

PLANNING APPLICATIONS COMMITTEE

Wednesday, 18th November, 2015

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 18th November, 2015, at 10.00 am Ask for: **Andrew Tait**
Council Chamber, Sessions House, County Hall, Maidstone 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 N J D Chard, 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 October 2015 (Pages 5 - 10)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. A review of delegated powers to Head of Planning Applications Group to reflect Government expectation for timely planning decisions to deliver sustainable development (Pages 11 - 20)

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal GR/15/20150893 (KCC/GR/0287/2015) - New building to accommodate 8 classrooms, new studio hall, staff room, ICT suite, group room, plant room and associated storage and WC facilities, a new hard play area with access ramps and steps and new car park at Singlewell Primary School, Mackenzie Way, Gravesend; KCC Property and Infrastructure (Pages 21 - 40)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matters dealt with under delegated powers (Pages 41 - 44)
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, 10 November 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 section 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 October 2015.

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

ALSO PRESENT: Mrs Z Wiltshire

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

55. Minutes - 9 September 2015
(Item A3)

RESOLVED that the Minutes of the meeting held on 9 September 2015 are correctly recorded and that they be signed by the Chairman.

56. Site Meetings and Other Meetings
(Item A4)

(1) The Committee confirmed that it would be visiting Hermitage Quarry in Ditton following the meeting as part of its training programme of visits to permitted development sites.

(2) The Committee agreed to receive a training session on Design Matters and on the implications of the recent *Kelton vs Wiltshire Council* judgement following its November meeting.

(3) The Head of Planning Applications Group advised the Committee that the next training tour in Spring 2016 would consist of a visit to permitted Secondary Schools and restored mineral sites.

57. Proposal SW/15/500303 (KCC/SW/0449/2014) - Repair and maintenance of Environmental Control Systems including the installation of additional equipment and importation of soils to infill low spots and areas of exposed waste at Land at Cryalls Lane, Sittingbourne; KCC Waste Management
(Item C1)

(1) Mr M Baldock advised the Committee that he was a Member of Swale

Borough Council which had commented on the application. He had not, however, taken part in its discussions of the application. He was also acquainted with a number of the people who had objected to the application. None of them were close personal associates, and he was therefore able to consider the application with a fresh mind.

(2) The Head of Planning Applications Group agreed to consult the Local Members on the details of the Traffic Management System and asked the Committee to agree to the enhancement of that condition requiring the applicants to undertake a route audit using auto track in order to demonstrate that the proposed route was appropriate. This was agreed.

(3) The Committee agreed to add an Informative asking the applicants to commence the main infilling part of the operation in the Summer of 2016 subject to there being no conflict with their environmental objectives.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried (as amended in (1) and (2) above) by 16 votes to 2.

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

(6) RESOLVED that:-

- (a) permission be granted to the application subject to conditions, including conditions covering the duration of operations being limited to two years from their commencement; maximum volumes of infill material being restricted to 3,000 tonnes of inert material; hours of working being limited to avoid peak hour movements and school runs; vehicle movements being restricted to a maximum of 20 movements to and from the site per day; prior approval (in consultation with the Local Members) of a Traffic Management System designed to avoid vehicles associated with the development meeting along the proposed haul route and the undertaking of a route audit using auto track demonstrating that the proposed route is appropriate; prior approval of a Construction Management Plan; access improvements being completed before the importation of infill materials; prior approval of details of vehicle parking and loading/offloading areas; prior approval of details of wheel cleaning facilities; prior approval of details of an Environmental Management Plan; and ecological impact avoidance/mitigation methods being undertaken in accordance with those submitted in support of the application; and
- (b) the applicants be advised by Informative that they should seek to commence the main infilling part of the operation in the Summer of 2016 subject to there being no conflict with their environmental objectives.

- 58. Proposal M/TH/15/0294 (KCC/TH/0122/2015) 2 f.e. primary school, improvements to existing access to Westwood Road, car parking and pick up/drop off bays, external play areas including a Multi Use Games Area, informal play area and hard and soft landscaping at Land at St George's CE School, Westwood Road, Broadstairs; KCC Property and Infrastructure Support.**
(Item D1)

(1) Mrs Z Wiltshire was present for this item pursuant to Committee procedure Rule 2.27 and spoke in support of the Proposal.

(2) The Head of Planning Applications Group asked the Committee to include an additional condition specifying that the access layout, controlled crossing and highway alterations be carried out prior to occupation of the school. This was agreed.

(3) On being put to the vote, the recommendations of the Head of Planning Applications Group were carried by 15 votes to 1.

(4) RESOLVED that:-

- (a) the proposal be referred to the Secretary of State for Communities and Local Government and that subject to his decision, permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit for implementation; the development being carried out in accordance with the permitted details; the submission and approval of details of all construction materials to be used externally; the submission of a School Travel Plan within 6 months of occupation of the new school and its ongoing review; hours of working during construction being restricted to between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays; the submission of a Construction Management Plan for both phases, providing details of how the site access would be managed, details of the methods and hours of working, location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities and details of any construction access; measures being taken to prevent mud and debris being deposited on the public highway; the provision of the on-site parking areas prior to occupation of the school and their retention thereafter; the provision of cycle parking prior to the occupation of the school; the submission of a native species landscape scheme and details of a maintenance scheme for such landscaping, and the inclusion within this scheme of ecological enhancements and management of the retained earth bank and habitat areas; the submission of a method statement detailing how the construction can be carried out without affecting the trees and their root protection areas; the submission of a detailed lighting design strategy to be approved in writing prior to occupation of the school; no additional lighting being erected at the site without the written consent of the County Planning Authority; the submission of a scheme and its approval in writing covering a preliminary risk assessment; a site investigation scheme; the results of the site investigation and details risk assessment and an appraisal and remediation strategy; and a verification plan providing details of data that will be collected; the development not being occupied

until a verification report demonstrating the completion of the works set out in the remediation strategy has been approved; the development being stopped if previously unidentified contamination is found on site until a remediation strategy is agreed and implemented; no piling or other foundation design using penetrative methods taking place without the express written consent of the County Planning Authority; no infiltration of surface water drainage into the ground taking place other than with the express written permission of the County Planning Authority; the submission of a fully detailed sustainable surface water drainage scheme for the site, together with the written approval of such a scheme and its ongoing maintenance; the implementation of archaeological field evaluation work in accordance with a specification and written timetable to be approved by the County Planning Authority, and the preservation in situ of important archaeological remains; the submission of a biodiversity method statement providing details of measures that will be implemented to minimise the potential for ecological impacts; the submission of a Construction Environmental Management Plan to ensure the retained areas of earth bank are protected during construction; a community use agreement for the shared use of school sports facilities being submitted for approval in writing within 3 months of the occupation of the school;

- (b) the applicants be advised by Informative that: -
- (i) they should register the School Travel Plan with Kent County through the “Jambusters” website following the link;
 - (ii) they should ensure that all necessary highway approvals and consents are obtained; and
 - (iii) they should ensure that works to trees are carried out outside of the breeding bird season and, if this is not possible, that an ecologist examines the site prior to works commencing.

59. Proposal AS/15/648 (KCC/AS/0121/2015) - 2 f.e. primary school comprising a two storey building, access, car parking and pick-up/drop-off bays, external play areas, including a Multi Use Games Area, informal play area and grass play fielding, and hard and soft landscaping at Land at Finberry Village, Mersham, Ashford; KCC Property and Infrastructure Support.

(Item D2)

(1) Mr J M Wedgbury informed the Committee that he was a Member of both Ashford BC and Kingsnorth PC. He had not taken part in the consideration of this proposal by either authority and was therefore able to approach its determination with a fresh mind.

(2) Mr M J Angell informed the Committee that he was the Local Member for this proposal, but not for the associated housing development. He had not given his views on the proposal and was able to approach its determination with a fresh mind.

(3) The Head of Planning Applications Group tabled late representations from Charles Russell Speechlys LLP on behalf of the Church Commissioners. This reaffirmed their objections to the proposal.

(4) The Head of Planning Applications Group asked the Committee to strengthen the landscaping condition requiring the applicants to pay particular regard to enhancing the frontage of the school site. This was agreed.

(5) On being put to the vote, the recommendations of the Head of Planning Applications Group were agreed by 15 votes to 0 with 1 abstention.

