

PLANNING APPLICATIONS COMMITTEE

Wednesday, 18th May, 2016

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 18th May, 2016, at 10.00 am
Council Chamber, Sessions House, County
Hall, Maidstone

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

*Tea/Coffee will be available from 9:30 **outside the meeting room***

Membership (19)

- Conservative (10): Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman),
Mr M J Angell, Mr 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 - 9 March 2016 (Pages 7 - 12)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. General Matters

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

1. Applications SW/16/500694 (KCC/SW/0002/2016) and SW/16/500698 (KCC/SW/0003/2016) - (i) Extension of period of time allowed for waste disposal by 10 years, allowing operations to continue until 31 December 2025, plus an additional 12 months for final restoration and the establishment of afteruses; and (ii) storage of clay for the duration of workings on Land to the north at Norwood Quarry and Landfill Site, Lower Road, Minster-on-Sea; FCC Environment (UK) Ltd (Pages 13 - 48)

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal CA/15/02596/K3F (KCC/CA/0375/2015) - Two storey extension, temporary classroom, demolition of the former Ladesfield care home to facilitate a new access road and on-site parking at Joy Lane Primary School, Joy Lane, Whitstable; KCC Property and infrastructure Support (Pages 49 - 72)
2. Proposal CA/16/00145 (KCC/CA/0032/2015) - Variation of Condition 11 (hours of usage) of Permission CA/14/174 at Simon Langton Grammar School for Boys, Langton Lane, Canterbury; Governors of Simon Langton Grammar School for Boys (Pages 73 - 98)
3. Proposal CA/15/2379 (KCC/CA/0320/2015) - Single storey extension for three classrooms with on-site parking and relocation of hard play area at Hoath Primary School, School Lane, Hoath, Canterbury; KCC Property and Infrastructure Support (Pages 99 - 124)
4. Proposal SE/16/141 (KCC/SE/0007/2016) - Demolition of existing main school building and construction of a replacement school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks; KCC Property and Infrastructure Support; and Education Funding Agency (Pages 125 - 150)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications
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 May 2016

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

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 9 March 2016.

PRESENT: Mr J A Davies (Chairman), Mr C P Smith (Vice-Chairman), Mr M J Angell, Mr D L Brazier (Substitute for Mr N J D Chard), Mr L Burgess, Mr I S Chittenden, Mr T Gates, Dr M R Eddy (Substitute for Mrs P Brivio), Mr T A Maddison, Mr R J Parry, Mr T L Shonk, Mr C Simkins, Mrs P A V Stockell and Mr J N Wedgbury

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr J Crossley (Principal Planning Officer - County Council Development), Mr D Joyner (Transport & Safety Policy Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

13. Minutes - 10 February 2016
(Item A3)

RESOLVED that the Minutes of the meeting held on 10 February 2016 are correctly recorded and that they be signed by the Chairman.

14. Site Meetings and Other Meetings
(Item A4)

(1) The Committee agreed to hold a training session on the Kent Minerals and Waste Local Plan during the afternoon of the next Committee meeting on Wednesday, 13 April 2016.

(2) The Committee confirmed that the training tour of permitted development sites would take place on Tuesday, 26 April 2016.

15. Proposal DO/15/01080 (KCC/DO/0328/2015) - Erection of three single storey extensions and associated external works at Green Park Primary School, The Linces, Buckland, Dover; KCC Property and Infrastructure Support
(Item D1)

(1) Dr M R Eddy informed the Committee that he was acquainted with one of the objectors to the application. As this was not a close personal relationship, he was able to approach the determination of the proposal with a fresh mind.

(2) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 5 year time limit; the development being carried out in accordance with the permitted details; the submission for approval of details of all construction materials to be used externally; the approval of the School Travel Plan prior to occupation of the extensions and its ongoing review for a period of 5 years; hours of working during construction being restricted to between the hours of 0800 and 1800 on Mondays to Fridays and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays; the submission of a Construction Management Plan, providing details of how the site access would be managed to avoid peak school times, details of the methods and hours of working, location of site compounds and operative/visitor parking, details of site security and safety measures, lorry waiting and wheel washing facilities (to ensure mud and dust are not deposited on the highway), details of any construction access and details of any temporary traffic management measures required on the highway during construction; the provision of the additional on-site parking areas prior to occupation of the school extensions and their retention thereafter; the provision and permanent retention of a minimum of 2 additional secure, covered cycle parking spaces prior to occupation of the extensions; and the signing (prior to occupation of the extensions) of the Unilateral Undertaking to provide the sum of £3000 to be used for bus stop clearway markings or parking restrictions in Roosevelt Road, should the need arise in association with the proposed “walking bus”; and
- (b) the applicants be advised by Informative that:-
 - (i) the registering with Kent County Council of the School Travel Plan should be through the “Jambusters” website;
 - (ii) they should ensure that all necessary highway approvals and consents are obtained; and
 - (iii) they should discuss any temporary traffic management measures required with the Road Works Coordination Team.

16. Proposal TM/15/3954 (KCC/TM/0390/2015) - New two-storey Special Educational Needs School with associated car parking and landscaping at Land at Upper Haysden Lane, Tonbridge; KCC Property and Infrastructure Support.
(Item D2)

(1) Mr C P Smith informed the Committee that he was the Local Member. He had not pre-determined the proposal and was able to approach its determination with a fresh mind.

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee added an Informative as set out in (3) (b) (iii) below.

(3) RESOLVED that the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision:

- (a) 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 development not commencing until such time as replacement playing field provision is secured and the funds are in place to enable that development to commence; the development not being occupied until Phase 1 of Permission KCC/TM/0385/2015 has been built and made operational for use and development has commenced on Phase 2 of Permission KCC/TM/0385/2015; the submission and approval of details of all materials to be used externally; the submission for approval of details of all external lighting, including hours of operation; boundary fencing being provided in accordance with the submitted details (2m high green weld mesh); the submission for approval of a scheme of landscaping, including details of additional tree planting, soft landscaping, hard surfacing, ecological enhancements, and planting and maintenance of the swale, together with its implementation and maintenance; tree protection methods being adopted to protect boundary hedgerows and those trees to be retained; the development according with the recommendations and precautionary mitigation methods detailed within the submitted ecological surveys/reports; the submission for approval of further details of community use relating to use of the indoor and outdoor facilities, including hours of use; the submission for approval of a Travel Plan within six months of occupation, and its monitoring and review; the provision and retention of car parking, access (vehicular and pedestrian), pick up/drop off, circulatory routes and turning areas; the provision of "Give Way" markings at the junction of the main car park and the shared access road; extension of the 40mph speed limit and ongoing engagement with the Highway Authority to provide the required signage etc; the submission for approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the implementation, maintenance and management of the approved Scheme; no infiltration of surface water drainage into the ground taking place other than with the express written consent of the County Planning Authority; the submission of a drainage strategy detailing the proposed means of foul and surface water sewerage disposal and an implementation timetable; the submission for approval of a construction management strategy, including details of the methods and hours of working, the 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 conflict with the Highway Depot activities, and details of any construction accesses; and measures to prevent mud and debris being taken onto the public highway; and

- (b) the applicants 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, including a Traffic Regulation Order;
 - (ii) their attention is drawn to the letter from Southern Water in which details are provided with regard to the relevant approvals required by the applicant, in addition to general advice and guidance; and
 - (iii) they shall ensure that the development accords with the acoustic requirements assessed within the application. Should the internal noise levels exceed the assessed levels due to noise pollution from the A21/highway depot, the applicant should explore the potential for additional acoustic mitigation to the southern boundary of the site.

17. Proposal TM/15/3918 (KCC/TM/0385/2015) - Provision of playing fields including a floodlit synthetic pitch and pavilion building at Land off Lower Haysden Lane, Tonbridge; KCC Property and Infrastructure Support
(Item D3)

(1) Mr C P Smith informed the Committee that he was the Local Member. He had not pre-determined the proposal and was able to approach its determination with a fresh mind.

(2) Mr M J Angell informed the Committee that his grandson was a pupil at the Judd School. Although the Chairman did not consider that this would prevent him from determining the application entirely on its merits, he elected not to participate in the decision making for this item.

(3) The Head of Planning Applications Group informed the Committee that the fourth bullet point of her recommendations in paragraph 76 of the report should be amended to read "9.30 pm" instead of "9.00 pm."

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group (as amended in (3) above) were carried by 11 votes to 2.

(5) RESOLVED that the application be referred to the Secretary of State as a departure from the Development Plan on Green Belt grounds, and that subject to his decision:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard time limit for implementation; the development being carried out in accordance with the permitted details; the submission of details of all materials to be used externally; hours of use of the floodlighting being limited to 9.30pm on Mondays to Fridays, 5pm on Saturdays and Sundays and no use on Bank Holidays; the extinguishment of lighting when the pitch is not in use or within 15 minutes of its last use; lighting being installed in accordance with the approved details, and checked on site prior to first use; lighting levels not exceeding those specified within the application; removal of Permitted Development Rights; no coaches accessing the site; no use of Vizard 1 or 2 by The Judd School if Tonbridge Juddians Rugby Football Club are using the floodlit pitch; the submission of a Traffic Management and Overflow Parking procedure prior to any use of the site by Tonbridge Juddians Rugby Football Club for emergency matches; playing fields being constructed in accordance with the submitted TGMS "*Drainage Design & Pitch Profile*" ref TGMS-0866.8-7, Judd Drainage Information 26.01.16 and Judd School – Vizards 2 Geotechnical Survey 20 10 15; the playing field/artificial grass pitch being used for Outdoor Sport and for no other purpose; Phase I of the development being made available for use by 1st September 2016 and Phase II of the development being made available for use by 1st September 2018; the all-weather pitch, natural turf playing pitches and changing room block being constructed and managed in accordance with the submitted "*The Judd School Maintenance Schedule 21.01.16*" and Judd School – Vizards 2 Geotechnical Survey 20.10.15; the submission of a Community Use Agreement to be subject to consultation with Sport England and KCC Highways & Transportation, amongst others; no use of the site by community users other than the Tonbridge Juddians Rugby Football Club until such time as Highways and Transportation approve any further use as set out in the Community Use Agreement; tree/hedge protection measures being adopted throughout construction; the submission of a specification and timetable for the implementation of a watching brief; the development being undertaken in accordance with the recommendations of the Ecological Scoping Survey; the provision of ecological enhancements including bird and bat boxes; the submission of a Construction Management Strategy, including details of the hours of working, the location of site compound and operative parking, wheel washing/cleaning facilities, and details of the construction access and management of the site access to avoid conflict with vehicles using Lower Haysden Lane; and measures to prevent mud and debris being taken onto the public highway; and
- (b) the applicants be advised by Informative that they are to undertake discussions with the Upper Medway Internal Drainage Board, and

seek any necessary approvals from them with regard to surface water drainage.

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

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

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

SECTION C
MINERALS AND WASTE DISPOSAL

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

Item C1

Applications: (i) to extend the period of time allowed for waste disposal by 10 years, allowing operations to continue until 31 December 2025, plus an additional 12 months for final restoration and the establishment of afteruses – SW/16/500694 (KCC/SW/0002/2016); and (ii) for the storage of clay for the duration of workings on land to north – SW/16/500698 (KCC/SW/0003/2016) at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness, Kent, ME12 3AJ

A report by Head of Planning Applications Group to Planning Applications Committee on 18 May 2016.

Applications by FCC Environment (UK) Limited:

- (i) to extend the period of time allowed for waste disposal by 10 years, allowing operations to continue until 31 December 2025, plus an additional 12 months for final restoration and the establishment of afteruses – SW/16/500694 (KCC/SW/0002/2016); and
- (ii) for the storage of clay for the duration of workings on land to north of Norwood Quarry and Landfill Site – SW/16/500698 (KCC/SW/0003/2016);

at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness, Kent, ME12 3AJ.

Recommendation: Permission be granted for applications (i) and (ii) subject to conditions.

Local Member: Mr A. Crowther

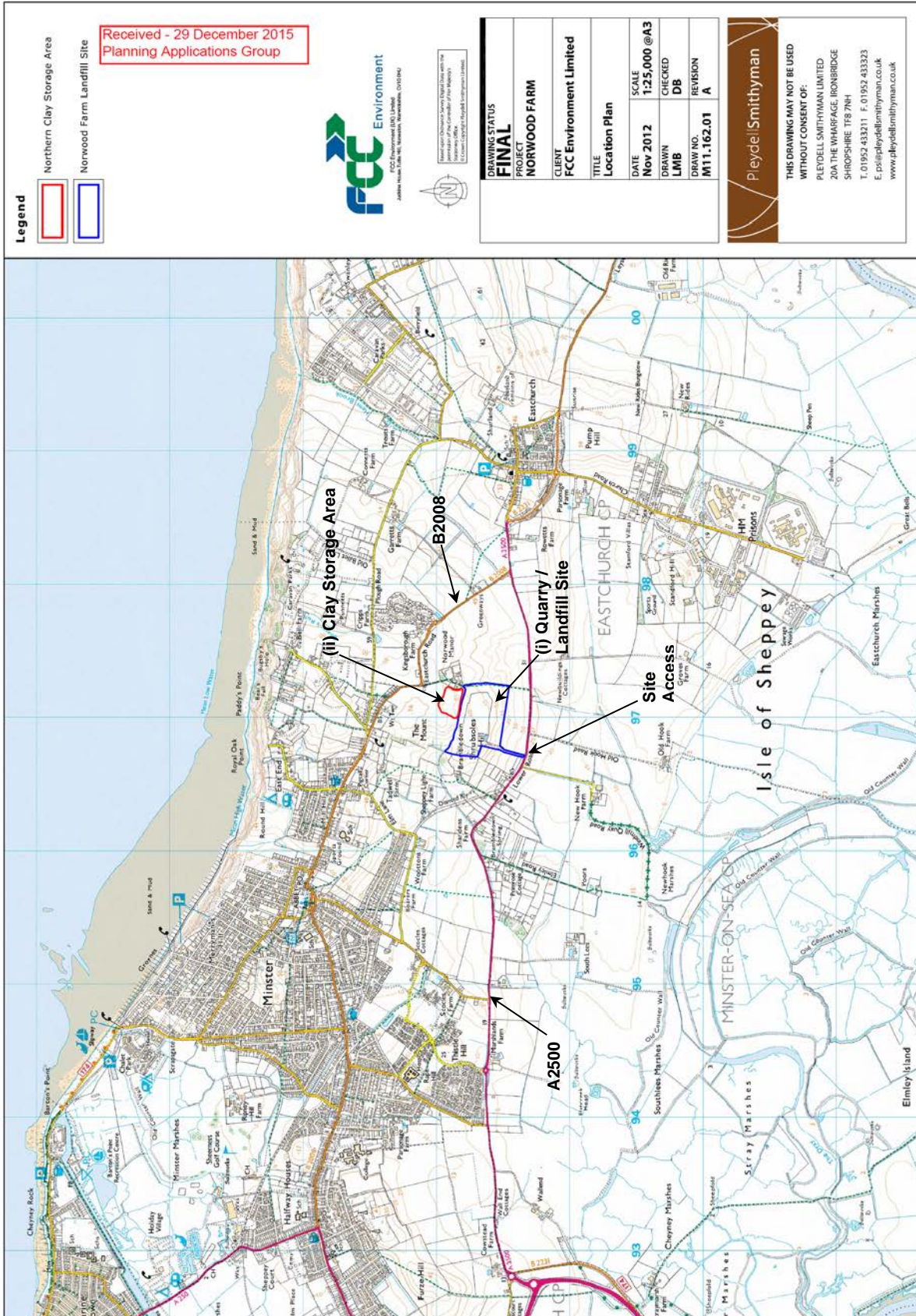
Classification: Unrestricted

Site

1. Norwood Quarry and Landfill Site is located mid-way up the southern flank of Shrubsoles Hill, Brambledown, between Lower Road (A2500) and Eastchurch Road (B2008), approximately 1.5 kilometres (km) (approximately 1 mile) south-east of Minster and 1.6km (1 mile) to the west of Eastchurch, on the Isle of Sheppey. The A2500 forms the main east / west route through the Isle of Sheppey and links with the A249. Access to the site is via a dedicated access road off Lower Road. The site weighbridge, wheel wash, offices and associated facilities are located at the top of the site access road over 250 metres (m) (270 yards) from the public highway.

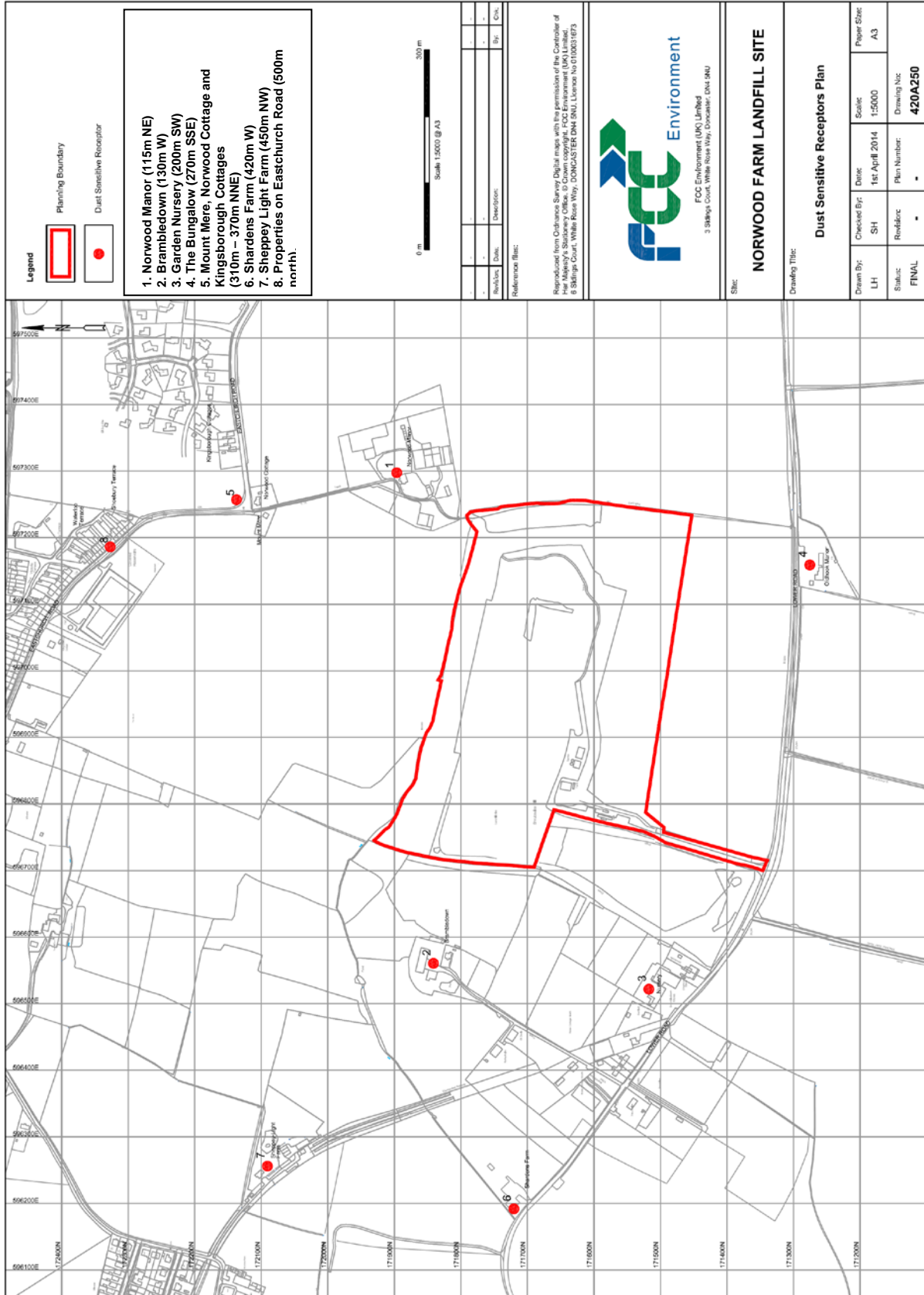
(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

