

PLANNING APPLICATIONS COMMITTEE

Wednesday, 11th February, 2015

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 11th February, 2015, at 10.00 am
Council Chamber, Sessions House, County Hall, Maidstone

Ask for: **Andrew Tait**
Telephone: **03000 416749**

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 - 21 January 2015 (Pages 5 - 8)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal SE/14/13/R36 - Construction Management Strategy for the redevelopment of the Knole (East) Academy at the former Wildernesse School, Seal Hollow Road, Sevenoaks; KCC Property and Infrastructure Services (Pages 9 - 22)

2. Proposal SW/14/1543/R3 and R4 - Details pursuant to Condition 3 (external materials) and 4 (external lighting) at Tunstall CE Primary School, Tunstall Road, Tunstall; KCC Property and Infrastructure Services (Pages 23 - 40)
3. Proposal MA/14/504889 (KCC/MA/0315/2015) - Extension and refurbishment of the existing sports pavilion at Maidstone Grammar School, Barton Road, Maidstone; Governors of Maidstone Grammar School (Pages 41 - 58)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 59 - 62)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2011
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
03000 416647

Tuesday, 3 February 2015

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

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 21 January 2015.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr M Baldock, Mr M A C Balfour, Mrs P Brivio, Mr L Burgess, Mr N J D Chard (Substitute for Mr T Gates), Mr I S Chittenden, Mr P M Harman, Mr T A Maddison, Mr R J Parry, Mrs E D Rowbotham, 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 M Clifton (Principal Planning Officer - Waste Developments), Mr J Crossley (Principal Planning Officer - County Council Development), Mr A Pigott (Strategic Transport and Development Planner) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

1. Minutes - 10 December 2014
(Item A3)

RESOLVED that the Minutes of the meeting held on 10 December 2014 are correctly recorded and that they be signed by the Chairman.

2. Site Meetings and Other Meetings
(Item A4)

The Committee agreed that the afternoon of Wednesday, 11 March would be set aside for a site visit to Bromstone School in Broadstairs if it should prove necessary.

3. General Matters
(Item B)

(1) The Head of Planning Applications Group referred to Minute 14/62 and informed the Committee that the date set by the Department for Communities and Local Government for the commencement of the Public Inquiry into Application DA/13/967 for a renewable energy facility in Swanscombe was 9 September 2015.

(2) The Head of Planning Applications Group informed the Committee that the Secretary of State had not yet decided whether to call in the St Mary's Playing Field, Folkestone Proposal (Minute 14/82) for his determination.

(3) The Head of Planning Applications Group responded to an enquiry from Mr Baldock by saying that she was unaware of preliminary work having been undertaken by the KCC Waste Management Unit in respect of an application which had not yet been validated at Cryalls Lane, Borden. She agreed to speak to the applicants in the light of Mr Baldock's concerns.

4. Application DA/14/1259 (KCC/DA/0270/2014) - Operation of an aggregates recycling facility to accept 150k tpa of construction waste including a fixed processing plant to utilise certain fractions of the recovered materials in order to produce hydraulically bound materials (HBM) at Land to the south of Manor Way, Swanscombe; Sheerness Recycling Ltd
(Item C1)

(1) Mr P M Harman informed the Committee that he was the Chairman of Swanscombe and Greenhithe TC which had objected to the application. He had taken no part in the Town Council's deliberations on the application and was able to approach its determination with a fresh mind.

(2) The Head of Planning Applications Group informed the Committee that the phrase "volume of waste C&I" in paragraph 104 of the report should read "Construction, Demolition and Excavation (CDE) waste."

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee added a condition specifying a Traffic Management Plan to ensure that vehicles kept to the primary route network as well together with a condition requiring the dust control measures set out in the report at Table 7-1.

(4) RESOLVED that permission be granted to the application subject to conditions, including conditions covering a temporary 5 year planning permission; a limit on throughputs to a maximum of 150,000 tonnes per annum; hours of operation being restricted to between the hours of 0700 and 17.00 on Mondays to Fridays and 0700 and 1200 on Saturdays) with no working on Sundays or Bank Holidays; no more than 60 vehicle movements taking place per operational day (30in/30out); no more than 8 movements (in or out) of HGVs greater than 3.5 tonnes taking place between 0745 and 0845 and between 1500 and 1600; all loads carrying waste being covered; details of wheel washing facilities being submitted; details of a surface water drainage scheme; no further development being carried out (without the permission of the County Planning Authority) if (during development) contamination not previously identified is found to be present at the site, until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination will be dealt with and written approval from the local planning authority for these measures has been obtained. The remediation strategy is to be implemented as approved; mitigation measures being secured as set out in section 8 of the ecological impact assessment and drawing number 003 entitled 'reptile safe area'; a restriction of the plant on site to that set out in the planning application; the submission for approval of a Traffic Management Plan requiring all traffic associated with the site to keep to the primary route network; and the implementation of the dust control measures specified in Table 7 – 1 of the report.

5. Proposal SW/14/502155 (KCC/SW/0241/2014) - Installation of a new canopy to the Reception Class external play areas at Hartlip Endowed Primary School, The Street, Hartlip; Governors of Hartlip Endowed Primary School and Diocesan Architects
(Item D1)

(1) Mr M Baldock moved, seconded by Mr L Burgess that consideration of this proposal be deferred pending a Members' site visit.

Lost 4 votes to 12 with 1 abstention

(2) Mr M A Balfour moved, seconded by Mr C P Smith that the recommendations of the Head of Planning Applications Group be agreed subject to the removal of the Informative recommended in in paragraph 40 of the report.

Carried 10 votes to 5 with 2 abstentions.

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

(4) RESOLVED that permission be granted to the proposal subject to condition, including conditions covering the standard 5 year time limit; the development being carried out in accordance with the permitted details; and the whole frame being painted black.

6. County matters dealt with under delegated powers

(Items E1- E4)

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

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

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SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

Construction Management Strategy details for the redevelopment of the Knole (east) Academy site (former Wildernesse School), Sevenoaks – SE/14/13/R36

A report by Head of Planning Applications Group to Planning Applications Committee on 11 February 2015.

Submission of Construction Management Strategy details by Kent County Council Property & Infrastructure Support, for the construction of two new secondary schools (a 6 form of entry Sevenoaks Grammar Annexe and a 4 form of entry Trinity School) and associated facilities at Knole (east) Academy (former Wildernesse School), Seal Hollow Road, Sevenoaks – pursuant to condition 36 of planning permission reference SE/14/13 (KCC/SE/0375/2013)

Recommendation: Subject to any further views received by the Committee Meeting, recommend that the Construction Management Strategy be APPROVED.

Local Members: Mr N Chard

Classification: Unrestricted

Site

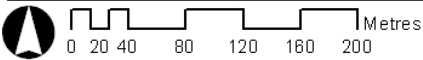
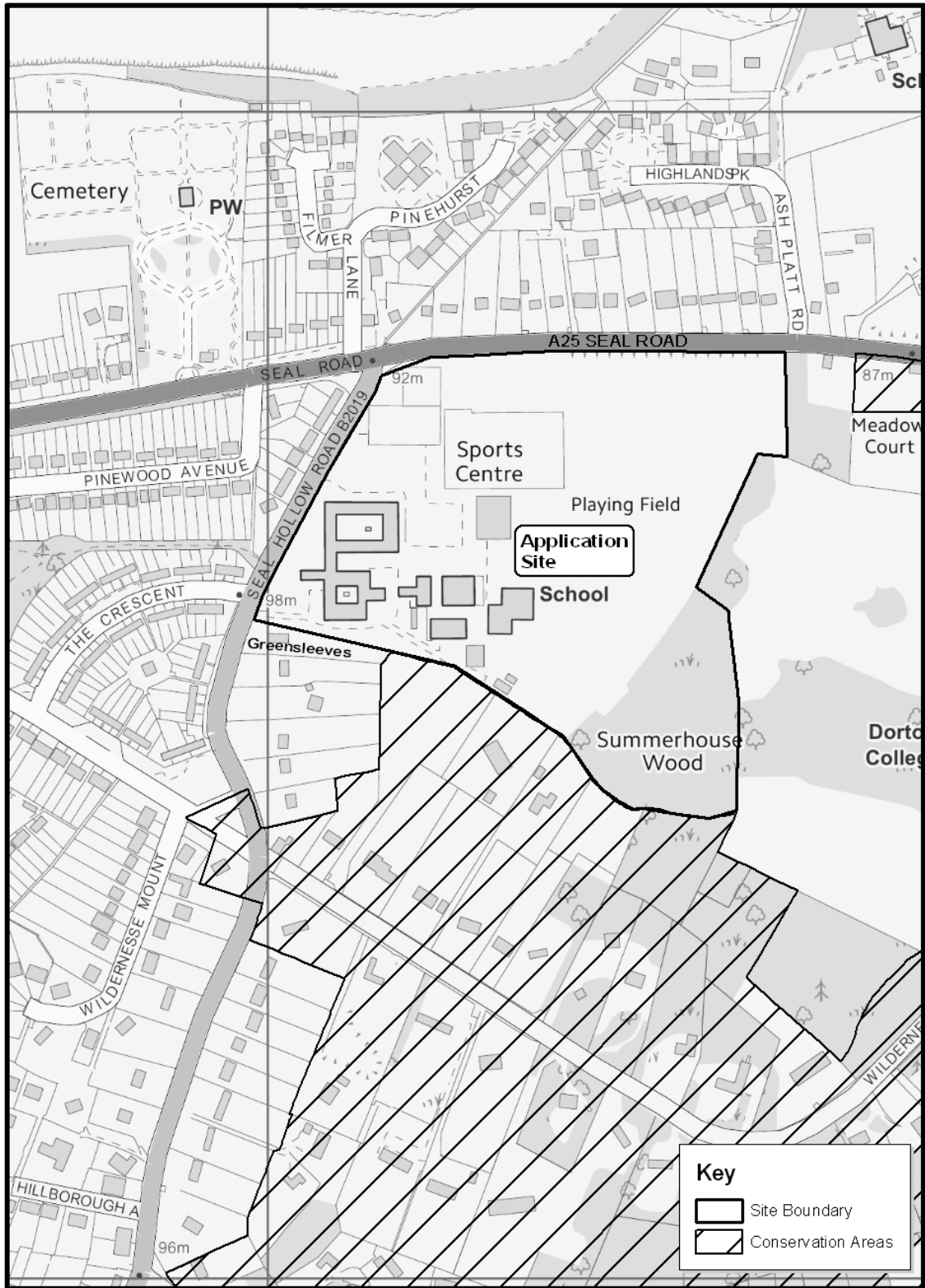
1. The Knole (east) Academy site is situated on the east side of Sevenoaks just over a mile from the town centre, on the site of the former Wildernesse School. The site lies on the southern side of the A25 Seal Road, which is a main arterial route into and out of Sevenoaks from the east, and on the eastern side of Seal Hollow Road (B2019). The whole of the site is located within the Metropolitan Green Belt, and outside of the settlement confines of Sevenoaks. Trees and hedgerows line the boundaries of the site, which in the most part are dense and mature. The northern site boundary abuts the A25 Seal Road, with facing residential properties located to the northern side of that road. Seal Hollow Road lies to the west of the site, again with facing residential properties located to the far side of the road. To the east of the site lies Dorton College, although this is separated from the school site by a densely planted area of woodland known as Summerhouse Wood. The southern boundary of the site abuts the Wildernesse Conservation Area, which encompasses residential properties predominately on Wildernesse Avenue, Woodland Rise, Parkfield and Blackhall Lane. To the south western corner of the site lies 'Greensleeves', a residential property located on the eastern side of Seal Hollow Road to the immediate south of the school site's southern boundary. *A site location plan is attached.*

Background/Relevant Planning History

2. The existing school buildings on the site date back to the 1970's, when the school first opened as a single sex school for boys. In 2010, the Wildernesse School for boys and Bradbourne School for Girls amalgamated to form Knole Academy as part of the Government's Academies Programme. The Academy, until recently, operated from the sites and existing buildings of the two predecessor schools but the two schools recently amalgamated onto one site, at the former Bradbourne School for Girls, leaving the Wildernesse site vacant and redundant in terms of educational provision.

Construction Management Strategy details for the redevelopment of the Knole (east) Academy site, Sevenoaks – SE/14/13/R36

Site Location Plan



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Construction Management Strategy details for the redevelopment of the Knole (east) Academy site, Sevenoaks – SE/14/13/R36

3. Planning permission was granted in July 2014 for the redevelopment of the Knole (east) Academy site, including the demolition of existing school buildings, retention and refurbishment of existing Sports Centre, erection of two new secondary schools (a 6 form of entry Sevenoaks Grammar Annexe and a 4 form of entry Trinity School), introduction of new vehicular and pedestrian accesses, rearranged and extended car park to provide 242 car parking spaces and dedicated child drop off/collection and bus zones, relocation of existing tennis courts into two new Multi Use Games Areas and associated detailed landscape works. That application, reference number SE/14/13, was considered by Members of the Planning Applications Committee on the 11 June 2014, and subsequently referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds. Planning permission was granted subject to 38 conditions of consent. Condition 36, which we are considering and discussing within this report, reads as follows:

Before the development hereby permitted is commenced details of a construction management strategy, which shall ensure that construction traffic can safely access/egress the site and shall include details of the construction access, the site compound(s), the location of car parking and turning facilities for site personnel and construction vehicles, lorry routing and any lorry waiting facilities, and details of site hoardings including the provision of a hoarding/screening along the southern site boundary adjacent to 'Greensleeves', shall be submitted to and approved in writing by the County Planning Authority, and thereafter shall be implemented as approved.

Additional Information

4. The Construction Management Strategy (CMS) was first submitted in October 2014. Sevenoaks District Council, Sevenoaks Town Council, Kent County Council Highways and Transportation, Wildernesse Residents Association and a local resident all requested additional information/clarification over various points and/or expressed objections to the CMS as submitted. Additional supporting information and an updated CMS was submitted by the applicant on the 20 January 2015. That additional information was sent to consultation on the 20 January, and will be the CMS that is detailed and discussed throughout this report.

Proposal

5. As referenced in paragraph 3 above, the planning permission for the redevelopment of the Knole (east) Academy site included a number of conditions requiring submission of detailed matters to the County Planning Authority approval, which has or are in the main being dealt with under delegated powers. This report deals with the Construction Management Strategy (CMS) details, submitted for approval pursuant to condition 36 of planning permission reference SE/14/13, and is being reported to Members for consideration due to local objection.
6. The submitted CMS is a thorough and detailed document detailing the phasing of the development, construction access and egress, turning facilities within the site, lorry routing, site hoarding and screening, cleaning the highway, dust reduction and various codes of practice and required procedures. It should be noted that further conditions of consent required adequate measures to be employed by the applicant to prevent the deposit of mud and other debris on the public highway and to reduce dust nuisance.

Construction Management Strategy details for the redevelopment of the Knole (east) Academy site, Sevenoaks – SE/14/13/R36

Hours of working were also controlled and limited to 0800 to 1800 Mondays to Fridays, 0900 to 1300 of Saturdays, with no working on Sundays and Bank Holidays.

7. The main components of the CMS which are of interest to the local community relate to construction access arrangements, vehicle routeing, parking on site for site personnel, site hoarding and screening, and general matters such as the condition and cleanliness of local roads. I will summarise the applicant's proposals with regard to the main aspects of the CMS listed above in the following paragraphs.

Construction Access

8. There are three existing entrances into the site from Seal Hollow Road. The northern most access, closest to the junction with the A25 (Seal Road,) is proposed to be used to access temporary accommodation to be provided on site to house Trinity Free School until such time as the permanent accommodation on site is complete. A separate planning application (reference KCC/SE/0002/2015) is currently being considered by the County Planning Authority for the temporary accommodation, including associated access arrangements. The remaining two entrances into the site would be used for access and egress for vehicles associated with the construction of the development. The southernmost access would be used for construction traffic access and egress, with the central access point providing access to site offices and car parking for site operatives and visitors.