(6) RESOLVED that:-

- (a) permission be granted to proposal subject to conditions, including conditions covering the standard time limit for implementation; the development being carried out in accordance with the permitted details; the submission and approval of details of all materials to be used externally, including details of joinery, colour finishes, depth of reveals, details of the jointing of the cladding panels and 1:50 elevations and cross sections of the projecting window 'boxes'; the submission and approval of details of the sprinkler tank and bin store; the submission and approval of details of the extraction flue, including a maintenance schedule; the submission and approval of details of all external lighting, including hours of operation; the submission and approval of a scheme of landscaping, including tree planting, soft landscaping, ecological enhancements, hard surfacing, its implementation and maintenance, with particular regard to enhancing the frontage of the school site; the development according with the recommendations of the ecological surveys, including a tool box talk to contractors regarding protected species prior to the commencement of the development; the submission and approval of details of all gates, fences and means of enclosure; the submission and approval of details of external seating and external seating areas; the submission and approval of details of on-site cycle parking, and its subsequent provision and retention; the submission and approval of a School Travel Plan within six months of occupation, and its ongoing monitoring and review thereafter; the submission and approval of a detailed car parking layout plan showing how the car parking would be allocated on site; provision and retention of car parking, cycle parking, access, circulatory routes and turning areas; the provision of the vehicular and pedestrian access points into the school site prior to occupation; the development meeting the sustainable design standards set out in the application documents; details of ground levels and finished floor levels; the submission and approval of a detailed Sustainable Surface Water Drainage Scheme, and details of its implementation, maintenance and management; control of infiltration of surface water drainage; hours of working during construction and demolition being restricted to between 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays; the submission of a Construction Management Strategy, including the location of site compound and operative parking, wheel washing/cleaning facilities, and details of the construction access and management of the site access; and measures to prevent mud and debris being taken onto the public

highway; and

- (b) the applicant be advised by Informative that:-
 - (i) their attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained;
 - (ii) they are advised to register with Kent County Council's Travel Plan Management system 'Jambusters';
 - (iii) as stated in the letter from the Environment Agency, account should be taken of their advice regarding the River Stour and Ruckinge Dyke, and that they should register with the Environment Agency's Flood Warnings Direct Service; and
 - (iv) they are advised that the Sustainable Water Drainage Scheme cannot be determined until such time as it can be clearly demonstrated that the required connection to the wider network is available to convey the water away from the site, and that Crest Nicholson have constructed the downstream attenuation features and are ready to receive the site's discharge.

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

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

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

Item B1

Review of Delegated Powers to Head of Planning Applications

A report by Head of Planning Applications Group to the Planning Applications Committee on 18th November 2015

Summary: A review of delegated powers to Head of Planning Applications to reflect Government expectation for timely planning decisions to deliver sustainable development

Recommendation: Agree the minor revisions to the officer delegation arrangements

Local Member: N/A

Introduction and Background

1. The current delegation arrangements for the planning application service are set out in Appendix 1 and were agreed by the Planning Applications Committee in October 2006. Since that time, there have been a number of legislative and other factors that highlight the need for a review of these delegation arrangements to ensure that decisions are made in a timely manner and remain the responsibility of the County Council as local planning authority.

Driver for Review

2. In 2012, the then Minister for Planning Greg Clark MP introduced the National Planning Policy Framework (NPPF) including the expectation that development that is sustainable should go ahead without delay. 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 and that the NPPF is a material consideration in decision making.
3. Since 2012 a number of mechanisms have been introduced by the Government in an attempt to speed up the pace of delivering development and to ensure that planning authorities are not unreasonably delaying new development. One such tool, introduced in 2014 was the possible designation of a local planning authority into special measures where it failed to determine 40% of major development applications within 13 weeks (or 16 if they were accompanied by an Environmental Impact Assessment) unless there was an agreed extension of time request between the applicant and the local planning authority. In its Autumn Statement 2014 the Government advised its intention to increase the performance threshold to 50%. This threshold was introduced via the Government Circular *Improving Planning Performance Criteria for designation* (revised 2015) July 2015.

4. As a result, the Town and Country Planning Act 1990 has been amended to introduce s62A and s62B which allow certain applications to bypass the local planning authority and to be made directly to the Secretary of State for Communities and Local Government if the local planning authority has been designated in 'special measures'. A further assessment of performance for designation is the extent to which decisions are overturned at appeal. This is seen as an indicator of the quality of decisions taken by a local planning authority.
5. The performance threshold includes all mineral and waste management development. At this time it does not cover the County Council's community development. Data is returned on a quarterly basis and published by the Department of Communities and Local Government (DCLG). There is a rolling 2 year assessment period. Currently 8 district councils and 7 local planning authorities determining mineral and waste applications are at risk of designation at the end of the year. A further 9 are to avoid designation on the basis that, whilst not meeting the performance threshold, they have determined less than 3 major development proposals during the 2 year assessment period.
6. Recent changes in legislation also provide in some circumstances where decisions are not timely made for deemed consent in the discharge of details pursuant to condition and for the return of the planning fee.
7. Finally this review of delegation arrangements would help to speed up decision making, future proof against minor legislative changes and reduce the amount of officer time taken in drafting committee reports.

Proposed Changes to Officer Delegation

8. The table in Appendix 1 sets out the current delegations and the proposed changes, together with their rationale. Appendix 2 shows how the delegation document would look if all the changes are accepted by the Committee.
9. The key change being proposed would allow a delegated decision to be taken to refuse planning permission or to not approve details pursuant to a condition where an applicant fails to agree an extension of time with the planning authority. Whilst the County Council's performance is currently well above the special measures threshold, there is the possibility of an applicant failing to agree the necessary extension of time request to enable issues to be addressed during the planning process. Due to the lead in time for publishing committee reports it might not be possible to bring the application or details to Committee before the performance target date or the expiry of any agreed extension of time period. In

those circumstances, this failure to meet the performance target is recorded in the quarterly statistical return to DCLG and could potentially lead to the County Council being placed in special measures as a planning authority for mineral and waste management development.

10. DCLG assesses performance on the date of decision rather than a resolution to grant permission by this Committee. I therefore propose to include in the revised delegation, the option to refuse proposals where there is a resolution to grant permission subject to the completion of a legal agreement and where an applicant has failed to complete that legal agreement within 6 months of the Committee resolution being made.

11. In circumstances where I would wish to use the revised delegated power to refuse I propose that officers consult with the Chairman, Vice Chairman and Lead Spokesperson for each political party prior to a decision being taken. I recommend a consultation period of 2 working days.

12. Minor revision is also proposed to clarify that a delegated decision can be taken where material planning considerations are received in respect of a planning proposal, but are not considered material objections for the proposal before the planning authority. This would reduce delays in determining planning applications and avoid doubt over when it is necessary to report certain applications (including details submitted under condition) to the Planning Applications Committee, particularly when representations are received where reasons for objection have not been given or where those reasons given are not relevant in a particular case.

Recommendation

13. I RECOMMEND that Members AGREE the revised officer delegation as set out in Appendix 2.

Sharon Thompson

03000 413468

Background Documents:-

Government Autumn Statement 2014
Circular Improving Planning Performance Criteria for designation (revised 2015)
July 2015.
Town and Country Planning Act 1990 and Fee Regulations
Planning Application Committee Papers October 2006

Current and Proposed Delegation Arrangements

Delegation arrangements agreed by the former Planning Applications Committee at its meeting on the 10 October 2006.	Proposed Delegation Arrangements
<u>Decisions to be Taken only by the Planning Applications Committee</u>	
<p>1. The determination of any application not delegated to officers as set out below or which relate to land or buildings managed by the Managing Director of Environment Planning and Regeneration Directorate or to which there are material planning objections.</p>	<p>1. The determination of any application not delegated to officers as set out below or which relate to land or buildings managed by the Director of Environment Planning and Enforcement or to which there are material planning objections - except where representations are received that could otherwise be considered material planning objections but, in the opinion of the Head of Planning Applications, are not relevant in a particular case.</p> <p>Reasons for change:</p> <p>(i) <i>To reflect organisational changes to the management structure and reporting lines of the County Council.</i></p> <p>(ii) <i>To reduce delays in determining planning applications (including details submitted under condition) and for avoidance of doubt over when it is necessary to report certain applications to the Planning Applications Committee, particularly when representations are received and the reasons for objection have either not been given or are not relevant in a particular case.</i></p>
<p>2. Any actions which might give rise to liability to pay compensation.</p>	<p>2. Any actions which might give rise to liability to pay compensation.</p> <p>No change proposed</p>
<p>3. Responses to planning circulars or Government advice of particular relevance to the operation of the Development Control service.</p>	<p>3. Responses to Government advice or consultations of particular relevance to the operation of the Development Management service by the Planning Applications Committee.</p> <p>Reasons for change: <i>To reflect current circumstances and terminology, and that responses to Government consultations relating to planning policy matters fall to the Cabinet Member to agree.</i></p>

4. Any matter referred to the Committee by officers or at the request of the Committee Chairman.	4. Any matter referred to the Committee by officers or at the request of the Committee Chairman. No change proposed
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Decisions normally to be taken by Head of Planning Applications Group

1. To determine any application for which there has been no relevant planning objection raised by consultees or as a result of advertising;	1. To determine any application (including details submitted under condition and non-material amendments) for which there has been no relevant planning objection raised by consultees or as a result of publicity, or where representations are received that could otherwise be considered material planning objections but in the opinion of the Head of Planning Applications are not relevant in a particular case. <i>Reasons for change: To reduce delays in determining planning applications and for avoidance of doubt over when it is necessary to report certain applications (including details submitted under condition) to the Planning Applications Committee particularly when representations are received and the reasons for objection have either not been given or are not relevant in a particular case.</i>
2. To determine an application for a Certificate of Lawfulness of Existing Use or Development (CLEUD)	2. To determine an application for a Certificate of Lawfulness of Existing Use or Development (CLEUD) No change proposed
3. To determine a screening or scoping opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.	3. To determine a screening* or scoping opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) or any subsequent order amending, revoking and re-enacting these regulations. <i>Reasons for change: Reference to legislation updated.</i>