General Location Plan



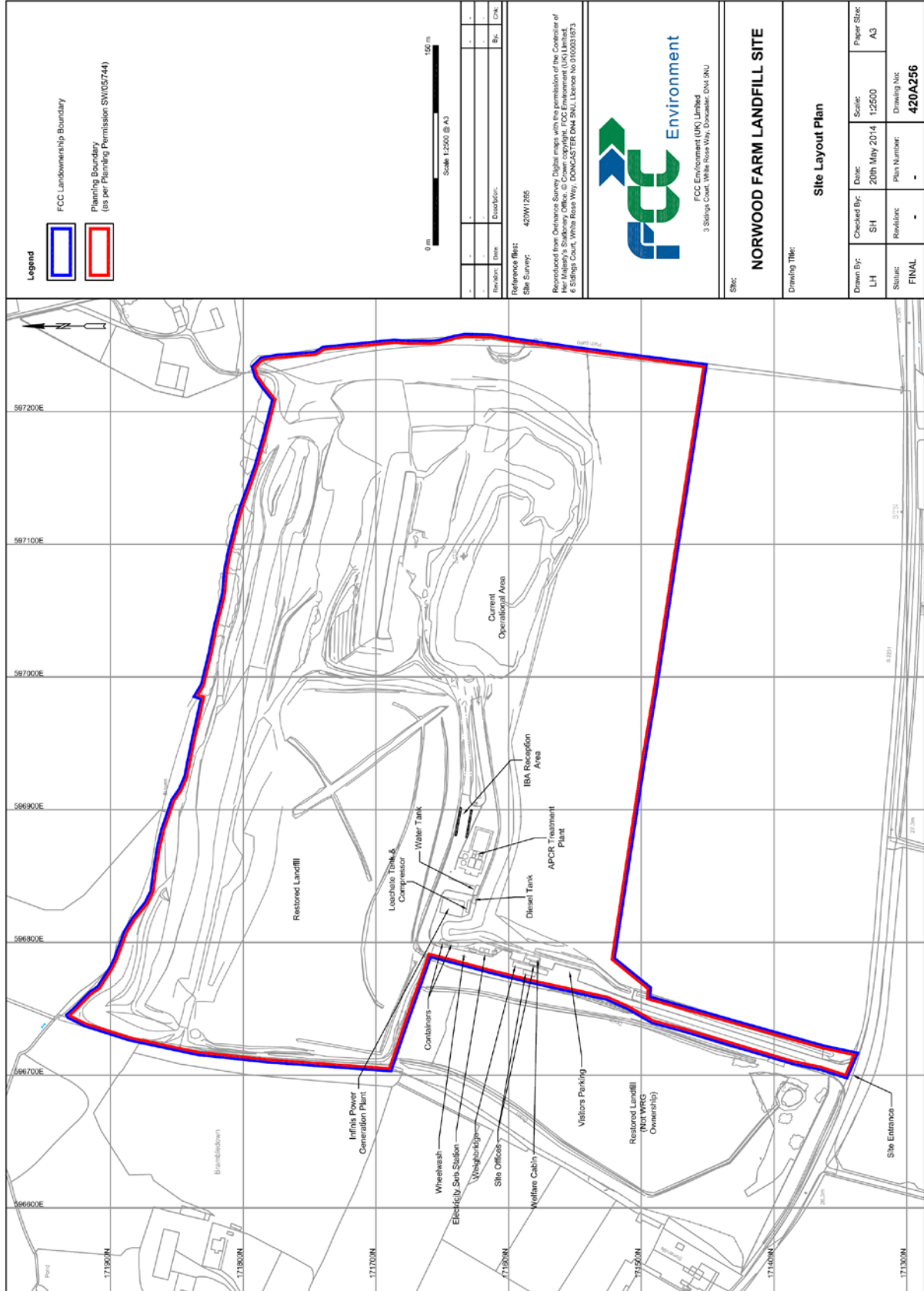
(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

Location Plan



(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

Existing Site Layout Plan (Landfill Site)



(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

Proposed Landfill and Clay Storage Layout Plan



(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

Approved Restoration Scheme (included as background information only)



(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

2. Norwood Quarry and Landfill Site has been subject to a number of planning permissions for clay extraction and landfill since 1992 (Norwood Farm and Shrubsoles Hill). The western section of the site has previously been landfilled with non-hazardous municipal, commercial and industrial waste and has been capped and restored to form a domed grassed landform. The area is subject to ongoing landfill gas management and leachate control and will require further restoration and aftercare actions. The eastern section of the site contains an operational hazardous waste landfill that covers approximately 5 hectares (ha) of the overall landfill complex (approximately 18 ha). Land to the south-west of the site (immediately to the west of the access road) was previously also worked and has been restored by landfilling (Brambledown). Land immediately to the south and east of the operational hazardous waste landfill area comprises landscaped screening mounds that provide a slope into which the approved landform will sit once landfilling and restoration is complete. Land immediately to the north of the operational hazardous waste landfill is occupied by a temporary storage mound for overburden and clays that are required for use during final restoration. The offices and weighbridge lie at the top of the site access road. An environmental compound, conditioning plant and gas utilisation / control plant are located in the south-western part of the site within the screening landform.
3. Land surrounding the site is predominantly in agricultural (arable) use. A public right of way runs north / south to the east of the site linking Lower Road and Eastchurch Road via Norwood Manor. The land proposed to be used for the storage of clay lies immediately to the north of an established hedgerow in the south-east corner of the field to the north of the site and to the west of Norwood Manor. The field, which generally falls from north to south between about 76m and 62m Above Ordnance Datum (AOD), is in agricultural (arable) use.
4. The closest residential property (Norwood Manor) is about 100m (110 yards) north-east of the existing site boundary and 55m east of the proposed clay storage area. Other residential properties are located within the settlement of Brambledown and off Lower Road (to the south) and along Eastchurch Road (further to the north).
5. The Swale Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and RAMSAR site are located 1.6km (1 mile) to the south and the Sheppey Cliffs and Foreshore SSSI is 1.2km (0.8 miles) to the north. Part of the site overlies a minor aquifer, although it falls outside any Groundwater Source Protection Zones defined by the Environment Agency.
6. Norwood Quarry and Landfill Site is identified within Policy CSW5 of the emerging Kent Minerals and Waste Local Plan 2013-30 as a Strategic Site for Waste as it has consented void space for hazardous flue ash residues from the Allington Energy from Waste (EfW) Facility.
7. There are no other relevant site-specific designations, although more general development plan policies are set out in the Planning Policy section below.

Background and Recent Site History

8. Norwood Quarry and Landfill Site has been subject to a number of permissions and approvals for clay extraction, landfill and associated operations. Planning permission has also previously been granted for the storage of clay on land to the north of the

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

existing site. The site is also subject to an Environmental Permit and regulated by the Environment Agency. The planning permissions that are of greatest relevance to the current applications are referred to below.

9. Planning permission (SW/05/744) was granted for an extension to the earlier mineral workings with restoration by landfill on 17 May 2006 following a resolution of the County Council's Planning Applications Committee on 13 December 2005. The permission provided for a small extension to the site to release an additional 240,000m³ of London Clay, of which up to 151,000m³ was to be for export / sale and the rest used for on-site engineering and restoration works. It also provided for the infilling of the resultant overall void with about 718,000m³ of waste, of which about 600,000 tonnes (t) was to be boiler ash and air pollution control residues (APCRs) (i.e. residual non-recyclable waste) from the Allington EfW Facility located to the west of Maidstone (about 32km / 20 miles away).¹ The rest of the material was to be inert waste, clay and overburden required for engineering, cover and restoration purposes. The permission also included provision of a conditioning plant to treat imported boiler ash and APCRs (within an environmental compound at the site). The plant enabled the waste to be mixed (stabilised) with water before being transported by dump truck and landfilled where its treated form would enable the material to set hard. The boiler ash and APCRs are transported to the site from Allington in specialist (sealed) tankers designed to accommodate fine hazardous materials and then transferred into a storage silo and the plant itself under pneumatically sealed conditions to eliminate dust generation, with air displaced during these transfers being filtered prior to discharge to minimise particle emissions.
10. The Allington EfW Facility is a strategic facility for the treatment of Kent's municipal waste, which allows the recovery of energy from household, commercial and industrial waste streams and diverts this material from landfill. The facility accepts approximately 500,000 tonnes per annum (tpa) of waste. The thermal treatment process produces up to 135,000tpa of waste residues in the form of boiler ash, APCRs and incinerator bottom ash (IBA). The majority of the waste residue is IBA which is normally classified as non-hazardous and sent for recycling to form a secondary aggregate (e.g. at the Ballast Phoenix Recycling Facility at Ridham Dock). The remainder of the waste residue is classified as hazardous (by the Environment Agency) due to its chemical properties and high alkalinity (due to high lime content). As there are currently no viable treatment solutions to enable the re-use of this material, disposal at a suitably licenced hazardous landfill facility is considered to be the only feasible option.
11. Planning permission SW/05/744 allowed the excavation of clay to 35m AOD (with a maximum depth of approximately 26m at the northern boundary). The permission provided for the creation of four engineered landfill cells in the previously unrestored part of the site. The cells, which are constructed with integral groundwater management systems and engineered linings to collect any perched groundwater and leachate, were to be progressively infilled with waste and capped with 0.5m of clay and a geomembrane, before the placement of topsoil, seeding and planting. The final restoration scheme provided for a gently sloping predominantly south-facing landform comprising a mixture of lowland meadow, woodland planting, areas of scrub and wetland habitats with integrated surface water drainage, all having an ecological bias.

¹ It was assumed that 1m³ of "conditioned" ash would weigh 1 tonne.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

The scheme provided for the environmental management facilities needed to control landfill gas (from the non-hazardous waste landfill area) and leachate to be retained on site until no longer required by the Environmental Permit. It also provided for an approved aftercare regime.

12. Planning permission (SW/14/501576) was granted on 18 September 2014 under officer delegated authority for a variation to planning permission SW/05/744 to allow the importation and disposal of IBA from the Allington EfW Facility (in addition to boiler ash and APCRs) and erection of temporary IBA reception bay within the site. IBA is a coarser material comprising the non-combustible elements from the EfW Facility such as metals, glass, ceramics and other inert materials. Although normally classified as non-hazardous and recycled, there are occasions when a consignment of IBA from the Allington EfW Facility is classified as hazardous waste due to contaminants leading to higher than acceptable levels of heavy metals such as lead, copper and nickel. In such circumstances, the hazardous IBA has to be disposed of with a landfill due to a lack of alternative treatment or disposal options. The permitted IBA reception bay includes a water misting system to control dust and sealed drainage.
13. Planning permission SW/14/501576 includes 32 conditions that largely re-impose the controls / requirements included in planning permission SW/05/744, whilst providing for the additional IBA waste stream and reception bay. The key controls / limitations imposed by condition include:-
 - The importation, treatment and landfilling of boiler ash, APCRs and IBA to cease by 31 December 2015 and the site restored and all plant, machinery, buildings or hardstandings not required as part of the long term control of gas and leachate or site maintenance removed by 31 December 2016.
 - The development being carried out and the site progressively restored in accordance with the submitted documents, phasing plans and drawings.
 - No extraction taking place below 35 metres AOD.
 - Only those waste materials specified in the planning application (i.e. boiler ash, APCRs and IBA from the Allington EfW Facility and inert waste for cover and restoration purposes) being imported to the site.
 - Landfilling operations being restricted to between 07.00 and 18.00 hours Monday to Friday and between 07.00 and 13.00 hours on Saturdays.
 - No more than a combined total of 200 HGV movements (100 in/100 out) associated with clay extraction and landfilling entering or leaving the site in any one day.
 - All loaded, open backed vehicles entering or leaving the site carrying clay, IBA or inert waste being sheeted and boiler ash and APCRs only enter the site in HGVs (tankers) dedicated to transporting such wastes.
 - Noise generated from operations not exceeding 46dB (LAeq,1hr) at Brambledown Farm, 44dB at Tadwell Farm, 50.5dB at Norwood Manor and 48dB at Evergreen.
 - Temporary operations, such as the movement, storage and replacement of soil and overburden, not exceeding 70dB (LAeq,1hr) at any noise sensitive property.
 - Measures being implemented to minimise and control the emission of odour, dust or other particulates.
 - Restoration and aftercare being carried out in accordance with the approved schemes.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

14. Planning applications SW/05/744 and SW/14/501576 were both accompanied by Environmental Statements as the development in each case fell within the scope of Schedule 1 of the Environmental Impact Assessment (EIA) Regulations due to the hazardous waste element.
15. Planning permission (SW/12/1553) was granted on 19 July 2013 under officer delegated authority for the storage of clay for the duration of workings on land to north of Norwood Quarry and Landfill Site. The permission (which included 22 conditions) allowed clay from within Norwood Quarry and Landfill Site required for landfill cell engineering and final restoration to be temporarily stored within an area of agricultural land adjacent to the northern boundary of the site until needed for these purposes. It was accepted that the storage area was required due to limited space within the landfill site. The key controls / limitations imposed by conditions attached to planning permission SW/12/1553 included:
- the cessation of clay storage and restoration of the land to agriculture by 31 December 2016;
 - hours of operation being restricted to between 08.00 and 17.00 Monday to Friday;
 - noise limits (as referred to in paragraph 13);
 - measures to minimise dust;
 - a programme of archaeological work; and
 - restoration and aftercare requirements.

Planning permission SW/12/1553 was never implemented due to delays in cell construction, infilling and restoration of Norwood Quarry and Landfill Site and has now lapsed.

16. At this time, cells 1 and 2 of the hazardous waste landfill have been largely infilled and are awaiting restoration, waste is currently being deposited in cell 3, cell 4 has yet to be engineered and materials stockpiled for engineering and restoration purposes remain in place.
17. The following permissions and approvals are of relevance:-
- SW/14/501576 - Application under section 73 of the Town and Country Planning Act 1990 (as amended) for non-compliance with planning conditions 4 and 11 of planning permission SW/05/744 to allow import and disposal of Incinerator Bottom Ash (IBA) from Allington Energy from Waste (EFW) Facility and erection of temporary IBA reception bay at Norwood Quarry and Landfill site – granted permission on 18 September 2014.
 - SW/05/726/R - Non-material amendment to planning permission SW/05/726 for the siting of additional plant and equipment within the gas utilisation compound, retention of compound lighting and changes to layout and configuration of the compound – approved on 19 June 2014.
 - SW/05/744/R26 - Request for approval of archaeological scheme pursuant to condition 26 of planning permission SW/05/744 – approved on 22 July 2013.
 - SW/05/744/R5A - Amendments to approved working programme to provide: Additional clay storage in 'Northern Valley' area of site; and Bank stabilisation

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

within the site – approved on 22 July 2013.

- SW/12/1555 - Re-grading of eastern screen bank including extension onto adjoining land – granted permission on 22 July 2013.
- SW/12/1553 - Storage of clay for the duration of workings on land to north Norwood Quarry and Landfill Site – granted permission on 19 July 2013.
- SW/05/744/RVAR - Request for approval of new fence alignment and details (conditions 4 and 5), new haul roads (condition 5), landfill gas and leachate control infrastructure scheme (condition 25), restoration and aftercare schemes (conditions 30 and 32) and annual report on progress with working and restoration (condition 3 - submission only required) pursuant to planning permission SW/05/744 – approved on 14 February 2008.
- SW/05/744/R5 & R7 - (i) Request for approval to import water by tanker or tractor and bowser (to supplement mains supply) pursuant to condition 5 of planning permission SW/05/744. (ii) Request for approval of details of siting, design, external appearance, construction materials, finishes and colours of the proposed conditioning plant, external lighting, fencing and site drainage pursuant to conditions 5 and 7 of planning permission SW/05/744 – approved on 09 November 2006.
- SW/05/744 - Proposed extension to mineral workings with restoration by landfill – granted permission on 17 May 2006.
- SW/05/726/R4 - Details pursuant to condition (4) of permission ref: SW/05/726 - Being details of land forming work required in association with the approved development – approved on 14 October 2005.
- SW/05/726 - Construction of landfill gas utilisation compound to control and convert landfill gas into electricity – granted permission on 23 August 2005.

Proposal

Application (i) – Extension of time for waste disposal and final restoration

18. The application proposes to modify condition (2) of planning permission SW/14/501576 to extend the period of time allowed for waste disposal at the site from 31 December 2015 until 31 December 2025. It also proposes that final restoration be completed by 31 December 2026 rather than by 31 December 2016.
19. Planning permission SW/05/744 allowed 10 years to complete the extraction of clay and the infilling of the site to approved restoration contours. This assumed approximately 718,000 m³ of waste (about 600,000t of which would have been boiler ash and APCRs and the rest being inert waste, clay and overburden) being landfilled at a rate of between 70,000 and 80,000tpa. The same time period for completion is imposed on planning permission SW/14/501576 although this also allows IBA to be deposited. In reality, inputs of waste have been steady at between 30,000 and 40,000tpa, such that about 330,000m³ of void space remains. Based on an average input rate of 35,000tpa, the applicant states that the remaining available void space would take about 10 years to infill. The applicant states that no further clay is available for export / sale as what remains is all required for engineering and restoration purposes.
20. With the exception of the additional time periods, no other changes are proposed to the permitted operations or existing controls. The lateral extent and depth of working,

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

phasing arrangements, permitted waste types and volumes, the conditioning plant and other ancillary / built development, hours of operation, the number of vehicle movements and the restoration landform, treatment and after use would all remain the same as currently permitted.

21. The application is accompanied by an Environment Statement due to the hazardous waste element of the proposed development. The Environmental Statement covers (amongst other matters) geology and soils, hydrology and hydrogeology, ecology, landscape and visual impact, noise, air quality, traffic and transport and cultural heritage.

Application (ii) – Storage of clay

22. The application proposes the temporary storage of clay on 2.83 hectares (ha) of land in the field immediately to the north of Norwood Quarry and Landfill Site and is effectively an updated re-submission of planning application SW/12/1553 (which was permitted in 2013 but has since lapsed). It proposes that the storage of clay arising from Norwood Quarry and Landfill Site take place over the next 10 years in parallel with the proposed extension to the timeframes for completing the restoration of the main site proposed in application (i).
23. Topsoil and subsoil would be stripped from the site and temporarily stockpiled before being placed over imported clay or placed directly over the clay where possible. Brown (weathered) clay would be placed in the northern part of the storage area and blue clay from cell construction in the southern part (in order that it can be removed and used for engineering works as necessary without compromising the appearance of the scheme). The brown clay stored on the western, northern and eastern outer slopes of the stockpile would be graded at between 1 vertical to 4 horizontal (1v:4h), covered in 1m of subsoil and topsoil, grass seeded and maintained for the duration of the storage. Clay would be stored to depths of between 6 and 12m (subject to location within the site) and no higher than 75m AOD. The grass seeded slopes would not exceed 76m AOD and would be designed to minimise landscape and visual impact during storage. The applicant proposes that the development be subject to an archaeological watching brief with any necessary mitigation carried out in accordance with a written scheme of investigation.
24. Access between Norwood Quarry and Landfill Site and the clay storage area would be via an existing gap in the hedgerow between the two such that all vehicle movements would be internal rather than on the public highway. It is proposed that hours of operation be restricted to between 08:00 and 17:00 hours Monday to Friday with no operations on Saturdays, Sundays and Bank or Public Holidays. The applicant estimates that the stockpile would be created in about 4 weeks (subject to no significant delays due to archaeological finds). The stored clay would be removed as restoration progresses and is completed at Norwood Quarry and Landfill Site. The clay storage area would then be restored to agricultural use at original ground levels using the materials originally stripped from the site.
25. The applicant states that the clay storage area is required due to a lack of space within the existing site and so that the clay remains available for when it is required for engineering and restoration purposes. The additional storage area would also allow brown clay and overburden stockpiled above the remaining northern section of the

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

permitted clay extraction area to be removed and enable the remaining clay to be extracted and landfill cells created.

26. The application is accompanied by an updated set of technical assessments, similar to those included within planning application SW/12/1553, covering landscape character and visual impact, ecology, noise, dust, flood risk and drainage, cultural heritage and agriculture and soils.

Planning Policy Context

27. **National Planning Policies** – the most relevant National Planning Policies are set out in the National Planning Policy Framework (NPPF) (March 2012), the associated Planning Practice Guidance (PPG) and National Planning Policy for Waste (NPPW). National Planning Policy and Guidance are material planning considerations.
28. **Kent Minerals Local Plan: Chalk and Clay (December 1997) (Kent MLPCC)** Saved Policies – CC1 (Provision for Development), CC12 (Noise, Vibration and Dust), CC14 (Land Drainage, Flood Control and Land Stability), CC15 (Nature Conservation), CC20 (Public Rights of Way), CC24 (Road Traffic and Access), CC26 (Landscaping) and CC27 (Aftercare).
29. **Kent Waste Local Plan (March 1998) (Kent WLP)** Saved Policies – W5 (Land Raising), W6 (Need), W11 (Waste to Energy), W12 (Landfill of Mineral Voids), W18 (Noise, Dust, Odour and Landfill Gas), W19 (Water Resources, Leachate and Groundwater), W20 (Land Stability, Drainage and Flood Control), W21 (Nature Conservation), W22 (Road Traffic and Access), W25 (Plant and Buildings), W27 (Rights of Way), W31 (Landscaping) and W32 (Aftercare).
30. **Swale Borough Local Plan (2008) (Swale BLP)** Policies – SP1 (Sustainable Development), SP2 (Environment), SP3 (Economy), TG1 (Thames Gateway Planning Area), E1 (General Development Criteria), E2 (Pollution), E4 (Flooding and Drainage), E6 (Countryside), E8 (Development on Agricultural Land), E9 (Protecting the Quality and Character of the Borough's Landscape), E10 (Trees and Hedgerows), E11 (Biodiversity and Geological Interests), E12 (Sites designated for their importance to biodiversity or geological conservation), E16 (Archaeological Sites) and T1 (Safe Access).
31. **Emerging Kent Minerals and Waste Local Plan 2013-30 [Proposed Main and Additional Modifications (July 2015), Proposed Further Modifications (January 2016) and Inspector's Report (April 2016)] (draft Kent MWLP)** draft Policies – CSM1 (Sustainable mineral development), CSW1 (Sustainable waste development), CSW2 (Waste hierarchy), CSW4 (Strategy for waste management capacity), CSW5 (Strategic Site for Waste), CSW11 (Permanent Disposal of inert Waste), CSW12 (Identifying Sites for Hazardous Waste), CSW16 (Safeguarding of Existing Waste Management Facilities), DM1 (Sustainable design), DM2 (Environmental and landscape sites of international, national and local importance), DM3 (Ecological impact assessment), DM5 (Heritage Assets), DM6 (Historic Environment Assessment), DM10 (Water Environment), DM11 (Health and amenity), DM13 (Transportation of Minerals and Waste), DM14 (Public Rights of Way), DM15 (Safeguarding Transport Infrastructure), DM16 (Information required in support of an application), DM19

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

(Restoration, Aftercare and After-use) and DM20 (Ancillary Development)².