Vehicle Routeing

9. The preferred access route to the site will be from the A25 (Seal Road), turning into Seal Hollow Road at the existing signalised junction. The reverse route would be used by vehicles exiting the site. All deliveries to the site must be advised a minimum of 24 hours in advance to coordinate with on-site operations, and delivery drivers are required to contact the site when close by so that appropriate measures can be taken to allow access to the site. Deliveries will only be permitted during the approved operating hours and the site dimensions would allow for multiple lorry movements and unloading concurrently within the site boundary. In addition, the applicant advises that all vehicle turning would happen within the site boundary, and adequate space would be provided for this. Vehicles leaving the site would be held in the loading/off loading zones by gate staff until Seal Hollow Road was clear, enabling vehicles to leave. No waiting would be permitted on the roads adjacent to the site, and a traffic marshal would be employed to manage this.

Parking for Site Personnel

10. Car parking for contractors, site personnel and visitors would be provided on site, within the secure compound area. It is estimated that 70 car parking spaces would be provided on site for construction staff. If required, the applicant states that a further 40-50 overflow spaces could be provided within the site boundary.

Site Hoarding/Screening

11. The site hoarding has been erected and fully secures the construction site. Four types of fencing are used – 2 metre high painted traditional timber hoarding to Seal Hollow Road, existing palisade type fencing, 'Blockade' yellow fencing and 'Herras' wire fencing to all other locations. The contractor (Willmott Dixon) is also in on-going discussions with the owners of the adjoining property 'Greensleeves' and it is the applicant's intention to provide a permanent acoustic fence along the entire length of the property

Construction Management Strategy details for the redevelopment of the Knole (east) Academy site, Sevenoaks – SE/14/13/R36

boundary where it borders the development site. This would act as a physical barrier, and also help prevent noise and dust nuisance. Details of that acoustic fence, and all other permanent fencing on site, are to be submitted pursuant to condition 9 of the planning permission for the site redevelopment.

General Matters

12. With regard to mud/debris on the local highway, the applicant advises that they plan to retain the existing on-site tarmac haul road for the duration of the demolition and muck shifting works. This would help to prevent lorry tyres becoming dirty. However, the wheels of all vehicles would be cleaned prior to leaving the site, either by manual jetwash or a full wheel washing facility. In addition, road cleaning would take place as and when required for the duration of the works, and a road cleaning contractor would be employed in this regard.
13. With regard to dust, vibration and emissions from site, there are a number of pieces of legislation in place relating to construction activities and health which the contractors are required to adhere to, including the Clean Air Act (1993) and the UK Air Quality Strategy (2007). However, the applicant is required to employ methods to reduce dust nuisance, as specified in condition 38 of the planning consent, and has outlined prevention and suppression methods within the CMS, including damping down and, in extreme cases, temporary suspension of works.
14. The applicant advises that the establishment and maintenance of good community relations will be a priority to them, and leaflet drops and/or public meetings will keep residents informed of progress on site. Contact details will also be provided for residents to contact the site to report any incidents, which would then be investigated by the contractor. The site would also be registered under the Considerate Constructors Scheme.

Planning Policy Context

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

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

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

- achieving a good standard of amenity for all existing and future occupants of land and buildings;

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- 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.

(ii) **Development Plan Policies**

Sevenoaks District Local Plan: Adopted 2000:

Policy EN1 - Proposals for all forms of development and land use must comply with the policies set out in this Plan, unless there are overriding material considerations. Scale, height, design, layout, retention of important features, residential and local amenity, access and parking are just some of the criteria which should be considered in the determination of a planning application.

Policy NR10 – Proposals for all forms of development should minimise pollution of the environment through the careful design and layout of any buildings or land uses.

Policy VP1 – Vehicle parking provision in new developments will be made in accordance with KCC adopted vehicles parking standards.

Sevenoaks District Core Strategy: Adopted February 2011:

Policy SP1 – Requires all new development to be designed to a high standard, reflect the distinctive local character of an area, create safe, inclusive and attractive environments, incorporate sustainable development principles and maintain biodiversity.

Consultations

16. **Sevenoaks District Council** considers the content of the Construction Management Strategy to be largely acceptable and raise no objection to matters relating to highway movements, site access, and turning subject to Kent Highways and Transportation being satisfied with the details. Further, it is considered that on a site of this size, provision of suitable on-site parking facilities in relation to construction activities should not be a difficulty. The District Council raises further matters with regard to noise and vibration, and the requirement to meet British Standards in this regard. The District Council also notes that site hoardings should be erected so as not to impact upon existing trees to be retained.

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Should the District Council comment on the updated CMS/additional supporting information, Members will be updated verbally at the Planning Applications Committee meeting.

Sevenoaks Town Council raise concerns over the following aspects of the Construction Management Strategy (CMS) as originally submitted:

- There is a lack of quantitative data within the CMS to back up the assertions made;
- Is sufficient onsite car parking proposed to meet demand during the construction phase?
- What will the impact of the development be on operational sports facilities within the site such as the all-weather pitch? Has this been taken account as part of the CMS?

Should the Town Council comment on the updated CMS/additional supporting information, Members will be updated verbally at the Planning Applications Committee meeting.

Kent County Council Highways and Transportation comment as follows on the updated CMS/additional supporting information:

“In respect of the Construction Traffic Entrance (the southernmost site access), it is noted that the site gates are set back approximately 15.5m from Seal Hollow Road and the access here is about 6m wide. This should provide sufficient room for a 10m lorry to wait for the gate to be opened. For vehicles leaving the site, the visibility splays appear to be adequate. However, the applicant should commit to maintaining a 2.4m x 45m visibility splay to the north, measured from the centre-line of the access, and measured to a line 0.5m from (and parallel to) the nearside edge of the road. No obstruction higher than 0.9m above the road surface to be permitted in the visibility splay. In my previous response I requested that the applicants should provide details of any gates across the other site entrances, but so far as I can see the applicants have not provided these details. Any such gates should be set back from Seal Hollow Road by sufficient distance to allow vehicles to wait for the gates to be opened. The central access (Gate 2) should therefore be a minimum of 5 metres wide and be at the very least 8 metres from the edge of Seal Hollow Road - preferably these figures should be greater.

Car parking

In section 2.1 of the CMS the applicant's state there will be approximately 200 site staff and approx. 70 car parking spaces for them, with room for 40-50 more cars if necessary. I recommend that 110 parking spaces should be marked out from the outset, as residents will not want overflow parking on surrounding roads, and should Trinity school open in temporary accommodation there will no doubt be additional demand for on-street places where drivers can load / unload pupils in the vicinity of the school.

Lorry routing

Sections 2.2 and 2.3 of the CMS commit the applicants to using a lorry route via the junction of the A25 and Seal Hollow Road. This is what we required. It precludes use of Seal Hollow Road south of the site, where some sections of the road are not really suitable for frequent use by large vehicles. Section 2.3 states that permitted delivery times would be 08:00 – 18:00 Monday to Friday, however

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I would recommend that the applicants commit to reducing this to 09:00 – 15:20 should Trinity School open on the site temporary accommodation.”

The Wildernesse Residents Association: A representative comments as follows on the Construction Management Strategy (CMS) as originally submitted:

- “The Town Council have commissioned a report on traffic issues in Sevenoaks as a result of the huge increase in traffic on all roads to and from the Town Centre and along the peripheral roads such as Seal Road (A25) and Seal Hollow Road. I would have thought it would have been sensible for the County Council to have awaited this report.
- At the discussion at the time the initial application was granted, I attended and spoke about my concerns in respect of the traffic as a result of which the Highways Officer at the meeting indicated that traffic would be banned from using the South end of Seal Hollow Road. There is absolutely no reference to this traffic ban in the CMS although there is a vague statement that the referred access and egress route uses Seal Hollow Road and Seal Road. This is an already dangerous access and in the light of the very heavy traffic on the road – which my wife experiences every day – further safeguards need to be put in place – including a specific ban on ANY vehicles travelling down the South along Seal Hollow Road.
- For the avoidance of doubt, the road narrows to a width which has a narrow pavement on one side of the road only and it is both impossible for a lorry to pass without endangering other road users. You will be aware that there was a serious accident at the spot where the road narrows although I suspect that as no-one was seriously injured it may not have appeared on any record.
- There should be a complete ban on Sunday and Bank Holiday working and the working hours should commence after 09.00 hours during the week when the traffic problems will have eased. Residents are already concerned as to the safety issues on site and the fact that the well-used leisure centre will be open throughout so that NO extended hours should be permitted.
- I am fully supportive of a temporary haul road being constructed with adequate sight lines onto Seal Road as a temporary measure during the construction of the two schools which could be treated as an experiment for use subsequently as a permanent entrance if considered safe (*see paragraph 18 below regarding suggested haul road- raised by a local resident*).
- I am surprised that the contractors have already erected their hoardings when this appeared to be part of the current application. They are pretty hideous and will give little confidence amongst residents as to the “community” spirit which the contractors profess to indicate in their paperwork.
- The current traffic proposals are inadequate and are more likely to threaten the health and safety of road users, cyclists and pedestrians alike. The County Council does therefore need to insist upon far more stringent conditions if they intend to approve these matters.
- I am sure residents will be closely monitoring the contractor’s behaviour on the site. However we wish to have a contact person at the County Council to whom complaints can be lodged rather than with the contractor direct.”

Should the Residents Association comment on the updated CMS/additional supporting information, Members will be updated verbally at the Planning Applications Committee meeting.

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Publicity

17. The owners/occupiers of 'Greensleeves', the property adjacent to the southern site boundary, were consulted on the Construction Management Strategy details as the property is specifically referred to within the planning condition (36) as hoarding and screening is required between the development site and the property. The owners of 'Greensleeves' did not comment on the submitted details, but a local resident made representations. That resident was subsequently notified of the amended CMS/additional information provided by the applicant on the 20 January 2015.

Representations

18. One letter of objection has been received regarding the Construction Management Strategy as originally submitted. A summary of the main planning issues raised/points of objection is set out below:
 - Entry to the site via the A25 is sound, and vehicles turning left into the site would only cause problems if there is a restriction within the site, causing vehicles to back up onto Seal Hollow Road;
 - Exit from the site, turning right into Seal Hollow Road, will be turning into congestion at the Seal Hollow Road/A25 junction, especially between the 08.00-09.30 and 15.00 and 18.00;
 - Construction traffic leaving the site would either add to the tailbacks and delays, or fail to be able to join queuing traffic. This is highly unsatisfactory and potentially dangerous;
 - The mix of heavy construction traffic and children (should the Trinity Free School temporary accommodation gain planning permission) is potentially extremely hazardous and the CMS is silent on this issue;
 - Sight lines need to be checked for all entrances/exits;
 - Construction traffic exiting onto Seal Hollow Road needs to be avoided, and this could be achieved by the construction of a haul road direct from the A25 Seal Road into the site. The haul road could run parallel to the fence within the school grounds to a point 350 metres east of the traffic lights on the A25. No construction traffic would then enter Seal Hollow Road, and less traffic associated with the development would use the Seal Hollow Road/A25 junction;
 - Furthermore, a separate haul road would reduce conflict between construction traffic and Trinity School pupils. If an accident was to occur then defence by those who sanctioned the CMS as submitted would be extremely weak;
 - The haul road could also be retained and turned into a 'gyratory' system when the two new schools are complete. This would significantly reduce congestion and address inadequacies in the approved access/car parking arrangements;

Discussion

19. It needs to be borne in mind that the redevelopment of the site has already been considered and permitted, including the principle of the construction access and construction activities. What are currently before Members are the details of the Construction Management Strategy, rather than the principle of these elements. In considering this matter, regard must be had to the Development Plan policies outlined in paragraph 15 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

Construction Management Strategy details for the redevelopment of the Knole (east) Academy site, Sevenoaks – SE/14/13/R36

Guidance and other material planning considerations arising from consultation and publicity. The only issue of relevance in this instance is the acceptance of the details provided within the Construction Management Strategy.

20. It should also be noted that site set up, including the provision on land of buildings, movable structures, works, plant or machinery required temporarily in connection with development is permitted development under Part 4 of The Town and Country Planning (General Permitted Development) Order 1995. However, further details were reserved out in this case to ensure hoardings were appropriate with regard to screening of 'Greensleeves', and that sufficient parking was provided on site, in addition to general procedural matters such as mechanisms for accepting deliveries etc. Use of the existing access points into the site on Seal Hollow Road for construction traffic has already been accepted, as has the permanent access and parking arrangements for the finished development. These issues will not be revisited within this report.
21. Further, Members are advised that the County Planning Authority are currently considering a separate planning application (reference KCC/SE/0002/2015) for temporary accommodation, including associated access arrangements, for the relocation of the Trinity Free School until such time as construction of the permanent building is complete. The northernmost site access, closest to the junction with the A25 (Seal Road,) is proposed to be used to access the temporary accommodation and the suitability of that access, and associated highway safety matters, will be considered in the determination of that application. However, Members should note that the proposed temporary school access and the construction access points are completely separate, and that the construction compound and associated development site would be clearly demarcated and secured. Should permission be granted for the temporary accommodation, the site would operate no differently to the majority of school development proposals whereby a school must operate on site whilst redevelopment of another part of the site takes place.

Construction Access and Suggested Haul Road Option

22. As stated above, the use of the existing Seal Hollow Road access points into the site for construction activities was considered and accepted when determining the main planning application. Although a local resident and the Wildernesse Residents Association do not consider the use of these access points to be suitable, the principle of their use is established and accepted and is not revisited within this report. For Members' information, I will comment on the suggestion from the local resident and Wildernesse Residents Association that a haul road be created direct from the A25. First, such a haul road would have to divert around the application site for the Trinity School temporary accommodation, would run across playing fields, and further extend the hard landscaping on site into the green belt (especially if retained as suggested). A number of trees would require removal to accommodate the access to the A25, as well as landscaping works due to fairly substantial level changes. Highways and Transportation also note that an exit onto the A25 would have poor visibility splays and would need to be supervised by a banksman. I therefore see reason to pursue such a suggestion further.
23. With regard to concerns regarding construction vehicles exiting the site, the applicant advises that vehicles leaving the site would be held in the loading/off loading zones by gate staff until Seal Hollow Road was clear, enabling vehicles to leave. No waiting would be permitted on the roads adjacent to the site, and a traffic marshal would be employed to manage this. Highways and Transportation have no concerns over the

Construction Management Strategy details for the redevelopment of the Knole (east) Academy site, Sevenoaks – SE/14/13/R36

access arrangements in this regard, and I therefore consider the CMS to be acceptable in this regard.

24. With regard to visibility splays and the positioning of gates at the site entrances, it is noted that the site gates at the southern most entrance are set back approximately 15.5m from Seal Hollow Road and the access here is about 6m wide. Highways and Transportation consider that this should provide sufficient room for a 10m lorry to wait for the gate to be opened and for vehicles leaving the site, the visibility splays appear to be adequate. The applicant has confirmed that they will to maintain a 2.4m x 45m visibility splay to the north, measured from the centre-line of the access, and measured to a line 0.5m from (and parallel to) the nearside edge of the road, as required by Highways and Transportation. Following receipt of the views of Highways and Transportation (see paragraph 16), the applicant has further confirmed the dimensions and distances that gates are set back for the remaining site access points, and Highways and Transportation have accepted these as acceptable as all are set back over 14.5metres from Seal Hollow Road. I therefore see no reason not to accept the site access arrangements as detailed within the CMS, as amended and amplified.

Vehicle Routeing

25. As outlined in paragraph 9 of this report, the preferred access route to the site will be from the A25 (Seal Road), turning into Seal Hollow Road at the existing signalised junction. The reverse route would be used by vehicles exiting the site. All vehicle turning would happen within the site boundary, and adequate space would be provided for this. This arrangement is accepted by Highways and Transportation, as lorries would be precluded from using Seal Hollow Road to the south of the site. Although the Wildernesse Residents Association would want to see all vehicles associated with the development banned from using the southern extent of Seal Hollow Road, this is neither practicable nor reasonable given that the southern extent of the road is more than suitable for use by an average sized vehicle. Operatives travelling to/from the south of the site would therefore use that route rather than travel through the town centre, and via the already congested Bat and Ball junction, then adding to the volume of traffic using the A25/Seal Hollow Road junction. Therefore, I consider the routeing proposed by the applicant to be acceptable, in that lorry movements would be via the A25 and would access the site from the north. Lorries leaving the site would be prevented from turning left, again ensuring no use of the southern extent of Seal Hollow Road by lorries/oversized vehicles.