**Local Planning Authorities are required under the Regulations to adopt a Screening Opinion within 3 weeks of receipt of the request, unless a longer period is agreed in writing, for example, if additional information is required.*

<p>4. To determine an Appropriate Assessment application pursuant to the Conservation (Natural Habitats) Regulations 1994 (the Habitats Regulations), where Natural England (formally English Nature) has advised the County Council that it is satisfied that the proposal will not affect the conservation objectives of the designated site or that the mitigation measures proposed are acceptable.</p>	<p>4. To determine an Appropriate Assessment application pursuant to The Conservation of Habitats and Species Regulations 2010 (as amended) or any subsequent order amending, revoking and re-enacting these regulations, where Natural England has advised the County Council that it is satisfied that the proposal will not affect the conservation objectives of the designated site or that the mitigation measures proposed are acceptable.</p> <p>Reasons for change: <i>Reference to legislation updated.</i></p>
<p>5. To refuse applications (including details submitted under conditions) where such applications meet any of the following criteria:</p> <ul style="list-style-type: none"> • The proposal does not accord with the Development Plan and there are no overriding material reasons for granting approval; • The application is retrospective and is aimed at rectifying a breach of planning control against which Enforcement proceedings including Court prosecutions have already been instigated; • The application is a repeat application within 12 months of a previous refusal or withdrawal and does not address the grounds of refusal or concerns raised by the earlier proposal. <p>Such decisions in relation to 5 above will only be issued following consultation with the Chairman and Party Group Spokesmen unless reasons of urgency make this impracticable.</p>	<p>5. To refuse applications and to not approve details submitted under conditions where such submissions meet any of the following criteria:</p> <ul style="list-style-type: none"> • The proposal does not accord with the Development Plan and there are no overriding material reasons for granting permission or approving the details; • Insufficient detail or information has been submitted to: <ul style="list-style-type: none"> (i) enable proper consideration of an application for planning permission; or (ii) satisfy the terms of a condition or conditions, in the case of an application to discharge a condition or conditions; or (iii) enable technical issues raised by consultees to be resolved, either to determine an application for permission or to discharge a condition or conditions; • The applicant has not agreed a reasonable extension of time to otherwise allow, within the required timescale for: <ul style="list-style-type: none"> (i) proper consideration of any further information submitted; or (ii) completion of a legal agreement; or

	<p>(iii) resolution of any other outstanding matters;</p> <ul style="list-style-type: none"> • The applicant has failed to complete a legal agreement upon which a resolution by the Planning Applications Committee to grant planning permission is dependent within 6 months of such a resolution being made; • The application is retrospective and is aimed at rectifying a breach of planning control against which Enforcement proceedings including Court prosecutions have already been instigated; • The application is a repeat application within 12 months of a previous refusal or withdrawal and does not address the grounds of refusal or concerns raised by the earlier proposal. <p>Such decisions in relation to 5 above will only be issued following consultation with the Chairman, Vice Chairman and Lead Spokesperson for each political party prior to a decision being taken unless reasons of urgency make this impracticable. The consultation period shall usually be 2 working days.</p> <p><i>Reasons for change:</i> <i>To address changes to planning legislation and practice arising from the Government's objective of reducing 'red tape' in order to speed up the planning process and to reduce delays in reaching timely planning decisions. These include circumstances where an applicant has refused to agree an extension of time and the timescale for determination cannot be met because there are matters that still need to be resolved and failure to make a determination would result in the planning application fee having to be returned or the deemed discharge of planning conditions. It also places the Local Planning Authority at risk of special measures. In such cases an applicant can bypass the Local Planning Authority and submit its application direct to the Planning Inspectorate.</i></p>
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Proposed Delegation Arrangements

Decisions to be taken by the Planning Applications Committee
1. The determination of any application not delegated to officers as set out below or which relate to land or buildings managed by the Director of Environment Planning and Enforcement or to which there are material planning objections - except where representations are received that could otherwise be considered material planning objections but in the opinion of the Head of Planning Applications are not relevant in a particular case.
2. Any actions which might give rise to liability to pay compensation.
3. Responses to Government advice or consultations of particular relevance to the operation of the Development Management service by the Planning Applications Committee.
4. Any matter referred to the Committee by officers or at the request of the Committee Chairman.

Decisions normally to be taken by Head of Planning Applications Group
1. To determine any application (including details submitted under condition and non-material amendments) for which there has been no relevant planning objection raised by consultees or as a result of publicity, or where representations are received that could otherwise be considered material planning objections but in the opinion of the Head of Planning Applications are not relevant in a particular case.
2. To determine an application for a Certificate of Lawfulness of Existing Use or Development (CLEUD)
3. To determine a screening* or scoping opinion pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) or any subsequent order amending, revoking and re-enacting these regulations.
<i>* Local Planning Authorities are required under the Regulations to adopt a Screening Opinion within 3 weeks of receipt of the request, unless a longer period is agreed in writing, for example, if additional information is required.</i>
4. To determine an Appropriate Assessment application pursuant to The Conservation of Habitats and Species Regulations 2010 (as amended) or any subsequent order amending, revoking and re-enacting these regulations, where Natural England has advised the County Council that it is satisfied that the proposal will not affect the conservation objectives of the designated site or that the mitigation measures proposed are acceptable.

5. To refuse applications and to not approve details submitted under conditions where such submissions meet any of the following criteria:

- The proposal does not accord with the Development Plan and there are no overriding material reasons for granting permission or approving the details;
- Insufficient detail or information has been submitted to:
 - (i) enable proper consideration of an application for planning permission; or
 - (ii) satisfy the terms of a condition or conditions, in the case of an application to discharge a condition or conditions; or
 - (iii) enable technical issues raised by consultees to be resolved, either to determine an application for permission or to discharge a condition or conditions;
- The applicant has not agreed a reasonable extension of time to otherwise allow, within the required timescale:
 - (i) proper consideration of any further information submitted; or
 - (ii) completion of a legal agreement; or
 - (iii) resolution of any other outstanding matters;
- The applicant has failed to complete a legal agreement upon which a resolution by the Planning Applications Committee to grant planning permission is dependent within 6 months of such a resolution being made;
- The application is retrospective and is aimed at rectifying a breach of planning control against which Enforcement proceedings including Court prosecutions have already been instigated;
- The application is a repeat application within 12 months of a previous refusal or withdrawal and does not address the grounds of refusal or concerns raised by the earlier proposal.

Such decisions in relation to 5 above will only be issued following consultation with the Chairman, Vice Chairman and Lead Spokesperson for each political party prior to a decision being taken unless reasons of urgency make this impracticable. The consultation period shall usually be 2 working days.

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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

New building to accommodate 8 classrooms, new playground and additional car park at Singlewell Primary School, Gravesend – GR/15/893 (KCC/GR/0287/2015)

A report by Head of Planning Applications Group to Planning Applications Committee on 18 November 2015.

Proposed erection of a new building to accommodate 8 classrooms, a new studio hall, staff room, ICT suite, group room, plant room and associated storage and WC facilities, a new hard play area with access ramps and steps and a new car park at Singlewell Primary School, Mackenzie Way, Gravesend – GR/15/893 (KCC/GR/0287/2015)

Recommendation: planning permission be GRANTED subject to CONDITIONS.

