windows to reflect the external materials of the existing adjacent building. Subject to permission being granted, a planning condition requiring the submission of details of external materials prior to the construction of the development could be stipulated.
24. The applicant has taken into consideration the location and layout of the proposed building in relation to the area of Ancient Woodland located adjacent to the north-east of the site, beyond the public right of way to the east of the site. The proposed new building is located approximately 66m from Parklane Ancient Woodland being separated by a nature area and public right of way situated to the north of the building, providing a sufficient level of screening. I consider that the location of the development would not have a detrimental impact on the character of the existing woodland. Furthermore, a planning condition ensuring that external lighting is sensitively designed could be imposed in the event that permission for the development is granted. This lighting scheme would also cover the car park to the north-west of the site.
25. The proposed building is of a two storey construction with the existing school buildings being single storey. Through the initial design process, as detailed in the application, it was noted that a single storey building would have a significantly larger footprint and have a detrimental impact on the provision of playground. The height of the proposed building is 15m and the flat roof would help to reduce the overall height of the building.

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Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

Although the existing buildings on site are of a single storey construction, I do not consider that the scale of the development would have a detrimental impact on visual amenity. The building is sited away from residential properties located to the north-west of the site. The external appearance and choice of materials proposed for the new building would help the building relate well to the existing buildings on site. Consequently, I consider the design of the building to be acceptable and in accordance with Development Plan policies.

Access, Parking, Traffic and Highway Safety

26. The parking provision as originally submitted proposed an additional 24 car parking spaces. However KCC Highways and Transportation initially considered that the provision of additional car parking spaces was insufficient and would actually result in a reduction in the number of current staff spaces. That would subsequently have a detrimental impact on the availability of the pupil drop-off zone and directly lead to off-site parking on local roads, particularly Reed Crescent. After amendments were made by the applicant's transport consultant, a revised car parking proposal was submitted indicating the provision of 32 and additional car parking spaces
27. The application as originally submitted proposed the provision of 16 cycle spaces. However this number of cycle spaces was deemed insufficient based on the increase in pupil and staff numbers. Following amendments to the application, a total of 34 cycle spaces are proposed, achieving the current targets of 12% for the cycle to school rate amongst pupils. The location of the public right of way within the school grounds should also encourage greater use of cycling as a sustainable method of transport to the school by pupils and staff within the wider Park Farm area.
28. The school currently has facilities for the pick-up and drop-off of pupils on site with parking for parents vehicles. However it is noted within the Transport Statement that these facilities have recently been restricted due to the misuse of the facility by parents. The parking proposals submitted for consideration as part of this application would provide 47 car parking spaces for parents and visitors including 4 disabled parking bays and a separate staff parking area, accessed via a secure gate. This would allow dedicated parking provision for the increased numbers of staff and pupils as a result of the expansion of the school and reduce parking pressures on local roads including Reed Crescent.
29. The Transport Statement submitted as part of the application concludes that the proposed expansion of the school from two form entry to three form entry would generate a maximum of 69 one-way vehicle movements across the morning peak hour (0800-0900 hours) and a maximum of 65 one-way vehicle movements across the afternoon peak hour (1500-1600 hours). The Transport Statement has assessed the level of staff car parking to be provided as a result of the school expansion and taken into consideration Kent Vehicle Parking Standards Supplementary Planning Guidance. The parking provision has been deemed to be fully compliant with the recommended parking standards. Consequently, the Transport Statement concludes that the parking provision as part of the proposals would be able to adequately meet the additional demand on parking resulting from the school expansion and considers that the proposals would not have additional detrimental impact to residential parking amenity. Furthermore, the provision of parking for parents would be made available with 47 parking spaces for parents and visitors, reducing the impact that parent parking has on the local road network. Kent County Council Highways and Transportation consider that the additional vehicle trips generated by the expansion of the school to 3FE would not have a

Proposed expansion of Furley Park Primary School, Reed Crescent,
Park Farm, Ashford – AS/14/606 (KCC/AS/0162/2014)

significantly adverse impact on the surrounding highway network and I would agree with this view.