32. **Emerging Policy – Kent Minerals and Waste Development Framework: Waste Sites Plan Preferred Options Consultation (May 2012) and Minerals Sites Plan Preferred Options Consultation (May 2012)** – Both the emerging Waste and Minerals Sites Plans identify land at Norwood Quarry and Landfill (Site 60) as a preferred location for an extension to the clay quarry and subsequent restoration with hazardous landfill.
33. **Emerging Policy – Draft Swale Borough Local Plan (December 2014) Publication Version (Draft Swale LP) draft Policies** – ST1 (Delivering Sustainable Development), CP1 (Building a Strong, Competitive Economy), CP7 (Conserving and Enhancing the Natural Environment), CP8 (Conserving and Enhancing the Historic Environment), DM3 (The Rural Economy), DM6 (Managing Transport Demand and Impact), DM14 (General Development Criteria), DM21 (Water, Flooding and Drainage), DM24 (Conserving and Enhancing Valued Landscape), DM28 (Biodiversity and Geological Conservation), DM31 (Agricultural Land) and DM34 (Archaeological Sites).

Consultations

Application (i) – Extension of time for waste disposal and final restoration

34. **Swale Borough Council:** raise no objection, subject to no objection being raised by statutory consultees.
35. **Minster-on-Sea Parish Council:** raise no objection to the application.
36. **Eastchurch Parish Council:** raise no objection to the application. However, Eastchurch Parish Council Planning Committee members are concerned with the effect on the A2500 and the on-going damage and pressure on the road.
37. **Environment Agency:** raise no objection, commenting that it does not foresee additional impacts on the environment and that the operation of the site would continue to be managed under an Environmental Permit.
38. **Natural England:** raise no objection. Natural England advise that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Swale Ramsar and SPA have been classified and would not damage or destroy the interest features for which the Swale and the Sheppey Cliffs and Foreshore SSSIs have been notified. Natural England therefore advises that nearby sites of nature conservation interest do not represent a constraint in determining this application. It recommends that the County Council has regard to Natural England's standing advice on protected species and considers opportunities for biodiversity and landscape enhancement.

² An Independent Examination of the Kent Minerals and Waste Local Plan 2013-30 Submission Document (July 2014) was held in April and May 2015. Following discussions with the Inspector and representatives throughout the Examination, KCC published major and additional (minor) modifications to the Plan on 17 August 2015. The modifications were subject to an 8 week consultation which ended on 12 October 2015. As a result of this consultation, the Inspector proposed further modifications to the Plan (Kent Minerals and Waste Local Plan, Proposed Further Modifications (January 2016)). An 8 week consultation on these further modifications ended on 4 March 2016. The Inspector's Report was received on 26 April 2016. It concludes that subject to the main modifications set out in its appendices, the Plan meets the criteria for soundness and is legally compliant and capable of adoption. The applications have been considered in light of all these stages, including the Inspector's Report.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

39. **Public Health England:** no response received.
40. **Health and Safety Executive (Quarries):** no response received.
41. **Southern Water:** raise no objection to the proposal.
42. **Lower Medway Internal Drainage Board:** raise no objection, subject to the proposed drainage scheme being implemented and maintained.
43. **Kent County Council Highways and Transportation:** raise no objection to the proposal in respect of highway matters, subject to the existing controls on the number of HGV movements being re-imposed on any planning permission. Highways and Transportation comment as follows.

“Whilst the proposal would increase the duration over which activities associated with the landfilling process of Norwood Quarry would take place, it is appreciated that the total volume of HGV traffic movements and subsequent wear and tear on the highway to complete the process would not be any different from that assessed in the original approval of 2005. The only difference now is that the rate that the volume of fill material has been brought to the site so far has been around half the previously expected figure, so the site will take twice as long to fill than originally anticipated. Consequently, actual HGV traffic movements directly related to the landfill process have been half those originally accepted, and this has therefore had a lesser impact on the capacity of the highway over that time. Given the proposal would continue with this lesser impact than previously approved, it is considered that the slower rate of fill is still acceptable, and the total number of movements to complete the project has not changed from that originally assessed. I note also that the existing restriction on the number vehicle movements would still apply to keep these within the approved cap”.

44. **Kent County Council Public Rights of Way:** raise no objection, subject to an informative advising the applicant of need to maintain public access to the public right of way that passes along the site boundary.
45. **Kent Count Council’s Flood Risk Project Officer:** raises no objection to the application, subject to a condition ensuring that the development is carried out in accordance with Surface Water Management Scheme received with the application. The comments received indicate that the Flood Risk Projects Officer is satisfied that the surface water generated by the development would be accommodated within the site boundaries and discharged at a controlled rate without exacerbating the flood risk to the surrounding area.
46. **Kent County Council’s Ecological Advice Service:** raise no objection, subject to a condition requiring the applicant to implement the precautionary mitigation detailed within paragraph 6.3 of the Preliminary Ecological Assessment (December 2015).

Based on an updated ecological scoping survey, the Ecological Advice Service confirms that the conclusions of the previous ecological surveys are still correct and there is no requirement for additional ecological surveys to be carried out at this time. The comments received highlight the long-term biodiversity benefits that would result from the approved landscape plan, including the creation of lowland meadow, rough

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

grassland and woodland habitats. In respect of the restoration scheme, the Advice Service recommends that the applicant be advised to update the ecological scoping survey prior to commencing final restoration to ensure protected species are safeguarded.

47. **Kent County Council's Archaeological Officer:** raises no objection subject to the previous archaeological conditions being re-imposed and the approved written scheme of investigation (WSI) being required.

48. **Kent County Council's Noise Consultants:** raise no objection, subject to the noise controls within the existing planning permission being maintained.

The Noise Consultants note that the proposed activities would not constitute a significant change in terms of noise compared to those previously permitted and, in some cases, the expected noise levels are lower than previous anticipated since some of the phases of the original landfill have already been completed.

49. **Kent County Council's Air Quality Consultants:** raise no objection, confirming that *"there would be no material change to the current operations and there has been no significant change to the baseline environment. The dust assessment is considered a robust assessment of the potential for dust impacts and mitigation measures detailed in the assessment are considered fit for purpose and still relevant"*.

The Consultant's note that the activity on site (30,000 to 40,000 tonnes per year) has not been as intense as would have been the case if the original throughputs (80,000 tpa) had been met and the dust impact magnitude would also have been reduced since the original assessment was undertaken. It also notes that any new residential development that has been constructed in the area since the original application is outside of the 350 metres buffer where dust impacts can be expected. The closest sensitive receptor is Norwood Manor, approximately 115m to the northeast of the site boundary. The Consultants agree with the conclusions within the assessment that with the mitigation measures in place the adverse impacts are predicted to be Slight / Negligible for Norwood Manor and Negligible for all other receptors. The comments note that the site is also subject to dust controls through an Environmental Permit enforced by the Environment Agency.

In terms of odour, the Consultants note that the waste accepted on site (boiler ash, APCR and IBA) are odourless.

Application (ii) – Storage of clay

50. **Swale Borough Council:** raise no objection, subject to no objection being raised by statutory consultees.

51. **Minster-on-Sea Parish Council:** raise no objection to the application.

52. **Eastchurch Parish Council:** raise no objection to the application. However, Eastchurch Parish Council Planning Committee members are concerned with the effect on the A2500 and the on-going damage and pressure on the road.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

53. **Environment Agency:** raise no objection, commenting that it does not foresee additional impacts on the environment and that the operations would be managed under an Environmental Permit.
54. **Natural England:** raise no objection. Natural England advise that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Swale Ramsar and SPA have been classified and would not damage or destroy the interest features for which the Swale and the Sheppey Cliffs and Foreshore SSSIs have been notified. Natural England therefore advises that nearby sites of nature conservation interest do not represent a constraint in determining this application.
55. **Lower Medway Internal Drainage Board:** raise no objection, subject to the proposed drainage scheme being implemented and maintained.
56. **Kent County Council Highways and Transportation:** raise no objection in respect of highway matters. Highways and Transportation comment as follows.
- “I note that proposal does not involve the importation of any clay material onto the site, and that all clay that could be extracted from the site for sale has now been taken away. The clay to be stored in the proposed stockpiles and used for the eventual restoration of the site is already present within the site confines, so it’s transportation to create these stockpiles does not require any movements on the local highway network”.*
57. **Kent County Council Public Rights of Way:** raise no objection, subject to an informative advising the applicant of need to maintain public access to the public right of way that passes along the site boundary.
58. **Kent Count Council’s Flood Risk Project Officer:** raises no objection to the application, subject to a condition ensuring that the development is carried out in accordance with Surface Water Management Scheme received with the application. The comments received indicate that, subject to Lower Medway Internal Drainage Board and the Environment Agency being content with the drainage scheme, the Flood Risk Projects Officer is satisfied that the surface water generated by the development would be accommodated within the site boundaries and discharged at a controlled rate without exacerbating the flood risk to the surrounding area.
59. **Kent County Council Ecological Advice Service:** raise no objection, subject to a condition requiring the applicant to implement the precautionary mitigation detailed within paragraph 6.3 of the Preliminary Ecological Assessment (December 2015).
60. **Kent County Council’s Archaeological Officer:** raises no objection subject to the previous archaeological conditions being re-imposed and the approved written scheme of investigation (WSI) being required.
61. **Kent County Council’s Landscape Consultants:** raise no objection, noting the temporary nature of the development and that appropriate mitigation for the visual impact and restoration of the land has been included within the application.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

62. **Kent County Council's Noise Consultants:** raise no objection, subject to the noise controls on the existing planning permission being maintained.
63. **Kent County Council's Air Quality Consultants:** raise no objection, subject to the mitigation measures set out within the dust assessment received with the application being implemented on site. The Consultants agree with the conclusions set out within the dust assessment that the risk of adverse dust impacts from the clay storage is low to negligible if the proposed mitigation measures are followed.

Local Member

64. The local County Member for Sheppey, Mr. A. Crowther was notified of both applications on 25 January 2016.

Publicity

65. The applications were publicised by the posting of two site notices on or near the site, an advertisement in a local newspaper, and the individual notification of 40 nearby properties.

Representations

Application (i) – Extension of time for waste disposal and final restoration

66. In response to the publicity, one representation has been received objecting to the application. The key points raised can be summarised as follows:
- Objects to the proposed extension to the period allowed for waste disposal. Considers that when the existing permission expires the land needs to be restored and afteruse implemented.
 - Considers that the site is too close to existing residential properties and notes that additional housing is being built in the local area.
 - Considers that an extension to the permitted timeframes would represent a serious health risk through deterioration in air quality and groundwater contamination.
 - Notes landfills can produce significant amounts of methane gas, alongside leachate full of organic and inorganic pollutants, including toluene, phenols, benzene, ammonia, dioxins, polychlorinated biphenyls (PCBs), chlorinated pesticides, heavy metals and endocrine-disrupting chemicals.
 - Draws attention to potential adverse health effects reported near individual landfill sites (including reduced immune system function, increased risk of infections, acute respiratory infections, low birth weight, birth defects and certain types of cancer).
 - Concerns about the risk of vermin, the potential effect on wildlife.
 - Considers that there are plenty of alternate sites that could be used to accommodate the proposed development that are further away from residential development.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

Application (ii) – Storage of clay

67. In response to the publicity, one representation has been received concerning the application. The key points raised can be summarised as follows:
- Raises concern that the clay storage area is relatively near to properties occupied by families.
 - Raises concern about the health issues associated with the storage of clay, including dust and dust ingestion.
 - Notes that the proposed development is in a windy location and that trees have been removed to make way for new homes reducing the natural protection.
 - Raises concerns about groundwater contamination.

Discussion

68. Applications (i) and (ii) are being reported to the Planning Applications Committee as a result of a letter of objection having been received on each from the occupier of a nearby residential property. No other objections have been raised.
69. 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. The proposals therefore need to be considered in the context of the Development Plan Policies, Government Policy and Guidance and other material planning considerations including those arising from consultation and publicity.
70. The key determining considerations in these particular cases can be addressed under the following headings:
- Need for the development;
 - Amenity and health impacts;
 - Access and traffic;
 - Landscape and visual amenity;
 - Water environment; and
 - Ecology and the natural environment.

Need for the development

71. The need (or otherwise) for the development proposed by the applications can be considered in three main ways: (a) the need for hazardous waste landfill; (b) the need to complete restoration at the site; and (c) the need to store clay on land outside the existing site.

(a) The need for hazardous waste landfill

72. The NPPW requires that proposals deliver sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy. Government policy recognises the need for a mix of types and scale of waste facilities and that adequate provision must be made for waste disposal. In

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

seeking to achieve the best environmental outcome by driving waste up the waste hierarchy account should be taken of the general environmental protection principles of precaution and sustainability, technical feasibility and economic viability, protection of resources and the overall environmental, human health, economic and social impacts. The NPPW also includes policy support “to ensure that landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary”.

73. The NPPF encourages the effective use of land. Specifically, in relation to landfill sites, the accompanying NPPG states that: “*Waste planning authorities should be aware that the continued provision and availability of waste disposal sites, such as landfill, remain an important part of the network of facilities needed to manage England’s waste. The continued movement of waste up the Waste Hierarchy may mean that landfill sites take longer to reach their full capacity, meaning an extension of time limits to exercise the planning permission may be needed in some circumstances, provided this is in accordance with the Local Plan and having taken into account all material considerations*”.
74. Policy W6 of the Kent WLP states that need will be a material consideration in a decision where demonstrable harm would be caused to an interest of acknowledged importance. Policies W12 and W32 of the Kent WLP also provide support for landfill where it would assist in the restoration and return of mineral workings to a suitable afteruse, at the highest possible standard and at the earliest opportunity. Policy W11 of Kent WLP requires proposals for Waste to Energy plant to make provision to deal with ash residues as an integrated part of the development, including by re-use and where this is not possible by deposit on land in an acceptable location close to the site.
75. The draft Kent MWLP makes clear that whilst it is anticipated that there will be a transition of waste management to the higher end of the waste hierarchy there will be a continued need to plan for disposal of wastes that cannot be managed through alternative methods. Policy CSW4 of the draft Kent MWLP states that Kent’s strategy for waste management is to provide sufficient capacity to manage at least the equivalent of the waste arising in the County (plus some residual non-hazardous waste from London). This is consistent with Government policy that seeks net self-sufficiency in line with the proximity principle, requiring waste to be managed as close to the source as practicable.
76. The supporting text to Policy CSW5 of the draft Kent MWLP states that: “*The landfill at Norwood Quarry on the Isle of Sheppey accommodates the hazardous flue ash residues from the Allington EfW facility, but it has limited consented void space remaining. To make provision for this waste for the duration of the Plan, it is considered essential that Kent has the capacity to deal with these residues. Enabling the continued management of hazardous flue ash within Kent has the added benefit of contributing to achieving the continued net self-sufficiency in hazardous waste management capacity.*” It goes on to say: “*Therefore, a matter fundamental to the central achievement of the Plan is the identification of a suitable location for the treatment or disposal of the hazardous waste residues within Kent*”.
77. On the basis that there are no realistic alternatives to the disposal of the Allington EfW flue ash in landfill for the foreseeable future, Policy CSW5 specifically identifies Norwood Quarry and Landfill Site as the Strategic Site for Waste in the County. It

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

states that planning permission will not be granted for development at the site other than mineral working with restoration through the landfilling of hazardous flue dust from EfW plants in Kent unless it can be demonstrated that the equivalent capacity for treatment or disposal can be provided elsewhere in Kent. It therefore provides clear support for using the remaining capacity of the existing site for the landfilling of hazardous waste from Allington EfW Facility (or other EfW plants in Kent). It also provides support for a future extension within the Strategic Site for Waste, subject to any application demonstrating that alternative treatment technologies for the waste are not economically viable, that any air quality impacts associated with the proposed development and its traffic movements on the Medway Estuary are acceptable (or capable of being made acceptable by planning condition or obligation), that provision is made for a high standard of restoration and an appropriate after use and the proposed development accords with other relevant policies within the Plan (including those relating to any impacts on the A2500 Lower Road).

78. Over the last 10 years, the Allington EfW Facility has produced less residual hazardous waste (boiler ash and APCRs) than originally anticipated, such that waste material has been imported to the application site at a rate of between 30,000 and 40,000tpa (i.e. approximately half the rate initially envisaged). This has resulted in there still being about 330,000m³ of void space / capacity remaining at the site. Whilst planning permission SW/14/501576 also allows hazardous IBA to be landfilled at the site, it is understood that no such waste has had to be dealt with at the site since the permission was granted and as a result the void space has not been reduced further.
79. Hazardous waste can only be accepted at a landfill site if it meets certain waste acceptance criteria (WAC) for that class of landfill or, in the case of Norwood Quarry and Landfill Site, if it accords with a derogation of the WAC issued by the Environment Agency. The derogation that applies to Norwood Quarry and Landfill Site is generally referred to as the “3 x waste acceptance criteria” or “3 x WAC”. This derogation enables the APCRs to be landfilled as it is still accepted that there is currently no viable alternative to manage this type of waste. Although the Environment Agency has announced its intention to review the derogation to encourage a shift towards the development of alternative technologies to treat or recover APCRs and enable the waste to be managed higher up the waste hierarchy, the Environmental Permit still allows the waste to be landfilled at this time. Notwithstanding this, the applicant has advised that it is exploring alternatives for treatment and recovery of the hazardous waste but that potential technologies remain a long way from representing viable alternatives at this time. It has also advised that if an appropriate technology is developed and the Environmental Permit for the disposal of APCRs is rescinded before 31 December 2025, it would restore the remaining void with non-hazardous IBA from the Allington EfW Facility (as currently allowed for by planning permission SW/14/501576).
80. The applicant has also reviewed the availability of alternative hazardous waste sites. It states that there are only five sites within Kent and the South East that can accept hazardous waste (including Norwood Quarry and Landfill Site). It also states that three of the four do not have the necessary permission to accept the proposed waste types. The fourth (Shelford Landfill Site), whilst licensed to accept boiler ash and APCRs (but not hazardous IBA), currently has no hazardous waste cells and could not provide a suitable alternative at this time. It notes that Shelford Landfill Site is also further from Allington EfW Facility than Norwood Quarry and Landfill Site and as such would be

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

less desirable in terms of the proximity principle. It further states that the closest licensed landfill facility with the ability and capacity to accept the boiler ash, APCRs and hazardous IBA is Slip Clay Pit Landfill operated by Augean South PLC in Kings Cliffe, Cambridgeshire. It notes that the site is approximately 123 miles from Allington EfW Facility, that transporting waste to this facility would not be as sustainable and that it would affect Kent's ability to continue to achieve net self-sufficiency in managing its own waste streams. Alternative new sites in Kent are likely to be rare given the need to meet various site-specific criteria (e.g. suitable geological and hydrological conditions, suitable void space / capacity within a former mineral working, the relationship with other land uses, good access to the highway network and proximity to the waste source). The shortage of potential sites is demonstrated by the fact that the only site put forward in response to the Waste Sites Plan call for sites in 2010 was an extension to Norwood Quarry.

81. It is apparent from the above that there is a clear need for hazardous waste landfill capacity and that Norwood Quarry and Landfill Site is the County Council's preferred location for the landfilling of the proposed wastes to take place. Notwithstanding the suggestion by the local resident who has responded (and objected to the applications) that there are plenty of alternative sites that could be used further from residential development, it is also clear that there are currently no suitable alternatives at this time and that finding a suitable alternative location in Kent would not be easy.

(b) the need to complete restoration at the site

82. Planning permission SW/14/501576 required the importation of waste to cease by 31 December 2015 (although imports have continued since that date) and requires restoration to be completed by 31 December 2016. As detailed above, a significant volume of waste material still needs to be imported in order for the approved restoration to be secured. It is also clear that there is insufficient clay, overburden, soils and other materials available at the site to provide the approved restoration contours.
83. The approved restoration scheme is designed to achieve a high standard of restoration that fits with the scale and nature of the surrounding landscape, preserves visual amenity and enables a productive afteruse of the site. The successful completion of the approved restoration scheme would also ensure that surface water run-off is managed and controlled through a sustainable drainage system. This would prevent the accumulation of water on top of the restored area (which could otherwise adversely affect the integrity of the engineered landfill cap), facilitate afteruse and control run-off to levels that would not exacerbate the flood risk to the surrounding area. The successful completion of the approved final landform is also key to fulfilling the pollution prevention control requirements of the Environment Permit. In addition to the above, these include ensuring that the deposited waste is appropriately stabilised and capped and the cap protected and ensuring leachate and landfill gas is controlled as necessary.
84. Leaving the site unrestored (or only partly restored) is not a viable option. Whilst it may be possible for an alternative restoration scheme to be designed using less imported material, this would be likely to require significant re-engineering of the materials already deposited or stored at the site (including the surrounding screening mounds). Setting aside the extensive costs, such an application is likely to give rise to

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

significant adverse effects (e.g. on the landscape and to local amenity). As a result, and given the clear need for ongoing hazardous waste landfill capacity at this time, I do not consider either approach to be desirable. I am therefore satisfied that there is a significant need to secure the successful restoration of the site and allow additional time for this to be secured.