Local Members: Mr Colin Caller & Mrs Jane Cribbon

Classification: Unrestricted

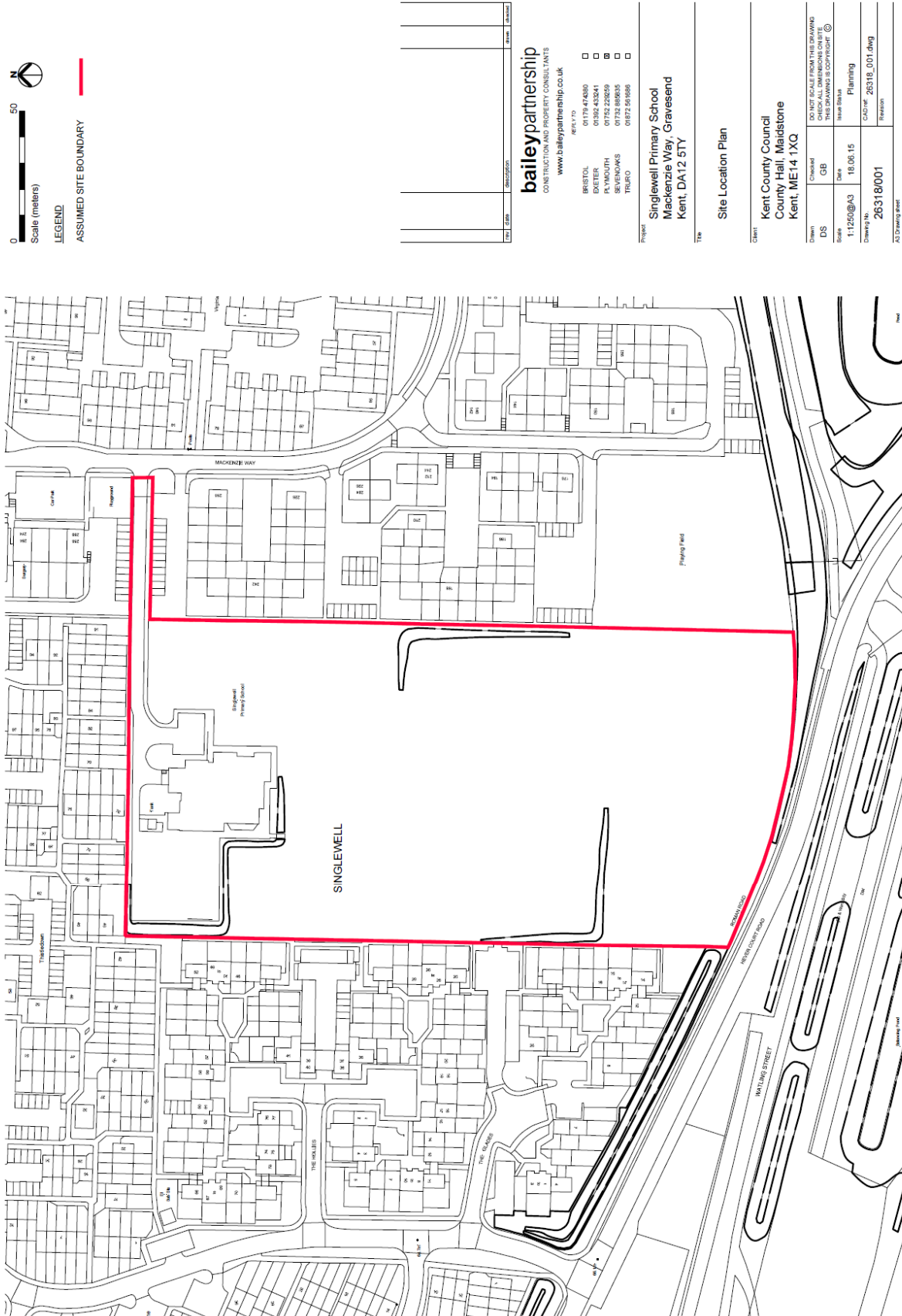
Site

1. Singlewell Primary School is located on the southern periphery of the town of Gravesend. The Singlewell area is bound by the A2 to the south, Singlewell Road to the west and Valley Drive to the East, with the Primary School located in the south eastern corner of this area of Gravesend. The Primary School is 1 form of entry (FE) at present, with built accommodation located to the north of the 3.05 hectare (7.5 acre) site. The school site is bounded to the north, east and west by residential properties backing onto the site, many of which do not have direct vehicular access. The properties to the northern boundary are accessed via Misken Way and Ifield Way, those to the east via MacKenzie Way, and those to the west via Misken Way, The Glades, The Hollies and Cobsdene. Marling Cross Library and a small parade of shops lie to the north east of the school site, on the junction of Ifield Way and MacKenzie Way. To the south of the site lies Hever Court Road, with the eastern tapered end of the wider Cyclo/A2 Activity Park beyond, before reaching the A2 itself.
2. The school site is accessed from MacKenzie Way, via a drive way located between a children's play area, local shops and residential garages to the north, and residential parking and garages to the south. The access is located to the north eastern corner of the site, and leads to a small car parking area with 10 marked bays, with further unmarked car parking located along the access road. A pedestrian only access is also located to the north west of the site. The existing school building is located to the centre of the northern section of the site, with a hard play area to the west. The remaining two thirds of the site are playing field/open space, with the site boundaries well screened by mature hedging and tree planting.
3. This application proposes development to the north west of the school site, between the existing school building and the site boundary to the west. Further associated development is proposed to the south of the access road adjacent to the sites eastern boundary.

A site location plan is attached.

New building to accommodate 8 classrooms, new playground and additional car park at Singlewell Primary School, Gravesend – GR/15/893 (KCC/GR/0287/2015)

Site Location Plan



0 50
Scale (meters)

LEGEND
— ASSUMED SITE BOUNDARY

Leaflet	© OpenStreetMap contributors	© Imagery © Mapbox
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BRISTOL 0178 474000
EXETER 01392 43241
PLYMOUTH 01752 232259
SEVENOAKS 01752 869835
TUNBRIDGE 01872 569586

Project
Singlewell Primary School
Mackenzie Way, Gravesend
Kent, DA12 5TY

Title
Site Location Plan

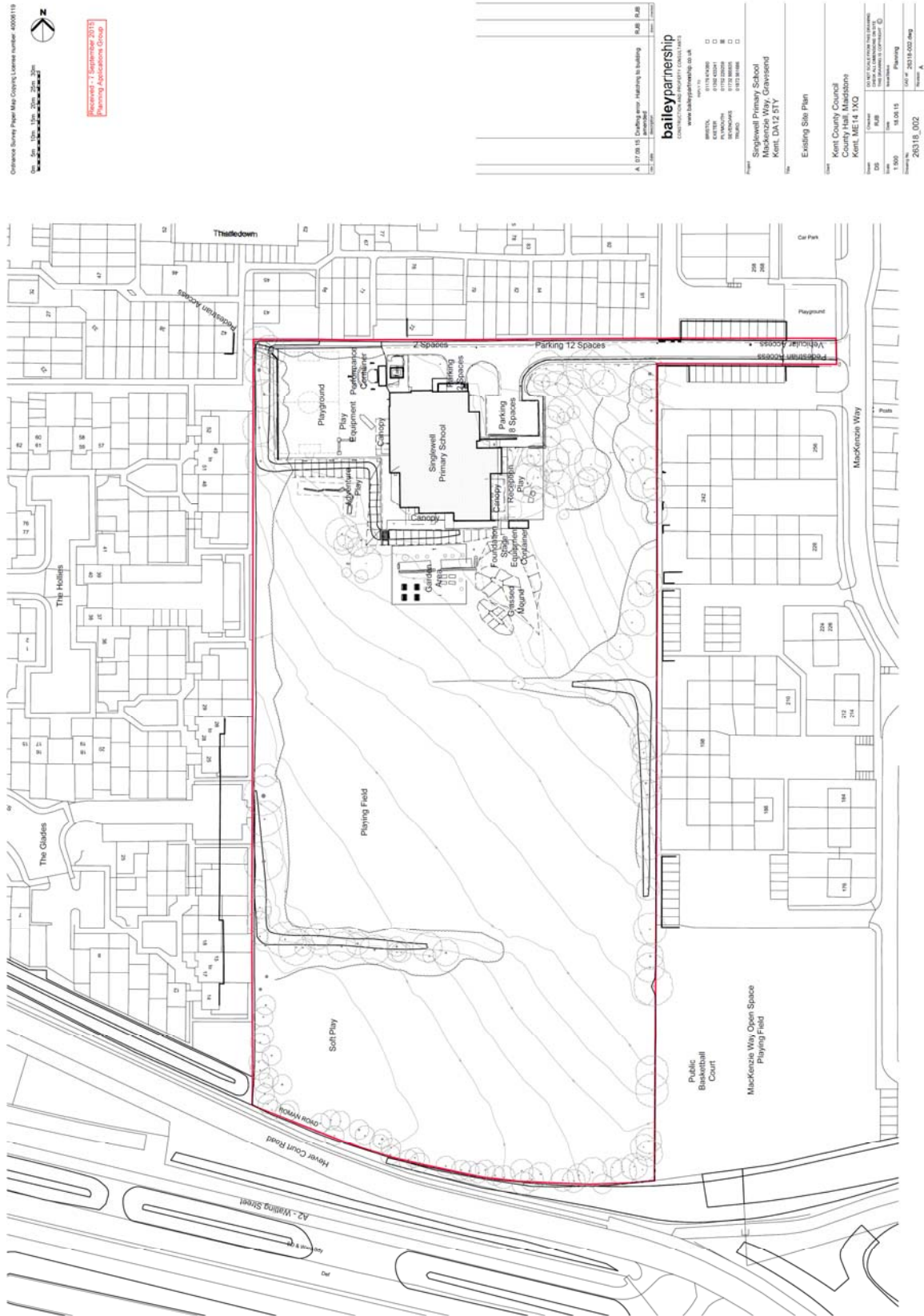
Client Kent County Council County Hall, Maidstone Kent, ME14 1XQ	Drawn DS	Checked GB	Scale 1:1250@A3	Date 18.06.15	Issue Status Planning
	Drawn By 1:1250@A3				Client Ref 26315_001.dwg
					Revision 26318/001