30. The applicant's Transport Consultant considers that car based trips to the school could be reduced through the implementation of an updated School Travel Plan. The School's current travel plan was updated in 2006 however much of the local area has changed since its production with a number of houses being constructed as part of the wider Park Farm development. The updated Travel Plan will seek to reduce the mode share for car travel by pupils and staff and encourage sustainable travel, particularly walking, cycling and car sharing. The provision of 17 cycle stands would allow 34 cycle spaces to be provided as part of the proposals, encouraging cycling to the school. The School are also keen on setting up a Walking Bus initiative to encourage pupils to walk to school from the surrounding Park Farm housing estate. The majority of new pupils will come from the area of housing within Park Farm being constructed and the existing walking and cycle infrastructure is supportive of sustainable methods of travel. Updating and regular monitoring and review of the School Travel Plan to ensure that targets to reduce car based trips are being met could be addressed via a planning condition if consent was granted.
31. Local residents have raised concerns that the local highway network already struggles to accommodate traffic associated with the school and the school expansion would exacerbate this problem. Furthermore, it is considered that on-street car parking by parents and staff is dangerous, and an inconvenience to local residents, causing congestion on local roads within the vicinity of the school, particularly during peak school times. Various suggestions have been made by local residents requesting that traffic restrictions should be implemented along Reed Crescent including the feasibility of marking out one side of the road with double yellow lines and amending the current road layout including widening the road. It should be noted however that the highway infrastructure within the Park Farm Estate was implemented relatively recently in the late 1990's to Kent Design Standards for residential streets and many of the roads have traffic calming measures already to enable efficient movement of two-way traffic with limited conflict. It also needs to be borne in mind that these roads are part of the public highway and the public highway is there to be used, and it cannot be reserved for the sole use of one just one group of users, such as residents. The comments from local residents have been assessed by KCC Highways and Transportation who consider that it is unreasonable to request any further parking restrictions to parking on Reed Crescent, as part of this application to address existing parking issues. The current width of Reed Crescent at 6.75 metres is deemed to be entirely appropriate and KCC Highways and Transportation do not consider it necessary to widen the roadway. Furthermore, the provision of additional car parking within the school site is satisfactory to accommodate the increase in pupil and staff numbers at the school, and consequently no works to the public highway can reasonably be requested as part of this proposal.
32. The Transport Statement, submitted as part of the application details bus services that run within the Park Farm area. Recently, services were introduced to Reed Crescent, however it was found that conflict was caused during the school morning and afternoon peak times whereby parent on-street parking caused issues for the free flow of bus services. Subsequently, bus services that presently cover Reed Crescent will be re-routed and although this is an inconvenience to local residents, there remains a good level of services within the immediate area. On-site parking provision for parents should also serve to reduce parking on local roads.

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33. Concerns have been raised by local residents with regard to the obstruction to visibility within the vicinity of the school access on Reed Crescent caused by overgrown vegetation on the public highway. This is a more general issue not directly related to the processing of this planning application and these concerns have been sent to the County Council's Highways District Manager for Ashford and the vegetation will undergo maintenance works if required to ensure driver and pedestrian safety.
34. It should be recognised that increased traffic levels around the surrounding local road network are limited to school peak times, generally limited to a 15-20 minute period, at the start and end of the school day. Although traffic generated by the school causes inconvenience and delays to through traffic, this is considered to be a short term impact on local amenity rather than amounting to a wider highway safety concern. Whilst the behaviour of a small number of parents, who have reportedly been rude to local residents in some instances, is understandably a matter of concern and potential distress to residents, driver behaviour and attitude is not a planning land use matter which the Planning Authority can control. I consider that any potential additional traffic on the local road network created by the school's expansion could effectively be managed by the additional car parking provision proposed as part of this application, which is a view shared by KCC's Highways and Transportation advisor.
35. I also consider that the proposed additional car parking provision would provide sufficient mitigation to accommodate the increase in vehicles associated with the expansion of the school. Furthermore, the provision of 47 pupil drop-off and pick-up spaces would help to reduce the number of vehicles parking on local roads such as Reed Crescent. The updating and annual review of the School Travel Plan will also assist in mitigating the potential impacts the proposed expansion in pupil numbers may create. It should also be noted that the expansion of the school would be staggered over six years with 30 pupil places being admitted each year. During the school's staggered expansion, I would expect the School Travel Plan to be regularly updated to encourage sustainable methods of travel. Highways and Transportation are satisfied that this proposal would not have a detrimental impact on the local highway network, and consider the car parking provision sufficient for the level of expansion of pupil and staff numbers.
36. Taking the professional advice received from Highways and Transportation into account, I would consider the proposal acceptable in highway terms, subject to the imposition of conditions covering provision of parking facilities for site personnel and visitors, construction vehicle loading/unloading and turning facilities, the use of vehicle cleansing and wheel washing equipment during construction to prevent mud and other debris being deposited on the public highway, the provision of the vehicle parking spaces and turning space and the provision of the cycle spaces.