(c) the need to store clay on land outside the existing site

85. The applicant states that the clay storage area is required due to a lack of space within the existing site and so that the clay remains available for when it is required for engineering and restoration purposes. The County Council has previously accepted this to be the case when granting planning permission SW/12/1553 in 2013. The position has not changed since then and I am satisfied that it remains necessary to store clay outside the existing site boundary. The acceptability of the proposed location itself is addressed further below.

Amenity and health impacts

86. In determining applications for waste development, the NPPW requires planning authorities to consider the likely impact on the local environment and on amenity. In testing the suitability of sites, Government policy indicates that the following factors should be considered: protecting the water environment; landscape and visual impacts; nature conservation; traffic and access; air emissions including dust; odours; vermin and birds; noise; light and vibrations; litter; potential land use conflict; and the locational implications of any advice on health from the relevant health bodies. The NPPW states that waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies and concern themselves with implementing the planning strategy and not with the control of processes. It also states that the focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under other regimes. It further states that waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. The NPPG confirms that the role of the environmental permit *“is to provide the required level of protection for the environment from the operation of a waste facility. The permit will aim to prevent pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health”*.
87. The NPPF states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life and mitigate and reduce to a minimum other adverse impact arising from noise from new development, including through the use of conditions. The NPPG (Minerals) states that where practical noise limits for normal operations at mineral sites should not exceed 10dB(A) above background levels and in any event be no more than 55dB(A) LAeq, 1h (free field) when measured at noise-sensitive properties. It also states that increased temporary daytime noise limits of up to 70dB(A) LAeq 1h (free field) should be allowed for periods of up to eight weeks in a year to facilitate essential site preparation and restoration work and construction of baffle mounds where it is clear that this will bring longer-term environmental benefits to the site or its environs.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

88. Policies W18 and W25 of the Kent WLP require the planning authority to be satisfied as to the means of control of noise, dust, odours and other emissions for waste management proposals, particularly in respect of potential impact on neighbouring land uses and amenity. Policy DM11 of the draft Kent MWLP states that waste development will be permitted if it can be demonstrated that it is unlikely to generate unacceptable adverse impacts from noise, dust, vibration, odour, emissions, visual intrusion, traffic or exposure to health risks and associated damage to the qualities of life and wellbeing to communities and the environment. Swale LP Policies SP1, SP2, E1, E2 and draft Swale LP Policy DM14 require proposals to protect the local environment, minimise and mitigate pollution impacts, including protecting human health, residential amenity, flora and fauna, historic interest, visual amenity, rural areas, and water resources from significant pollution.
89. Two letters of objection have been received (one on each application). The objections primarily relate to concerns about the potential for a reduction in air quality (arising from both proposals) and resultant adverse health impacts given the proximity of residential properties. Concerns have also been expressed about the risk of vermin. The other issues raised are addressed elsewhere in this report. The letters originate from a single property to the north of the application sites, within a housing development built since the establishment of Norwood Quarry and Landfill Site. The housing development is located over 200m from the proposed clay storage area and more than 400m for the landfill. There are a number of properties closer to the application sites and potential impact on these has been assessed previously and found to be acceptable.
90. Boiler ash and APCRs are principally classified as hazardous waste because of their high alkalinity (pH 12 and above), due to the high levels of lime they contain. As noted in paragraph 12, IBA from the Allington EfW Facility can be classified as hazardous waste if it is contaminated with higher than acceptable levels of heavy metals such as lead, copper and nickel. The potential environmental and human health impacts relate to handling or direct contact with the material, including from windblown dust and the potential leaching of soluble components into the environment. As noted in paragraph 9, the transportation, handling, treatment and landfilling of boiler ash and APCRs is carefully controlled to minimise the potential for dust generation and particle emissions. As noted in paragraph 12, appropriate controls are also required for the handling and disposal of IBA. Although not hazardous in nature, the extraction, handling and movement of clay (including that when being transported to and from storage and during the process of being deposited and removed from store) can give rise to adverse noise and air quality impacts. As noted in paragraphs 13 and 15, planning permissions SW/14/501576 and SW/12/1553 include a number of specific controls intended to minimise the potential for emissions.
91. Planning permissions SW/05/744 and SW/14/501576 illustrate the acceptability in principle of restoring Norwood Quarry and Landfill Site through infilling with hazardous waste. Planning permission SW/12/1553 indicates the acceptability in principle of the storage of clay on land in the field to the north of the site. The committee report on application SW/05/744 concluded: *“it is not considered that the proposals give rise to health issues that would preclude Norwood as an acceptable location for the proposed development and there is therefore no case, in principle, for refusing planning permission from a health perspective”*.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

92. The Environmental Statement prepared in support of application (i) includes updated assessments on the environmental impacts including those in respect of geology and soils, hydrology and hydrogeology, ecology, landscape and visual impact, noise, air quality and traffic and transport. The updated EIA takes account of any changes to the surrounding area or environment that have taken place since application SW/05/744 was considered and determined. The Environmental Statement concludes: “*the EIA process demonstrates that the potential impacts on environmental receptors, after appropriate mitigation where necessary, fall within acceptable limits, and/or meet the relevant assessment criteria in relation to the significance of impacts, as set out in Government and other best practice guidance*”. The Environmental Statement and associated assessments included with application (i) and the reports included in support of the clay storage in application (ii) have been independently reviewed by the County Council’s technical consultants and other consultees.
93. In respect of amenity and health considerations, Swale Borough Council, the Environment Agency and the County Council’s Noise and Air Quality Consultants have raised no objections subject to appropriate conditions that reflect those imposed previously in planning permissions SW/14/501576 and SW/12/1553. Public Health England were consulted but have not provided a response. In the circumstances, I consider it reasonable to assume that Public Health England is content to leave the control of any potentially polluting aspects of the development to the environmental permitting regime.
94. The Environment Agency has advised that both the landfill and clay storage would continue to be managed under an Environmental Permit and that it does not foresee any additional impacts on the environment because of the proposed development. The permit imposes strict controls on emissions from the site (e.g. to air and water), includes both operational controls and those relating to the engineering of the landfill itself and requires compliance monitoring. The permit requires the continuous monitoring of PM₁₀ (i.e. particulate matter of fewer than 10 microns diameter) and dust deposited around the site. The applicant has advised that there have been no complaints about dust nuisance since hazardous waste landfill operations began in 2006.
95. The County Council’s Air Quality Consultant has advised that the air quality assessments carried out on both applications are robust and that it agrees with their conclusions. The County Council’s Noise Consultant has advised that the proposed developments are acceptable in terms of noise impact. In both cases, the consultants accept that there would be no significant adverse impact on amenity or the environment subject to the proposed mitigation and the re-imposition of the conditions referred to in paragraphs 13 and 15.
96. Due to the inert nature of the hazardous waste materials dealt with at the landfill site and the clay proposed to be stored in the field to the north of the site, I am satisfied that the proposed development itself would not give rise to odour, landfill gas or litter and would not attract vermin or birds. Although the non-hazardous waste deposited in the earlier phases in the western part of Norwood Quarry and Landfill Site will continue to give rise to landfill gas and leachate regardless of the outcome of the current applications, any impacts associated with this would not be significant as those parts of the site have already been capped and restored and the landfill gas and leachate

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

are actively controlled. These potential impacts would continue for many years regardless of the outcome of the applications. The retention of the existing hours of operation (as is proposed and as set out in paragraphs 13 and 15) would also serve to assist in minimising any adverse amenity impacts.

97. There is no specific evidence from the operation of the site over the last 10 years that would suggest there have been any unacceptable pollution or amenity impacts resulting from the permitted hazardous waste landfill operations. It is worth noting that application SW/05/744 attracted 179 letters of objection and a petition opposing the development containing approximately 1719 signatures. I consider that the absence of any objection from statutory and technical consultees and the receipt of only one objection in respect of each application is a good indication that, despite initial concerns, amenity and environmental impacts have been satisfactorily controlled. It should also be noted that all of the proposed operations would be temporary.
98. The Planning Applications Committee considered the potential environmental and amenity impacts of the proposals in December 2005 and found them to be acceptable subject to the conditions imposed in planning permission SW/05/744. The conditions were re-imposed on planning permission SW/14/501576 in 2014 (updated to reflect the subsequent approval of a number of details and allow IBA to be imported) following the receipt of no objections to the application. In the absence of any concerns being raised in respect of these conditions, to those imposed in planning permission SW/12/1553 and to the proposed development by technical consultees, I am satisfied that their re-imposition would continue to provide effective control of operations and ensure that the proposed development would accord with the relevant development plan and Government policies relating to the amenity and the environment issues referred to above. I am further reassured by the fact that the operations would also continue to be subject to an Environmental Permit.

Access and traffic

99. The NPPF states that traffic associated with development should not give rise to unacceptable impacts on the natural and historic environment and human health. The NPPW states that planning authorities should consider the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, seeking when practicable and beneficial to use modes other than road transport. This includes considering the suitability of the road network and the extent to which access would require reliance on local roads.
100. Policy W22 of the Kent WLP states that permission will normally be refused if the proposed access or the effects of vehicles travelling to and from the site would adversely affect in a material way the safety and capacity of the highway network. It also states that any necessary highway improvements should be secured. Draft Policy DM13 of the draft Kent MWLP requires waste development to demonstrate that emissions associated with road transport movements are minimised as far as practicable and by preference being given to non-road modes of transport. It also states that where new development would require road transport, proposed access arrangements must be safe and appropriate, traffic generated must not be detrimental to road safety, the highway network must be able to accommodate the traffic generated and its impact must not have an unacceptable adverse effect on the environment or local community. Policy T1 of the Swale LP and Policy DM14 of the

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

draft Swale LP require development to be well located in relation to Kent's Key Arterial Routes, with safe and appropriate access, ensuring that traffic generated is not detrimental to highway safety nor has an unacceptable impact on highway capacity, the environment or local communities.

101. No objections have been received on either application from consultees or local residents concerning highways or access considerations, although Eastchurch Parish Council has raised more general concerns about the effect of vehicle movements on the A2500 (Lower Road) and the potential damage to and pressure on this road.
102. Kent Highways and Transportation has considered the applications and raised no objections subject to the existing HGV limit (i.e. 200 HGV movements each day (100 in/100 out)) being re-imposed on any new permission granted in respect of application (i). It acknowledges that the total volume of material required to complete the restoration and total number of HGVs required to transport this material would not change such that the associated level of wear and tear on the highway would remain unaffected. It also notes that the increased time period for the importation has reduced (and would continue to reduce) the number of HGVs travelling to and from the site each day with resultant benefits in terms of highway capacity.
103. As noted above, application (i) does not seek to alter the permitted number of HGV movements associated with clay extraction and landfilling at Norwood Quarry and Landfill Site but does seek to increase the period of time over which the movements could continue. The total number of HGV movements required to complete landfilling and restoration would remain the same as no additional void would be created. As explained in paragraph 19, the main reason for application (i) is that the importation of boiler ash and APCRs has been significantly lower than initially envisaged. In turn, this has meant that the void created by clay extraction (which has yet to be completed) has not been completely infilled and the site restored within the permitted timeframe. In terms of HGV movements, it should be noted that there will be no further movements associated with the export of clay as all remaining mineral is now required for site engineering and restoration. However, hazardous IBA may need to be imported for disposal and inert waste (including non-hazardous IBA) may still need to be imported to complete the restoration of the site.
104. The updated Environmental Statement received with application (i) reviews and updates the original traffic and transport assessment in the context of any changes that have occurred since planning application SW/05/744 was determined. The traffic and transport assessment received in support of planning application SW/05/744 estimated that HGV traffic generated by the exportation of clay and importation of hazardous waste would be approximately 88 movements per day (44 in/44 out), based on the export of 93,000tpa of clay and the importation of 80,000tpa of hazardous waste. The updated Environmental Statement states that the reduced rate at which waste is being received and the exhaustion of saleable clay reserves is likely to result in about 56 HGV movements per day (28 in/28 out) or less. The updated Environmental Statement concludes that there would be no unacceptable impacts on the highway network in terms of highway safety or capacity as a result of the proposed extension to the life of the site.
105. The acceptability of 200 HGV movements each day (100 in/100 out) at Norwood Quarry and Landfill Site was accepted when planning application SW/05/744 was

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

determined (having been applied initially in 1998 when clay extraction and non-hazardous landfill occurred simultaneously). The figure was not amended when planning permission SW/14/501576 was granted. Whilst it is unlikely that as many as 200 HGV movements would take place in any one day, I do not consider it appropriate to alter the number given the need to accommodate the importation of inert waste and source suitable materials when they are available (e.g. in a single or small number of campaigns), the potential need for hazardous and non-hazardous IBA to be imported and as the figure is considered to be acceptable in highway terms.

106. In addition to re-imposing the current daily HGV movement limitation in any planning permission issued for application (i), it would also be appropriate to re-impose the current conditions that restrict the times that HGVs may enter and leave the site (i.e. between 07:00 to 18:00 hours Monday to Friday and 07:00 to 13:00 hours on Saturdays) and require the maintenance of visibility splays at the site access, the provision of wheel and chassis cleaning facilities, boiler ash and APCRs to be transported within dedicated HGVs (tankers) and for all other loaded open backed vehicles to be sheeted.
107. Application (ii) has no highway implications as the clay to be stored would be site-won with access secured directly through the northern boundary of the quarry site without using the public highway.
108. Subject to the re-imposition of the conditions referred to above, I am satisfied that neither application (i) or (ii) would have an unacceptable impact on the highway network and would accord with the development plan and Government policies relating to highway and transport matters referred to above.

Landscape and visual amenity

109. The application sites are not subject to any specific landscape designations but are in the open countryside as defined in the Swale LP. Amongst other things, the NPPF seeks development that protects and enhances valued landscapes and soils. Policies CC26 and CC27 of Kent MLPCC require proposals for chalk and clay working to provide appropriate landscaping and aftercare schemes. Policies W5 of the Kent WLP requires that proposals for the disposal of waste by landraising do not create an alien landform that is out of keeping with the existing landform. Policies W31 and W32 of the Kent WLP requires that waste management proposals incorporate satisfactory operation, restoration and aftercare schemes. Policies DM1 and DM19 of the Draft Kent MWLP require proposals to protect and enhance the character and quality of the site's setting and require high standards of restoration and aftercare. Policies SP2, E6 and E9 of the Swale LP seek to protect and enhance the special features of the visual, aural, ecological, historical, atmospheric and hydrological environments of the Borough, including the quality, character and amenity value of local landscape and the wider countryside.
110. No landscape and visual amenity objections or concerns have been raised by consultees or by KCC's Landscape Consultant. However, the local resident who has responded is of the opinion that the existing site should be restored within the permitted timescale and stated that the development proposed by applications (i) and (ii) is too close to residential development.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

111. The acceptability of the proposed final landform has already been established by planning permissions SW/05/744 and SW/14/501576 and no changes are proposed by application (i) other than the time period for completion of restoration. Details of the approved restoration and landscape planting scheme are referred to in paragraph 11 and included in a drawing on page C1.6. The acceptability of the proposed clay storage has also been established by planning permission SW/12/1553 and the only change proposed by application (ii) is in respect of when the storage would take place. This would still be linked directly to the life of Norwood Quarry and Landfill Site and the affected land would still be fully restored to agricultural use when the last of the clay has been removed to facilitate the final restoration of that site. Details of the proposed clay storage area and associated operations are referred to in paragraphs 23 and 24 and a drawing showing the development in the context of the existing quarry and landfill site is included on page C1.5.
112. Notwithstanding the above, the applications are accompanied by a landscape and visual impact assessment that considers the continued operation of the quarry and landfill site and the proposed clay storage. This assessment concludes that any noteworthy visual effects associated with the development would be geographically restricted and would only occur close to the site due existing screening and variation in local topography. It also concludes that the proposed development can be integrated into the local landscape without causing significant detriment to the landscape character, quality and visual amenity.
113. The existing screening mounds to the north, south and east and the completed non-hazardous landfill cells to the west provide an effective visual barrier that would continue to ensure that, with the exception of the site access road, temporary office buildings and vehicles entering and leaving the site, views of the operations would be limited from public vantage points. The screening mounds are either in agricultural use or seeded and planted to help integrate them into the surrounding landscape. In large part, these would form part of the final landform. The proposed clay store would be visible from a limited number of public viewpoints, including the public right of way to the east and potentially from a small number of residential properties to the northeast and east.
114. As noted in paragraphs 82 to 84, Norwood Quarry and Landfill Site will need to be restored regardless of the outcome of the current applications as leaving it unrestored would be unacceptable. I am satisfied that allowing additional time to enable the approved restoration and landscape planting scheme (as proposed by application (i)) is the most appropriate means of ensuring that the site is restored in a satisfactory manner and in a way that is acceptable in terms of landscape and visual amenity. As noted in paragraph 85, I am satisfied that it is necessary to store the clay off-site. I am also satisfied that application (ii) is acceptable in landscape and visual amenity terms and that the development proposed by both applications would accord with the relevant development plan and Government policies in terms of visual and landscape considerations.

Water environment

115. The NPPF states that permitted operations should not have unacceptable impacts on the natural environment or on the flow and quantity of surface and groundwater or give rise to contamination. The NPPW states that planning authorities should consider the

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

likely impact on vulnerable surface and groundwater or aquifers when determining waste planning applications. It also states that geological conditions and the behaviour of surface water and groundwater should be considered. Policy CC14 of the Kent MLPCC states that proposals should provide for the safeguarding of land drainage and flood control as appropriate. Policies W19 and W20 of the Kent WLP require that surface and groundwater resources are protected and that proposals take account of the safeguarding of land drainage and flood control and minimisation of rainwater infiltration. Draft Policy DM10 of the draft Kent MWLP states that permission will be granted for minerals and waste development where it does not: result in the deterioration of physical state, water quality or ecological status of any waterbody (e.g. rivers, streams, lakes and ponds); have an unacceptable impact on groundwater Source Protection Zones; and exacerbate flood risk in areas prone to flooding and elsewhere, both now and in the future.

116. No objections or concerns have been raised by consultees although the Lower Medway Internal Drainage Board and KCC's Flood Risk Project Officer have specifically asked that the surface water management scheme should be implemented as proposed. However, the local resident who has responded has expressed concerns about potential groundwater contamination associated with both applications.
117. The acceptability of the proposals in terms of the water environment has been established by planning permissions SW/05/744, SW/14/501576 and SW/12/1553. No changes are proposed by the current applications.
118. Notwithstanding the above, detailed information on the water environment and the potential effects of the proposed development has been included with the applications. The Environmental Statement accompanying application (i) includes an updated hydrology and hydrogeology assessment and both applications are accompanied by a surface water management scheme. The assessment identifies potential impacts on groundwater and surface water quality and flows as the two main issues for the water environment. The Environmental Permit requires water quality monitoring both upstream and downstream from the quarry and landfill site. Due to the construction of the landfill cell and the thickness of the London Clay beneath the site there are no pathways for contaminants to migrate to groundwater. The surface water drainage scheme included with the applications is also approved and regularly updated as a requirement of the Environmental Permit. The scheme includes detailed arrangements for the management of surface water run-off both during the interim (operational) phases and on completion of the final restoration during subsequent after use.
119. Securing the approved restoration of the entire site to the gradients, contours and landform originally permitted is fundamental to the success of the surface water drainage scheme. The approved landform is designed to ensure that surface water would be shed from the landfill areas effectively and that water does not accumulate on top of the landfill cells and potentially affect the integrity of the cap and impact on the intended after use. Once surface water is shed from the landfill area, the integrated scheme is designed to ensure that it is managed in a controlled and sustainable way through a network of drainage ditches and surface water ponds. The scheme would limit surface water discharge rates into the surrounding drainage network to a level at or below green-field flow rates. The scheme is also design to accommodate a 100-year rainfall event, including allowance for climate change.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

120. In the absence of any objections from key technical consultees (e.g. the Environment Agency, the Lower Medway Internal Drainage Board and KCC's Flood Risk Project Officer and Natural England), I am satisfied that the development proposed by both applications does not present an unacceptable risk to groundwater or surface water quality, would not exacerbate flood risk and would therefore accord with the development plan and Government policies relating to the water environment referred to above subject to the surface water management scheme being implemented as proposed and any other conditions relating to the protection of the water environment being re-imposed.

Ecology and the natural environment

121. The NPPF states that the planning system should contribute to and enhance the natural and local environment by avoiding or minimising impacts on biodiversity and delivering net gains where possible. The NPPW states that any adverse effect on ecological networks and protected species should be considered when waste applications are determined. Policy CC15 of the Kent MLPCC, Policy W21 of the Kent WLP, draft Policies DM2 and DM3 of the draft Kent MWLP, Policies E11 and E12 of the Swale LP and draft Policy DM28 of the draft Swale LP all require development that protects and conserves biodiversity.

122. No objections or concerns have been raised by consultees. Natural England is satisfied that neither of the developments is likely to have any significant effect on the nearby designated sites if they are undertaken as proposed and KCC's Ecological Advice Service has recommended that the proposed precautionary mitigation measures be implemented and that the applicant be advised to refresh its ecological assessment prior to final restoration given that this may not take place until 2026. The Environment Agency has advised that the proposals do not pose an unacceptable risk to water quality and groundwater resources. However, the local resident who has responded has expressed concerns about the risk of vermin and the potential effect on wildlife.