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A3 Drawing sheet

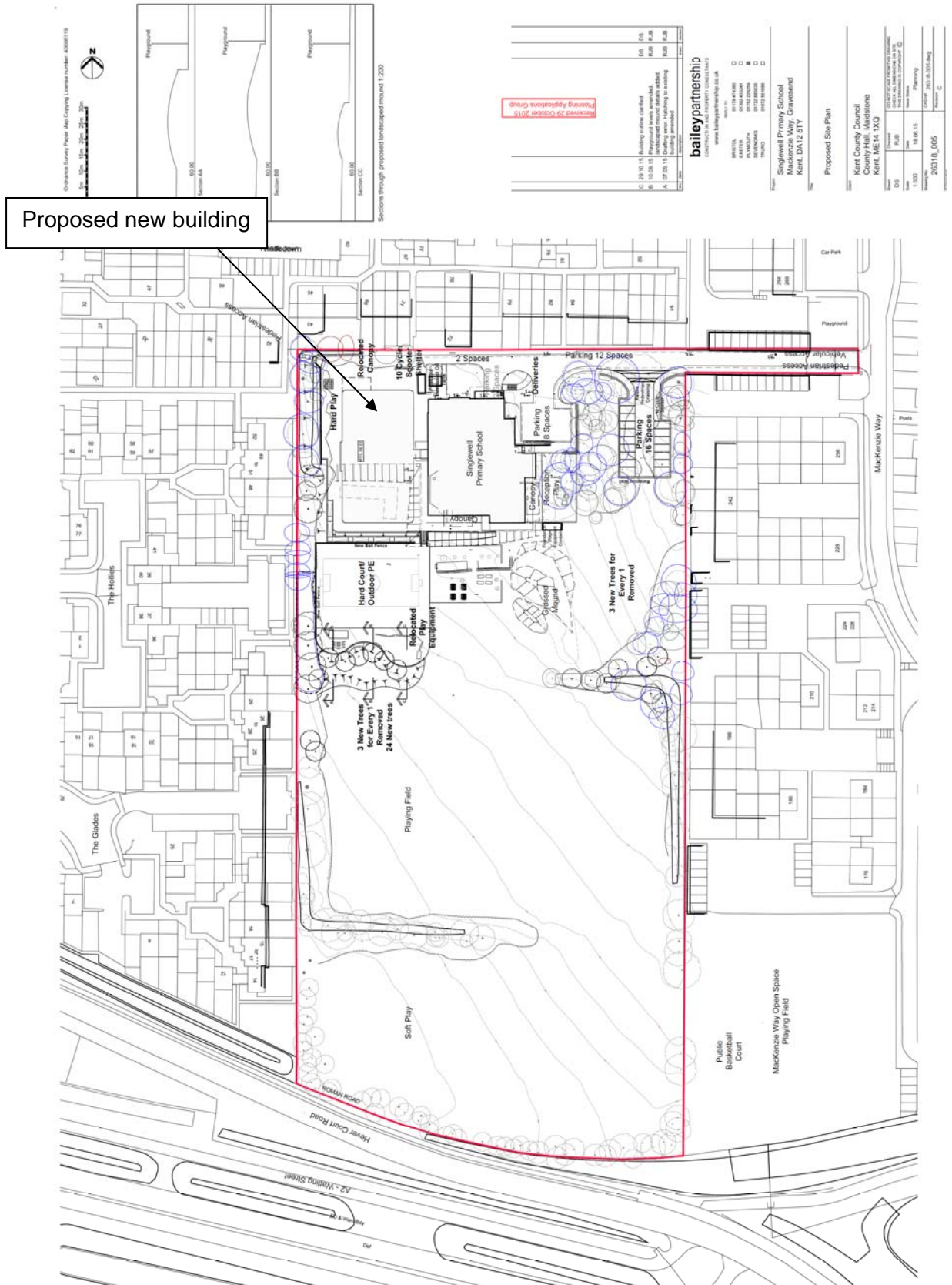
New building to accommodate 8 classrooms, new playground and additional car park at Singlewell Primary School, Gravesend – GR/15/893 (KCC/GR/0287/2015)

Existing Site Plan

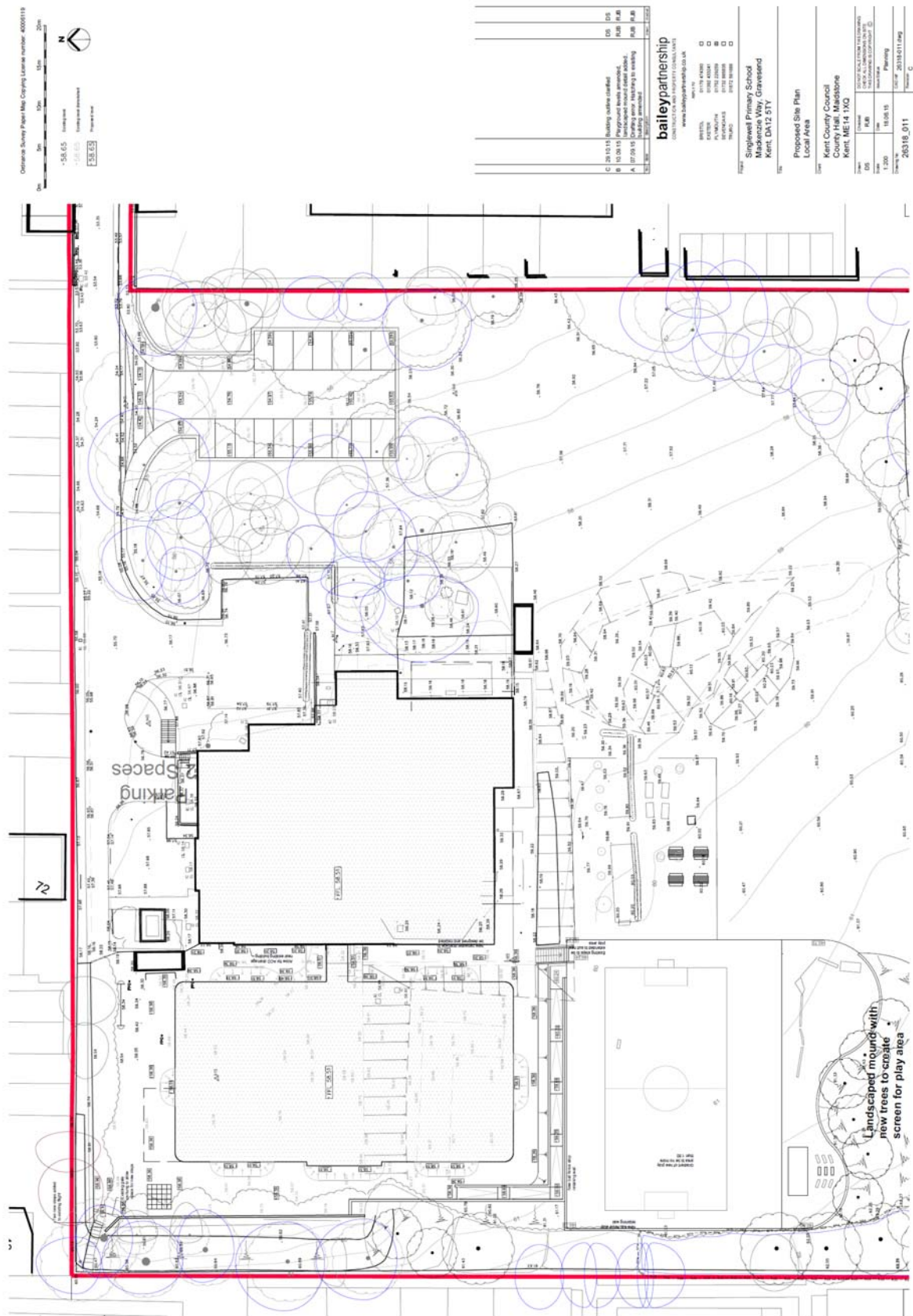


New building to accommodate 8 classrooms, new playground and additional car park at Singlewell Primary School, Gravesend – GR/15/893 (KCC/GR/0287/2015)

Proposed Site Plan



Item D1 New building to accommodate 8 classrooms, new playground and additional car park at Singlewell Primary School, Gravesend – GR/15/893 (KCC/GR/0287/2015)

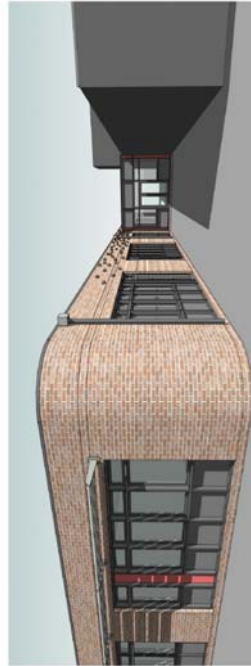
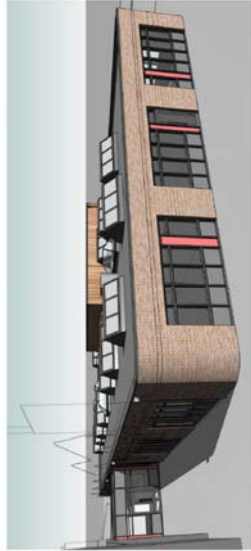


New building to accommodate 8 classrooms, new playground and additional car park at Singlewell Primary School, Gravesend – GR/15/893 (KCC/GR/0287/2015)

Proposed 3D Images

Notes

The drawings are for the proposed building, playground, and car park at Singlewell Primary School, Gravesend. The drawings are for the proposed building, playground, and car park at Singlewell Primary School, Gravesend. The drawings are for the proposed building, playground, and car park at Singlewell Primary School, Gravesend.