Noise

37. The application is accompanied by a Preliminary Acoustic Assessment which has assessed the potential noise impact resulting from the proposed development. The report concludes that noise levels would not be significant to warrant specific acoustic measures to the building to be implemented and consequently recommend a natural ventilation strategy of opening windows would be acceptable for all areas within the school. I consider that the applicant has adequately assessed potential noise levels arising from the proposed works. Additionally, no concerns have been raised by local residents regarding noise disturbance with the proposed new building being sited approximately 160m from the nearest residential properties located adjacent to the north-west of the site.

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Construction

38. Given that there are neighbouring residential properties located to the north-west of the site, if planning permission is granted it is considered 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.
39. In addition, I consider it appropriate that details of a Construction Management Strategy be submitted for approval prior to the commencement of development should permission be granted. The strategy 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 and details of any construction accesses.
40. 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.

Biodiversity

41. An updated Ecological Assessment was submitted by the applicant further to additional information being requested by KCC's Biodiversity officer concerning the potential impact the proposed development could possibly have on Great Crested Newts. It was noted from the protected species survey work that the small pond located within the nature area to the north-eastern part of the site had a good predicted presence of Great Crested Newt. Consequently, KCC's Biodiversity officer requested precautionary measures to be implemented during construction of the new building, including for example the storage of building materials on pallets to prevent newts and other amphibians using them as refuges. No other protected species were found to be present within the school site. Additionally, recommendations have been made by KCC's Biodiversity officer that lighting for the proposed new building should be sensitively designed to reduce the potential impact on habitats located within the Parklane area of Ancient Woodland. The NPPF encourages opportunities to incorporate biodiversity in and around developments, subsequently management recommendations to enhance the nature area for biodiversity should be investigated. Subject to planning permission being granted, I would consider it appropriate to impose planning conditions requiring recommendations within the revised Ecological Assessment to be implemented, a lighting scheme to be submitted for prior approval ensuring that it is sensitively designed, and a programme of ecological enhancement to promote biodiversity within the nature area to the north-east of the site to be submitted to the County Council for approval.

Landscaping

42. The application is accompanied by a Tree Survey, Landscape Statement, Specification and Scheme. The proposed development includes a scheme of hard and soft landscaping as outlined in paragraph 8 and comprises of an extension to the northern school playground and tree and shrub planting within the vicinity of the car park and

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playground. Amendments were made to proposed tree species during the processing of the application to ensure that only native species were incorporated into the landscaping scheme to avoid potential hybridisation within the Ancient Woodland and to retain its character in accordance with the Ashford Landscape Character Supplementary Planning Document 2011. Furthermore, KCC's Landscape officer considers that a Tree Protection Plan should be submitted. This can be accommodated via planning condition should permission be granted. Overall, I consider that the scheme of soft and hard landscaping proposed enhances the landscape character of the site and the loss of vegetation has been sufficiently addressed with areas of additional shrub and tree planting.