Parking for Site Personnel

26. The CMS advises that car parking for contractors, site personnel and visitors would be provided on site, within the secure compound area. The applicant estimates that 70 car parking spaces would be provided on site for construction staff, which at its peak would be approximately 200 site staff. Although the applicant states that a further 40-50 overflow spaces could be provided within the site boundary if required, Highways and Transportation recommended that 110 parking spaces should be marked out on site from the outset. In response to this recommendation, the applicant has confirmed that the initial operations on site (first trades) will only require the initial 70 spaces. Following completion of the demolition works, as the contract progresses, the applicant has agreed to provide the additional 40 spaces. It should also be noted that the applicant considers that they will only reach a maximum of 200 personnel on site during the middle of 2016, by which time 110 spaces would be available on site. Car sharing/minibus use will also be encouraged for all major trades. Highways and

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Transportation consider this to be an acceptable approach, and I therefore consider that the submitted CMS, as amplified and amended, makes provision for sufficient parking on site for the duration of the construction works.

Site Hoarding/Screening

27. As the Wildernesse Residents Association point out, the site hoarding has been erected which fully secures the construction site. The Residents Association consider the hoardings to be 'pretty hideous', and further state that the hoardings give little confidence amongst residents as to the 'community' spirit of the contractors. As outlined in paragraph 11 of this report, four types of fencing are used – 2 metre high painted traditional timber hoarding to Seal Hollow Road, existing palisade type fencing, 'Blockade' yellow fencing and 'Herras' wire fencing to all other locations. These are typical contractor's hoardings and are required to secure the site, and well as protect local amenity in terms of containing noise, dust and construction activities within a secure screened boundary. A lower or more open hoarding would not be fit for purpose. I recognise that the contractor should have waited to install the hoarding, but these matters are usually covered by Permitted Development Rights and I understand that in this instance the applicant undertook the works at their own risk due to the tight timescales for the implementation and completion of the development. The purpose of reserving out the hoarding details was to ensure that adequate screening was erected along the southern site boundary with the adjoining property 'Greensleeves'. The contractor (Willmott Dixon) is in on-going discussions with the owners of 'Greensleeves' and it is the applicant's intention to provide a permanent acoustic fence along the entire length of the property boundary where it borders the development site. This would act as a physical barrier, and also help prevent noise and dust nuisance. Details of that acoustic fence, and all other permanent fencing on site, are to be submitted pursuant to condition 9 of the planning permission for the site redevelopment. The owners of 'Greensleeves' were consulted on the Construction Management Strategy and have not commented too date. In light of the above, I consider the hoarding details to be acceptable.

General Matters

28. As noted in paragraph 6, Hours of working on site are controlled and limited by condition to 0800 to 1800 Mondays to Fridays, 0900 to 1300 of Saturdays, with no working on Sundays and Bank Holidays. This accords with the request of the Wildernesse Residents Association in that there would be no works on Sundays or Bank Holidays. Highways and Transportation have recommended that the applicants commit to allowing deliveries to the site only between the hours of 09:00 to 15:20 should planning permission be granted for the temporary accommodation for Trinity School, enabling the school to relocate to the site. The applicants have confirmed agreement to this request, and this has been accepted by Highways and Transportation.
29. Wildernesse Residents Association wishes to have a contact person at the County Council to whom complaints can be lodged, rather than with the contractor direct. As stated in paragraph 14 of this report, the applicant advises that the establishment and maintenance of good community relations will be a priority to them, and leaflet drops and/or public meetings will keep residents informed of progress on site. Contact details will also be provided for residents to contact the site to report any incidents, which would then be investigated by the contractor. Members of the public can also lodge any breaches of the planning consent with the County Planning Authority, and any other matters can be referred back to the contractor and/or the Project Manager at the

Construction Management Strategy details for the redevelopment of the Knole (east) Academy site, Sevenoaks – SE/14/13/R36

County Council for action. However, the contractor is the best point of contact however, as immediate action could be taken, and most issues are easily rectified locally.

30. Existing sports facilities on site will remain in operation throughout the construction works, and will be accessed by the northern most access point, which would also be used for Trinity Free School (should permission be granted for temporary accommodation). The suitability of that access will be considered in the determination of the application for temporary accommodation (reference KCC/SE/0002/2015) in consultation with Highways and Transportation.

Conclusion

31. The general principle of the construction access arrangements was considered and accepted at the main application stage and, as previously noted, site set up and construction activities are permitted development under Part 4 of The Town and Country Planning (General Permitted Development) Order 1995. However, further details were reserved out in this case to ensure hoardings were appropriate with regard to screening of ‘Greensleeves’, and that sufficient parking was provided on site, in addition to general procedural matters such as mechanisms for accepting deliveries etc. The further details submitted by the applicant in this regard are, in my view, acceptable and I see no reason why the submitted details should not be approved.

Recommendation

32. SUBJECT TO any further views received by the committee meeting, I RECOMMEND that the Construction Management Strategy, as amplified and amended, BE APPROVED.

Case officer – Mary Green	03000 413379
Background documents - See section heading	

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Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall Road, Tunstall (SW/14/153)

A report by Head of Planning Applications Group to Planning Applications Committee on 11 February 2015.

Application submitted by Kent County Council Property and Infrastructure Support for further details pursuant to condition 3 – details of external materials, and condition 4 – details of external lighting at proposed Tunstall Primary School, Tunstall Road, Tunstall. (Ref: SW/14/153/R3 & R4).

Recommendation: The details of external materials and external lighting be APPROVED.

Local Members: Mr L Burgess and Mr R Truelove

Classification: Unrestricted

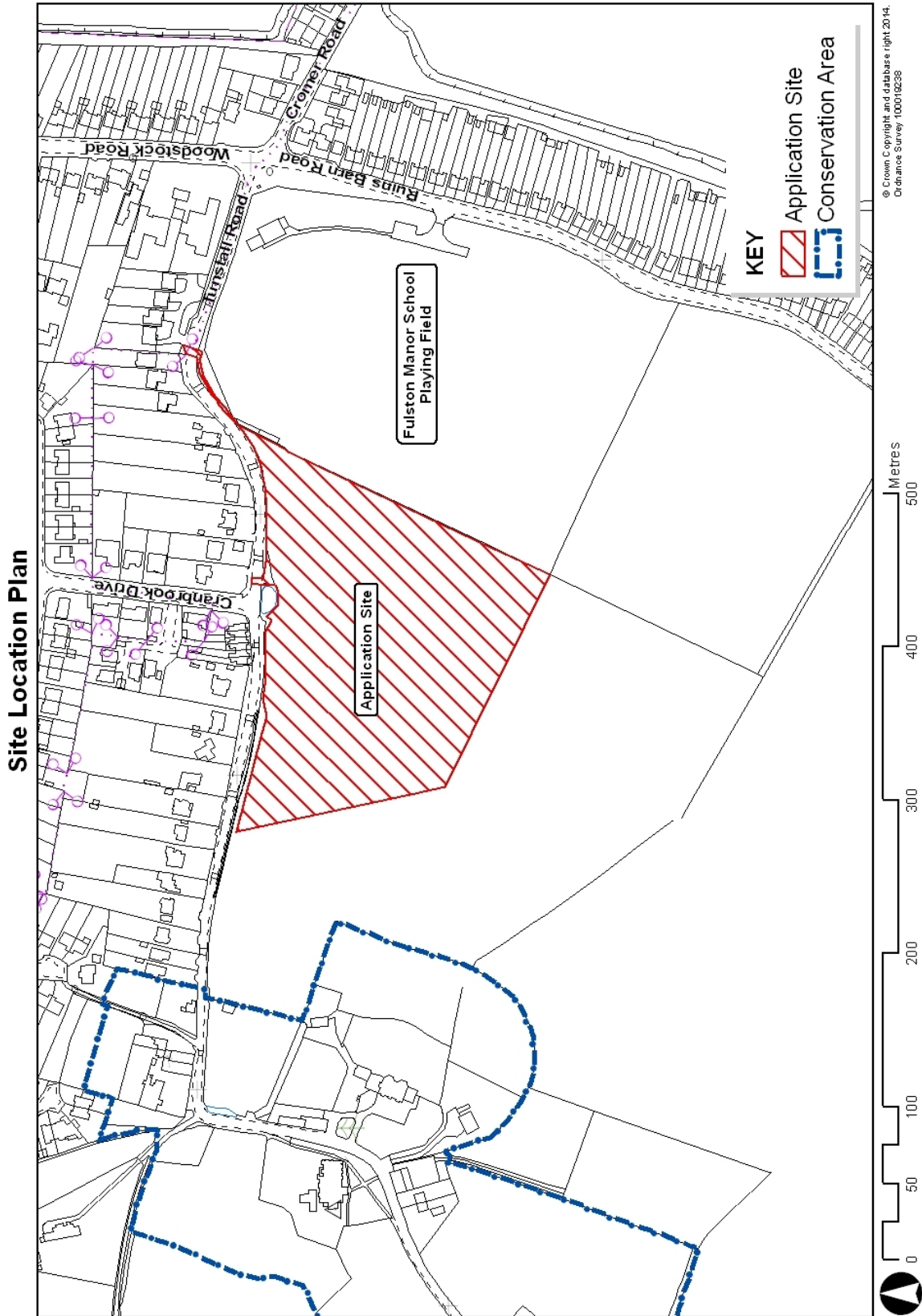
Background

1. This report relates to the details of a development proposal that has already been determined by the Planning Applications Committee in May 2014 and planning consent already issued. The reason for the report is to highlight some ongoing issues raised with respect to the details of the permitted proposals, and is not an opportunity to revisit previous deliberations over the principle of the proposed development.

Site

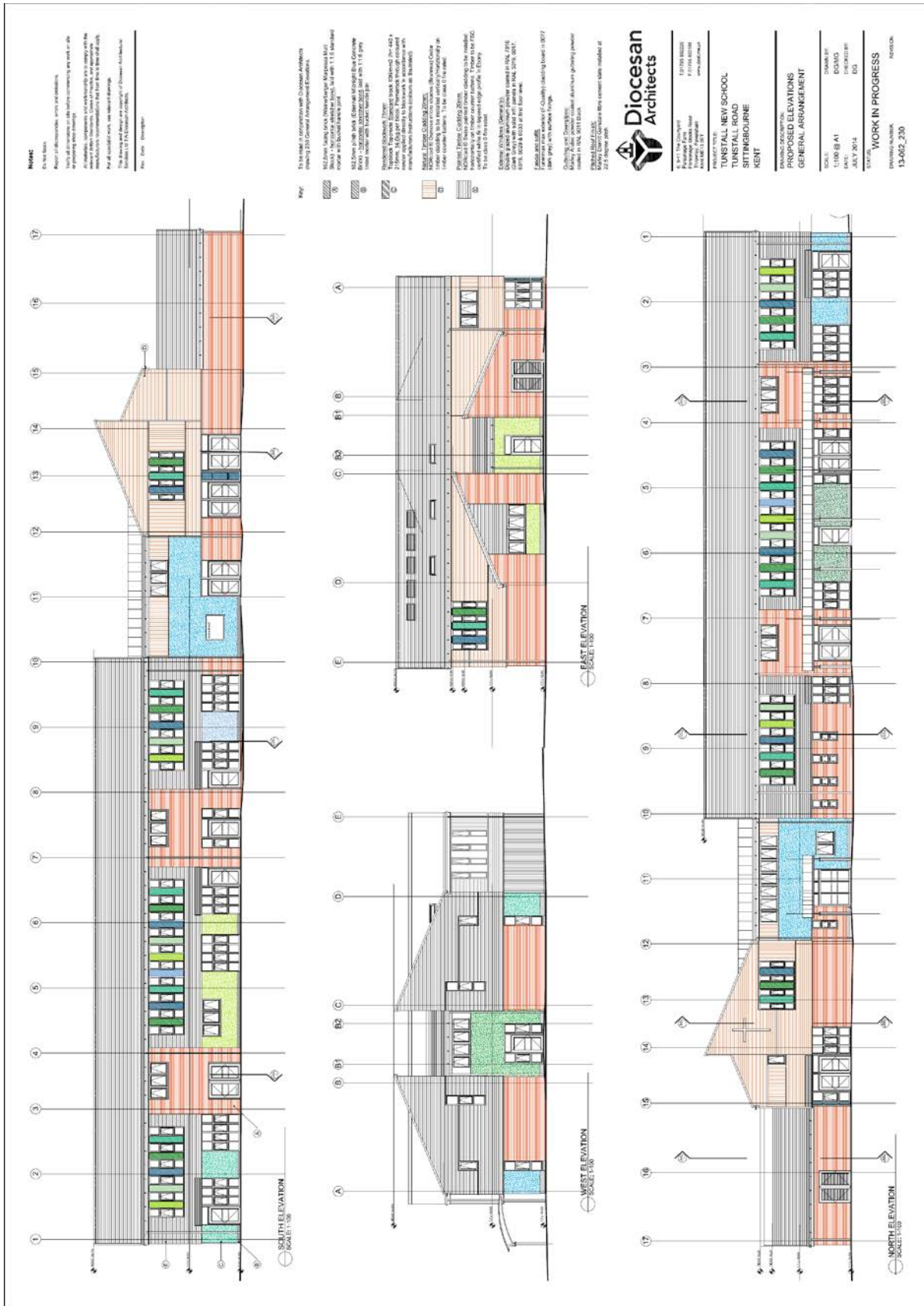
2. The site for the new Tunstall Church of England Primary School lies to the southern side of Tunstall Road, with the roadside boundary being edged with hedgerow, trees and a natural pond. The eastern boundary of the site is formed by the Fulston Manor School playing fields and an informal formed path connecting Tunstall Road to the Public Right of Way to the south of the site. This boundary is marked with a post and wire fence and a line of semi-mature field maples and holm oaks. The southern and western edges of the proposed site are physically unmarked and form part of a continuous area of arable farmland extending south towards the M2 motorway and west towards Tunstall village. The site itself forms part of this arable farmland, with no evidence of previous development. The site has a change in levels, with the land sloping from the west down to the east and from the south down to the north.
3. The area to the north of the proposed site is exclusively residential in character, and forms the southernmost part of the town of Sittingbourne. The housing on the northern side of Tunstall Road, fronting the proposed school site, predominantly consists of detached properties in a ribbon layout, as well as a terrace of 6 Victorian farm cottages opposite the informal pond. The Fulston Manor playing fields provide a rugby pitch and two football pitches and a brick built pavilion is located in the north-eastern corner of the site adjoining Cromer's Corner. Along the eastern boundary of the playing fields lies another ribbon of housing development that fronts onto Ruins Barn Road.
4. The site area comprises 3.17 hectares, and lies outside the core of Tunstall village and outside the Tunstall Conservation Area, with the proposed new school building being about 180 metres from the Conservation Area and about 240 metres from the nearest buildings within it.