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CONSTRUCTION AND PROPERTY CONSULTANTS

Kent County Council, County Hall, Maidstone,
Kent, ME14 1XQ

Singlewell Primary School, Mackenzie Way,
Gravesend, Kent, DA12 5TY

Planning		Preliminary	
28318	US	22-01-14	RJB

28318-MS-G-001

New building to accommodate 8 classrooms, new playground and additional car park at Singlewell Primary School, Gravesend – GR/15/893 (KCC/GR/0287/2015)

Background/Relevant Planning History

4. This application proposes to provide the accommodation required to cater for an expansion of Singlewell Primary School from 1FE to 2FE. The applicant advises that due to changing demographics in the area, with an increasing birth rate and immigration, there is an increase in demand for primary school capacity. The Kent Commissioning Plan 2014-2019 forecasts that the increased demand for primary school places shows no signs of reducing over the forecast period. Singlewell Primary School has been assessed under current guidance as having sufficient external site area to accommodate an additional form of entry. The area analysis of the site also indicated that the existing school lacks some basic teaching space. The applicant advises that that lack of teaching space would be addressed concurrently within the new build proposals.
5. Apart from a small single storey extension to create a new entrance and reception area in 2003 (GR/03/713), there have been no planning applications at the site in recent years.

Proposal

6. This application has been submitted by Kent County Council Property and Infrastructure Support and is part of the County wide Basic Needs Programme. The application proposes the erection of a new single storey building to accommodate 8 classrooms, a studio hall, staff room, ICT suite, group room, plant room and associated storage and WC facilities. The existing school building is also proposed to be extended slightly which, in conjunction with internal remodelling, would bring the existing classrooms in line with current size guidelines. A new hard play area is proposed to the south of the proposed classroom block, to provide a replacement facility for that lost due to the siting of the new building. A new car parking area is also proposed which would accommodate an additional 16 parking spaces. The school is currently 1FE and has 210 pupils and 32 full time equivalent (FTE) staff. The school is proposed to expand to 2FE in September 2016, incrementally increasing pupil numbers by 30 per year until reaching full capacity (420 pupils and 64 staff) by 2022.
7. The proposed 8 classroom flat roofed single storey building would be rectangular in shape, measuring approximately 40 metres (131ft) in length, and 21 metres (69ft) in width. The new building is proposed to the west of the existing school building, upon the existing playground, and would be linked to the existing school via a glazed covered walkway. The building entrance area, staff spaces and the studio hall occupy the centre of the building, with circulation areas extending to the north and south. The classrooms are proposed to the outer edges of the building, four to the north and four to the south of the central core area. Externally, the studio hall would protrude slightly from the east elevation to provide interest and relief, and each of the four corners of the building would be rounded to soften its appearance and provide unique visual detail.
8. The applicant advises that the external appearance of the proposed new build has been developed to match and complement that of the existing building. The existing school building features red stock brick, and to contrast with this the applicant is proposing to construct the new building using a brown brick. The studio hall would be clad in vertically oriented timber, and would be slightly taller than the rest of the building. Windows and doors would be powder coated dark grey, with full height coloured spacer panels. The applicant advises that the curved brick corners and protruding bricks above the main glazing areas (dentil coursing), in addition to the materials palette, would give

New building to accommodate 8 classrooms, new playground and additional car park at Singlewell Primary School, Gravesend – GR/15/893 (KCC/GR/0287/2015)

the appearance of a modern, contemporary building. Rooflights would provide additional natural light and ventilation to the internal spaces, and the building has been designed to meet the principles of a BREEAM rating of very good.

9. The existing building is proposed to be extended which, in conjunction with internal remodelling, would bring the existing classrooms in line with current size guidelines. The stepped south western corner of the building is proposed to be 'squared off', and a small recess adjacent to the existing entrance on the eastern elevation would be infilled. The extensions would be constructed using materials which match the existing.
10. To compensate for the loss of the existing playground due to the siting of the new building, a replacement hard court/playground is proposed. The new facility would be located to the south of the existing, on an area of amenity grass which currently houses an adventure play area/equipment and a small number of trees. That play equipment would be relocated to the south of the new playground, beyond which a landscaped mound is proposed with tree planting. The applicant is proposing to plant 3 replacement trees for every tree removed. The new play area would be enclosed by ball stop fencing which, due to level changes across the site, would be located on top of a retaining wall in places.
11. As outlined in paragraph 2 above, the school site is accessed from MacKenzie Way, with the access point located in the north eastern corner of the school site. The access leads to a small car parking area with 10 marked bays. The applicant states that approximately 24 cars park on the site at the moment, with 14 parked in non-marked bays, including parallel parking along the access road (the submitted Transport Assessment suggests that the site could currently accommodate up to 30 vehicles). The applicant is proposing to provide 16 additional parking spaces, 2 of which would be fully accessible for disabled users. The proposed tarmac car parking area would be located to the east of the school's existing formal car parking, adjacent to the site's eastern boundary. A small number of trees would require removal to accommodate the proposed car park, but those along the site boundary would be retained. An additional 10 space cycle shelter is also proposed within the new car parking area.

The application is supported by a Planning Statement, Design and Access Statement, Transport Assessment, Desk Based Heritage Assessment, Flood Risk Assessment, Phase 1 Contaminated Land Desk Study, Unexploded Ordnance RA, Plant Noise document, Phase 1 Habitat Survey, and Tree Survey and Plans.

Planning Policies

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

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

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

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- minimising impacts on biodiversity, and protecting and enhancing valued landscapes;
- 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 work with schools promoters to identify and resolve key planning issues.*

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

Development Plan Policies

(i) Gravesham Local Plan Core Strategy (2014)

Policy CS01 Sustainable Development - States that a positive approach will be taken which reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in the Core Strategy.

Policy CS10 Physical and Social Infrastructure – States that support will be given to proposals that protect, retain or enhance existing physical and social infrastructure, including schools.

Policy CS11 Transport – States that new development should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel.

Policy CS12 Green Infrastructure – Amongst other things seeks to protect, conserve and enhance biodiversity, habitats and species.

Policy CS19 Development and Design Principles – Sets out criteria for new development, that includes (amongst other things) the need to avoid causing harm to the amenity of neighbouring occupants, including loss of privacy, daylight and sunlight, and avoid adverse

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environmental impacts in terms of noise, air, light and groundwater pollution and land contamination. New development should be visually attractive and locally distinctive, and must conserve and enhance the character of the local built, historic and natural environment.

Consultations

13. **Gravesham Borough Council** raises no objection to the application, and recommends that the following matters be covered by condition(s):
- submission of a School Travel Plan;
 - submission of a Construction Management Plan; and
 - submission of hard and soft landscaping details

Kent County Council Highways and Transportation raise no objection to the application, subject to conditions covering the following matters:

- 1 An updated/revised Travel Plan should be submitted to and approved prior to occupation of the proposed facilities.
- 2 Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
- 3 Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
- 4 Construction vehicle deliveries shall not occur between 8:30am and 9:30am or between 2:30pm and 4:00pm during school working days.
- 5 A Construction Management Programme shall be submitted to and approved prior to the commencement of any construction work on the site.
- 6 Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the development commencing.
- 7 Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the development commencing.

Sport England raises no objection to the application. Sport England considers that the proposed building and car parking would be located upon areas incapable of accommodating a playing pitch or part thereof. The proposed hard play area would be sited upon an area of existing playing field but, as that aspect of the proposal is for the provision of outdoor sports/play facilities, the provision of which would be of benefit to the development sport, the proposals meet Sport England Policy exception tests.

Environment Agency raises no objection to the proposal subject to the imposition of a condition of consent regarding land contamination.

The County Council's Biodiversity Officer raises no objection to the application and is satisfied that sufficient ecological information has been submitted. However, a condition of consent is required to ensure that there is no tree removal during the bird breeding season, unless supervised by a suitably qualified ecologist.

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

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The County Council's Landscape Advisor raises no objection to the application, and has no concerns regarding the potential landscape and visual impact of the proposals. However, conditions of consent should be imposed requiring the submission of a Tree Protection Plan to ensure that existing trees and hedges could be adequately protected, and the submission of a detailed scheme of landscaping/replacement tree planting which should consider both local landscape character and learning outcomes (the use of landscaping for well-being and educational purposes).

The County Council's School Travel Plan Advisor considers that an amended/updated School Travel Plan should be submitted as the current Travel Plan is not up-to-date. It is advised that the School register with the County Council's new *Jambusters* system, and prepare the Travel Plan using that purpose built data base.

Local Member

14. The local County Members, Mr Colin Caller and Mrs Jane Cribbon, were notified of the application on the 27 August 2015.

Publicity

15. The application was publicised by the posting of 3 site notices and the individual notification of 92 neighbouring properties.

Representations

16. To date, I have received a total of 5 individual letters of representation, 2 of which have been submitted by one resident on behalf of two of his neighbours.