Public Right of Way

43. As detailed in paragraph 1, a public right of way is located within the site boundary from the north-west and forms the north-eastern boundary of the school site. Although not directly affected by the development proposals KCC Public Rights of Way Officer has provided advice detailing that no works are proposed to be undertaken to the Right of Way, and that no temporary closure or diversion of the Right of Way should take place without consent, no furniture is to be erected on or across the Right of Way and no hedging or shrubs should be planted within 1 metre of the edge of the Public Path. Should permission be granted, I consider it appropriate to draw this advice to the applicant's attention by way of an informative if consent is granted.

Archaeology

44. The County Archaeologist has indicated that the school grounds are located within an Area of Archaeological Potential associated with prehistoric activity. Evidence of Bronze Age, Late Iron Age and Roman settlements have been identified within the local area and it is always possible that proposed development works may disturb archaeological remains, although the site has of course previously been disturbed when the school was first developed. Consequently, a condition requesting a programme of archaeological work should be imposed on any planning permission. In my view, this approach is appropriate and proportionate to the development being proposed and is also in accordance with Policy EN23 of the adopted Local Plan.

Conclusion

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

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Recommendation

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

- 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 materials to be used externally;
- the submission of the specifications of the fencing and gates proposed to be erected;
- the submission of details of external lighting to the building and car parking;
- a programme of archaeological work to be submitted and approved;
- the development to be undertaken in accordance with the recommendations of the Ecological Survey;
- no vegetation clearance to take place during the bird breeding season;
- the submission of a biodiversity enhancement scheme for the nature area;
- the scheme of landscaping to be implemented as approved;
- the submission of a tree protection plan and the development to be undertaken in accordance with the recommendations of the Tree Survey;
- the submission of a detailed Phase II Geo environmental ground investigation report and remediation scheme;
- 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/visitor parking, provision to accommodate operatives' and construction vehicles loading/ off-loading and turning on site, details of site security and safety measures, lorry waiting and wheel washing facilities, and details of any construction accesses & management of the site access to avoid peak school times;
- the submission of an updated School Travel Plan prior to occupation, its implementation and on-going review;
- the provision and retention of the vehicle parking spaces and turning space;
- the Sustainable Urban Drainage Scheme to be implemented as approved;
- the provision and retention of the cycle parking facilities prior to occupation of the new building;
- measures to prevent mud and debris being deposited onto the public highway.

I FURTHER RECOMMEND that the applicant be advised by informative of:

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

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Case officer – Hardeep Hunjan

03000 413397

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/14/725	Proposed relaxation of condition (26) of planning permission AS/12/813 to allow the hours of working for the Waste Transfer only to be extended to run from 0900 to 1600 hours on a limited number of Sundays and to allow no more than a maximum of 3 deliveries (6 movements) during each extended period. Kent County Council Waste Transfer Station, Cobbs Wood Industrial Estate, Brunswick Road, Ashford
DA/12/1170/RA	Section 96A application for further non-material amendment to kiosks and positioning of odour stack (as previously approved under reference DA/12/1170 – Upgrade to sewage treatment works including sludge cake storage building, odour control stack, kiosks, containerised plant and associated works. Long Reach Wastewater Treatment Works, Marsh Street, Dartford
DA/12/1170/R17	Revised tree planting plan pursuant to condition (17) of planning permission DA/12/1170 (upgrade to sewage treatment works including sludge cake storage building, odour control stack, kiosks, containerised plant and associated works. Long Reach Sewage Treatment Works, Marsh Street, Dartford
SE/14/1680	Application to vary condition (ii) of planning permission SE/83/1511 to enable an extension of time to restore the sandpit formerly known as Squerryes Sandpit until 31st October 2015. Covers Sandpit, Westerham
SW/11/1227/R16	Discharge of condition 16 relating to planning permission SW/11/1227 - Ecological buffer management zone. Sweeep Kuusakoski Ltd, Gas Road, Sittingbourne
SW/12/927/R	Non-material amendment (minor alterations to the site layout) and conveyor. Building 17, Ridham Dock, Iwade, Sittingbourne
SW/14/76/R4&R5	Details of Ecological Management Plan and details of the proposed works of the SUD pursuant to conditions (4) and (5) of planning permission SW/14/76. Land at Ridham Dock, Iwade, Sittingbourne
TM/14/1815	Extension of hazardous waste treatment plant by the addition of 2 no. vertical treatment tanks and associated bunding. Cleansing Service Group Ltd, Mills Road, Quarry Wood Industrial Estate, Aylesford

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

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

Background Documents – The deposited documents.