123. The acceptability of the proposals in terms of the natural environment / ecology has been established by planning permissions SW/05/744, SW/14/501576 and SW/12/1553. No changes are proposed by the current applications.

124. Both applications are accompanied by updated ecological surveys, including a Preliminary Ecological Assessment, Great Crested Newt Survey and Reptile Precautionary Method Statement. The surveys make a number of recommendations to ensure that the continued operation of the landfill and the construction of the clay store comply with wildlife legislation and relevant planning policy. The recommendations include: continued retention of biodiversity enhancement measures within the approved restoration scheme (e.g. species-rich hedgerows, woodland/scrub/grassland and wetland habitats); protection of waterbodies in accordance with the Environment Agency's Pollution Prevention Guidelines; and adherence to the Reptile Precautionary Method Statement and other best practice in relation to work on site to safeguard nesting birds, foraging bats and terrestrial mammals.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

125. In the absence of any objections from key technical consultees (e.g. Natural England, KCC's Ecological Advice Service and the Environment Agency), I am satisfied that the development proposed by both applications would be acceptable in terms of ecology and the natural environment and would therefore accord with the development plan and Government policies referred to above subject to the imposition of conditions and an informative to secure those matters requested by Natural England and KCC's Ecological Advice Service.

Other considerations

126. Archaeology and cultural heritage: The NPPF and NPPW seek to ensure that archaeology and cultural heritage are properly considered when applications are determined and that the historic environment is conserved where possible. The Kent MLPCC and Kent WLP contain no saved policies dealing with archaeology, heritage and conservation. However, draft Policies DM5 and DM6 of the draft Kent MWLP are relevant and seek to protect important heritage assets.

127. Historic records and previous archaeological investigations in the area indicated that dispersed buried archaeological remains may exist near the site. Planning permission SW/05/744 included a condition requiring that a programme of archaeological work be approved in respect of a small part of the site that had not been worked at the time the permission was granted. This scheme was approved in 2013 at the same time as planning permission SW/12/1553 was granted for the previous clay storage application. Planning permission SW/12/1553 required the same scheme to be implemented as it included provisions for the land to north of Norwood Quarry and Landfill Site. The approved scheme was also required by a condition attached to planning permission SW/14/501576.

128. KCC's Archaeological Officer has no objection to either of the current applications subject to the re-imposition of conditions to ensure that the archaeological scheme approved previously (the WSI) is still required and implemented. Subject to this, I am satisfied that the proposals accord with development plan and Government policies relating to archaeology and cultural heritage.

129. Agricultural land: The NPPF states that worked land should be reclaimed at the earliest opportunity (with high quality restoration and aftercare) and that the long term potential of best and most versatile agricultural land (i.e. Grades 1, 2 and 3a) should be safeguarded and that soil resources be conserved. Policy CC27 of the Kent MLPCC and Policy W32 of the Kent WLP require satisfactory working and reclamation / restoration and aftercare schemes to be integral to proposals in order that sites are returned to a planned afteruse at the highest possible standard as quickly as possible. Draft Policy DM1 of the draft KMWLP states that proposals for minerals and waste development will be required to demonstrate that they have been designed to minimise the loss of Best and Most Versatile Agricultural Land. Draft Policy DM19 of the draft KMWLP requires that provision be made for high standards of restoration, aftercare and after-use such that the intended after-use of the site is achieved in a timely manner.

130. Application (i) would have no further impact on agricultural land than has been the case since Norwood Quarry and Landfill Site was established and the site developed. However, soils originally on site have been retained and are stored for use in

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

restoration. The approved restoration and landscape planting scheme includes some agricultural land although this is intended to be lowland meadow rather than arable. The proposed development of the clay storage area would temporarily affect approximately 2.83ha of an existing agricultural field. Application (ii) includes a report which confirms that the agricultural land is classified as Grade 3b. Although not best and most versatile, the soils still need to be conserved and the report recommends that topsoil and upper subsoil layers should be lifted separately to their full depths, stored during the development and ultimately reinstated to target depths of 25cm each on final restoration. Soil stripping and handling should also only take place when the soils are dry and friable (to minimise harm to soil structure). I proposed to require the submission for approval of a suitable restoration and aftercare scheme for this area by condition(s).

131. No objections have been received about potential impacts on agricultural land or soil resources. I am satisfied that the development proposed by both applications would accord with development plan and Government policies relating to protecting agricultural land and soil resources subject to the implementation of the mitigation measures set out within the applications.
132. Public Rights of Way: NPPF states that planning policies should protect and enhance public rights of way and access. Policy CC20 of the Kent MLPCC, Policy W27 of the Kent WLP and draft Policy DM14 all seek to protect rights of way and their users.
133. Neither application would directly affect a public right of way although KCC Public Rights of Way has requested an informative be imposed relating to the need to maintain public access where this passes along the site boundary.

Conclusions

Application (i) – Extension of time for waste disposal and final restoration

134. The principal of the development proposed by application (i) has been established by planning permissions SW/05/744 and SW/14/501576. The only change to the development previously permitted by SW/14/501576 in September 2014 is to extend the periods of time for the completion of waste disposal and final restoration by 10 years (i.e. for waste disposal to be completed by 31 December 2025 for final restoration to be completed by 31 December 2026).
135. I am satisfied that there is a clear need for further hazardous waste landfill in Kent and that the disposal of boiler ash, APCRs and any hazardous IBA from the Allington EfW Facility at Norwood Quarry and Landfill Site is fundamental to the waste strategy of the emerging Kent MWLP. I am also satisfied that the additional periods sought are reasonable (having regard to remaining void space and the likely rates of importation) and that it remains desirable for the site to be restored in the manner previously permitted and approved to ensure that the site is effectively re-integrated into the local landscape without giving rise to adverse impacts on the water environment. Whilst there are some uncertainties about whether hazardous boiler ash, APCRs and IBA will be able to be landfilled throughout the further 10 year period as a result of other legislation, I am further satisfied that the approved restoration and landscape planting scheme is still capable of being secured using non-hazardous IBA from the Allington EfW Facility in this eventuality.

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

136. Whilst objections have been received from one residential property on a relatively new housing estate to the north of the site, no objections have been received from technical or other consultees subject to the imposition of appropriate conditions.
137. For the reasons summarised above and detailed in this report, I am satisfied that the proposed development accords with relevant development plan and Government policies and represents sustainable development subject to the imposition of the conditions referred to (which largely replicate those imposed on planning permission SW/14/501576). I therefore recommend that permission be granted.

Application (ii) – Storage of clay

138. The principal of the development proposed by application (ii) has been established by planning permission SW/12/1553.
139. I am satisfied that there is a need to store clay arising from Norwood Quarry and Landfill Site off-site in order that remaining clay extraction can take place and the final landfill cells be created. I am also satisfied that that the proposed location is preferable to any likely alternatives as it is very close to the existing site, can be accessed without the need for plant, machinery or vehicles to use the public highway and is relatively well screened from all but very localised viewpoints.
140. Whilst objections have been received from one residential property on a relatively new housing estate to the north of the site, no objections have been received from technical or other consultees subject to the imposition of appropriate conditions.
141. For the reasons summarised above and detailed in this report, I am satisfied that the proposed development accords with relevant development plan and Government policies and represents sustainable development subject to the imposition of the conditions referred to (which largely replicate or update those imposed on planning permission SW/12/1553). I therefore recommend that permission be granted.

Recommendation

142. I RECOMMEND that:

- (i) PERMISSION BE GRANTED to extend the period of time allowed for waste disposal by 10 years, allowing operations to continue until 31 December 2025, plus an additional 12 months for final restoration and the establishment of afteruses at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness, Kent, ME12 3AJ (i.e. application SW/16/500694) SUBJECT TO:
- (a) conditions covering amongst other matters:
- the importation, treatment and landfill of boiler ash, air pollution control residues (APCRs) and incinerator bottom ash (IBA) to cease by 31 December 2025 and restoration of the site to be completed by 31 December 2026;
 - the recommendations within the updated Ecological Assessment being implemented; and

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

- the re-imposition of conditions previously imposed on permission SW/14/501576 (updated and amended as necessary) including:
 - the development being carried out in accordance with the approved details;
 - no extraction below 35m AOD;
 - only boiler ash, APCRs and IBA from the Allington EfW Facility being received on site;
 - hours of operation being restricted as follows: landfilling 07:00 to 18:00 hours Monday to Friday and 07:00 to 13:00 hours on Saturdays; clay extraction 07:30 to 1800 hours Monday to Friday and 07:30 to 13:00 hours on Saturdays; storage mounds 08:00 to 18:00 hours Monday to Friday and 08:00 to 13:00 hours on Saturdays; with no operations on Sundays or Bank Holidays;
 - no more than a combined total of 200 HGV movements (100 in / 100 out) per day;
 - measures to prevent mud and debris on public highway;
 - boiler ash and APCRs only entering the site in HGVs (tankers) dedicated to transporting such wastes and all loaded, open backed vehicles to be sheeted;
 - the maintenance of visibility splays at the site entrance;
 - noise controls for normal and temporary operations;
 - measures to control dust;
 - a programme of archaeological work;
 - soil storage and handling;
 - the submission of annual progress reports; and
 - landscaping, restoration and aftercare being implemented as approved; and

- (b) informatives advising the applicant of the need to: maintain public access to the public right of way; and update the ecological assessments prior to commencing final restoration to ensure protected species continue to be safeguarded.

- (ii) SUBJECT TO permission being granted for (i) above, PERMISSION BE GRANTED for the storage of clay for the duration of workings on land to north of Norwood Quarry and Landfill Site at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness, Kent, ME12 3AJ (i.e. application SW/16/500698) SUBJECT TO:
 - (a) conditions covering amongst other matters:
 - the storage of clay ceasing and the site being restored to agriculture on or before 31 December 2026;
 - the development being carried out and completed in accordance with the details contained within the application;
 - no external lighting without prior approval;
 - hours of operation for the clay storage operations being 08:00 to 17:00 hours Monday to Friday with no operations on Saturdays, Sundays and Bank Holidays;
 - the only access to the site being through the main quarry and

(i) Extension of time for waste disposal and final restoration – SW/16/500694; and (ii) Storage of clay – SW/16/500698 at Norwood Quarry and Landfill Site, Lower Road, Minster-On-Sea, Sheerness

- landfill site;
 - noise from normal operations on site being restricted to the specific limits previously permitted;
 - noise from temporary operations not exceeding $70\text{dB}_{\text{LAeq},1\text{hr}}$ at any noise sensitive property (and only for up to 8 weeks in any 12 month period);
 - the mitigation measures set out within the dust assessment being implemented;
 - the recommendations within the updated Ecological Assessment being complied with;
 - the archaeological requirements set out within the application being complied with;
 - soil storage and handling requirements;
 - tree protection measures;
 - the site being fenced; and
 - the submission of final restoration and aftercare schemes for prior approval; and
- (b) an informative advising the applicant of the need to maintain public access to the public right of way.

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| Case Officer: James Bickle |
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| Tel. no: 03000 413334 |
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| Background Documents: see section heading |
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SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

Two storey extension, temporary classroom, demolition of the former Ladesfield care home to facilitate a new access road and additional on-site parking at Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

A report by Head of Planning Applications Group to Planning Applications Committee on 18th May 2016.

Application by KCC Property and Infrastructure Support for the expansion of Joy Lane Primary School comprising the construction of a two storey extension to the existing building together with the erection of a temporary classroom, the demolition of the former Ladesfield care home building to facilitate a new access road from the school site to Vulcan Close, additional on-site car parking, formation of an on-site pickup/drop/off area and associated hard and soft landscaping at Joy Lane Primary School, Joy Lane, Whitstable, CT5 4LT - CA/15/02596/K3F (KCC/CA/0375/2015)

Recommendation: Permission be granted subject to conditions.

Local Members: Mark Dance & Michael Harrison

Classification: Unrestricted

Site

1. The application site falls into two parts. The first is the existing school, which is located on the southern side of Joy Lane. Joy Lane runs east west along the coast between Whitstable and Seasalter. Access to the school is via a short side street which also serves one residential property (number 38) and allows access to the rear of number 34 Joy Lane. This side street is the main vehicular access to the school and car park, which is gated. There are zig-zag 'keep clear' road markings on either side of Joy lane in the vicinity of this side street. The school site is surrounded by residential development – to the north by properties on Joy Lane; to the north-west by those in Cundshall Close; to the west by properties on Valkyrie Avenue and Cypress Close; and to the south by properties on Shearwater Avenue. To the north-east of the school is a private day nursery, which is accessed from Vulcan Close. A public right of way runs along part of the school's northern boundary, which connects Joy lane to Valkyrie Close. A gated pedestrian access to the school is located about half way along this right of way.
2. The existing school buildings lie some 30m (98 feet) back from the school gates behind the existing parking and turning area, and occupy the north and north-eastern section of the site, with the playing fields being located to the south and west. The buildings are single storey and constructed with a mixture of materials – the original school being brick and flat roof, whilst the later additions are steel framed with render panels and standing seam roofs. In addition the school site accommodates the Oyster Bay swimming pool, which is housed in a separate building and the Oyster Bay Autism Unit on site. The recent planning history is set out below.

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

3. The second part of the application site is the area immediately to the east of the school boundary, which is currently occupied by the Ladesfield Care Home, accessed from Vulcan Close. The care home was closed in 2011 but has recently been used as a temporary reception centre for teenage asylum seekers. The Ladesfield Care Home is a three-storey building with some single storey elements and sprawls across the site. The private day nursery lies to the north of the Ladesfield Centre. There is a large car park in front (east) of the building and the nursery has its own parking area, but both are accessed from Vulcan Close, which is a no through road. Vulcan Close also serves residential properties and the Connie Packington Day Centre, with the Fire Station located at the eastern end of Vulcan Close, fronting onto Borstal Hill.
4. The school is located to the south of Whitstable Town Centre and within the settlement confines of Whitstable. The Whitstable South Conservation Area lies to the north of (and adjoining the site boundary) by the Ladesfield Care Home part of the site, however the application site lies outside of the Conservation Area itself. There are no Listed Buildings on or adjacent to the site and there are no Tree Preservation Orders. The playing fields within the site are designated as Protected Open Space but there are no other Development Plan designations which apply to the site.

Recent Site History

5. The following planning applications are the most recent:

CA/11/542: Single storey detached building to replace the existing autism unit.
Granted subject to conditions, 6th May 2011

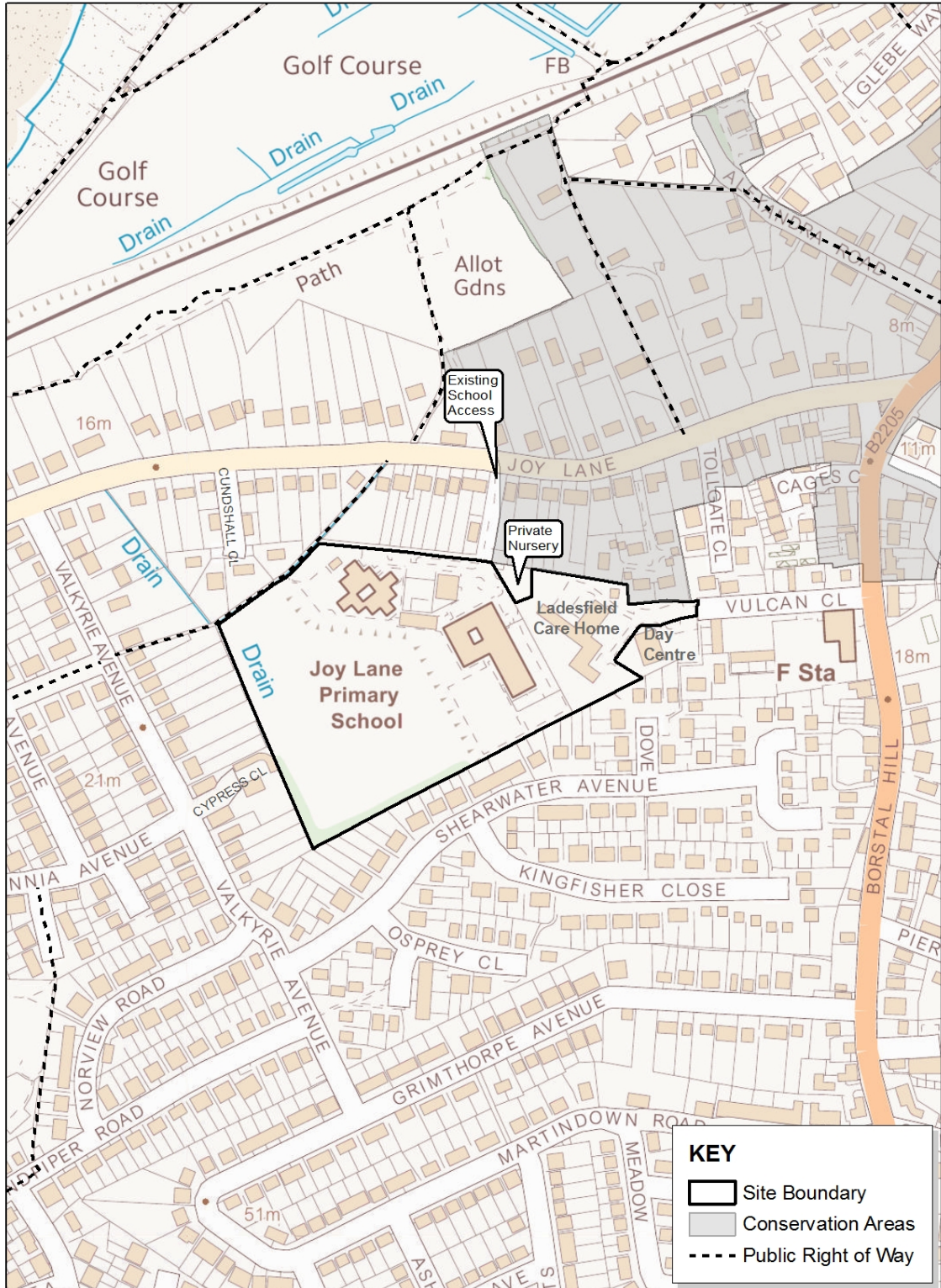
CA/13/2232: Proposed extension of the existing Infant building to provide two classroom spaces and general purpose office/WC/welfare facilities.
Granted subject to conditions, 5th February 2014.

Background

6. In 2013 and 2014 Kent County Council undertook local consultations regarding the proposal to increase the intake of Joy Lane Primary School from a 2 form entry to a 3 form entry primary school. The need for additional school places is set out in the Kent Education Commissioning Plan 2015-2019. In March 2014 the Cabinet Member for Education and Health Reform, Roger Gough, approved the expansion of Joy Lane Primary, in line with the need for an additional 29 reception year places across the Canterbury District.