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

Access and car parking

- Expansion of the school would create further issues with parking and traffic in local roads, which are in a poor state of repair and cannot accommodate additional traffic;
- The proposed parking is for staff only. It will not address the issue of parents parking in local roads and on street parking should not be assumed by the School;
- Parents park irresponsibly and dangerously, blocking drives and garages;
- The attitude of some parents towards local residents is poor;
- The school access is narrow, and footpaths are not safe. Access for 420 pupils would be dangerous;
- A new access should be provided to the school via Hever Court Road onto the school field. There is ample room for a car park for parents with a footpath to the school buildings;
- The parking figures provided are inaccurate. There are only 8 spaces on site, not 30. 1 space should be provided for each member of staff (64) plus 10%. 70 spaces are therefore required, not 46;
- The School shuts its gates during the day so staff, visitors and parents cannot access the site;
- The only parking locally available is in front of the shops, but this is for users of the shops, not the school;
- Parking bays have been identified as available for use by parents within the submitted reports. Parking spaces are intended for local residents as some local roads have parking restrictions in place;

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- The School does not have a Travel Plan;
- How will construction traffic be managed and routed? Will local roads be blocked?

Amenity Aspects

- Construction of the proposed development would create a considerable amount of noise and traffic;
- There are a large number of overhanging trees on the school site which need to be managed and reduced in height/size. Residents have been told previously that these trees need to be retained, and the School have refused to maintain them. Other trees on the site, that are not a problem for residents, are now being removed to make way for this development;
- The application refers to additional boundary planting. The School cannot manage the existing boundary planting, additional planting may cause further concern;

Other matters

- Local residents should have been consulted earlier and given chance to comment before the application was submitted;
- The School has a very poor record of interacting with the local community;
- Some of the submitted reports are misleading and statistics are incorrectly used.

Discussion

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

Need

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

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Design and Siting

19. Development Plan policies promote high quality design, sustainable development, and significant improvements to the built environment. Although no objections to the design and general principle of the proposed development have been received, it is important to discuss these matters to ensure that the proposal is in accordance with the general design principles expressed in Development Plan policies. The proposed single storey new building would be linked to the main school building via a glazed covered walkway, and separated from the site boundaries by existing amenity space and boundary planting. I consider that the proposed location of the teaching block would not be particularly prominent from surrounding residential properties and the scale and massing as proposed is, in my opinion, appropriate and acceptable, complementing the existing school building. The location of the teaching block also links well with the existing building and facilities on site.
20. The new building has been designed to respect the features of the existing school buildings whilst providing a modern design solution. The existing school building features red stock brick, and to contrast with this the applicant is proposing to construct the new building using a brown brick. The studio hall would be clad in vertically oriented timber, and would be slightly taller than the rest of the building. Windows and doors would be powder coated dark grey, with full height coloured spacer panels. The curved brick corners and protruding bricks above the main glazing areas add interest to the building and, in addition to the materials palette, would give the appearance of a modern, contemporary building. In my view, the new building would complement the existing school building, enhancing existing facilities on site and visually lifting the design of the school in general. Subject to the imposition of a condition requiring the submission and approval of all materials to be used externally, I consider the design of the building to be acceptable and in accordance with Development Plan policies.
21. In addition to the proposed new building, a new car parking area and a replacement area of hard play/sports court are proposed. I consider the siting of both of these elements of the proposal to be logical and, given the level of boundary planting and degree of separation from neighbouring properties, further consider the location to be acceptable in amenity terms. It should also be noted that Sport England have no objection to the development, specifically the location of the replacement hard play area/sport court which would be sited on an area considered by Sport England to be playing field, as the proposed use complies with the necessary Sport England exception tests.

Parking and Access

22. Local residents have expressed concern regarding this application on the grounds that the increase in staff and pupils would exacerbate existing highway and access problems. As outlined in paragraph 16 of this report, local residents are concerned that local roads cannot accommodate additional traffic, and are frustrated by parents parking inconsiderately in local roads. This application was accompanied by a Transport Assessment, and the highway and access implications of the application have been considered and addressed in detail by Kent County Council Highways and Transportation, who raises no objection to the development subject to the imposition of conditions. However, the points raised by the local community need to be considered and discussed.

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23. First, it is considered by local residents that the parking figures provided are inaccurate, that additional on-site car parking should be provided and that on-street car parking should not be assumed by the School. In addition, local parking spaces, including those at the shopping parade, should not be considered as available for use by parents as these are for local residents/users of the shops only. As outlined in paragraph 11 of this report, there are 10 marked parking bays on site at the moment, and approximately 24 cars in total park on site, with 14 in unmarked bays. The submitted Transport Assessment states that the site could accommodate up to 30 cars. An additional car park is proposed as part of this proposal, which would accommodate 16 parking spaces, including 2 accessible spaces. This would bring the total maximum site car parking capacity up to 46.
24. Although it is recognised that parents of pupils do park on the local highway, which can be a nuisance for local residents, Kent County Council Highways and Transportation are of the opinion that this proposal would not significantly increase on-street car parking over and above the existing due to sibling numbers and future School Travel Plan initiatives (to be discussed below). Unfortunately, parents parking in local roads is an issue associated with all schools and, although considered by some local residents to be dangerous and a nuisance, in this instance Kent County Council Highways and Transportation do not consider it to be a highway safety concern. It needs to be borne in mind that the local roads are part of the public highway network and, as such, are there for the use of the public as a whole, and are not for the sole use of local residents, however irritating that might seem. In addition, the applicant has confirmed that the Transport Assessment only refers to off-site parking spaces which are deemed to be safe, legal and unrestricted (not clearly signed or allocated to specific dwellings).
25. A local resident suggests that 70 onsite car parking spaces should be provided (1 space per member of staff plus 10%), in accordance with parking standards. However, the site would not reach maximum capacity (64 staff) until 2022, and parking standards are a maximum entitlement and not a minimum requirement. Highways and Transportation are satisfied that sufficient onsite car parking is proposed, and subsequently raise no objection to the application subject to conditions. I therefore consider that the provision of a total 46 parking bays (marked and non-marked) is acceptable. However, should Members be minded to permit, I would wish to impose conditions regarding the provision and permanent retention of the car parking, covered cycle parking and turning/loading/unloading areas as shown on the submitted plans prior to occupation/first use of the new classroom building.
26. The capacity and condition of local roads is also questioned by local residents, and it is pointed out that the School do not have an up-to-date Travel Plan. It is also suggested that a new access should be provided into the school site via Hever Court Road to the south. With regard to the latter, Members will be aware that the application must be considered in the form as it is submitted. However, an entrance from Hever Court Road has been investigated by the applicant. It was, however, deemed to be unviable due to a likely objection from Sport England regarding loss of green space and playing fields. Furthermore, associated costs of such a change would increase the project cost to an unachievable level within the current Basic Need Programme, which is to provide Primary School places. In the event that playing fields are encroached upon for non-sports purposes, improved land/facilities must be provided elsewhere in the scheme i.e. indoor sporting facilities. Again, these additional works would make the project unviable. The applicant further advises that the associated turning circles, correct visibility splays and pull-in points required for a new car park, as well as the proposal already using part of the playing field with a new playground, would result in a significant impact on the

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amount of playing field. Therefore it would be difficult to meet the specific requirements of Sport England exception tests to mitigate an additional car park development in order for Sport England to be satisfied. Moreover, Hever Court Road is remote from the school buildings and existing car parking, and to create an access here would encourage more car journeys to the school from those that might otherwise walk. In addition, there is no requirement for such a facility as Highways and Transportation are satisfied with the application as proposed. I therefore see no reason to pursue this matter further.

27. With regard to the capacity and condition of local roads, the submitted Transport Assessment illustrates that there is sufficient spare capacity on the roads adjoining the school to accommodate any increase in traffic associated with the expansion of the school. In addition, based on site visits and observations, the applicant has confirmed that there are no significant defects or a general problem with the quality of the roads and/or pavements around the school such as to presume against this development.
28. The applicant recognises that the implementation of a robust School Travel Plan is essential, and confirms that the School is currently in the process of preparing that. As required by Highways and Transportation and the County Council's School Travel Plan Advisor, should permission be granted an updated School Travel Plan would be required by condition, to be submitted prior to first use/occupation of the classroom building, and thereafter subject to ongoing monitoring and review. The applicant states that the School Travel Plan would predominantly focus on encouraging a shift away from car travel to sustainable 'active' travel modes in the future. To this end new secure and covered cycle parking is proposed to be provided as part of this development (secured by condition outlined in paragraph 25 above), and cycle training and road safety training could be organised and/or introduced to the curriculum to facilitate this travel choice.
29. With regard to the behaviour of a small number of parents, who may park irresponsibly, blocking drives and reducing visibility for other road users, and in some instances being rude to local residents, this is not a matter which the Planning Authority can control, since all drivers have to take responsibility for their own actions. However, the County Council's School Travel Planner and the School may be able to provide information to parents explaining the importance of safe parking and general highway safety. This is an important message that the School should relay to parents, in addition to the need to consider local residents when parking. The applicant has further confirmed that the school would identify areas which would be used for 'Park and Stride' purposes within the Travel Plan. The use of 'Park and Stride' locations would be actively encouraged and promoted through the Travel Plan and would aid in easing peak period pick-up/drop-off congestion by spreading out car trips over a wider area, rather than on the roads immediately adjoining the site.
30. In considering the above, and in light of the views of the Highway Authority, I consider that subject to the imposition of conditions regarding the submission of an updated Travel Plan and the provision and permanent retention of the car parking, covered cycle parking and turning areas as shown on the submitted plans, that the development would not have a significantly detrimental impact overall on the local highway network. I therefore see no justification to refuse this application on highway and parking grounds.