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)



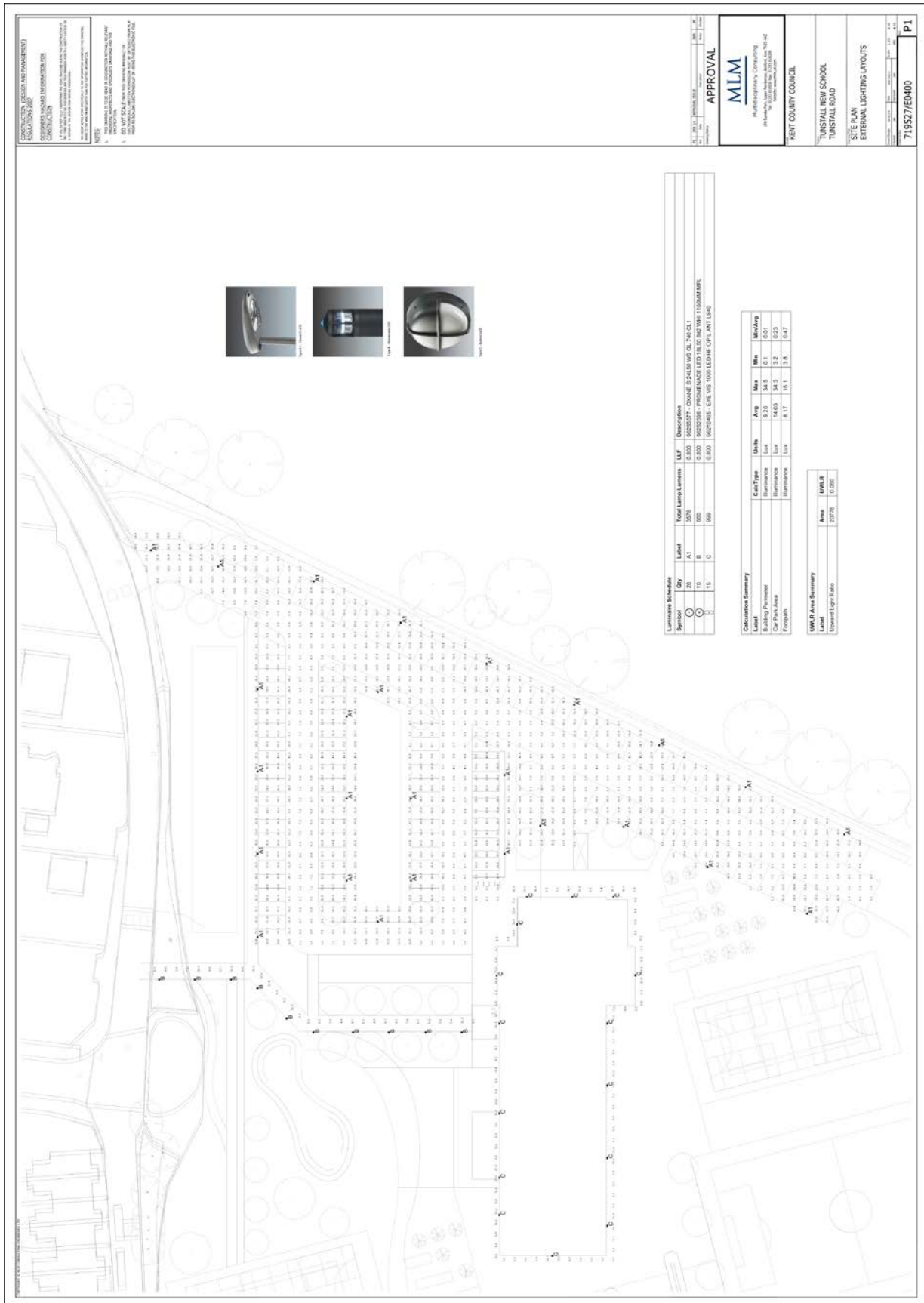
Site Location Plan

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)



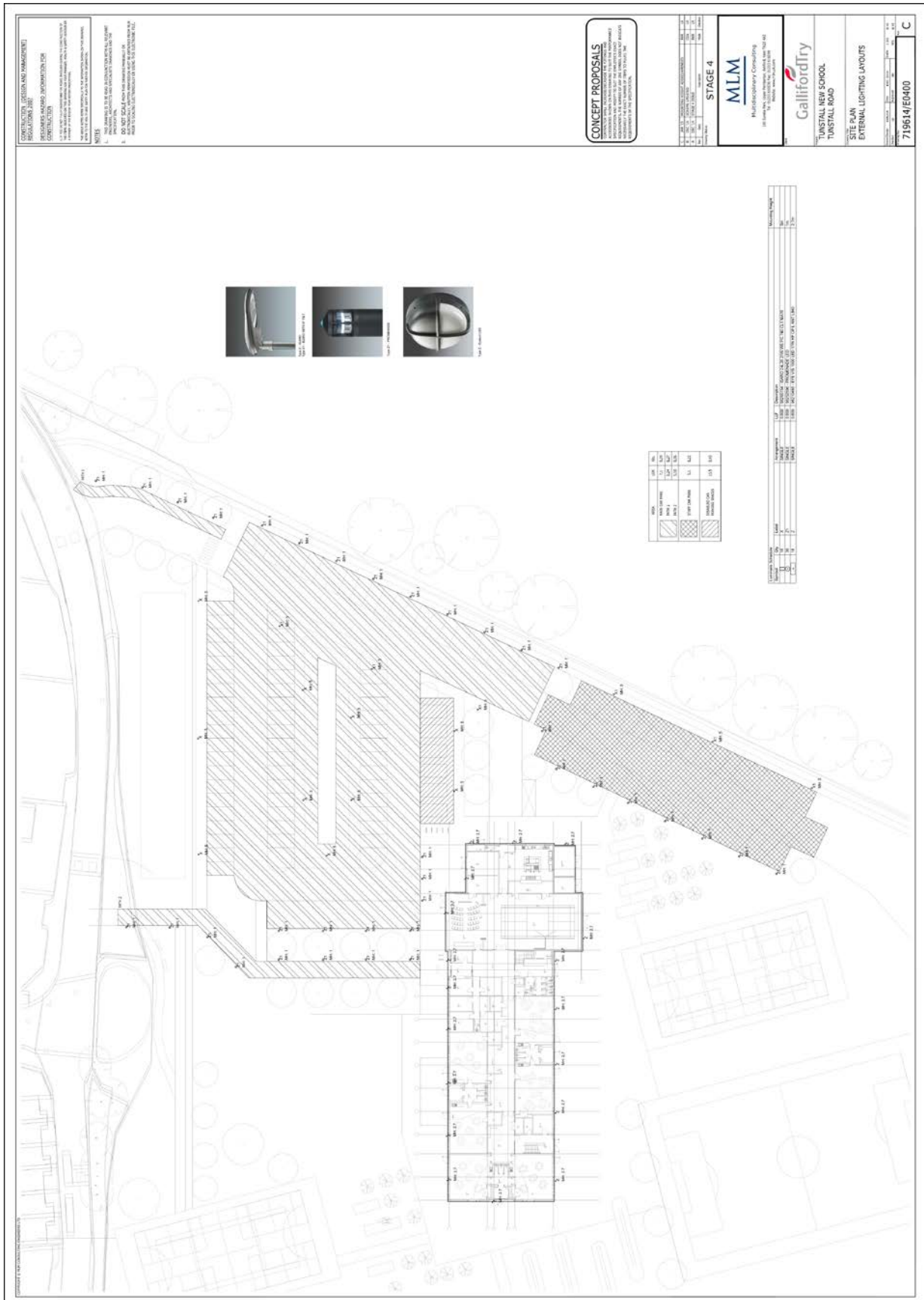
Proposed elevation – colour reproduction here is schematic because of the printing process

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)



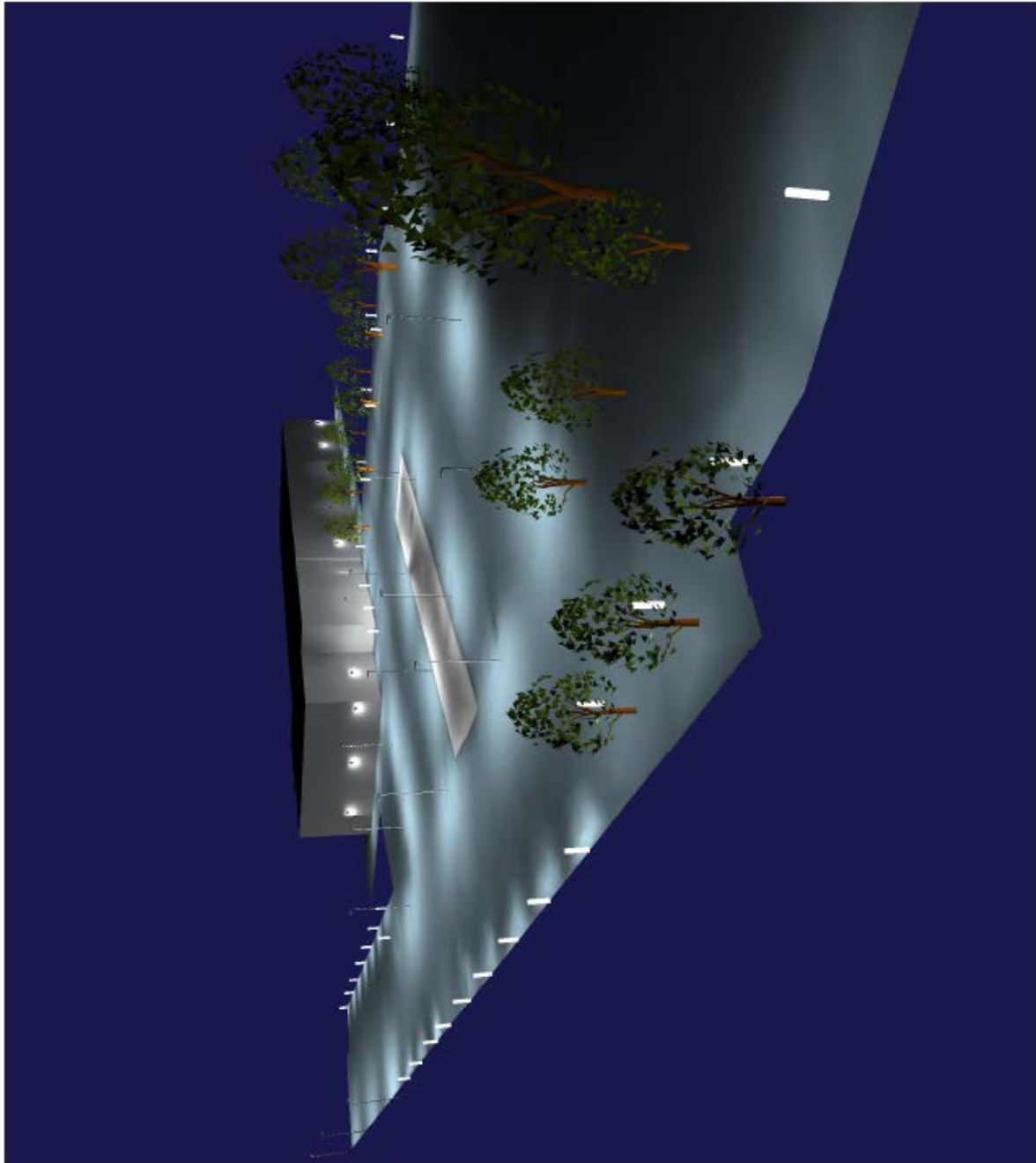
Original lighting scheme permitted under SW/14/153

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)



Revised lighting scheme submitted as part of the discharge of external lighting condition.

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)



Exterior lighting scheme – computer generated image

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

5. Planning permission for a new two form entry primary school, including associated vehicular access, parking, drop-off and manoeuvring area, external sports provision, outdoor learning spaces and a comprehensive landscaping scheme incorporating hard surfacing, planting and surface water drainage provision, was granted planning permission in May 2014 (under planning consent SW/14/153). Members attended a site visit to the new school site in March 2014 and a Planning Applications Committee Local Meeting was held in April 2014. This planning application was reported to Members at the 14 May 2014 Planning Applications Committee meeting, where Members approved the planning application. This planning permission included a number of conditions, requiring submission of detailed matters to the County Planning Authority for approval, which have or are in the main being dealt under delegated powers, where attracting no relevant objections or being largely technical matters attracting no comment.

Proposal

6. This report deals with the discharge of 2 conditions: Condition 3, **external materials** and Condition 4, **external lighting**.

Condition 3, **external materials**, required details and samples of all materials to be used externally, including colour finishes, to be submitted for the written approval of the County Planning Authority, and once approved, the development shall be carried out using these approved materials. This was required to ensure a satisfactory appearance to the development.

Condition 4, **external lighting**, required details of all external lighting and hours of operation to be submitted for the written approval of the County Planning Authority, and thereafter shall be implemented as approved. This was required in the interests of the local amenity.

7. To fulfil the requirement of the **external materials** condition and to enable it to be discharged, a list of all the samples submitted included:
- 6x Permarock rendered colour panels (in varying colours of blues and greens);
 - 2x timber cladding panels (natural wood colour and black painted);
 - 2x brick samples (Marpessa Multi stock and Midnight Blue);
 - Roof slate (Marley Eternit);
 - Guttering and downpipes (Marley Alutec powder coated aluminium in Black);
 - Fascia and soffit (Fundermax Graphitgrau in Charcoal); and
 - Example of brackets.
8. Drawings were also provided which showed where these materials would be used on the school building and these are included in this report. The ground floor of the school will be mainly brick and sections of colour render panels. The first floor will be clad with the two different colours of timber cladding and small section of colour panels will be placed in between the windows.
9. The proposals for **external lighting** are lighting to the new building, car parking and access areas and include column mounted luminaires, wall mounted luminaires and bollard luminaires. The originally approved external lighting scheme proposed 26no 5m (16.4ft) high column mounted luminaires (A), 10no 1.15m (3.8ft) high bollard luminaires (B) and 15no wall mounted luminaires (C). The applicant confirmed that the general

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

operating hours in winter would be between 07.00 and 19.00 hours and that daylight sensors (dusk to dawn sensors) would be fitted to ensure that the lights did not operate any longer than necessary. The external lighting would not be on during school holidays or at weekends. As the daylight hours change then the lights would be on a sensor switch (within the agreed times) which would be similar to street lighting, so that they would not be on any longer that they would have to be. The School has also requested the occasional extension of these lighting times to stay on until a maximum time of 23.00 hours on up a maximum 14 times per year, which would be at the School's discretion. This would be an occasional use based in out of hour's activity at the school or for a community event. The lighting is required for these periods of time as a matter of health and safety for the building's users ensuring any potential hazards are lit.

10. Following concerns raised by Tunstall Parish Council and 2 local residents over the number of the 5 metre (16.4ft) high column mounted luminaires, the proposed external lighting scheme has been amended, substituting some column lighting for lower level bollard lighting. Drawings showing both the original and amended proposals are attached. The amendments are as follows:

- 16no 5m (16.4ft) high column mounted luminaires are proposed, as opposed to the previously approved 26no;
- 36no 1.15m (3.8ft) high bollard luminaires are proposed as opposed to the previously approved 10no;
- 18no wall mounted luminaries are proposed to be located on the building, as opposed to the previously approved 15no.

Planning Policy

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

- (i) **National Planning Policy and Guidance** – the most relevant national planning policies and policy guidance are set out in:

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

In determining applications the NPPF states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

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

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

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

(ii) **Local Planning Policy**

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

- Policy SP1 *Sustainable development:*
Proposals should accord with the principles of sustainable development, and ensure that proper and timely provision is made for social and community infrastructure.
- Policy SP2 *Environment:*
Development should avoid adverse environmental impact, and where development needs are greater, adverse impacts should be minimised and mitigated.
- Policy SP5 *Rural communities:*
Development must meet high design standards that respond positively to the character and form of the location.
- Policy SP7 *Community services and facilities:*
Planning policies and development proposals will promote safe environments and a sense of community by increasing social networks by providing new services and facilities, and safeguarding essential and viable services and facilities from harmful changes of use and development proposals.
- Policy E1 *General development criteria:*
Development proposals should: accord with the Development Plan unless material considerations indicate otherwise; reflect positively

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

characteristics and features of the site and surroundings; and protect and enhance the natural and built environments.

- Policy E15 *Conservation Areas:*
Development proposals within, affecting the setting of, or views into and out of conservation areas, should preserve or enhance all features contributing to its special character or appearance.
- Policy E19 *Design quality and distinctiveness:*
Development proposals should be of high quality design and respond positively to design criteria.
- Policy T4 *Cyclists and pedestrians:*
New development proposals should have regard to the needs and safety of cyclists and pedestrians, including the disabled, and cycle parking facilities should be provided in a convenient, secure and safe location.

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

- Policy DM13 *General development criteria:*
All development proposals should accord with the policies and proposals of the Plan unless material considerations indicate otherwise, respond positively to meeting the challenge of climate change, reflect the positive characteristics and features of the site and locality, conserve and enhance the natural and/or built environments, including the historic environment, be both well sited and of a scale, design, appearance and detail that is appropriate to the location, and cause no significant harm to amenity and other sensitive uses or areas. Development proposals shall also meet a high standard of landscaping, and provide safe vehicular access, with convenient routes and facilities for pedestrians and cyclists and parking and servicing facilities in accordance with the County Council's standards.