- | | |
|------------------------|--|
| AS/13/1452/R7 & R17 | Details of a scheme of landscaping and tree planting and a construction management strategy pursuant to conditions 7 and 17 of planning permission reference AS/13/1452.
Land at Little Hill, Wayside, St Michaels, Tenterden, Ashford |
| AS/13/1452/R12 | Details of an additional/updated bat emergence survey and any necessary mitigation pursuant to condition 12 of planning permission reference AS/13/1452.
Land at Little Hill, Wayside, St Michaels, Tenterden, Ashford |
| AS/14/354 | Proposed construction of timber structure to be utilised as an outdoor learning area.
High Halden C of E Primary School, Church Hill, High Halden |
| CA/13/2232/R3, R4 & R8 | Details of all materials to be used externally; external lighting and a construction management strategy
Joy Lane Primary School, Joy Lane, Whitstable |
| DA/13/1203/R3 & R4 | Submission of archaeological details and foundation details pursuant to conditions 3 and 4 of DA/13/1203.
Maypole Primary School, Franklin Road, Dartford |
| DA/13/1701/RVAR | Details pursuant to conditions 3 (external materials), 7 (drainage scheme), 16 (construction management), 17 (road condition survey), 19 (cycle storage) and 20 (refuse store) of planning permission DA/13/1701 for a replacement extra care apartment building.
Manorbrooke Residential Home, Bevis Close, Dartford |
| DA/14/647 | The removal/demolition of the existing mobile classroom building located within the existing hard stand playground and install new modular building which was located at Maypole Primary School.
Sutton at Hone C of E Primary School, Church Road, Sutton at Hone |
| DO/13/781 | To heighten school perimeter fencing to 3.6 metres along the south-eastern boundary.
The Downs CEP School, Downs Road, Walmer |

DO/13/855/R7

Details pursuant to condition 7 (Construction Management Strategy) - Reorganisation of the Academy Campus to include demolition of the science, art, design and technology and music blocks along with the main hall, existing changing facilities, temporary PE accommodation and youth centre. The retention of the existing frontage building and the erection of a new two storey building within the frontage courtyard area of the site. Retention and extension of the sports hall to create a four court hall. Refurbishment of the existing all weather pitch, widening of the westerly internal access road and provision of two areas of car parking to the east and west of the site accommodating 117 car parking spaces, 135 cycle parking space, 7 motor cycle spaces and 7 mini bus spaces. Provision of associated hard and soft landscaping.
Dover Christ Church Academy, Melbourne Avenue, Whitfield, Dover

DO/13/855/R13 & 14

Details pursuant to condition 13 (Entrance Gates) and condition 14 (Car Parking Layout) - Reorganisation of the Academy Campus to include demolition of the science, art, design and technology and music blocks along with the main hall, existing changing facilities, temporary PE accommodation and youth centre. The retention of the existing frontage building and the erection of a new two storey building within the frontage courtyard area of the site. Retention and extension of the sports hall to create a four court hall. Refurbishment of the existing all weather pitch, widening of the westerly internal access road and provision of two areas of car parking to the east and west of the site accommodating 117 car parking spaces, 135 cycle parking space, 7 motor cycle spaces and 7 mini bus spaces. Provision of associated hard and soft landscaping.
Dover Christ Church Academy, Melbourne Avenue, Whitfield, Dover

DO/13/855/R16,17,19&20

Details pursuant to conditions 16, 17, 19 & 20 (Contamination) - Reorganisation of the Academy Campus to include demolition of the science, art, design and technology and music blocks along with the main hall, existing changing facilities, temporary PE accommodation and youth centre. The retention of the existing frontage building and the erection of a new two storey building within the frontage courtyard area of the site. hall. Refurbishment of the existing all weather pitch, widening Retention and extension of the sports hall to create a four court of the westerly internal access road and provision of two areas of car parking to the east and west of the site accommodating 117 car parking spaces, 135 cycle parking space, 7 motor cycle spaces and 7 mini bus spaces. Provision of associated hard and soft landscaping.
Dover Christ Church Academy, Melbourne Avenue, Whitfield, Dover