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

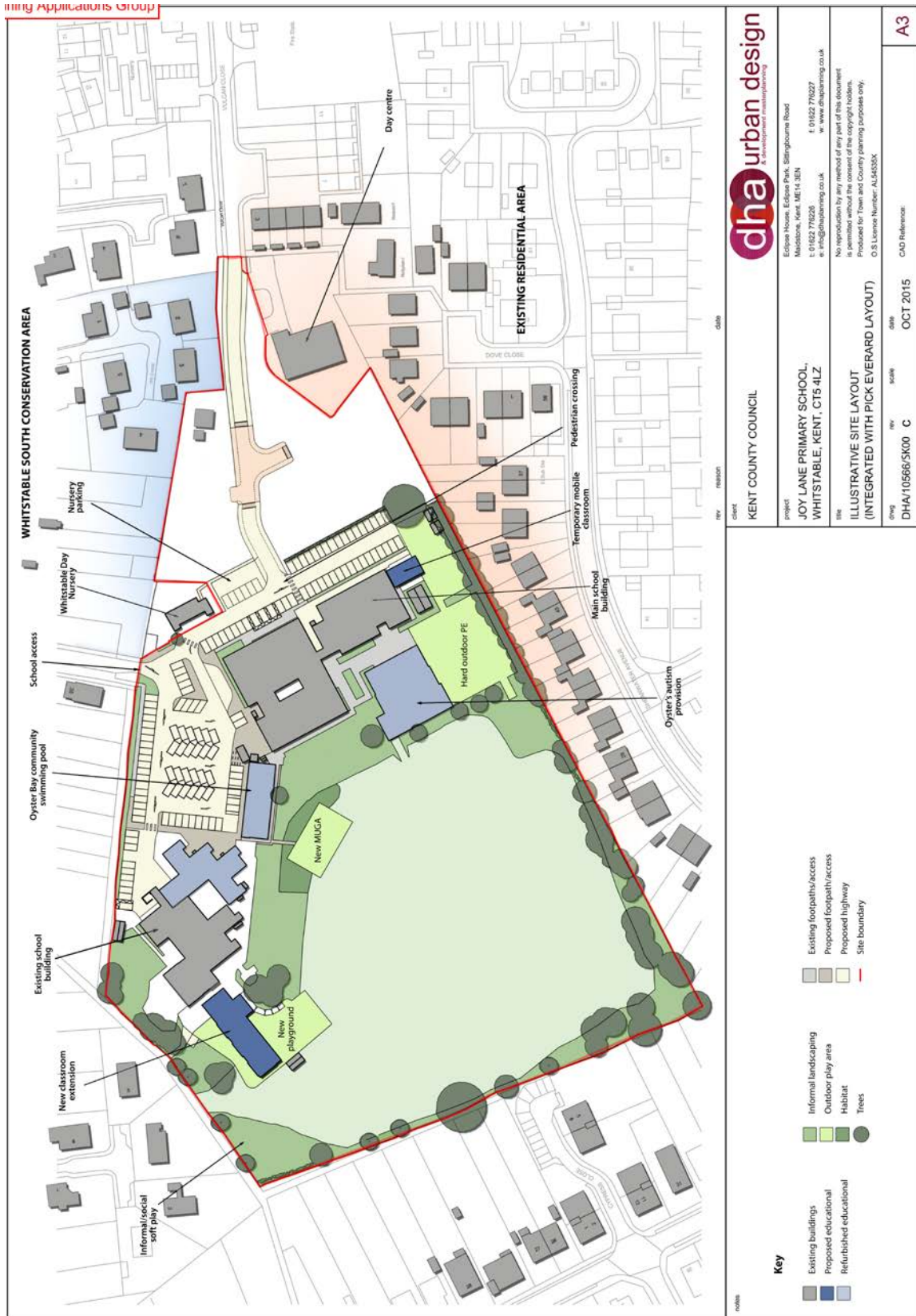
General Location Plan



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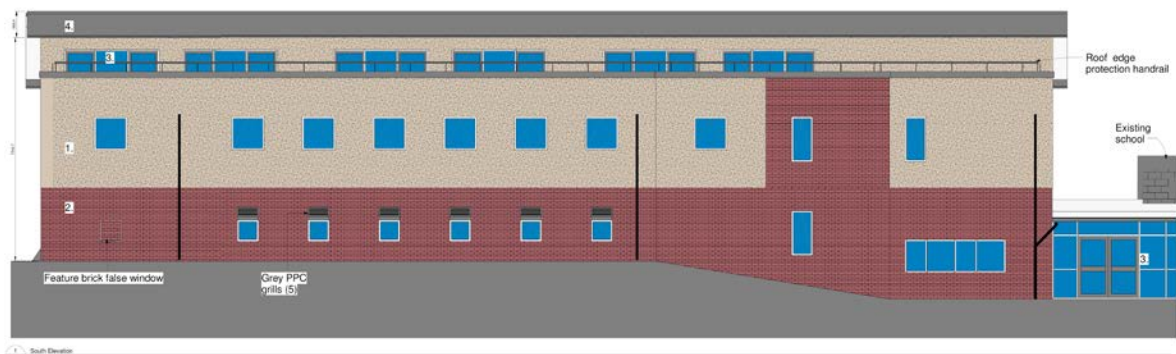
Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

Site Layout Plan



Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

Proposed Elevations



Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

Proposed Elevations

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CSM - RESIDUAL RISK
The following are considered to be significant risks related to this drawing, which could not be fully mitigated or removed through design. Further possible control measures have been identified within the Design Risk Assessment which may help to mitigate these and other identified risks further during the construction / implementation phases.

1. Render to be off-white to match existing

2. Brickwork - Clumber Red Medium Brick Hanson or similar

3. Openings - PPC Grey windows

4. Vents 600mm X 300mm baffle's

Reference Name: Kent County Council
Reference No.: CA/15/02596/K3F (KCC/CA/0375/2015)
Reference Date: 08/07/2015

Author: Andrew Pick Everard
Designer: Andrew Pick Everard
Checker: Andrew Pick Everard
Project Name: Joy Lane Extension Block
Project No.: 000-PE-XX-ZZ-DR-A-1005
Scale: 1:50
Sheet No.: S2
Sheet Title: PLANNING

NO DIMENSIONS TO BE SCALED FROM THE DRAWING

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1. Render to be off-white to match existing

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3. Openings - PPC Grey windows

Reference Name: Kent County Council
Reference No.: CA/15/02596/K3F (KCC/CA/0375/2015)
Reference Date: 08/07/2015

Author: Andrew Pick Everard
Designer: Andrew Pick Everard
Checker: Andrew Pick Everard
Project Name: Joy Lane Extension Block
Project No.: 000-PE-XX-ZZ-DR-A-1009
Scale: 1:30
Sheet No.: S2
Sheet Title: PLANNING

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

Proposal

7. The application seeks permission for a two storey classroom extension, the siting of a temporary mobile building for the period of the construction works, the reorganisation of the existing parking area and creation of additional parking spaces, and a new access road through to Vulcan Close.
8. The two storey extension would be located along the north-western boundary and would have a glazed link to the existing school building (approved in 2014). The extension would have a linear footprint providing three classrooms at ground floor level and a further three rooms above at first floor, two of which would be used as classrooms and the third as a 'practical space'. The classrooms would face to the north-west (towards the school boundary), with the corridor running along the rear. At the eastern end of the extension would be a plant room at ground floor and both boys' and girls' toilets, and similarly above at first floor would be toilets and an additional meeting room. A staircase and lift would be provided at one end of the building, with a second staircase at the other end.
9. The extension would be constructed from red mixture bricks and off-white rendered panels, a metal standing seam roof and PPC aluminium grey windows and doors. The windows would be set slightly forward of the main elevation to break up the façade and the standing seam roof would oversail the end gable wall. The single pitch roof would extend over the classroom element, whilst above the corridor section at the rear would be a flat roof.
10. The extension would be dug into the ground from existing ground levels, and set behind a retaining wall and graded land, with a ramp and safety handrail providing a link from the playground round to the existing school buildings. A similar ramp with handrail would be provided from the playground to the entrance to the extension by the lift and stairwell.
11. A new playground would be provided to the south of the new extensions and a new MUGA would be located centrally within the site just south of the swimming pool building on the edge of the playing field, with a 2.4m (7.9 feet) high fence sited along two sides to prevent balls hitting the school buildings behind. The temporary classroom would be installed in the south-east corner of the site, adjacent to the main school building and would be used until the new accommodation was completed, providing one classroom, store and toilets. This would be of a standard design with a flat roof and panelled walls.
12. The existing Ladesfield care home is proposed to be demolished, and the existing highway of Vulcan Road extended through the middle of the site to meet the school boundary. The existing parking layout within the school would be remodelled and parking spaces extended down the eastern boundary in front of the main school buildings, where the access from Vulcan Close would connect with the school. It is proposed that all cars would access the school site from Joy Lane and exit through Vulcan Close in a one-way system. In total the new parking layout would provide 126 parking spaces – comprising 73 staff car parking spaces, 45 'park and stride' spaces and 8 mobility impaired spaces. 6 parking bays would be provided for the existing nursery on the edge of the school site. A new cycle store and separate cycle parking would be provided (accommodating 13 bicycles) alongside the existing parking area and

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

swimming pool building, and a drop off area created to the north of the main school. 7 motorcycle spaces would also be provided.

13. The plans submitted show that 15 trees would be removed to accommodate the new parking layout and extensions on site.
14. The school currently provides a two-form entry with 432 places currently available for pupils, and 90 members of staff, 22 of which are part time. The proposed extension, outlined above, would provide the facilities to allow the school to expand to a full three-form entry school, with 630 pupils and a total of 101 employees, 25 of which would be part time.

Planning Policy

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

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

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

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

- Consideration of whether the opportunities for sustainable transport have been taken up and safe and suitable access to the site can be achieved for all people;
- Achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- The desirability of sustaining and enhancing the historic environment;
- The great importance that the Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to create, expand or alter schools;
- That access to high quality open spaces and opportunities for sport and recreation are important in their contribution to health and well-being, and therefore that existing open space, sports and recreation facilities should not be built on unless the loss would be replaced by equivalent or better provision in terms of quantity and quality.

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

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

(ii) **Canterbury District Local Plan (2006)**

Policy C4 Transport Assessment and Travel Plan: sets out that development proposals considered by the Council to have significant transport implications are to be supported by a Transport Assessment and a Travel Plan which shows how multi-modal access options will be achieved and how transport infrastructure arising from the expected demand will be provided.

Policy C9 Parking: sets out that the City Council will apply Kent County Council's adopted Vehicle Parking Standards to development proposals. Cycle parking will be convenient, secure and complemented by showering and changing facilities for cyclists.

Policy C11 Social Infrastructure: sets out that proposals for new buildings or uses for local communities to provide social infrastructure will be encouraged and granted planning permission on the basis that any new building is appropriately designed and located, and highway safety would not be prejudiced.

Policy C16 Education: sets out that the City Council will work with the Education Authority and School Governors to ensure that provision is made for educational needs arising from housing developments and that appropriate mechanisms are secured through legal agreements to deliver this provision.

Policy C24 Open Space: sets out the circumstances for which development proposals that would result in the loss of protected open space, as shown on the Proposals Map, would be permitted.

Policy C27 Public or Private Playing Fields: sets out the circumstances for which proposals for development which would result in the loss, in whole or in part, of playing fields would be permitted.

Policy BE1 Good Design Principles: seeks proposals to be of high quality design which will respond to the objectives of sustainable development, having regard to:

- the need for development;
- accessibility and safe movement within the proposed development;
- the landscape character of the locality and the way the development is integrated into the landscape;
- the conservation and integration of natural features including trees and hedgerows;
- the visual impact and impact on local townscape character;
- the form of the development – the efficient use of land, layout, landscape, density and mix, scale, massing, materials, finish and

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

architectural details;

- the reduction in energy consumption by means of layout, design, construction and alternative technologies;
- safety and security;
- the privacy and amenity of the existing environment;
- the compatibility of the use with adjacent uses;
- the need to keep the building in use and fit for purpose; and
- appropriate supplementary planning guidance adopted by the Council.

Policy BE7 Conservation Areas: requires development within, affecting the setting, or views into and out of a Conservation Area should preserve or enhance all features that contribute positively to the area's character or appearance.

Policy NE5 Trees, Woodland and Hedgerows: states that development should be designed to retain trees, hedgerows, woodland or other landscape features that make an important contribution to the amenity of the site and the surrounding area and which are important to wild flora and fauna. The City Council will refuse planning permission for proposals that would threaten the future retention of trees, hedgerows, woodland or other landscape features of importance to the site's character, and area's amenity or the movement of wildlife.

Canterbury District Local Plan Publication Draft (2014)

Policy SP1 Sustainable Development: states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy EMP9 Education Needs: sets out that the City Council will work with the Education Authority and other school providers to ensure that provision is made for educational needs arising from new development and that appropriate mechanisms are secured through legal agreements to deliver this provision.

Policy OS2 Playing Fields: sets out the circumstances for which proposals for development which would result in the loss, in whole or in part, of playing fields would be permitted.

Policy OS9 Protection of Existing Open Space: sets out the circumstances for which development proposals that would result in the loss of protected open space, as shown on the Proposals Map, would be permitted.

Policy HE1 Historic Environment and Heritage Assets: seeks to ensure that heritage assets are appropriately conserved and continue to contribute to the quality of life for present and future generations.

Policy LB10 Trees, Hedgerow and Woodland: states that development should be designed to retain trees, hedgerow and woodland that make an

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

important contribution to the amenity of the site and the surrounding area and which are important to wild flora and fauna.

Consultations

16. **Canterbury City Council** raises no objection.

KCC Conservation Officer raises no objection having been assured that the Ladesfield site would be cleared and levelled after demolition.

Environment Agency (Kent Area) has not responded.

KCC Public Rights of Way (East Kent PROW Team) Officer raises no objection subject to the imposition of informatives ensuring the footpath between Joy Lane and Valkyrie Avenue is not obstructed.

KCC Landscape Officer raises no objection to the application but suggests the inclusion of conditions to secure the planting of replacement trees to compensate for those that would be removed, to secure the appropriate species of tree and hedgerow is chosen, and that the recommendations in the Arboricultural Impact Assessment are carried out in order to protect the trees to be retained.

Sport England raises no objection as the scheme would comply with Sport England Policy exception E3 in that the proposed development only affects land which is incapable or forming, or forming part of, a playing pitch.

KCC Sustainable Drainage Officer raises no objection subject to the imposition of two conditions relating to surface water drainage schemes.

KCC Highways and Transportation Officer raises no objection subject to the imposition of conditions relating to the submission of a Construction Management Plan; the submission of technical details of the new access road and this being completed prior to occupation of the extension; the provision and retention of the vehicle parking spaces, cycle parking and truning/loading areas; and the submission of a Travel Plan and Traffic Management Plan prior to occupation.

KCC School Travel Planner requires a revised Travel Plan to be agreed prior to occupation of the extension.

KCC Biodiversity Officer raises no objection to the application.

Local Member

17. The local County Members Mr Mark Dance and Mr Michael Harrison were notified of the application on 27th November 2015.

Publicity

18. The application was publicised by the posting of three site notices, an advertisement in the local newspaper, and the individual notification of 119 residential properties

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

surrounding the site.

Representations

19. In response to the publicity, 84 letters of representation have been received – 65 in support of the planning application and 19 raising objection or concern about the proposals. The key points raised can be summarised as follows:

In Support:

- The proposal would significantly address and alleviate issues with parking and congestion along Joy Lane;
- The infrastructure to be put in place would more than accommodate the school and parents in the area;
- Extension would provide the necessary teaching space for the additional children;
- Joy Lane is a good school which should be allowed to expand;
- Would provide facilities that are fully accessible to all children;
- The development would allow the school to grow and benefit the local community;
- Proposals would benefit the parents of children at the school and local residents;
- Would improve the safety of children getting to and from school;
- Would provide a better flow of traffic in the area at school drop off and collection times;
- Excellent idea to divert traffic from a busy road through a cul-de-sac which has minimal traffic usage.

Raising objection:

- The proposed parking on site would be inadequate for the expanded school, especially given the evidence of the traffic survey, so existing traffic and parking problems on Joy Lane would be made worse;
- Existing parking problems have not been addressed – expanding the school would make the situation worse still; without adequate on-site parking traffic would back up on Joy Lane increasing congestion;
- Traffic surveys undertaken in June/July when good weather means more parents walk to school – the parking situation is worse in the wet and cold weather;
- Many near misses with vehicles and children occur, and emergency vehicles and buses struggle to get through Joy Lane at busy times;
- Behaviour and attitude of some parents towards residents at drop off and collection times inconsiderate, blocking residents' driveways, parking at junctions, parking on grass verges, leaving headlights on, etc.;
- The proposed increase in parking spaces would not address the current parking problems let alone expanded school numbers, and would result in more inconsiderate and dangerous parking in the area;
- No analysis provided for how the drop off/pick up parking provision would work, and insufficient parking proposed for staff numbers as well as parents;
- The School does not police parents using Joy Lane; parking already occurs on both sides of Joy Lane in peak periods;
- Concern over how residents of 34 and 38 Joy Lane would access the rear of their properties;

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

- Concern that the measurements of road widths given in the documents are inaccurate and misleading and the layout would affect how residents access their properties;
- Joy Lane would also struggle to cope with construction vehicles;
- Proposed access through the Ladesfield site would have a negative impact on residents in Vulcan Close;
- Concern that the proposed access through Vulcan Close would affect the current parking for Age UK and the running of their day centre;
- The junction of Vulcan Close and Borstal Hill is already busy and this proposal would make it worse;
- Residents of Joy Lane suggest access both into and out of the school should be from Vulcan Close, and the Joy Lane access used by staff and servicing vehicles only;
- More parking should be provided on the Ladesfield site;
- Joy Lane and Valkyrie Avenue should be designated for residents only parking during term time, forcing parents to use the drop off facility;
- The School Travel Plan will only be a gesture by the School to change travel patterns – it cannot be enforced;
- Extension would blight views out of properties backing onto school site;
- Extension would be too close to the neighbouring property (5 Cundshall Close) resulting in loss of privacy for occupiers;
- Two storey height of extension would allow views directly into rear garden and rooms at back of neighbouring house;
- Occupiers of house would have direct views into school classrooms, which would be inappropriate for pupils and teachers;
- Two storey extension is out of keeping with rest of single storey school buildings;
- Lack of consideration by KCC about the impact of the extension on the occupants of the adjoining property;
- Concern that lighting of the extension would cause a nuisance; lighting would affect residents of adjoining property to the detriment of their health;
- Proximity of playground and extension to neighbouring property would create noise disturbance and affect occupants' health and well-being;
- Proposal should be single storey and located in the centre of the site to have less impact on local residents;
- Height of the extension would be distracting and the material choices are inappropriate;
- Need evergreen planting along the boundary of properties in Valkyrie Avenue to screen the site from residents;
- Despite assurances that Joy Lane residents' concerns would be taken into account before an application was made, this has not been done;
- Consider the application should be refused on the grounds of insufficient information relating to the highway impacts of the scheme unless a revised assessment produced.

In response to additional details requested by the Highways and Transportation Officer, the applicants submitted a Transport Statement Addendum, and those residents who had originally objected to the proposal were notified, to advise them that additional information had been received. In response to this re-consultation 5 additional letters of representation were received, raising the following comments:

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

- Using access from Joy Lane into the school as one-way would affect the occupiers at 34 Joy Lane from accessing their property as they currently do; as neither the County or School own the road off Joy lane they cannot change the layout or use of the road;
- Proposed parking still does not seem adequate and would result in a backlog down the access road to 34 Joy Lane;
- By managing the traffic entering the school site in order to ensure the car park does not get grid-locked at peak times, would result in traffic backing up along the access road and onto Joy Lane at peak times instead, and would restrict occupiers of 34 and 38 Joy Lane trying to leave their properties along this road;
- The suggested times for the management of the traffic through the site are inadequate and should start at 8am and run through peak times until after the school clubs have finished in the evening;
- Traffic associated with the Oyster unit should not be managed separately – if they are using the same site they should conform to a central traffic management policy;
- There should be a sole point of contact to deal with incidents or issues arriving with traffic flow;
- Amount of time taken for dropping off a child is variable therefore could result in cars queuing along Joy Lane;
- If this drop off system does not work well, parents will continue to park along Joy Lane and surrounding roads affecting residents ability to access their own properties;
- The Transport Addendum does not address the issues surrounding the current dangerous on street parking;
- The proposal would add 50% more pupils to the school without a proper assessment of the number of cars that currently park in surrounding streets or any assessment of the numbers that will park there after the proposal has been implemented;
- Consider no thought has been given to how the new through route would work in practice, therefore there can be no certainty that it will work, therefore it should be refused;
- Parents may choose not to use the drive through option if it gets congested and park on the surrounding streets as they have been doing previously; seems unlikely that parents would arrive at the pick-up bay at exactly the right time to collect their child, therefore it would end up being used for parking, contrary to its aim;
- Lack of attention shown to addressing the one key issue to the local community (parking) and considers it negligent to rely on the submitted Traffic Management Plan; existing highways situation is unacceptable and increasing the number of vehicles would have a severe impact on highway safety.

Discussion

20. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 15 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. In my opinion, the key material planning considerations in this particular case are the principle of demolishing the existing Ladesfield Care Home; the siting and design of the proposed extension in terms of its built form; the impact of the new extension on residential amenity for occupiers of nearby residential properties; the highway and traffic implications of the school expansion including the impacts on

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

surrounding roads, the extension of Vulcan Close to meet the school and the traffic generated by the increase in the school roll; and other matters such as heritage implications, construction management, landscape, ecology, flood risk and drainage.

Principle of Demolishing Ladesfield Care Home

21. The application site is located within the urban setting of Whitstable where there is a presumption in favour of development. Following the re-organisation of adult care services across Kent, Ladesfield Care Home was closed in 2011 and judged unsuitable for meeting modern adult care needs. However, the existing care home was temporarily bought back into use as an emergency reception centre during the summer of 2015 following the large number of unaccompanied asylum seeking children arriving in the Country and needing to be housed and assessed by the County Council. The temporary centre ceased operating in January 2016, and is currently empty. There is no policy requirement in the Local Plan to retain the former care home, and therefore no objection to the demolition of the centre as proposed, and the site's future re-development.
22. The remainder of the site (the land which falls to either side of the proposed new access road) is planned to be disposed of separately, and does not form part of this school expansion application.

Siting and Design of the Extension

23. The proposed extension would be sited adjacent to the most recent addition to the school, along the north-western boundary of the site. The extension would be of a modern design, constructed with a mixture of brick and render to the elevations and a standing seam metal roof. The materials chosen would tie the extension in well with the materials used in the other buildings on site, and the standing seam roof would replicate that of the most recent extension. The 'front' elevation of the extension would face to the north-west, whilst the more utilitarian rear elevation would face back in towards the school playing fields. The grey framed windows would be set slightly forward of the render and brick façade to alleviate the mass and help break up the appearance of the elevations. The layout and linear form of the extension would be of a similar style and design to other two storey primary school extensions approved across the County in recent months, and would provide a practical and appropriately designed extension to the school.
24. The extension would be sited further within the site and away from the boundary than the latest single storey extension also located in this area. At the closest point there would be a distance of 22m (72ft) between the proposed extension and the school boundary, and a further 7m (23ft) between this boundary and the nearest house in Cundshall Close. In between the school boundary and the neighbouring property runs the public footpath linking Joy Lane and Valkyrie Avenue, thus physically separating the two areas. Along this boundary line the school site is enclosed by an established hedgerow, interspersed with several established trees, all of which would be retained.
25. It is considered that the proposed extension would be sited well within the school site and away from the boundary line, allowing plenty of space about the building and allowing the established trees close to and within this boundary to be retained. Furthermore, in order to provide a level access with the adjacent teaching block the

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

proposed extension would be dug into the ground along its western elevation, giving the added benefit of a lower ridge height than if the building had followed the existing ground levels, and reducing the overall impact of the extension on the wider area.