- Policy DM15 *Design quality and distinctiveness:*
Development proposals shall be of a high quality design appropriate to its surroundings and be designed to achieve safe, accessible, comfortable, varied and attractive places, to enrich the qualities of the existing environment by promoting and reinforcing local distinctiveness, make efficient use of natural resources including sensitively utilising landscape features, landform, biodiversity and climate to maximise energy conservation, retain and enhance features which contribute to local character and distinctiveness, protect and retain trees that make an important contribution either to the amenity, historic, landscape or biodiversity value of the site or the surrounding area, provide a high standard of locally native plant species and trees for soft landscaping, and provide hard landscaping, surface and boundary treatments that are locally distinct and that respond positively to the character of the locality, provide features and management intended to encourage biodiversity, be appropriate to context in respect of scale, height and massing, make best use of texture, colour, pattern, and durability of materials, ensure the long-term maintenance and management of buildings and spaces, maximise opportunities for sustainable design and construction,

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

sustainable drainage systems, carbon reduction and minimising waste, and adhere to the guidance in Kent Design. All development proposals shall include measures to address climate change, using materials and construction techniques which increase energy efficiency, reduce waste and reduce carbon emission, and make efficient use of water resources. All new non-residential developments shall aim to achieve BREEAM 'good' standard or equivalent, and all new non-residential developments over 1,000 sq m gross floor area should aim to achieve the BREEAM "Very Good" standard or equivalent.

Consultations

12. **Swale Borough Council** commented as follows on the external materials condition:

"For condition 3 (materials) the proposal appears to follow on from the details proposed at the application stage and I raise no objection to them."

Tunstall Parish Council commented as follows on the external materials condition:

"Members are happy with the wooden cladding and it is nice to see local bricks being used, but wish to object to the colour panels/rendering which they feel will be out of context with the surrounding area and the nearby Conservation Area."

Swale Borough Council was consulted on the external lighting condition but no response has been received to this consultation. However when the Borough Council were consulted on the original planning application, which included the drawing showing the proposed external lighting but not the specification, the only comments made about the external lighting referred to the issue that if flood lighting was to be proposed on this site, then it would need to be well controlled to avoid light pollution or any adverse impacts on the amenities of local residents.

I can confirm that no floodlighting has been proposed as part of the planning application or as part of this discharge of external lighting details. In fact a condition has been imposed that if the School wanted any other lighting on this site, then another planning application would have to be submitted.

Tunstall Parish Council commented as follows on the external lighting condition:

"Members would ask that all lighting 'A' (5m high column mounted luminaires) is substituted for lighting 'B' (1.15m high bollard luminaires), this precedent has been set by with the Village Hall (there are no columns just pillar lighting) and most of the village has no street lighting, apart from that in lower part of Tunstall Road, County installed because of the traffic calming. If this is not possible then Members would prefer 3m columns for 'A' (5m high column mounted luminaires) to try and reduce light pollution to nearby properties. Members would also like clarification as to what times the lighting will be 'on' and what limits will be put on this."

Highways and Transportation Manager commented as follows on the external lighting condition:

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“Having considered the lighting details submitted in respect to Condition 4, I would raise no objection on behalf of the local highway authority and confirm that I am satisfied that the condition can be discharged.”

13. Further consultation has taken place with Tunstall Parish Council to discuss the two conditions to be discharged. At the December 2014 Parish Council meeting, representatives from KCC Strategic and Corporate Services and the Diocesan Architects attended the meeting and brought along the actual samples to show the Parish Council (as opposed to Parish Council previously seeing photographs of the samples and coloured drawings of the building). The Clerk of the Parish Council posted minutes of the meeting, and the relevant sections of the minutes read as follows:

“They (KCC and Diocese Architects) explained that the coloured panels will only cover 10% of the building and will be at ground level; the rest of the building will have weather-boarding.”

“The lighting has now been re-designed; they (the Parish Council Members) were not happy with the 26 x 5 metre high columns: now down to 8 columns in the centre of the site.”

The Parish Council then continued with their meeting without the representatives from KCC and the Diocesan Architects and further discussed the conditions, which read in the Parish Council minutes as follows:

“Members referred to the discussion with the representatives from KCC and the Diocese Architects; they were not entirely happy with the coloured panels; however the actual colours were more ‘muted’; they accepted that the building would look ‘inviting for children’ and had been informed that only 10% of the building will contain these panels. It was also somewhat reassuring to learn that the panels will be at floor level and with the trees now remaining will not be highly visible from nearby properties.”

However further correspondence has been subsequently received from the Parish Council, which reads as follow:

“However, a week later Members were informed that a meeting had been held between the contractors, KCC, representatives from the village and a representative from the Parish Council (this group is known at 4Tunstall) at which it is stated that coloured panels will be on the top part of the building (coloured aluminium panels to match the render panels on the top section of the building) but at the Parish Council meeting the only mention of any colour to the top was that there would be ‘thin slithers’ between the windows and that this would be hardly noticeable. In light of this the Parish Council feels that it is unable to remove its objection to the coloured panels (apart from the black/brown) as we are receiving conflicting information as to what is actually happening with these and the promised 10% on the ground floor now seems to be changed.

At the Contractors, KCC etc, meeting it was also advised that there will be 16 lighting columns, an increase of 100%. Again despite being advised of 8 at the Parish Council meeting this too has changed. Tunstall does not have any street lighting (apart from that imposed on us due to the traffic calming in the lower part of Tunstall Road). If you visit the village hall it only has pillar lighting and this is only switched on for functions. We asked that the columns be reduced in number; that most full length columns be reduced in height and that columns be substituted with the ground level pillar lighting; to avoid pollution and nuisance to nearby neighbours and the surrounding rural area.

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

Again we appear to be receiving conflicting information as to what is actually happening.”

Local Member

14. The local County Members, Mr Burgess and Mr Truelove were notified of the external materials details on 2 September 2014 and of the external lighting details on 16 October 2014.

Representations

15. 2 letters of representation have been received objecting to the external materials condition and 2 letters of representation have been received objecting to the external lighting condition. The objections are summarised as follows:

External materials

- The colour panels and the choice of colours are garish in tone and will be again detrimental to residents’ amenity;
- They need to be ‘toned down’ and the number of colours reduced;
- Too many bright colours may well be great for the children but as they spend most of the day inside, that’s where the colours can be theirs;
- Residents have to look at these colours and the current palette is not suitable in our rural location;
- Certainly the colour scheme of the school must be changed to fit in with the local area, both parts of Tunstall Road, the Conservation part and the area which it totally devastates in Tunstall Road;
- The current scheme shows no feeling to the local residents’ concerns and what they may be looking at.

External lighting

- Primary concern is the number of and height of the lights listed as A (5m (16.4ft) high column mounted luminaires) on the plans;
- Despite suggestions to the contrary the height and quantity will give light overspill to residents throughout Tunstall;
- The 5m high columns should be replaced by those identified as B (1.15m (3.8ft) high bollard luminaires) on the plan, giving low level lighting which will not be as intrusive to residents;
- The amount and height of these lights will have a large impact on the local residents;
- They will be a complete source of light pollution to Tunstall Road, Ruins Barn Road and Cranbrook Drive.

Discussion

16. It needs to be borne in mind that the proposed school development has already been considered and permitted, including the proposed external materials (including colour palette) and the external lighting scheme. What is currently before Members are details of the colour details and lighting specification, rather than the principle of these elements. In considering these aspects regard must be had to the Development Plan policies outlined in paragraph 11 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

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

Policies, Government Guidance and other material planning considerations arising from consultation and publicity. The issues of particular relevance in this instance are the acceptance of the samples of the external materials submitted and acceptance of the external lighting scheme.

External materials

17. At the planning application stage very little comments were raised about the proposed building design, layout and materials, although comments were made that the building would be visually intrusive in the landscape, obstruct views of the open countryside beyond and overshadow or dominate neighbouring properties. The design of the school had been carefully considered and was presented to the South East Design Panel for critical appraisal. As a result of these discussions it was accepted that the proposed external materials would include a combination of glazed panelling and black barn and natural timber weatherboarding, with solid stock brick and blue and green coloured render walling, with aluminium doors and windows, fibre cement slate pitch roofing and black rainwater goods.
18. All the details of the design, colours and materials were presented in the Design and Access Statement that accompanied the planning application that Members approved in May 2014 as well as on elevation drawings and other drawings. At this stage it was proposed to have four different colours, of varying shades of blues and greens, to be used throughout the building. Whilst Swale Borough Council did raise some minor concerns about the disposition of the materials and use of colour and cladding at the application stage, following subsequent liaison between the Borough Council and the developers prior to the submission of the discharge of external materials, it was agreed to introduce another two additional colours, again keeping to the proposed blues and greens but paler shades, so to introduce some lighter colours on the building. Therefore the scheme submitted for discharge now included all six proposed colours and it is this scheme that has been consulted upon. The Borough Council now raise no objection to the external samples and the locations where these materials are to be used on the building.
19. Tunstall Parish Council did not raise any objection to the specific proposed external materials at the planning application stage, however it is now raising objection to the colour panels/rendering which they feel will be out of context with the surrounding area and the nearby Conservation Area. Members should note that the materials and colours and the locations where these colour panels/rendering are to be used on the building were agreed at the planning application stage and planning permission has been granted on the information provided and approved at that stage. The external materials condition that was included as part of the planning permission for the school is a standard condition that is applied to most planning consents to provide samples of the external materials agreed to ensure that the building is built using those materials and colours as shown and approved in the granted planning permission. If the Parish Council were concerned about the colours and materials to be used on the building then it should have been raised at the application stage. So that these concerns could be considered as part of the consultees consideration of the proposed new school it is not reasonable to consider the principles of these materials again.
20. I note the Parish Council's concerns about conflicting information and uncertainty as to what development is proposed. As far as the planning application consultation process is concerned, the Parish Council has been sent both an electronic consultation to the external materials condition as well as in paper. A drawing showing where all the proposed colour render/panels was also provided, which included all six colours and

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

which also showed where these colours were proposed on both the ground and first floor of the building. It is unfortunate that there is now some confusion about the use of colour panels by the windows on the first floor, since that has always been proposed from the outset. Further confusion seems to have occurred as a result of the working group (4Tunstall) which was set up as a courtesy liaison forum to keep various interested parties apprised of the project, but in this particular case it has resulted in conflicting information and confusion in the planning consultation process with the Parish Council.

21. Most of the colour render will be on the ground floor of the school building and small sections of colour render will be located in between the windows. The colour of these panels are varying shades of green and blue. These shades of colour are muted and considered sympathetic to the surrounding area, and would be barely indiscernible from the nearby Conservation Area because of distance and intervening tree cover. Due to the existing vegetation screening from Tunstall Road, most of the building will be shielded from view from most neighbouring properties, with only limited glimpses of the building from Tunstall Road. The building will be well set back from road and has been designed so that it would sit at the lowest practicable ground level. Due to the limited amount of colour on the first floor of the building, the colours will not be 'garish' in tone, as suggested by the Parish Council, or particularly stand out other than immediately close up. The outcome of the South East Design Panel discussions especially encouraged some usage of colour on this building, which after all is a school building and is to be used by primary school children. The positive design features of the building will help children identify their classrooms by the usage of these colours. The building has therefore been specifically designed to be inviting and visually stimulating to children, whilst also trying to be more discreet in the landscape by deference to its rural character.
22. I am therefore satisfied that the proposed selection of six varying colours of the render/panels that have been chosen to complement the other materials selected for the school building, in being a mixture of brick and brown and black timber cladding. As discussed previously, this discharge of condition for the samples of the external materials, is not an opportunity to revisit the materials or choice of colours, since the principle of these, and where these materials have been proposed on the school building, have already been discussed at the main planning application stage and been approved. Under the circumstances, I see no overriding planning reasons not to discharge the external material condition of the planning consent SW/14/153.

External lighting

23. The principle of the external lighting proposal was also put forward as part of the original planning application. A drawing was submitted which included 26no 5m (16.4ft) high column mounted luminaires (A); 10no 1.15m (3.8ft) high bollard luminaires (B), and 15no wall mounted luminaires (C). This scheme was then developed further for the discharge of condition and was submitted with the same number of luminaires as originally proposed. The condition also required the applicant to provide information about the proposed hours of lighting operation, which the applicant confirmed that the general operating hours in winter would be between 07.00 and 19.00 hours and that daylight sensors (dusk to dawn sensors) would be fitted to ensure that the lights did not operate any longer than necessary. The external lighting would not be on during school holidays or at weekends. As the daylight hours change then the lights would be on a sensor switch (within the agreed times) which would be similar to street lighting, so that they would not be on any longer that they would have to be. The School has also asked for the occasional extension of these lighting times to stay on until a maximum time of

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

- 23.00 hours on up a maximum 14 times per year, which would be at the School's discretion.
24. The comments made by Tunstall Parish Council wishing to see the 5m (16.4ft) high column mounted luminaires being all replaced by the 1.15m (3.8ft) high bollard luminaires was put to the applicant, as well as the request that if that was not possible then for the 5m (16.4ft) high columns to be replaced with 3m (9.8ft) high columns. The applicant's lighting engineer was tasked with looking into this request, whilst maintaining a level of lighting on this site that is required by Regulations for the operation of a school.
25. The lighting scheme has therefore been amended, in response to the Parish Council's and local residents concerns, to now include 16no 5m (16.4ft) high column mounted luminaires (as opposed to the previously approved 26no); 36no 1.15m (3.8ft) high bollard luminaires (as opposed to the previously approved 10no), and 18no wall mounted luminaires to be located on the building (as opposed to the previously approved 15no). At the location of the proposed vehicular entrance to the school site, there were two 5m (16.4ft) high column mounted luminaires proposed but these have now been replaced by four of the 1.15m (3.8ft) high bollard luminaires. Further along this same boundary, a further four 5m (16.4ft) high column luminaires have been replaced with nine 1.15m (3.8ft) high bollard luminaires. Therefore the 5m (16.4ft) high column luminaires are now reduced in number and concentrated around the middle of the parents'/visitors' car park and along the eastern boundary of the staff car parking area. To make up for the loss of lighting that the 5m (16.4ft) high columns would provide has by necessity resulted in more 1.15m (3.8ft) high bollard lighting being provided than was shown on the original planning application. Unfortunately the 5m (16.4ft) high columns could not be replaced by 3m (9.8ft) high columns, as to get the same light coverage would have resulted in more columns, rather than less, being installed on this site in order to achieve the necessary level of illumination. The lighting scheme has also taken glare and overspill of lighting into account and this can be seen in the detailed lighting analysis that has been provided and which is included within this report.
26. As this is a school site, then there is a certain amount of lighting that is required as the School has a duty of care to its parents, staff and visitors to the site. It is not good practice to use bollard lighting in car parks, as any parked vehicle blocks out the light to the main area and this is why all bollard lighting is not considered acceptable for this site. The external lighting scheme for this site has been designed in accordance with BS (British Standard) 5489:2003, which gives standards for the lighting of outdoor car parks. In this case, the level of lighting should have a lighting level of 20lux, which is the requirement for a school car park as it is classified as a Heavy Traffic car park. However most of the vehicular traffic at a school site is during daylight hours and hence this is when the lighting will not be on. The majority of school staff will be arriving and leaving the car park during the times when the external lighting will be switched on and so in this instance the usage can be classified as Medium Traffic car park. For Medium Traffic car parks, the level of lighting can be reduced to 10lux. Therefore the external lighting scheme has been designed based on a 10lux lighting level and will result in a lower level of lighting than originally planned.
27. As school staff tend to be on the site earlier than the children in the morning and leave later than them in the afternoon, then the hours of lighting operation have been chosen to cover the hours that staff are likely to be arriving or leaving the school site. However, the lighting will only be on during the school day and not on at weekends or during the school holidays. Furthermore as the daylight hours change then the lights would be on

Details pursuant to condition 3 (external materials) and 4 (external lighting) – Tunstall Primary School, Tunstall (SW/14/153)

a sensor switch (within the agreed times) which would be similar to street lighting, so that they would not be on any longer that they would have to be.