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- DO/13/855/R21 Details pursuant to condition 21 (Archaeology) - Reorganisation of the Academy Campus to include demolition of the science, art, design and technology and music blocks along with the main hall, existing changing facilities, temporary PE accommodation and youth centre. The retention of the existing frontage building and the erection of a new two storey building within the frontage courtyard area of the site. Retention and extension of the sports hall to create a four court hall. Refurbishment of the existing all weather pitch, widening of the westerly internal access road and provision of two areas of car parking to the east and west of the site accommodating 117 car parking spaces, 135 cycle parking space, 7 motor cycle spaces and 7 mini bus spaces. Provision of associated hard and soft landscaping.
Dover Christ Church Academy, Melbourne Avenue, Whitfield, Dover
- DO/13/855/R22,23,24&25 Details pursuant to conditions 22, 23, 24 & 25 (Ecology) - Reorganisation of the Academy Campus to include demolition of the science, art, design and technology and music blocks along with the main hall, existing changing facilities, temporary PE accommodation and youth centre. The retention of the existing frontage building and the erection of a new two storey building within the frontage courtyard area of the site. Retention and extension of the sports hall to create a four court hall. Refurbishment of the existing all weather pitch, widening of the westerly internal access road and provision of two areas of car parking to the east and west of the site accommodating 117 car parking spaces, 135 cycle parking space, 7 motor cycle spaces and 7 mini bus spaces. Provision of associated hard and soft landscaping.
Dover Christ Church Academy, Melbourne Avenue, Whitfield, Dover
- DO/13/1114/R4, R6 & R7 Details pursuant to conditions 4, 6 & 7 (Construction 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/14/514 Erection of an oak framed shelter.
Kingsdown & Ringwould C of E Primary School, Glen Road, Kingsdown, Deal
- DO/14/521 Construction of a New Youth Centre and extension to existing leisure centre car park.
Land adjoining the Deal Leisure Centre, Tides, Park Avenue, Deal, Kent, CT14 9UU
- DO/14/577 Proposed single storey office extension.
Eastry CE Primary School, Cooks Lea, Eastry, Sandwich

DO/14/595	Expansion of White Cliffs Primary College for the Arts from one form entry (1FE) to two form entry (2FE), including the erection of a two storey extension to be connected to the existing school building together with new hard and soft landscaping and additional parking spaces. White Cliffs Primary College for the Arts, St Radigunds Road, Dover
GR/14/589	Construction of new hard games court area and resurfacing of the existing hard play area. St Botolphs C of E Primary School, Dover Road, Northfleet
MA/13/1446/R5	Details of a School Travel Plan pursuant to condition 5 of planning permission MA/13/1446. St Paul's Infant School, Hillary Road, Penenden Heath, Maidstone
MA/14/500208	Proposed single storey timber divided classroom with 2 x WCs. St Margarets School, Collier Street, Marden, Tonbridge
MA/14/500814	Proposed demolition of existing sports hall and support facility and the proposed erection of a new sports hall and support facility. Maidstone Grammar School for Girls, Buckland Road, Maidstone
SW/14/400/R3	Details of external materials pursuant to condition 3 of planning permission SW/14/400. Lower Halstow School, School Lane, Lower Halstow, Sittingbourne
SW/14/500284	Renewal of existing temporary planning permission for mobile classroom units consisting of a 12 month extension for the two single classroom units and the full five year term for the twin classroom and toilet unit. Queenborough Primary School and Nursery, Edward Road, Queenborough
TH/13/666/R8 & R10	Details of a programme of archaeological work and surface water drainage pursuant to conditions 8 and 10 of planning permission TH/13/666. Newington Community Primary School, Princess Margaret Avenue, Ramsgate
TH/13/1014/R4A	Details of external materials pursuant to condition 4 of planning permission TH/13/1014. Former Newington Primary School, Melbourne Avenue, Ramsgate
TH/14/475	Proposed erection of new Laleham Gap SEN School with residential block and associated access, parking, landscaping and sport areas. Land at Ozengell Place, Ramsgate