26. The temporary mobile classroom would be sited in the south-eastern corner of the site, and would be of a standard mobile construction and appearance. Given the temporary nature of this structure and the fact that it would be removed once the extension was complete, it is considered that there would be little harm caused by its temporary siting in this location. It would not affect any nearby residential properties in Shearwater Avenue given its proximity to the existing school building, against which it would be viewed, and the intervening landscape treatment along this southern boundary.
27. It is therefore considered that the siting and design of the proposed extension within the school setting would be acceptable and accord with the aims of Policy BE1 of the Local Plan.

Impacts on Residential Amenity

28. Concern has been raised by nearby residents that the proposed extension would result in a loss of privacy as a result of the proximity of the extension and its two storey nature. As set out above, the distance between the proposed extension and the neighbouring property at the closest point would be 29m, and this exceeds the widely accepted industry guideline of 21m as a separation distance between neighbouring properties, and included in design guides across the Country. In particular, this distance is judged to be a target separation distance between the facing windows of ‘habitable rooms’ in adjacent properties, beyond which privacy by virtue of overlooking is deemed to be of insignificant nuisance. It should also be noted that many houses are spaced much closer than that and are actually more closely overlooked by houses either side of them and often to the rear as well. Given this distance and the intervening boundary treatment, it is considered that the extension would be at a sufficient distance away from the neighbouring houses, so as not to cause an overlooking issue. The perception of overlooking is another matter and often influences people’s opinion, but it should also be noted that the rooms are to be used as classrooms, and therefore the children would generally not be standing at the windows looking out, but rather sitting in class partaking in supervised structured activities. Moreover, the rooms would not be for living accommodation and would only be occupied during the school day and when the school is open.
29. The school site is surrounded by residential properties and views into the school are inevitable. It is considered that the extension would be sited far enough into the site to mean that direct views into the classrooms would be no different to views of the children on the playgrounds or playing fields. The outlook for properties which back onto a school site will naturally be of the school buildings and playing fields. The playing fields themselves are protected as open space in the Local Plan and therefore the only place for locating any additional buildings is alongside the existing built form on site. The proposed extension, although two storey rather than single storey, would be well related to the existing buildings, and in my view would not be so close to the neighbouring properties as to be considered overbearing, or to cause any overshadowing. Moreover, the nearest properties are separated from the school building by some tree and hedging, as well as an intervening right of way.

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

30. The new hard surfaced playground would be located behind the new extension and therefore the building itself would help protect the occupiers of neighbouring properties to the north from noise as a result of children playing in this area. Lighting in the extension would be during school hours only, therefore would be unlikely to have a detrimental impact on neighbouring properties.
31. It is therefore considered that the proposal would not have an adverse impact on the residential amenity of the occupiers of the surrounding properties, and would be in accordance with the general guidance of Policy BE1 of the Local Plan. The perceived impact on residential amenity as a result of traffic and parking related issues will be covered in the section below.

Highway and Traffic Implications of the School Expansion

32. The proposed extension would be built to facilitate the expansion of the school from a 2FE to a 3FE primary school, thereby increasing the number of pupils from 420 to 630 at full capacity and increasing the number of staff from 90 to 101. As a result the applicants have had to consider the impact this increase in pupil and staff numbers could have on the surrounding road network and look at ways to alleviate any problems. The application was therefore supported by the submission of a Transport Statement, and upon the request of the Highways and Transportation Officer the submission of an Addendum to that.
33. The representations received provide a picture of the existing parking and traffic problems, which residents experience during school peak times. In order to provide a solution, the proposed development includes the creation of a through road from the eastern edge of the school site, through the Ladesfield site to join up with Vulcan Close. It is proposed that vehicle traffic would then enter the site from Joy Lane, which would be restricted to 'in-only' movements for school traffic. There would then be a one-way route through the school site and traffic would exit via the new road linking to Vulcan Close, and from there proceed onto Borstal Hill. The new link road between Vulcan Close and the school (on the Ladesfield site) would be a two-way road, but vehicular access into the school from this direction would be prohibited by a school gate. In order to ensure appropriate driver behaviour, especially at peak school times, the School have set up a Traffic Management Team who would be on site from 8.40am and 2.45pm to ensure compliance by drivers, and to direct the flow of traffic to ensure an effective use of the on-site drop-off and pick-up loop. The 'Traffic Management Plan', detailing how the Team would control access to and from the site, was included in the Transport Statement Addendum. In addition to this alternative access and exit layout, the number of on-site parking spaces would be increased to provide additional staff parking, park and stride spaces for parents and a drop off layby adjacent to the main school. The total number of spaces on site would then be 126 - 73 of these would be for staff, 45 park and stride spaces for pupil pick up and drop off, and 8 spaces for mobility impaired drivers. In the Transport Statement Addendum the applicants have provided additional information to look at the junction capacity of both Joy Lane as the access to the school site and Vulcan Close/Borstal Hill for the exit of the school site.
34. The County's Highways and Transportation Officer has assessed both the original Transport Statement submitted and the subsequent addendum and concurs with the conclusions presented in terms of the traffic impact that the development is likely to have. The methodology used to predict the number of trips that the school expansion is

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

likely to generate is appropriate and the postcode data that was used to determine the distribution of traffic on the highway network is also considered to be acceptable. The junction capacity assessment for Vulcan Close and Borstal Hill demonstrates that the junction would operate satisfactorily in road safety terms and therefore it is considered that the access arrangements would provide an adequate system to manage traffic on the public highway without an unacceptable impact.

35. I consider that the proposals set out above to provide on-site parent parking and drop off facilities, and the creation of a one way through route directing school traffic out through Vulcan Close rather than back onto Joy Lane, represent a substantial improvement to the current situation, where no parent parking is provided on site and only 46 parking spaces are provided for staff and Special Educational Needs traffic on a first come first served basis. An additional 27 staff parking spaces are proposed for an associated increase in staff numbers of 11, therefore this clearly addresses some of the existing parking shortfall for current staff. The Highways and Transportation Officer confirms that the proposed parking and drop off/pick-up arrangements would be satisfactory and is considered sufficient mitigation for the proposed expansion of the school, and are likely to reduce the current levels of on-street parking on Joy Lane and the surrounding roads.
36. In response to the objections received, it should be clarified that the applicants are not proposing to alter the access road off Joy Lane to one-way only, but simply to encourage the parents and staff who access the school site to enter from Joy Lane and exit the site through Vulcan Close. The road off Joy Lane is outside of the application site red line and no physical alterations would be made to this road – simply the use of it by school related traffic would be managed differently to the current situation. Access both in and out of this road by the two properties that have direct access to it – 34 and 38 Joy Lane – would not be affected, albeit the Traffic Management Plan produced by the School (and the staff who would implement this on site) would need to be aware of the potential wish for these residents to leave their properties against the flow of traffic at peak times.
37. The applicants have an adopted School Travel Plan which was agreed in 2015 in accordance with a condition placed on the previous consent for the classroom extension permitted in 2014. This document would need to be updated to reflect the proposed increase in pupil and staff numbers and uploaded to the Jambusters website for continuing monitoring, and should be agreed prior to the occupation of the new extension. If this application was to be permitted, then that updating of the Travel Plan could be required by a planning condition.
38. Congestion on streets surrounding schools located in the middle of urban areas is commonplace, but not in itself a reason to resist any future development at such schools. In particular, the congestion tends to be short lived, and only on days when the school is open, and is often more of an irritation than a serious road safety issue. It also needs to be borne in mind that the public highway is there to be used by the public, whether they are residents, employees or school parents, and it cannot be reserved for the sole use of any one sector of the public. Nevertheless, instead of wholly relying on the use of the public highway, ways of reducing the impact of the school on the local highway network, as is the case here with the additional parking proposed, and the new exit road through Vulcan Close, are the best way of offsetting the congestion nuisance and any road safety risk. It should also be noted that these proposals have been

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

formed over a lengthy period of involvement with the Highways Authority and community engagement.

39. Some detailed representations have been received expressing concerns at current driver behaviour and inconsiderate parking practice by school parents. Whilst that relates to the current situation and the proposals have sought to address the off-site traffic and parking situation, and thereby reduce the likelihood of nuisance, it needs to be borne in mind that the planning process is primarily concerned with the use of land and not social factors such as human behaviour. There is some limited opportunity to influence behaviour in the design of development proposals, but ultimately the planning process cannot be relied upon to control human behaviour, nor to favour one sector of society over another when it comes to the use of the public highway.
40. It is therefore considered that subject to the imposition of conditions regarding the provision of the new parking and access arrangements prior to occupation, the adoption of a revised School Travel Plan prior to occupation, the agreement of a Traffic Management Plan prior to occupation, and the need for a Construction Management Plan the application is acceptable from a traffic and transport related view, and would be in accordance with Policies C4 and C9 of the saved Local Plan and the guidance contained in the NPPF.

Other Matters

Ecology

41. The application site has been assessed by 'Practical Ecology' to provide an ecological baseline for both the school site and the Ladesfield Care Home and to assess whether any further surveys, mitigation or ecological enhancements would be required for the site. The survey assessed the value of on-site habitats and the site's potential to support protected or notable species such as great crested newts, bats, badgers, reptiles, dormice and nesting birds. The report has been assessed by the County Council's Biodiversity Officer who was satisfied with the information submitted showing that there were no notable species recorded on site other than four common pipistrelle bat roosts. On this evidence further work was undertaken to assess the former care home building's potential for bat roosting and again this has been considered by the Biodiversity Officer, who has confirmed that they are now satisfied that there is low potential for roosting bats to be present. However, because the occasional use of the site by bats cannot be ruled out, they advise that a precautionary approach needs to be used when removing the suitable bat roosting features, and this advice could be covered by an informative to the Applicants.
42. The Ecology Report also proposed enhancement measures for the site, which include the provision of bird boxes, bat boxes and hedgehog boxes on the site, and the Biodiversity Officer states that a selection of the recommendations put forward should be implemented if permission is granted, and these could be secured by condition.
43. An informative is also proposed to ensure that the applicants are aware that the removal of any trees or suitable habitat that could be used by breeding birds should be undertaken to avoid the nesting season and that if this is not possible that the trees should first be surveyed by a qualified ecologist. If nesting birds are recorded works must cease until all the young have fledged.

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

Setting of Conservation Area

44. The application site adjoins the South Whitstable Conservation Area in part along the northern boundary by the Ladesfield Care home, but is outside of the Conservation Area itself. The saved and emerging policies in the Local Plan state that heritage assets should be appropriately conserved and that development affecting the setting of, or views into or out of, a Conservation Area should be preserved or enhanced. This is also the guidance given in the NPPF in paragraph 126. None of the buildings within the site are listed or considered as non-designated heritage assets, and neither do they have any historic or aesthetic connection to the Conservation Area. It is considered that the demolition of the Ladesfield care home and the clearance of the site would not adversely affect the setting of the Conservation Area, which lies to the north, but this would need to be borne in mind for any future redevelopment of the site that comes forward at a future date. The Conservation Officer considered the application and raised no objection provided the site was cleared following demolition. As such it is considered that the application would accord with saved Policy BE7 and emerging policy HE1 of the Local Plans.

Landscape

45. The application was supported by the submission of an arboricultural assessment for both the school site and the Ladesfield Care home site which show the number of trees that would be removed from each site to enable the development to go ahead. On the school site this would be two small groups of trees in the location of the extension itself, whilst on the Ladesfield site most of the trees and hedges would be cleared to enable the road development (and the future redevelopment of the remainder of the site), except for the groups of trees along the northern boundary, backing onto the houses in Joy Lane, and adjacent to the existing nursery.
46. The Landscape Officer has assessed the information submitted and raises no objection to the application, but suggests the inclusion of conditions to secure the planting of replacement trees to compensate for those that would be removed and to make sure that the appropriate species of tree and hedgerow is chosen. I see no reason why this could not be covered by an appropriate landscaping condition if planning consent was forthcoming. In addition the condition should also ensure that the recommendations in the Arboricultural Impact Assessment are carried out in order to protect the trees to be retained.
47. As such the scheme would accord with saved Policy NE5 and emerging Policy LB10 of the adopted and draft Canterbury Local Plans.

Flood Risk and Drainage

48. The application was supported by the submission of a Flood Risk Assessment, which assessed the sites annual probability for flooding and proposals for surface water management. The application site is within Flood Zone 1 (i.e. the lowest ranking of flood risk), and as such has a less than 0.1% annual probability of flooding from rivers or the sea. The site is outside the extent of predicted fluvial or tidal flooding and therefore is considered not to be at any significant safety risk related to this type of flooding. In terms of the NPPF technical guidance on flood risk, the site is considered appropriate for the proposed use.

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

49. The County Council's Flood Risk Project Officer has considered the application with regard to surface water drainage and has raised no objection to the proposals provided the proposed discharge rates to the public surface water sewer are agreed with Southern Water and this can be covered by a condition. Furthermore a condition has been requested to secure the submission of a detailed sustainable surface water drainage scheme, which should be agreed in writing prior to the commencement of development.

Construction

50. Given that there are neighbouring residential properties, if planning permission is granted it is considered appropriate to impose a condition restricting hours of construction to protect residential amenity (Monday to Friday between 0800 and 1800; Saturday 0900 to 1300; and no operations on Sundays or public holidays).
51. A condition requiring the submission of a full Construction Management Strategy, prior to commencement of development is considered appropriate, to include amongst other matters the routeing of construction and delivery vehicles to and from the site; the timing of deliveries to avoid school peak times; the location of parking and turning areas for construction and delivery vehicles and for site personnel and visitors; the provision of wheel washing facilities; details of a site access point for construction; and temporary traffic management and signage.

Conclusion

52. In my view the key determining factors for this proposal are the planning policy aspects, together with the likely amenity impacts, the suitability of the highway network to accommodate the additional school traffic and parking implications, and the appropriateness of the proposed extension in terms of design and layout.
53. There is strong Government support in the NPPF for the development of new schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on local amenity and all other material considerations, such as highway matters, design, ecology, flooding and surface drainage. In my view the proposed development would not give rise to any significant and demonstrable harm in any of these respects, as far as planning, environmental and amenity aspects are concerned, as demonstrated in the discussion above.
54. It is considered that subject to the imposition of appropriate planning conditions, the proposal would not have any significant detrimental effects on the local highway network, the amenities of local residents or the natural environment. In my view the development is sustainable and there are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that various conditions be placed on any planning permission, including those outlined below.

Recommendation

55. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

- The standard 5 year time limit;
- the development to be carried out in accordance with the permitted details;
- the submission and approval of details of all construction materials to be used externally;
- hours of working during construction to be restricted to between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays or Bank Holidays;
- the submission of a Construction Management Plan, providing details of how the routing of construction and delivery vehicles to and from the site; the timing of deliveries to avoid school peak times; the location of parking and turning areas for construction and delivery vehicles and for site personnel and visitors; the provision of wheel washing facilities; details of a site access point for construction; and temporary traffic management and signage;
- that the recommendations set out in the Ecological Appraisal be implemented;
- the submission of details and specifications of the new access road, and their approval in writing prior to occupation of the extension;
- completion and maintenance of the access shown on the plans prior to the occupation of the extension;
- the provision and permanent retention of the vehicle parking spaces prior to the occupation of the extension;
- the provision and permanent retention of the cycle parking facilities prior to the occupation of the extension
- the provision and permanent retention of the vehicle loading/unloading and turning facilities prior to the occupation of the extension;
- the submission of a revised School Travel Plan prior to occupation of the extension hereby approved and its ongoing review for a period of 5 years;
- the submission of a Traffic Management Plan for written approval prior to the occupation of the extension;
- the submission of a fully detailed sustainable surface water drainage scheme for the site prior to commencement of development, and the written approval of such a scheme and its on-going maintenance prior to occupation of the extension;
- the submission of a native species landscape scheme and details of a maintenance scheme for such landscaping;
- the recommendations within the Arboricultural Impact Assessments to be carried out in order to protect the trees to be retained;
- the removal of the temporary classroom within 3 months of the occupation of the permitted extension.

I FURTHER RECOMMEND that the following INFORMATIVES be added:

- The registering with Kent County Council of the School Travel Plan through the “Jambusters” website following the link <http://www.jambusterstpms.co.uk>;
- That the applicant ensures that all necessary highway approvals and consents are obtained;
- To 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;
- The applicant must use a precautionary approach when removing features with bat roosting potential in the former Ladesfield Care Home;
- There must be no disturbance to the surface of or obstruction of the use of the Public Right of Way, CW56.

Two storey extension, temporary classroom, demolition of the former Ladesfield care home, Joy Lane Primary School, Whitstable – CA/15/02596/K3F (KCC/CA/0375/2015)

Case Officer: Helen Edwards

Tel. no: 03000 413366

Background Documents: see section heading

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Extension of hours - Simon Langton Grammar School for Boys,
ATP/MUGA, KCC/CA/0032/2015(CA/15/00606&16/00145)

A report by Head of Planning Applications Group to Planning Applications Committee on 18th May 2016.

Application by Simon Langton Grammar School for Boys to vary condition 11 (hours of usage) of planning permission CA/14/174 at Simon Langton Grammar School For Boys, Langton Lane, Canterbury, Kent, CT4 7AS

Recommendation: Permission be granted subject to conditions.

Local Member: Classification: Unrestricted

Site

1. The School is located approx. 2.17km (1.35miles) south east of the centre of Canterbury. The school playing fields and Artificial Turf Pitch (ATP) are located to the west of the school. The site is approx. 460m (1509ft) north of the A2 and 350m (1148ft) west of the B2068 Nackington Road.
2. Nearest residential properties to the north west of the site are a group of 4 residential addresses at Merton Cottages in Stuppington Lane. These are approx. 190m (623ft) from the site and include Merton Cottage and Hallbank House. To the east of the site, nearest residential properties are in Langton Lane, 154m (505ft) from the site and to the north at Underwood Close approx 220m (721ft) away.
3. Canterbury Rugby Ground is located approx. 220m (721ft) to the south of the site; the Kent and Canterbury Hospital, approx. 300m (984ft) to the north and the Chaucer Hospital approx. 140m (460ft) to the north east of the site. A cycleway runs to north of the site between the school and Juniper Close off Stuppington Lane and a PROW runs to the west of the site.

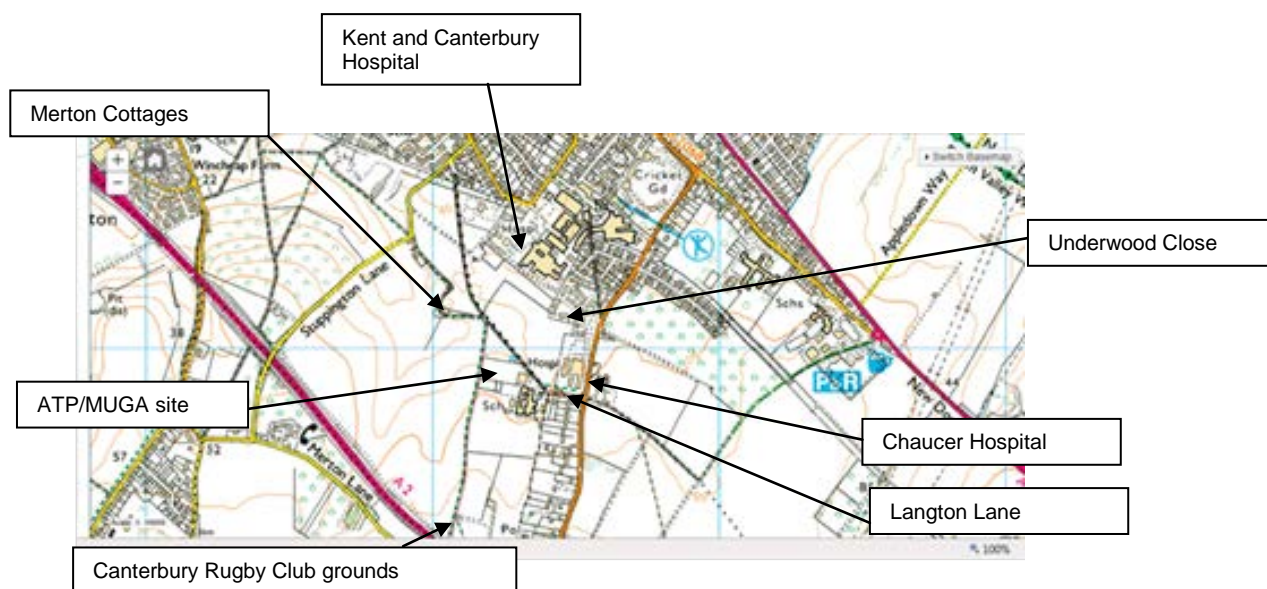
Background

4. In March 2014 planning permission (reference CA/14/174) was granted for the extension of existing sports facilities at the School and development of the existing natural turf rugby and football pitch into an ATP with floodlighting and fencing and the refurbishment of an existing Multi Use Games Area (MUGA) to include an artificial pitch, fencing and floodlighting. The use of the development and the use of the floodlighting was limited by condition to between the hours of 0900 and 2100 hours Monday to Friday and 0900 to 2000 hours Saturday and 0900 to 1800 hours on Sundays and Bank Holidays.
5. In June 2014, a biodiversity method statement was approved; in July 2014 details of the construction management plan, adjustments to the scheme to take further account of floodlighting impacts to biodiversity and surrounding habitat and ecological design strategy were approved and in November 2014 a community use agreement was approved in relation to the existing approved hours. A drawing showing the approved landscaping scheme and ecological design strategy is included in appendix 1.