28. The suggestion that only 8no 5m (16.4ft) high column luminaires would be provided at this site, is again misinformation from some quarters since the original scheme showed 26no 5m (16.4ft) high column luminaires. The planning consent was therefore granted based on that number. Whilst the applicant has tried to take all of the comments made by the Parish Council and local residents on board, about reducing the number and height of the lighting columns, a technical expert in lighting has concluded that it is not possible to achieve the level of lighting that is required for the operation of the school site with both lower height and lesser number of lighting columns. The design of the lighting has also made sure that all the 5m (16.4ft) high column luminaires are facing into the school site and not towards the surrounding neighbouring properties and countryside, to minimise light spill beyond the site boundaries and any undue illumination of the night sky. The lighting will therefore be self-contained within the site with minimal spillage, including onto the surrounding highway, which already has lighting due to the traffic calming measures along this section of Tunstall Road.
29. Under the circumstances, it is not possible to amend the lighting specification any further to meet the Parish Council's concerns, but I am satisfied that the amended scheme will meet the lighting requirements for this development with no undue impacts on either surrounding properties or the night sky. Additionally, the impacts on the Conservation Area, the wider landscape, and the neighbouring highway will be negligible, given the existing and proposed vegetation cover concealing the site and the presence of other existing lighting emitting from neighbouring properties. In particular the lights will not be on when the school is not in use and would only be on in the evening when there are activities on at the school up to the permitted 14 times per calendar year. I also consider allowing the school to have the lights on up to a maximum time of 23.00 hours as reasonable as it would average about one evening per month. I therefore see no reason why not to discharge the external lighting condition of planning consent SW/14/153.

Conclusion

30. The principles of the external materials and external lighting have already been approved in the granting of planning permission for the relocated Tunstall Primary School. The further details submitted by the applicant in regards to the discharge of the two conditions as outlined in the report, are in my view acceptable and I see no overriding reason why the submitted details should not be approved.

Recommendation

31. I RECOMMEND that the additional details submitted pursuant to condition 3 (external materials) and condition 4 (external lighting) of planning consent reference SW/14/153/R3 and R4 be APPROVED.

Case officer – Lidia Cook	03000 413353
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Background documents - See section heading
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Item D3**Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Barton Road, Maidstone – MA/14/504889 (KCC/MA/0315/2014)**

A report by Head of Planning Applications Group to Planning Applications Committee on 11 February 2015

Application by Maidstone Grammar School for the proposed extension and refurbishment of the existing sports pavilion at Maidstone Grammar School, Barton Road, Maidstone (KCC/MA/0315/2014)

Recommendation: Subject to the further details on bat protection to the satisfaction of the County Ecologist, planning permission to be granted, subject to conditions.

Local Members: Mr R Bird, Mr B Clark and Mr D. Daley **Classification: Unrestricted**

Site

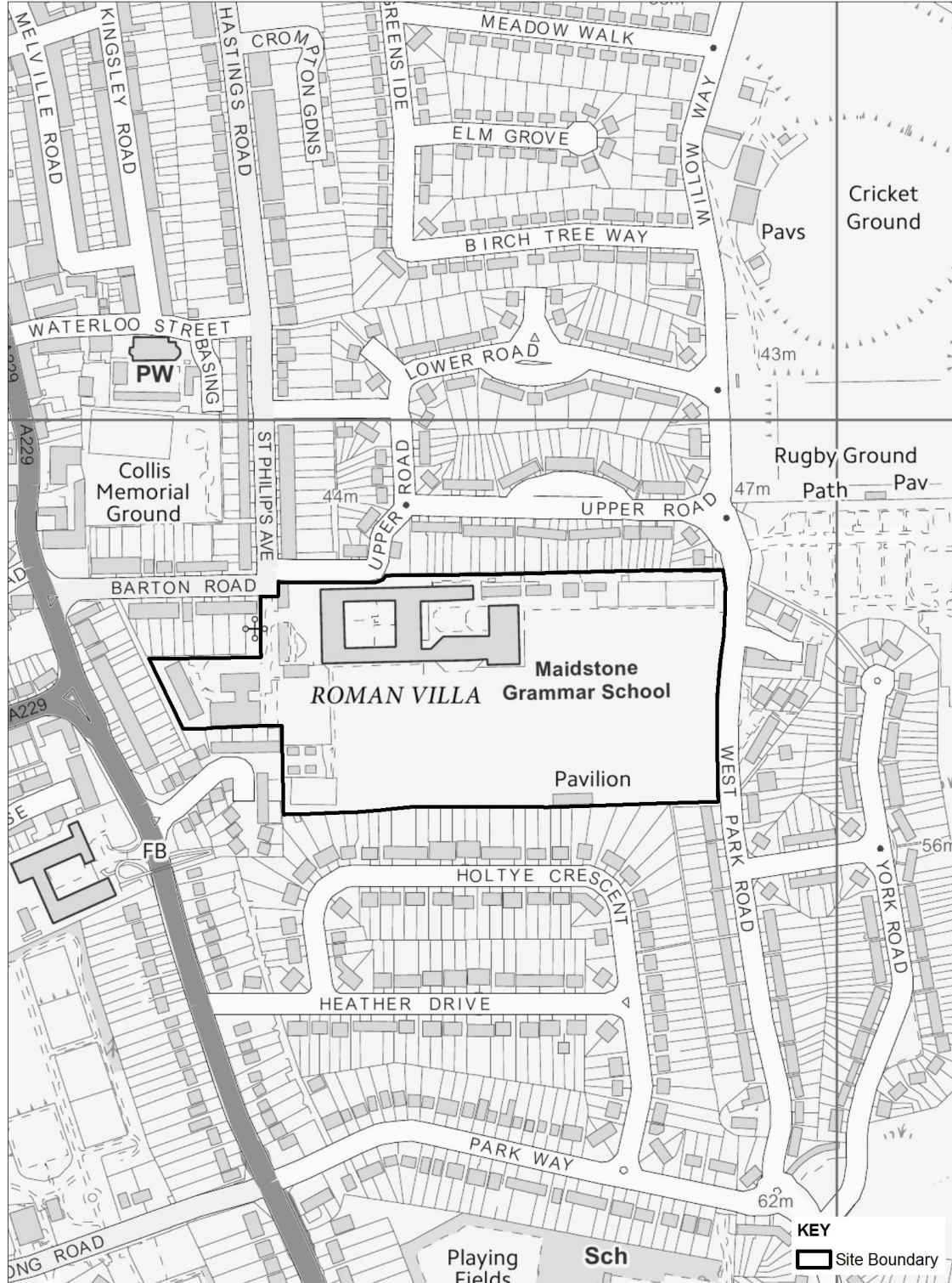
1. Maidstone Grammar School is located off Barton Road, which is to the south east of Maidstone and is in a largely predominantly residential area. These residential properties surround the site and Mote Park and Maidstone Leisure Centre are located to the east of the school site. The school consists of many buildings of varying size and age but are predominantly from the 1930's. The majority of these buildings are located in the north western corner of the school site and along the north and western boundaries. The sports pavilion represents the only building outside of this pattern of development and is located on the southern boundary backing onto gardens of the residential properties in Holtye Crescent. A site location plan is attached.

Background

2. The School has completed a variety of new buildings within the past ten years which were commissioned to provide up to date facilities. The School also recognises its strong heritage on the school's current site. This heritage is clearly represented in the sports pavilion which was constructed using funds provided by the old boy's society shortly after the school's move to this current site in the 1930's. The existing pavilion is a predominantly single storey building with a large hipped pitched roof and single north facing feature gable. Since its construction in 1930, the building has received a flat roof extension to each end of the building. The roof is finished in slate with mainly timber boarded walls at ground floor. The gable is finished in black painted timber frame with white painted render between. The gable also features a first floor bay window below a clock. The ground floor features a full length external verandah and is currently used for storage and changing with the roof space used for storage.
3. The southern boundary of the school site is defined by a 1.6m (5.25ft) high masonry wall topped with a chain link fence with significant hedges and trees located along both sides. Behind this wall are a number of two storey residential properties accessed from Holtye Crescent and due to the proximity to this boundary wall there are less significant hedges and no trees located immediately behind the sports pavilion to the school side of the boundary.

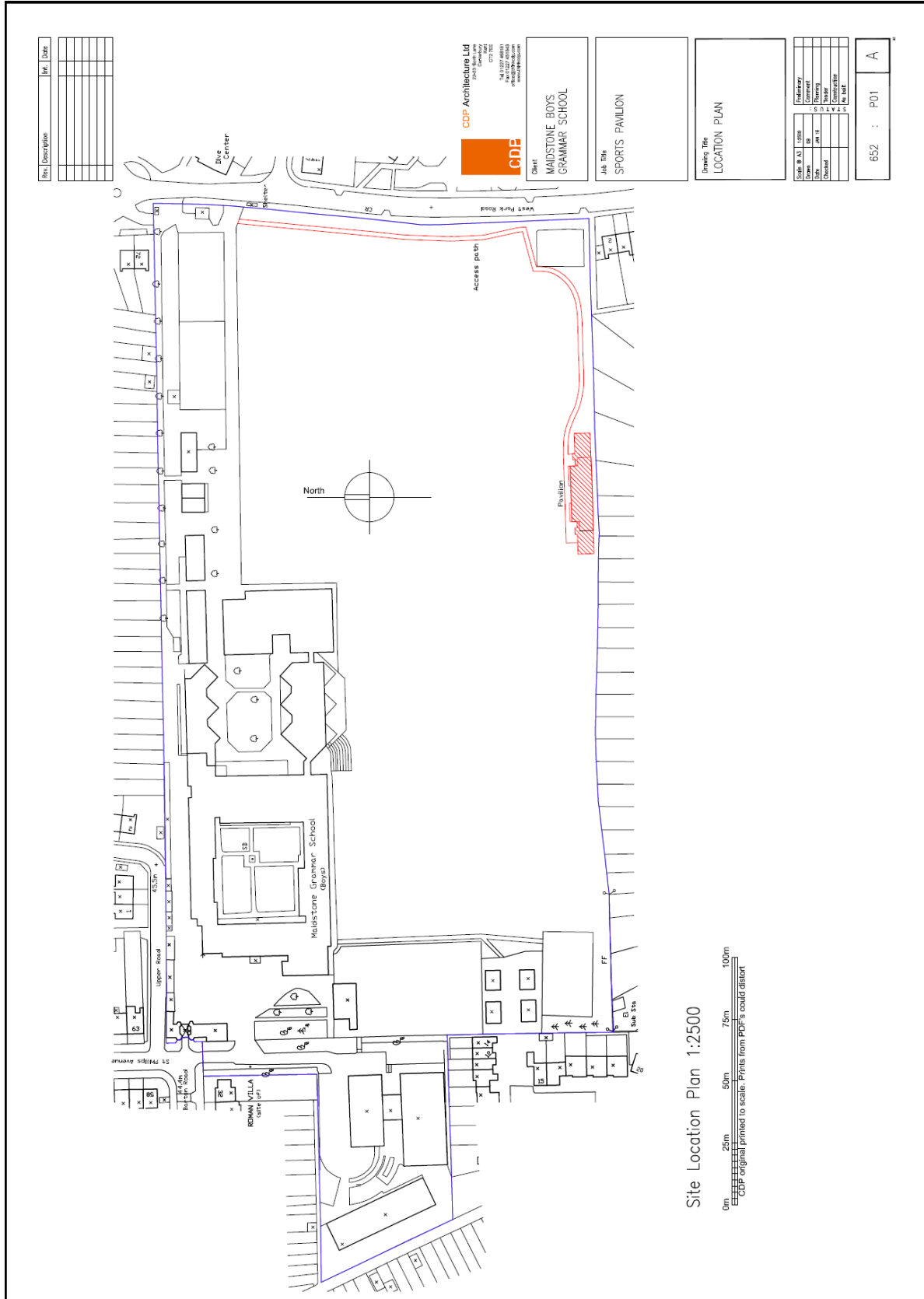
Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)

Site Location Plan



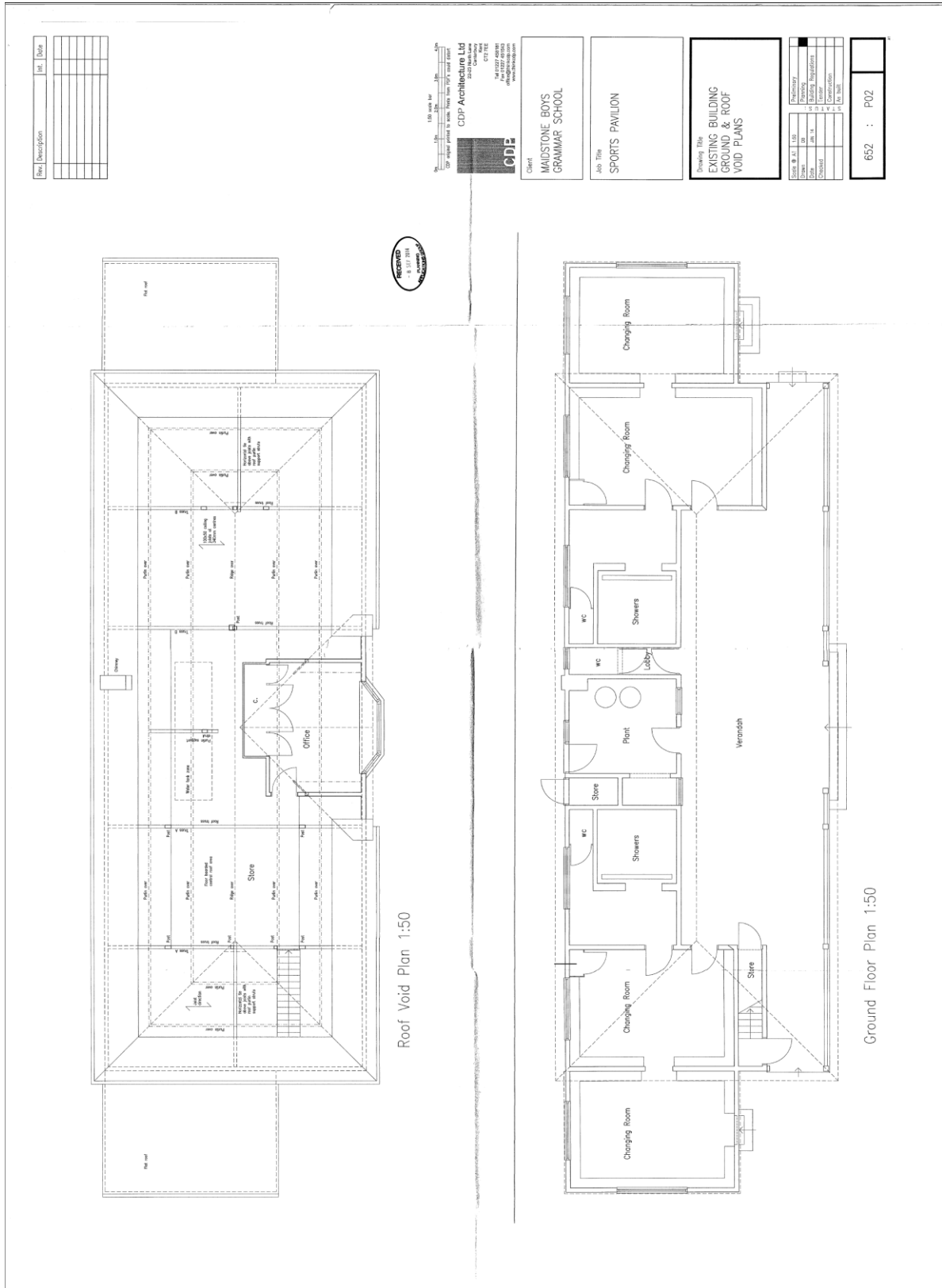
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Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)