TW/13/2697/R4	Details of replacement tree planting pursuant to condition (4) of planning permission TW/13/2697. The Skinners School, St Johns Road, Tunbridge Wells
TW/13/3828/R4	Submission of details of external materials pursuant to condition (4) of planning permission TW/13/3828. Bowles Lodge, All Saints Road, Hawkhurst, Cranbrook
TW/13/3828/R9	Submission of details of tree protection pursuant to condition (9) of planning permission TW/13/3828. Bowles Lodge, All Saints Road, Hawkhurst, Cranbrook
TW/13/3828/R15	Submission of drainage details pursuant to condition (15) of planning permission TW/13/3828. Bowles Lodge, All Saints Road, Hawkhurst, Cranbrook
TW/13/3828/R17&18	Submission of details of cycle store pursuant to condition (17) and refuse store pursuant to condition (18) of planning permission TW/13/3828. Bowles Lodge, All Saints Road, Hawkhurst, Cranbrook
TW/13/3828/R20	Submission of details of construction management strategy pursuant to condition (20) of planning permission TW/13/3828. Bowles Lodge, All Saints Road, Hawkhurst, Cranbrook
TW/14/154/R10	Details of a detailed mitigation strategy for Great Crested Newts pursuant to condition 10 of planning permission TW/14/154. Langton Green Primary School, Lampington Row, Langton Green, Tunbridge Wells
TW/14/154/R14 (part)	Part discharge of condition 14: Details of a Construction Management Strategy for Phase 1 of the development only. Langton Green Primary School, Lampington Row, Langton Green, Tunbridge Wells
TW/14/1462	Renewal of planning permission for one mobile building and one two bay mobile building. Cranbrook Primary School OUT OF HOURS, Carriers Road, Cranbrook, Kent, TN17 3JS

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/SCR/DA/0244/2014 - Request for a Screening Opinion as to whether the proposed aggregate recycling facility requires an Environmental Impact Assessment.
Land to the west of Pilgrims Road, Swanscombe
- KCC/SCR/SW/0207/2014 - Request for a Screening Opinion as to whether the proposed installation of an advanced thermal conversion and energy generation facility requires an Environmental Impact Assessment.
Kemsley Park, Kemsley Fields Business Park, Barge Way, Sittingbourne
- KCC/SW/0205/2014 - Retrospective planning permission for WEEE recycling storage buildings in connection with waste electrical and electronic equipment recycling activities granted under SW/11/1227.
SWEEEP Kuusakoski Ltd, Gas Road, Sittingbourne
- KCC/SW/0206/2014 - Proposed additional storage for Waste Electronic Equipment Material in connection with waste electrical and electronic equipment recycling activities at SWEEEP Kuusakoski Ltd, Gas Road, Sittingbourne
- KCC/SW/0243/2014 - Proposed change of use from storage to production in connection with WEEE waste electronic equipment recycling plus recladding the building.
SWEEEP Kuusakoski Ltd, Gas Road, Sittingbourne
- KCC/TM/0223/2014 - Planning application for a proposed new two storey Special Educational Needs School, with associated access, car parking, and hard and soft landscaping at Land at Higham Lane, Higham Lane, Tonbridge
- KCC/TM/0247/2014 - Application to relocate and raise the ground level for the recycling operations and for the permanent presence of recycling plant in the recycling area for the duration of landfilling at Borough Green Landfill Site, Wrotham Road, Borough Green
- KCC/TW/0256/2014 - Provision of a temporary mobile classroom unit including ramped access for a maximum period of 18 months duration at Broomhill Bank School, Broomhill Road, Tunbridge Wells

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

None

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.*

KCC/SCO/SW/0212/2014 – Request for a Scoping Opinion under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 to determine the extent of an Environmental Impact Assessment to accompany a planning application for a combined heat and power plant at Ridham 'B', Ridham Docks, Ridham, Sittingbourne