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Landscaping and Ecology

31. Local residents have expressed concern with regard to existing trees on site and a lack of maintenance leading to overhanging branches and amenity issues for those living adjacent to the site. Although not directly relevant to the determination of this application as that is a school management and maintenance matter, the applicant has advised that an arboriculturist has been engaged to provide recommendations regarding tree removal/pruning, and the County Council's Project Manager has been in direct contact with local residents in this regard. Although outside of the remit of this application and not a matter for the County Planning Authority to consider in this instance, I am satisfied that the matter is being directly addressed by the applicant.
32. The proposal necessitates the removal of some trees within the school site, which is regrettable but unavoidable given the extent of trees on the site and the lack of alternative space within the grounds which is not needed for other purposes. Nevertheless, I am satisfied that there would sufficient trees retained within the site to not unduly alter the existing landscape character. In addition, replacement trees are proposed to be planted as part of the proposals. As requested by the County Council's Landscape Advisor, should planning permission be granted conditions of consent should be imposed requiring the submission of a Tree Protection Plan to ensure that existing trees and hedges would be adequately protected, and the submission of a detailed scheme of landscaping/replacement tree planting which should consider both local landscape character and learning outcomes (the use of landscaping for well-being and educational purposes). In addition, a further condition of consent would ensure that there is no tree removal during the bird breeding season, unless supervised by a suitably qualified ecologist. Such conditions would also meet the requirements of Gravesham Borough Council, and would ensure that further boundary planting would not be provided where it could cause further nuisance to adjoining residents. Subject to the imposition of the conditions outlined above, I am of the view that the development would not have a detrimental impact on the local landscape, trees on site, or ecology/biodiversity.

Archaeology

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

Land contamination

34. The Environment Agency raises no objection to the proposal, however requests a condition be attached to any consent regarding how works should proceed should any contamination be found during construction. Therefore, should permission be granted, a condition would be imposed covering this matter. In addition, the Environment Agency's advice and guidance regarding surface water drainage should be covered by way of an informative. That would ensure that the development would not result in an

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unacceptable level of pollution, in accordance with the principles of Development Plan Policy.

Sustainability

35. As outlined in paragraph 8 of this report, the building has been designed to meet the principles of a BREEAM rating of 'very good'. In addition, the building design would meet, and exceed, the energy calculations required under Building Regulations Part L 2013. The design focuses on promoting natural daylighting, with large glazing units and north facing rooflights proposed to maximise internal illumination. Passive ventilation and passive heat exchange ventilation units would allow the building to exchange warm stale air for cool fresh air using just buoyancy and wind loading as required. South facing breeze soleil and north facing pitched rooflights would also provide shading and reduce summer over-heating. In addition, measures such as eco-flush toilets and aerating taps are proposed to minimise water resource use, and external materials have high sustainable credentials in terms of sourcing and performance.
36. Although roof mounted solar PVs are not proposed in this instance, the applicant has given sound reason for this. First, the proposals were designed from the ground up with efficiency and building sustainability in mind. As such, the applicants early building modelling indicated that external renewables were not necessary to augment the design, as the building would exceed energy emissions criteria by approximately 10% compared with the notional building criteria. The applicant further advises the total building height was purposely kept to a minimum so as not to impose on the views and amenity of the surrounding properties, and to remain visually subservient to the existing building. Due to the two storey height of local properties which surround the site, and the single storey height of the proposed building, the roof would be overlooked. PVs may therefore have also created a glare issue for nearby properties. Lastly, due to the raised nature of the surrounding site and playing field, roof mounted PV's in this instance could be subject to vandalism and theft, and/or accidental play time damage. It is also important to note that the absence of such technology does not mean that the proposed building would be of low energy efficiency and high grid energy use. In considering the sustainable design credentials of the proposed building, and given the reasoning provided for not providing solar PVs in this case, I am of the opinion that the building design is sustainable and that the provision of further renewable technologies is not necessary in this particular instance.

Residential Amenities and Construction Matters

37. Other than off-site traffic and parking issues, and the maintenance of trees, no issues of specific residential amenity have been raised by objectors, and I am satisfied that the proposed development is sufficiently distanced from neighbouring properties to avoid any adverse impacts. However, concern has been expressed regarding disruption and noise resulting from the construction of the development, in addition to the routing of construction traffic. Unfortunately, construction activities can be disruptive, and there is a potential for noise and other issues during the construction of the development. However, this is not a reason to refuse a development. Instead, controls should be applied to minimise the disruption and to protect as far as practicably possible the amenity of local residents. If planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction in order to protect residential amenity. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also normal on

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school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.

38. In accordance with the requirements of Highways and Transportation, and to address concerns raised by local residents regarding management and routing of construction traffic, I also consider it appropriate that details of a full Construction Management Strategy be submitted for approval prior to the commencement of development. That should include details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid peak school times, and details of any construction accesses. Therefore, should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy.
39. In addition to the above, should permission be granted, conditions of consent would ensure that dust, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Conclusion

40. 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. The development is in accordance with the principles of the National Planning Policy Framework and the Planning Policy Statement for Schools (2011). Subject to the imposition of the conditions outlined throughout this report, I consider that the proposed development would not have a significantly detrimental impact on the character and appearance of the local area, the local highway network or the amenity of local residents, and would accord with the principles of sustainable development as set out in the NPPF. Therefore, I recommend that permission be granted subject to appropriate conditions

Recommendation

41. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:
- the standard time limit;
 - the development to be carried out in accordance with the permitted details;
 - the submission of details of all materials to be used externally;
 - a scheme of landscaping, including hard surfacing, its implementation and maintenance;
 - submission of a Tree Protection Plan;
 - no tree removal during the bird breeding season;
 - submission of an updated Travel Plan prior to occupation, and thereafter ongoing monitoring and review. Updated Travel Plan to include measures to promote safer and more considerate parking by parents associated with the school amongst other matters;
 - provision and retention of car parking, cycle parking & circulatory routes;
 - measures to address any land contamination;

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- the implementation of archaeological field evaluation works and any subsequent safeguarding measures;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- construction management strategy, including access, lorry routing, parking and circulation within the site for contractor's and other vehicles related to construction and demolition operations;
- measures to prevent mud and debris being taken onto the public highway.

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

- With regard to the requirement to prepare and submit a (revised/amended) School Travel Plan, the applicant is advised to register with Kent County Council's Travel Plan Management system 'Jambusters' using the following link <http://www.jambusterstpms.co.uk>. Jambusters is a County Wide initiative aiding Schools in the preparation and ongoing monitoring of School Travel Plans.
- The applicant's attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained.
- The applicant's attention is drawn to the letter from the Environment Agency in which advice and guidance is provided with regard to surface water drainage.

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

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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

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

Background Documents - The deposited documents.

- | | |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AS/15/1166 | Section 73 application to vary conditions (2) and (12) of planning permission AS/11/621 to vary the earthworks and marginal buffer to reflect revised flood modelling for the river East Stour.
Land at Waterbrook Park, Waterbrook Avenue, Sevington, Ashford
Decision - Permitted |
| DO/14/1036/R5 | A scheme of landscape maintenance submitted pursuant to condition (5) of DO/14/1036 (change of use of the land to extend the waste storage facilities).
East Kent Waste Recovery Facility, Discovery Park, River Road, Sandwich
Decision – Approved |
| SW/15/507191 | Stores building.
MVV Environment Ridham, Lord Nelson Road, Ridham Dock, Iwade, Sittingbourne
Decision – Permitted |

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.

- | | |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MA/14/504946/R | Non Material Amendment to planning permission MA/15/504969 for adjustment to glazing arrangement to hall extension and installation of 2 no. windcatcher vent units on main hall roof.
Five Acre Wood School, Boughton Lane, Maidstone
Decision: Approved |
| MA/15/507613 | Renewal of planning permission for the retention of a portakabin.
Barming Primary School, Belmont Close, Barming
Decision: Permitted |

- SE/15/2465 Demolition of 4 mobile prefabricated units and installation of two replacement prefabricated units, to provide two classrooms with associated toilets and storage and a separate toilet block, for a temporary period of 18 months
Seal C of E Primary School, Zambra Way, Seal, Sevenoaks, Kent, TN15 0DJ
Decision: Permitted
- TW/15/507336 Temporary planning permission for a two classroom modular building with associated toilets and store.
The Ridgeway Centre, The Ridgeway, Southborough, Royal Tunbridge Wells
Decision: Permitted

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/CA/0351/2015 - Section 73 application for the minor material amendment of planning permission CA/13/2209 to delete the limitation to Canterbury District in condition (8)(ii) and amend the hours of operation in condition (11) at Plots D & E, Lakesview Business Park, Hersden, Nr Canterbury
- KCC/SE/0358/2015 - Revisions to the approved design for the demolition of the mobile classroom and the construction of a new reception classroom, sheltered play area and toilet facilities, including realignment of the western boundary wall and regularisation of the repositioning of the building at St Lawrence Church of England Primary School, Stone Street, Seal, Sevenoaks
- (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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