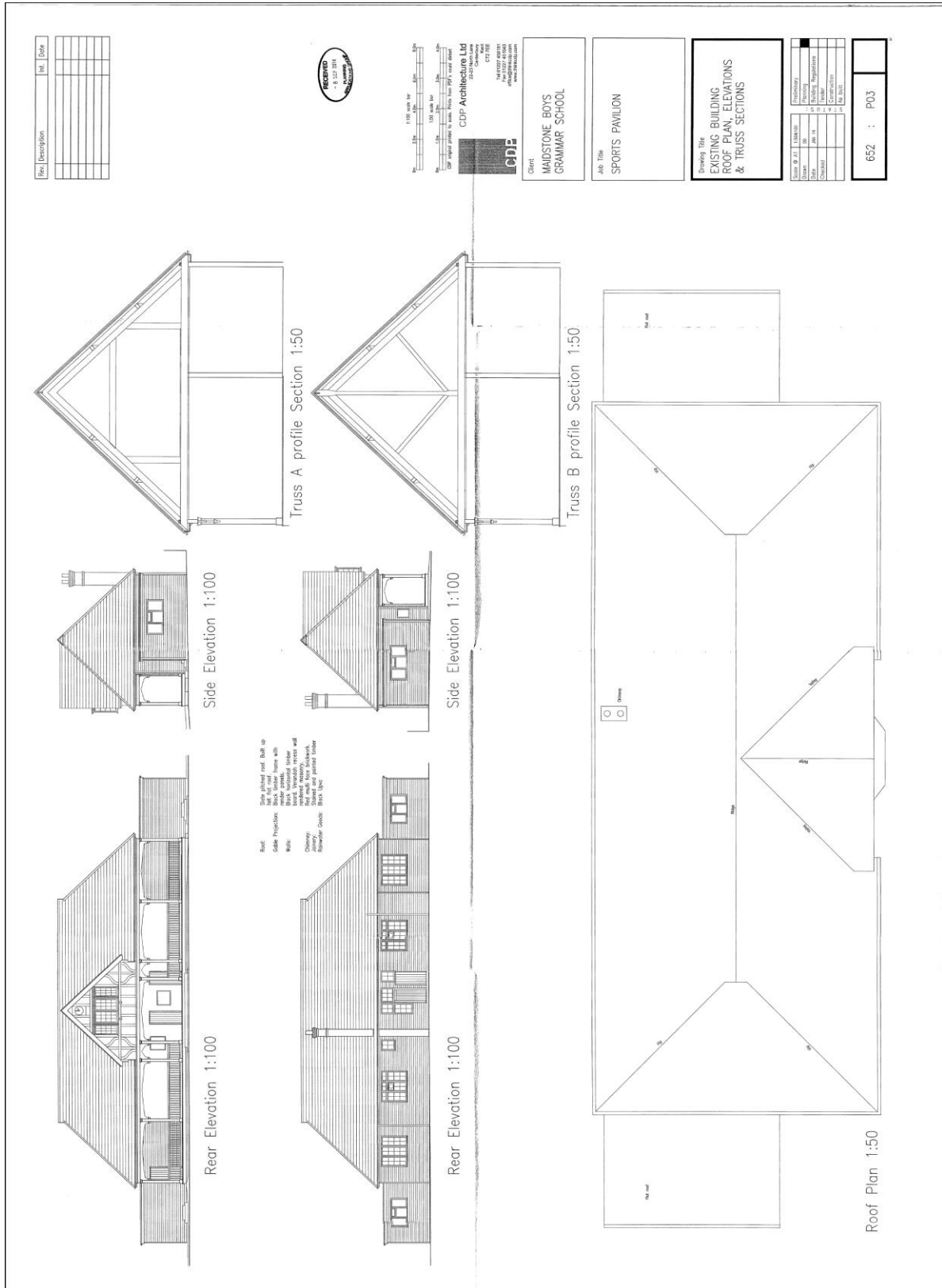
Site location plan

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)



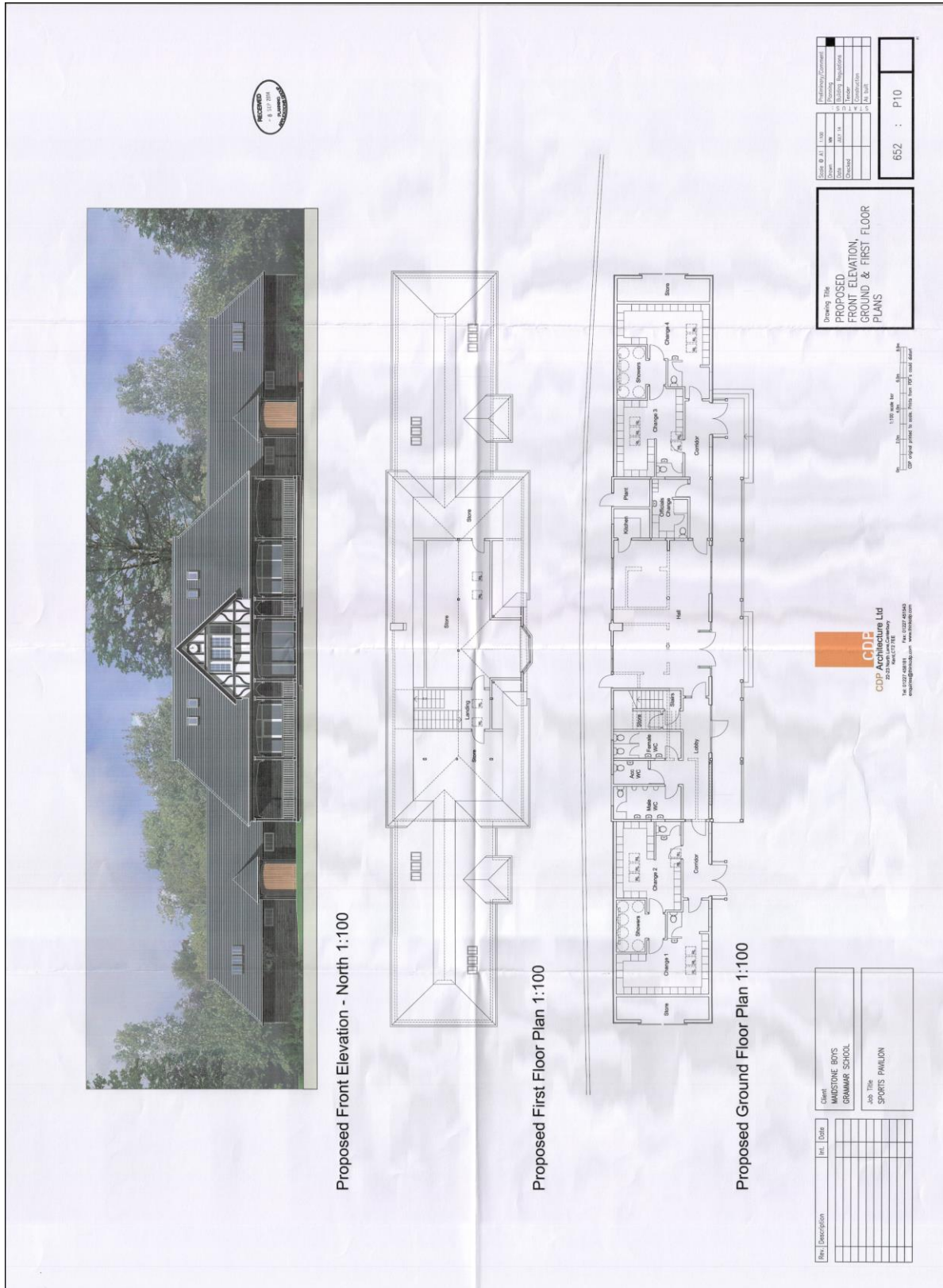
Existing building ground and roof void plans

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)



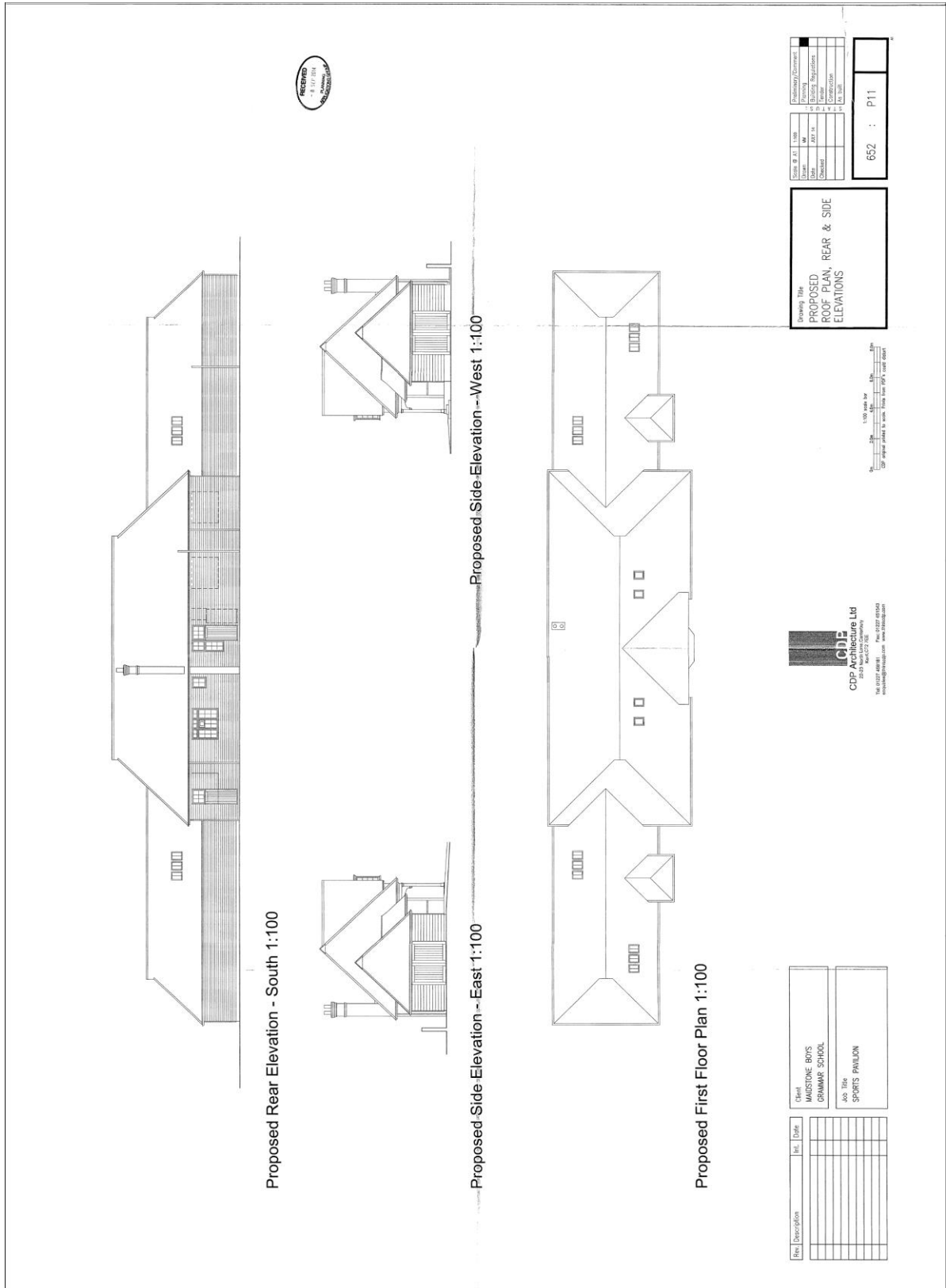
Existing building roof plan, elevations and truss sections

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)



Proposed front elevation, ground and first floor plan

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Proposed roof plan, rear and side elevations

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Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)



Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)

Recent Planning History

4. The most relevant recent site planning history is listed below:
- MA/13/796 – Proposed recladding of existing walls and roof to existing hall.
 - MA/10/923 – Internal alterations and change of use of Headmaster's house to provide office and storage space on the ground floor for school use and two 2 bedroom apartments on the first floor for occupation.
 - MA/10/788 – Demolition of a single storey classroom building and the construction of a two storey food technology block housing a replacement classroom and a sixth form area.
 - MA/09/2250 – Internal access road.
 - MA/08/2250 – Demolition of an single storey classroom building and the construction of a two storey applied learning centre.
 - MA/04/792 – Proposed 8 classrooms, 3 ICT/Computer rooms, 4 art studios, pottery room, 5 offices and associated toilets and storage including the removal of temporary accommodation and the provision of canteen, kitchen, mezzanine eating and study area, associated toilets and storage including the demolition of the existing canteen, kitchen and teaching accommodation including car parking for 18 cars plus security fencing between the teaching block and the east and west boundaries.

Proposal

5. The application has been submitted by Maidstone Grammar School to update the existing sports pavilion facilities to modern standards. The application requests permission to demolish the existing two modern flat roof extensions which are attached to each end of the pavilion and replace them with two larger extensions with a pitched roof, which replicates the original sports pavilion. It is therefore proposed to extend the pavilion to the east and west of the existing pavilion.
6. The two existing flat roof extension each measure 3.95m (12.96ft) in length and 5.65m (18.54ft) in width, and measure 2.75m (9.02ft) in height. The two proposed pitched roof extensions would each measure 13.2m (43.31ft) in length and 6.5m (21.33ft) in width, and would measure 5.83m (19.13ft) in height.
7. The proposal includes the following alterations to the ground floor to include
- 4 changing rooms;
 - 2 shower rooms;
 - Officials' changing room;
 - Improved toilet facilities including a disabled toilet;
 - Small kitchen area;
 - Plant room;
 - Hall area;
 - Internal store;
 - 2 further stores with external access.

In the roof area on the first floor of the original sports pavilion the roof voids are to remain the same, but it is proposed to increase the amount of boarded area, as well as to relocate the existing staircase.

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)

8. The proposed design has been carefully formulated to provide up to date facilities whilst maintaining the spirit and historic appearance of the existing pavilion building. The current facilities are deemed unsuitable for the building's use. The extension work is focused in three areas. Two of these are represented by the single storey hipped roof extensions to the eastern and western elevations. The extensions are designed to replace the existing out of keeping flat roofed elements with a more sympathetic form. Each of these would receive matching materials to the original structure with slate roofs and black weather boarding. Each extension would have a timber entrance door to provide direct access between the playing fields and changing facilities. The doors would be covered with a hipped canopy which would be detailed to match the timber work of the structure over the existing verandah. The third area of work is in the centre of the existing plan where the proposal encloses the central decked area. This area would be enclosed by a glazed screen between black boarding to allow views of the pitch and a sheltered area for staff and pupils. The rest of the building will receive minor alterations and repairs to facilitate the long term use of the building.
9. The applicant has confirmed that all of the new additions have been designed to be subservient to the existing structure. The extension roofs have a matching roof pitch but the proposed eaves and ridges are significantly lower than the main existing roof of the sports pavilion.
10. The school grounds approaching the existing building are gently sloping but are defined under building regulations as level and not ramped. The site supports a network of level paths which provide level access from the school's entrance and car park. The planning application also proposes a 1.8m (5.90ft) wide bound gravel footpath which will provide inclusive access to the pavilion, which route currently does not exist. The proposed design seeks to provide level access entrances from ramped approaches. The accessible ground floor also proposes an accessible toilet and changing facilities.
11. The existing fields and boundary landscaping around the proposed building would be supplemented and maintained as part of the proposed construction process. However as result of the proposed extensions, four trees would have to be removed. However the supporting tree report indicates that these trees presently have a limited life span. As part of this proposal, the School intends to plant three similar trees around the site for each of those trees removed. Hence it is proposed to plant twelve replacement trees around the school's boundary.
12. The ground surrounding the existing pavilion gently slopes. There are a series of accesses to the existing interior all of which are stepped. Access to the existing verandah is also stepped. The approach to the existing building is achieved across the school playing fields.
13. If the proposed improved facilities at the sports pavilion are to be granted planning permission, the School intends to partner with local sports clubs and teams to provide a wider use for the building. The possible use of the enlarged building could enable a wider community use of the facilities, including the local rugby club.

Planning Policy

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

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)

- (i) **National Planning Policy and Guidance** – the most relevant national planning policies and policy guidance are set out in:

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

In determining applications the NPPF states that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. In terms of delivering sustainable development in relation to this development proposal, the 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
- The promotion of healthy communities
- Conserving and enhancing the natural environment, including protecting and enhancing valued landscapes
- Conserving and enhancing the historic environment.

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

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

- (ii) **Local Planning Policy**

Maidstone Borough-Wide Local Plan (2000) (Saved) Policies:

Policy ENV6 Seeks to ensure that where required a landscape scheme, including surfacing and boundary treatment, to be carried out as part of the development proposals.

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)

Policy ENV23 Seeks to ensure that proposals for new development which would result in the net loss of open space or sport and recreation facilities, will not be permitted unless there is a proven overriding need for the development and there is no deficiency of open space or recreation facilities in the locality and alternative provision of an equivalent community benefit can be provided to replace the loss.

Maidstone Local Development Framework: Core Strategy (2011) Public Consultation Policies

Policy CS1 Seeks new development to be focused within and next to Maidstone's urban areas and infrastructure to be brought forward in a timely way to provide for the needs arising from development.

Policy CS3 Seeks development within the urban boundary of Maidstone that contributes positively to the locality's distinctive character.

Policy CS6 Seeks sustainable design and development that responds positively to and maintains local distinctiveness and townscape.

Policy CS7 Seeks to guide the location of development in order to reduce the need for private transport and maintain highway safety, and ensure the highways, public transport, walking and cycling needs arising from development are satisfied.

Consultations

15. **Maidstone Borough Council:** Raises no objection. The submitted plans for the extension and refurbishment of the pavilion seem appropriate in design, maintaining the overall character of the building. There is some significant tree planting to the southern boundary which also offers some screening to the building. Due to the position and height of the roof, the proposed roof lights are unlikely to create any views of the neighbouring dwellings. Having said that, Maidstone Borough Council would like the issue of neighbouring amenity to be fully assessed. Conditions regarding material samples and joinery should also be imposed to secure a quality appearance and character of the building.

Environment Agency: Raises no objection to the proposal. As no evidence of contamination has been found therefore we do not recommend any planning conditions regarding contamination.

The County Biodiversity Officer: Raises concerns about the information provided and requires more information and clarification. The submission of a Bat Survey concluded that the existing pavilion building is a bat roost. One bat was seen roosting within the roof void and one bat was recorded emerging from the building during the emergence survey. The emergence and re-entry surveys were carried out outside the optimal survey period and while the weather conditions were suitable for active bats, the time of year means that there is potential for more than just one bat to using the building.

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)

Furthermore, whilst it is proposed to retain some bat roosting space within the apex of the roof space, the loss of most of it (through the proposed partitioning of the existing space) is a material change to the bat roost such that it is effectively the loss of its existing function. The information that has been provided to date is lacking in information such as the dimensions of the existing roof space or the area that will be retained, is not sufficient to allow the County's Ecologist to agree that the roost is being retained.

Therefore, prior to determination, additional information is required on the dimensions of the proposed bat loft to establish whether the proposed mitigation will enable the bat roost to retain its functionality. If the space is not sufficient to retain its functionality, clarification is required on what mitigation will be implemented (such as the creation of a new bat loft in the proposed extension) within the proposed development.

Furthermore, further clarification is required on the need for a European Protected Species (EPS) licence and that the applicant proposes to use a Type 1F bitumen felt with a hessian matrix. Also if any external lighting is proposed, then it should be designed to avoid illumination of the proposed bat roosting points and tree-line to the south of the site.

The County Archaeologist: Raises no objection subject to the imposition of a condition regarding the implementation of a programme of archaeological work, to be undertaken in accordance with a written specification and timetable. The site lies within an Area of Archaeological Potential associated with the Roman villa and related activity. In addition a WWII anti-tank trap is considered to cross the site on a north east to south west alignment. Remains associated with the Roman activity especially may be revealed during the proposed groundworks.

The County Council's Landscape Advisor: Raises no objection subject to the imposition of conditions regarding the protection of existing trees during the construction phase through the provision of a Tree Protection Plan and also the submission of a Landscaping Plan for the proposed replacement trees. The contents of the Tree Survey have been accepted and the reasons why the trees closest to the proposed pavilion extension need to be removed have also been accepted.

Local Member

16. The local County Members, Mr Bird, Mr Clark and Mr Daley were notified of the application on 20 October 2014.

Publicity

17. The application was advertised by the posting of a site notices and the notification of 27 neighbours.

Representations

18. 3 letters of representation have been received from local residents objecting to the application. The main points raised in relation to this application can be summarised as follows:
 - Whilst I do not entirely object to the development, I have serious concerns about the height of the 2 adjacent extensions.

Extension and refurbishment of existing sports pavilion at Maidstone Grammar School, Maidstone (MA/14/504889)

- One of the extensions will extend almost entirely along the rear of my property.
- The eave to ridge height is unnecessarily great and will have a detrimental effect on my property, my property value and view.
- The current dimensions are for aesthetic appearance only and there seems to be no intention for such roof space to be used.
- If the side extensions were no more than 13ft, max 14ft then that would be more acceptable.
- I was assured the proposed extension would be a flat roof and no taller than the present level.
- Object to any increase in the present height dimensions but happy with the extension in ground length.
- The new proposed extension and demolishing of the low building will affect the sale and value of my house.
- The height will affect my right to a view.
- The height of the new extension must be lowered and is too high near my property.

Discussion

19. 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, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, including the new National Planning Policy Framework (NPPF) and other material planning considerations arising from consultation and publicity.
20. This application has been reported for determination by the Planning Applications Committee following the receipt of objections from three local residents. The main issues relating to this application include siting & design, amenity impacts, landscaping and ecology issues.

Siting and design

21. The planning application requests the permission to demolish the two modern flat roof extensions located to the east and west of the existing sports pavilion, and replace them with two larger extensions with a pitched roof, which would replicate the original 1930's sports pavilion. The proposed design seeks to provide up to date facilities whilst maintaining the existing character of the pavilion building, including replicating the existing materials.
22. Three representations have been received from residents who live directly behind the existing pavilion. Whilst the current modern extensions to either end of the pavilion are existing, these extensions are relatively low in height and are therefore relatively unobtrusive. This planning application proposes to rebuild these extensions that they would be 9.25m (30.35ft) longer than the current extensions, but also propose to increase the height of these extensions from 2.75m (9.02ft) to 5.83m (19.13ft), an increase of 3.08m (10.10ft). This increase of just over 3m is due to the proposed removal of the flat roof and the proposed replacement of a pitched roof. The overall existing ridge height of the pavilion from floor level is 8.06m (26.44ft). However, the proposed increase in both length of the two extensions and height, has resulted in representations objecting to the overall size of the new extensions, which neighbours

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fear would affect the views from their properties and ultimately may affect the value of their properties.

23. The applicant was therefore asked to review the proposed height of the new extensions. Unfortunately this was not deemed possible as to reduce the height of these extension would have an effect on the available headroom within the proposed buildings. The new extensions provide an opportunity to update the existing facilities to modern standards whilst being sympathetic to the existing building. The new facilities allow for disabled access and the ground floor would therefore be at a constant level throughout the building. The side extension eaves are a lower level than the existing and as low as they are able to allow sufficient headroom within, thereby the extensions would remain subservient to and maintain the hierarchy of the existing building. The roof pitch is determined by the existing pavilion roof. Having investigated a possible reduction to pitch roof, it was decided that it did not make any significant reduction to the ridge height but would make a significant detrimental effect on the building's appearance.
24. Furthermore it was concluded that the existing ground level of the school playing field and pavilion, in relation to the neighbouring properties is lower and would assist in reducing the impact of the proposed extensions.
25. Having carefully considered the increased height and length of the two proposed extension, I do not consider that the scale and massing of the proposed new extension buildings would be unacceptable. They propose to replace out of keeping flat roof extensions, which have little aesthetic value. The proposed extensions propose to copy the style, design and materials of the existing 1930's pavilion and to continue with the pitched roof, albeit at the lower height than on the original building. The proposed extensions would be subservient to the original taller building, but would continue the style of this building and make it more in keeping with the original building. The proposed extensions would also allow for the facilities within the sports pavilion to be updated to current standards and to allow for a greater community use than at present.
26. Unfortunately there is not enough space between the back of the sports pavilion and the site boundary to screen the building through the use of vegetation. Nor it is possible to consider placing these extensions elsewhere than at the locations proposed in this application as it allows for the expansion of this existing building by being sympathetic to the original design
27. Overall I consider that the siting and layout are appropriate in planning terms taking consideration the site levels, and surrounding properties. I also consider that the proposed design of the building, including the scale, form, appearance and materials to be appropriate and acceptable, bearing in mind the design and massing of the existing sports pavilion and materials on this building. I would not therefore raise a planning objection to the proposal on grounds of design, siting and layout as discussed above.

Amenity Impacts

28. Members will be aware that the protection of privately obtainable views is not a material planning consideration, but invasion of privacy and visual impact from public vantage points can be material planning considerations. Nevertheless, the distance

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between the rear building walls of properties in Holtye Crescent and the rear of the sports pavilion measures in excess of 30m (98.43ft), and it should be borne in mind that 21m (68.9ft) is generally used as a guideline for positioning adjacent dwellings to avoid loss of privacy or overshadowing. Whilst there are roof lights proposed on the rear of the roof of the proposed extensions, it would not be possible to see out of these roof lights as they would be too high for anyone within the building to see out. Therefore I am satisfied that there would be no overlooking or loss of privacy from these proposed extensions. Nor would there be any overshadowing of neighbouring properties as a result of the proposed development, given the distances between.

29. Members will be aware that they are unable to consider the effect of proposed development upon private property values. As a general rule, planning decisions have to be based on land use planning considerations, such as the scale or design of what is proposed. Therefore the effect on local property values is not a planning consideration.
30. Furthermore a 1.8m (5.90ft) wide bound gravel footpath is also proposed as part of the development. It is proposed to provide improved access for all users and would not raise any unacceptable amenity impact and would not affect the loss of any playing pitches.
31. Under the circumstances, I do not consider that there is likely to be any significant detriment to neighbouring properties as a result of visual intrusion or loss of privacy given that the generally accepted standard design guide distances for the spacing of residential properties could still be achieved with the proposed layout. I also do not consider there to be an impact upon the residents' amenities as the proposed extensions to the existing pavilion would be located over 30m (98.43ft) away from the rear building line of the properties located in Holtye Crescent.

Landscaping

32. The application proposes the removal of four existing trees, which are located nearest to the area of the proposed extensions. It is proposed to remove two trees from each side of the pavilion. Whilst one tree of the trees to be removed, a Small Leaved Lime, has been identified as being of the highest quality and value within the Arboricultural Development Report, the other three trees have lower classifications. Whilst it is always unfortunate to remove trees, especially as they provide a level of screening around the school boundary, the County's Landscape advisor has concluded that the proposed tree loss is reasonably localised and that it would be reasonable to lose the trees nearest to the pavilion.
33. In mitigation for the loss of trees from the site, the applicant would provide three trees for every one tree lost as a result of the proposed development, and it is proposed to locate these twelve replacement trees around the school site. The County's Landscape advisor has suggested that the choice of species of trees proposed for this site should be broader than narrowly focused upon specimen trees. The proposed replacement tree plan could be made a condition, if Members are minded to grant planning permission. I would therefore not raise any objection to the application on landscape grounds, subject to conditions covering, amongst other matters, the completion of the landscape scheme, replacement planting should there be any failures within the scheme and tree protection measures during construction for the remaining trees on site.

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Ecology issues

34. A Bat Survey was carried out to accompany the planning application and it concluded that there was evidence of a bat roost within the existing pavilion roof space. However the County's Ecologist has concluded that the information provided so far, is insufficient to enable the Ecologists to agree that the roost is being retained. More information is therefore required for the County's Ecologist to be satisfied that the bat roost can either be retained within the existing pavilion roof space, or due to the proposed partitioning within this area, and the subsequent reduction in the available space below the standard required, then whether the creation of a new bat loft in the proposed extension can be achieved. Whilst it has been acknowledged that there would be the provision of bat roosting space post-construction, this does not equate to the retention of the existing roost as the changes in dimensions would not provide the same functionality as that which would be lost. Therefore the County's Ecologist also concludes that a European Protected Species mitigation licence would be required.
35. Further clarification is also sought about the proposed "*modern bat friendly breathable membrane*" since it is the County Ecologist's understanding that no breathable roof membrane has been proven to be 'bat friendly'. The County's Ecologist proposes to use of a Type 1F bitumen felt with a hessian matrix in this location.
36. I consider that all of the issues outlined above, and in the County Ecologist's comments in paragraph 15 above, can be resolved satisfactorily once the requested additional information has been received. However this information has not been received in time to include the findings within this report but discussions are currently ongoing. I therefore propose that if Members are minded to recommend approval of this planning application in all other respects, that prior to any permission being issued to the applicant, that all these outstanding issues are resolved to the satisfaction of the County Ecologist. Additionally, planning conditions can also be attached to a planning consent to ensure that all the required work is carried out in accordance with the ecological requirements. Therefore the issue of whether the applicant needs to require an European Protected Species mitigation licence will be resolved once the required additional information on bat protection is provided.

Conclusion

37. In summary, I consider that, subject to the County's Ecologist being satisfied on the bat issues referred to above, and the imposition of appropriate planning conditions, this proposed development constitutes sustainable development, with an appropriate standard of design and layout, which would not have significantly detrimental effects on the residential or local amenity, and character of the area. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies, as well as the National Planning Policy Framework. Other than the potential impacts on bats, I am aware of no material planning considerations that indicate that the conclusion should be made otherwise. However I recommend that various conditions be placed on any planning permission, including those outlined below.

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Recommendation

38. SUBJECT TO the submission of further details on bat protection to the satisfaction of the County Ecologist, I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- the standard 5 year time limit;
- the development carried out in accordance with the permitted details;
- the submission of details of all materials to be used externally, including details of joinery;
- a detailed scheme of landscaping, its implementation and maintenance;
- measures to protect trees to be retained;
- no tree removal during the bird breeding season;
- details of a biodiversity statement;
- any external lighting to be designed to avoid illumination of the proposed bat roosting points and tree line to the south of the site;
- a programme of archaeological works;
- 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 of Sundays and Bank Holidays;
- construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations;
- measures to prevent mud and debris being taken onto the public highway;
- measures to prevent dust nuisance during the demolition phase.

Case officer – Lidia Cook	03000 413353
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Background documents - See section heading
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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

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

Background Documents - The deposited documents.

TW/14/501345/R5&R6	Details of external materials and details of flare stack height pursuant to conditions (5) and (6) of planning permission TW/14/501345. Conghurst Farm, Conghurst Lane, Hawkhurst
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E2 COUNTY COUNCIL DEVELOPMENT APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED UNDER DELEGATED POWERS MEMBERS' INFORMATION

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

Background Documents – The deposited documents.

AS/14/1518	Proposed new single storey extension to entrance including reception area, main office, medical room and wheelchair accessible WC. Godinton Primary School, Lockholt Close, Ashford
AS/14/1546	The renewal of planning permission for retention of the existing double mobile classroom and plant room for 5 years. The John Wesley C of E Methodist Primary School, Wesley School Road, Ashford
DO/14/521/R10	Details of surface water drainage scheme pursuant to condition (10) of planning permission DO/14/521. Land adjoining the Deal Leisure Centre, Tides, Park Avenue, Deal
SH/14/1312	Renewal of planning permission for a mobile unit. Saltwood C of E Primary School, Grange Road, Saltwood, Hythe
TH/14/475/RVAR	Details pursuant to conditions 7 (Biodiversity Method Statement), 8 (Ecological Design Strategy), 9 (Landscaping Scheme), 13 (Playing Field Design), 15 (Details of on site parking, loading and turning facilities for site personnel) and 24 (Details of staff-only pedestrian gate access) of planning permission TH/14/475. Land at Ozengell Place, Ramsgate

TH/14/1064	Construction of a 3 Court Sports Hall with associated changing rooms, toilets, storage, offices and reception. St Anthonys School, St Anthonys Way, Margate
TM/14/3658	The demolition of existing mobile classroom and the erection of a two storey pitched roof extension comprising of two no classrooms, WC facilities and storage. Ightham Primary School, Oldbury Lane, Ightham, Sevenoaks
TW/14/288/R7	Details of a precautionary working method statement with regard to badgers, pursuant to condition 7 of planning permission TW/14/288. Southborough C of E Primary School, Broomhill Park Road, Tunbridge Wells
TW/14/288/RVAR	Details of external materials pursuant to condition (3), details of a scheme to deal with the risks associated with contamination pursuant to condition (10), and details of a construction management strategy pursuant to condition (13) of planning permission TW/14/288. Southborough C of E Primary School, Broomhill Park Road, Tunbridge Wells
TW/14/506406	Renewal of planning permission for an existing 2 classroom modular building. Claremont Primary School, Banner Farm Road, Tunbridge Wells

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

Background Documents –

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

KCC/GR/0431/2014 - Erection of a replacement building to provide covered working area, provision of trommel and picking station at existing waste transfer station.
Unit 4, Apex Business Park, Queens Farm Road, Shorne, Gravesend

KCC/SW/0320/2014 - Proposed two new storage units, vehicle weigh bridge, amenity unit. Re opening original access road to provide separate car and heavy goods entrances and vehicle parking at London & Kent Metals, Unit D9, Eurolink Business Park, Sittingbourne

KCC/TM/0435/2014 - Proposed change of use from agricultural land to recreational playing field to serve The Judd School together with associated ancillary development including access, parking and hard landscaping works.
Land off Lower Haysden Lane, Tonbridge

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

None

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

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

Background Documents -

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

None

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