Extension of hours at Simon Langton Grammar School for Boys

6. The ATP was first brought into use in October 2014. There are six lighting columns 15m high. Four columns have double luminaires and two columns have triple luminaires fitted. The MUGA is yet to be refurbished and will include six lighting columns 10m high, four columns will have single luminaires and two columns will have double luminaires fitted.

General Location Plan



Site History since 2003

7. The site history since 2003 is listed below.

| | |
|------------|--|
| CA/14/1911 | renewal granted - temporary classrooms. |
| CA/14/174 | granted development of an existing natural turf rugby and football pitch into an Artificial Turf Pitch (ATP) with floodlighting and fencing and the refurbishment of an existing Multi Use Games Area (MUGA) to include an artificial turf pitch, fencing and floodlighting. |
| CA/10/2144 | granted extension to the existing ASD (Autistic Spectrum Disorder) facility for the school. |
| CA/10/167 | granted construction of an observatory and games equipment store with 5 x 3.5m light poles with 70w lamps. Alternative location to CA/08/672. |
| CA/09/1920 | revised scheme granted to planning permission CA/09/1163: improvements to connection between new and existing modular buildings and extension to existing modular building |
| CA/09/1834 | extension to music centre granted |
| CA/09/1852 | demolition of former caretakers bungalow and erection of a single storey building to provide food technology teaching facility with linked restaurant/internet café area, external seating area and paved link to main school and 1no. disabled parking bay granted |
| CA/09/1163 | granted new modular building with a link corridor to existing modular building |
| CA/08/672 | granted Single storey building, link corridor, telescope, fence, ramp and re-modelling of earth mound |
| CA/08/382 | granted swimming pool refurbishment including replacement of existing enclosure for pool |

Extension of hours at Simon Langton Grammar School for Boys

| | |
|------------|--|
| CA/07/1020 | granted extension to parking facilities by 29 spaces and provide a cycle path with storage compound for bikes |
| CA/07/908 | granted installation of four 2 bay mobiles to provide additional teaching accommodation |
| CA/05/1664 | granted single storey extension at first floor level of the Autistic and Special Needs Department. |
| CA/05/811 | granted temporary accommodation until proposed new Art and Drama block is completed |
| CA/05/214 | granted new drama and art bock including storage, toilets and changing rooms |
| CA/03/1811 | granted extension to kitchen and hall to form new dining room |
| CA/03/1150 | granted new sports hall including changing rooms, fitness gym and teaching area with new sixth form centre. Allows use of the sports hall and gymnasium between 0730 and 2230 hours. |

Proposal

8. This planning application was submitted in January 2015. It is a Section 73 application to vary/extend the already permitted hours of use for the ATP and the MUGA. It proposes to extend the hours of operation in the evening by an additional 1 hour on Monday to Saturdays and an additional 2 hours on Sundays/Bank Holidays:
 - Monday to Friday existing hours of 0900 to 2100, proposed extension by 1 hour to 2200 hours
 - Saturdays existing hours of 0900 to 2000, proposed extension by 1 hour to 2100 hours
 - Sundays/Bank Holidays existing hours of 0900 to 1800, proposed extension by 2 hours to 2000 hours.

9. The application also includes further information submitted in May 2015 with regard to completion of the approved landscaping under permission reference CA/14/174 and compliance of the lighting installation with the approved scheme. To support their application for extended hours, the applicants carried out a noise assessment in June 2015 (submitted in September 2015) and a bat survey in July and August. A bat survey report was submitted in September 2015. Revisions to the noise assessment and bat survey report were also submitted in January and March 2016.

10. The revised bat survey proposes attachment of an opaque material to the full height of fencing at the site (ie to the height of the 3m (9.8ft) and 4.5m (14.7ft) behind goal mouths) for the ATP and the MUGA once it is refurbished and fitting of cowls to lighting to direct lighting away from the hedgerow in order to create a "dark corridor" along the western and northern sides of the ATP and the western side of the MUGA to ensure that flight paths and connectivity is maintained when the floodlighting is on during the additional hours proposed. It also proposes management of the landscape planting and vegetation, specifically planting of hedgerow H1 and H2 and management of planting to create thick and tall hedgerows of at least 3.5m high. It is proposed that the opaque material could be removed once the bolster planting has matured and reached a height where it negates the adverse impact of the floodlighting to bats within the immediate surroundings of the ATP and MUGA. The applicants propose that this would be within 5 years and that removal would be preceded by monitoring bat activity.

Extension of hours at Simon Langton Grammar School for Boys

Example of proposed opaque material which is proposed to be black



View of western boundary to ATP

Site context viewed from Stuppington Lane



View towards site from cyclepath

View from west towards site and Merton Cottages



Extension of hours at Simon Langton Grammar School for Boys

Proposed lighting mitigation strategy



Extension of hours at Simon Langton Grammar School for Boys

Planning Policy

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

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

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

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

achieving the requirement for high quality design and a good standard of amenity including optimising the potential of site to accommodate development

that great weight should be given to the need to create, expand or alter schools;

the promotion of healthy communities including the provision of shared space and community facilities and provision of opportunity for sport and recreation which can make an important contribution of health and wellbeing of communities;

conserving and enhancing the natural environment, including minimising impacts to biodiversity and preventing new or existing development from contributing to unacceptable levels of noise pollution and by encouraging good design limit the impact of light pollution.

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

(ii) **Canterbury District Local Plan 2006 and saved policies 2009**

Policy R7 seeks to pay particular attention to the impact of proposals on the local landscape character and/or role and the impact on the historic setting in Areas of High Landscape Value. Where there is unacceptable harm development proposals will not be permitted.

Policy R12 seeks to achieve proposals for sports and recreation facilities which are well related to existing settlement; where there is no detrimental impact on landscape interest, protected species, sites or features of nature

Extension of hours at Simon Langton Grammar School for Boys

conservation interest or on sites of archaeological or historical importance; where there is no adverse impact on residential amenity; where access and parking is acceptable and where development is well designed, appropriate in scale and function to the use of the land and sensitively located to retain the openness of the area and the rural character of the area is safeguarded.

- Policy BE1 expects proposals of high quality design which respond to the objectives of sustainable development with regard to the need for the development, accessibility, landscape character of the locality and the way in which the development is integrated into the landscape, the conservation and integration of natural features including trees and hedgerows to strengthen local distinctiveness, character and biodiversity, the visual impact, the form of the development, energy consumption, safety and security, privacy and amenity of the existing environment, the compatibility of the use with the existing environment and appropriate supplementary planning guidance.
- Policy BE2 requires lighting to not adversely affect residential amenity, sites of nature conservation value or be obtrusive in those rural areas where dark skies are an important part of the nocturnal landscape.
- Policy NE1 requires mitigation measures which are appropriate to the habitat or species interest of the site and for the tests set out in the Habitats Regulations to be satisfied where there are European protected species.
- Policy NE5 seeks retention of trees and hedgerows and landscape features that make an important contribution to the amenity of the site and the surrounding area.

(iii) Canterbury District Local Plan Supplementary Planning Document (SPD) Outdoor Lighting January 2006

The SPD on Outdoor Lighting seeks to inform the approach to lighting and to ensure that only positive effects occur as a result of any lighting installation and to provide advice for the consideration of planning applications. The SPD takes into account the standards set out in the Institute of Lighting Engineers "Guidance notes on the reduction of obtrusive light".

(iv) Emerging Policy contained in the Canterbury District Local Plan Publication Draft June 2014

- Policy LB2 in Areas of High Landscape Value requires development to be considered in relation to the extent to which its location, scale, character, design and materials would protect the local landscape character and enhance the future appearance of the designated landscape and its nature conservation interest. Within the AHLV, development proposals would have particular regard to the historic setting of the City and the World Heritage site.
- Policy LB9 seeks to avoid a net loss of biodiversity/nature conservation value and actively pursue opportunities to achieve a net gain, particularly where there are wildlife habitats/species identified as Species or Habitats of Principal Importance; the site forms a link between or buffer to designated wildlife sites. Requires appropriate site evaluation and surveys and to present proposals for mitigation and enhancement prior to determination.
- Policy LB10 Development should be designed to retain trees, hedgerows and woodland

Extension of hours at Simon Langton Grammar School for Boys

that make an important contribution to the amenity of the site and the surrounding area and which are important to wild flora and fauna. New development should incorporate trees, in areas of appropriate landscape character, help restore and enhance degraded landscapes, screen noise and pollution, provide recreational opportunities, help mitigate climate change and contribute to floodplain management. The value and character of woodland and hedgerow networks should be maintained and enhanced, particularly where this would improve the landscape, biodiversity or link existing woodland habitats.

Consultations

Canterbury City Council raises no objection to the proposal.

Sport England offers support to the proposal as it will enable more opportunities for members of the community to participate in sport which is consistent to the NPPF with regard to decision making for delivering social, recreational and cultural facilities and services which meet the community needs.

Kent County Council Biodiversity Advice Service comments that the revised Bat assessment report (version 3) provides an adequate assessment of the potential ecological impacts of extending the lighting hours of the sports facilities and that there is potential for ecological impacts particularly to foraging and commuting bats along the hedgerow that forms the site's western boundary. The advice is that to permit the proposed extension of lighting hours with adequate regard to the potential ecological impacts, it will be necessary to secure the implementation of the mitigation measures recommended by the applicant ie prior to the extension of lighting hours commencing:

- Erection of the 'opaque material' (as detailed in the report) along the western and northern fence line of the ATP and the western fence line of the MUGA (the latter when constructed / prior to operation).
- Planting of native tree and shrub species to bolster the existing tree/hedgeline along the western boundary of the site; detailed specifications and management have not been provided but can be secured by condition.

The Service advise that the opaque material must be maintained in place until the bolster planting has matured and is of sufficient height (at least 3.5 metres) and thickness to reduce light spillage without the aid of the opaque material. A period of 5 years is suggested by the applicant. The Biodiversity advice is that the opaque material is maintained for a minimum of 5 years and until evidence has been provided that the hedgerow has reached sufficient height and thickness to justify the removal of the opaque material.

It has been confirmed by the Applicant that the manufacturing specifications state that the opaque material provides 80% shading from light, but no evidence has been provided by the Applicant to demonstrate that it has been used effectively in relation to bats. As such, the Biodiversity advice is that the implementation and submission of bat activity monitoring (using the same method as submitted) during year 1 of operation with the opaque material must be secured.

The bat assessment report recommends monitoring of bat activity prior to and after removal of the opaque material and the advice is that this is also secured. It also recommends that hoods, cowls, louvres and shields are installed on the existing lighting and that proposed for the MUGA, and the advice is that the details must be sought as an additional means of

Extension of hours at Simon Langton Grammar School for Boys

ensuring mitigation for the impacts of lighting on bats.

The advice is also that the opaque material should be installed whether or not permission is granted for the proposal for extended hours.

Public Rights of Way (East Kent PROW Team) – no response received.

Kent County Council Landscape Advice Service raise no concerns with regard to the landscape and visual impacts to the landscape. It was commented that the application will not result in significant further impacts upon the landscape and its character over and above the existing parameters of useage at the site.

Kent Highways & Transportation raise no concerns with regard to the highway impacts of the proposal.

Amey – lighting raise no concerns in relation to the proposal and comments that the scheme complies with light intrusion and curfew requirements for environmental zone E2 (from *Guidance Notes for the Reduction of Obtrusive Light GN01:2011*) and that the design philosophy and proposals are in line with standards and good industry practice.

Amey – noise conclude that no further noise assessment is required; that the applicants noise assessment is sound and that the conclusions in the noise assessment would be valid considering the concurrent use of both the MUGA and the ATP.

Amey comment that the assessment is based on data gathered during a weekday evening, whilst the planning application includes periods on Saturday and Sunday. The reason given for focussing the assessment on the proposed weekday extension rather than the weekend is that the weekday extension to 22:00 is later than on Saturdays (to 21:00) and Sundays (to 20:00). This approach is considered by Amey to be reasonable because, the British Standard BS 5228-1 relating to construction noise classifies in the same group noise from weekday evenings, Saturdays afternoons and evenings, and Sundays mornings, afternoons and evenings. Therefore, it is sound to consider that the assessment of a weekday evening is also relevant for Saturdays and Sundays.

Amey consider that it is likely that the effect for example at weekday from 21:00 to 22:00 will be similar to the current effect at weekday from 20:00 to 21:00. Although there is no stated methodology to assess the noise from sports events, the applicant uses different guidance and the subjective perception from a site visit to arrive to the conclusion that is likely that most people will consider that the activity has no adverse effect in terms of noise. Amey do not object to this conclusion.

The advice from Amey is that any mitigation measures should work to improve community relations in order to reduce any potential adverse effect from the proposal, for instance, including measures to avoid anti-social behaviour or having a contact person or responsible for the facility who could be contacted at any time in case residents had any concern. In relation to the comments received from residents at Merton Cottages, the noise consultant considers that the noise assessment carried out by the agent is sufficient and that the conclusion would not change with any further noise assessment at Merton Cottages. They advise that the fact that a sound can be easily heard does not mean that it constitutes a nuisance and that the noise levels detailed within the applicants' noise assessment report should not disrupt the evening sleep of an average person.

Extension of hours at Simon Langton Grammar School for Boys

In response to the applicants confirmation that the site has no public address system; that they have had no other complaints about the operation since it came into use in October 2014; that the site does not have and is not likely to have a large number of supporters generating a substantial volume of noise and that a handful of supporters would not make any difference to the noise levels, Amey advise that the applicants' noise assessment conclusions are sound. They also advise that the difference in heights between the nearest properties and the proposal site would have been included in the noise model produced by the applicant and that the height difference would not substantially alter the output of the noise assessment.

Local Member

The local County Member for Canterbury South West Martin Vye was notified of the application on 13th March 2015. The local County Member for Canterbury South East (Michael Northey) was also notified of the application.

Publicity

The application was publicised by the posting of two site notices.

Representations

In response to the publicity by site notice, 2 letters of representation were received objecting to the proposal. Some of the matters raised relate to the existing activities whereas some relate to the proposal for extended hours of use. The key points raised are summarised as follows:

- The light spillage across neighbouring residential property is far greater than the original application documents indicated. Prior to the development neighbouring residential property was afforded black nights under a dark sky and this aspect has been fundamentally transformed under the operation of floodlights and has a significant effect upon the environment.
- The natural topography between neighbouring residential property and the site affords little or no sound attenuation. The noise can be easily heard even when indoors and especially at night time. The noise will be more intrusive in the summer with doors and windows open.
- Neighbouring property looks directly at the development with no school buildings in between to deflect noise or light. The noise from the school disrupts evening sleep.
- The application comment "*we have had no issues with our neighbours with regard to light pollution or extra noise and it has now been up and running for almost six months*" does not recognise the obvious impact on neighbours to the north west of the site.
- That the School has not complied with the approved ecology design strategy in relation to restoration and enhancement of habitats and incorporation of a planting plan to the western boundary of the site and that the school has not planted the tree line or replanted the hedge removed when the building took place.
- That the extension to hours would further detrimentally impact the environment and

Extension of hours at Simon Langton Grammar School for Boys

nearby residents and that there should be a balance struck between the needs of the school and its social and sporting amenities and the effect on the living conditions of local residents and that the current balance is weighted against the residents. That the facility is currently able to operate every single day of the year until 9pm during the week and 6pm at the weekend and that the proposal to increase these times is unreasonable.

- That the Council did not inform the nearest neighbours of the application and that Canterbury City Council recommendation of no objection to be raised to the proposal does not recognise occupiers of dwellings to the north west of the site which are not screened by intervening school buildings and that the proposal does adversely affect living conditions.

In response to further neighbour publicity carried out in January 2016 regarding additional information (noise survey and bat survey), a further comment was received from one of the previous respondents which I summarise as:

- the reports do not offer any mitigation for the proposed variation which the neighbour considers will detrimentally impact the quality of life of families living in Hallbank House and Merton Cottages;
- queries why there should be further erosion of the immediate environment in order to accommodate an increase in operating hours of the ATP/MUGA. That this is an unreasonable encroachment and is likely to pave the way for other local social or recreational establishments in seeking similar concessions.
- considers it is a pity that human beings are not afforded the same degree of protection and consideration as bats
- that the bat survey report recommendations, should be implemented immediately regardless of granting extended use and that the bats are obviously compromised now and so should be given the added protection of opaque material applied to the northern and western boundaries and the shielding of the lights.
- that Hallbank House and Merton Cottages are in a direct line of sight with the ATP/MUGA and are some 10 metres lower, thereby affected to a much greater extent by the light "spillage" than the bats, which at least have the protection of the hedge.
- regardless of whether this Variation is approved, there should be an enforcement notice served on the Simon Langton, requiring them to install light hoods, cowls, louvres or shields and so help to mitigate the current high and unacceptable amounts of light that flood over the low lying land to the west and over Hallbank House and Merton Cottages.
- the planting recently undertaken along the western boundary, including young trees inboard of the hedge and in-filling of the hedge itself where there are significant gaps is far from being able to be described as bolster planting, as mentioned in the bat report, nor does it in-fill those sections of the hedge that are either sparse or have smaller gaps.
- requests that the Council visit the site and determine for themselves the adequacy of the planting and insist that this is further bolstered and that there is a rigorous

Extension of hours at Simon Langton Grammar School for Boys

management protocol in place.

- with respect to the noise report, queries how the results in any way assist the Council in reaching a decision over whether to approve the variation. The test was undertaken on one day only, with a subsequent follow-up visit to confirm subjectively that the analysis was a fair reflection of what could be heard. Considers that this is not a representative quantitative assessment and therefore of little value.
- the noise from the ATP/MUGA activities can be discerned from any other background noise to the extent that it is definitely obtrusive.
- states that on many occasions the limit on the current hours of use has been violated, by anything up to half an hour and is concerned that there may be similar violations, extending yet further the hours of use.
- urges the Council to reject this application and by so doing rescue a sense of balance between the needs for sports facilities and the quality of life of those residents who have already been detrimentally impacted by the current facilities.

Discussion

12. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (11) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
13. In my opinion, the key material planning considerations are the amenity impacts as a result of use of the facility and the use of lighting and noise during the proposed additional hours; the impacts of lighting to biodiversity and in particular bats; and the visual impact of lighting to landscape. In my opinion these impacts need to be balanced against the community need as expressed by the applicant, for the extended hours in this location and the general benefits to sport and community use of the proposal.

Need

14. There is general planning policy support for schools related development. However, this proposal for extended hours relates to the extension of a school facility for the wider community use rather than for the schools own use. The community use of educational facilities is generally supported by national planning policy as the provision of shared space and community facilities contributes to the promotion of healthy communities.
15. There is limited information in the application with regard to the need for additional hours. The applicant states that the proposal is needed and that this is evident by the demand that they have experienced since the facility opened in October 2014 and the external bookings that they have turned away.

Extension of hours at Simon Langton Grammar School for Boys

16. Sport England's support for the proposal in this location indicates that there is a need for available pitches linked to the development of opportunities to participate in sport and healthy communities and sustainable development.
17. The applicant has not yet refurbished the MUGA and provides no information in the application to indicate when this will occur. Completion of the MUGA would contribute to meet the stated demand for the facility. However, I consider that the need for an extension of hours for use of the MUGA is not yet required as it is not yet built and the applicant has not adequately demonstrated an acceptable case for extended hours for the refurbished MUGA in the application. I therefore recommend to Members that this part of the proposal should not be permitted.
18. However, with regard to extended hours of the ATP careful consideration must be given in the context of and balanced with the impacts of the proposed additional hours to the locality, particularly in relation to impacts to the landscape, biodiversity and to residential amenity in terms of the potential for noise and other disturbance.

Location and impacts of extended hours to the landscape and night sky

19. This proposal relates to the use of an existing facility (the ATP) on school playing field land which already has the benefit of planning permission. As this is an existing facility, the potential for impacts to the landscape and the night sky landscape and the potential cumulative impact with other lighting nearby in this location can only be considered in terms of the additional impacts as a result of the proposed extended hours and in relation to the addition of an opaque screen attached to the fencing as detailed in paragraph 10.
20. The site is located approximately 360m south of the boundary of and outside the Canterbury urban area in an area designated by Canterbury City Council as an Area of High Landscape Value (AHLV). This is a local designation which is of local significance, whereby saved policy R7 requires particular attention to be paid to the impact of the proposal on the landscape character and role and the impact on the historic setting in decision making and an assessment of whether there will be unacceptable harm.
21. The site is located at the north eastern edge of the Nackington Farmlands Landscape area which is in general a landscape of moderate sensitivity which is most sensitive where it is most open. The proposed site is at the edge of the designation and is grouped with other existing development, including hospital, housing, school and other sports facilities and so is not at its most open. The landscape character assessment for the Nackington Farmlands landscape area does not include reference to impacts to the night sky landscape.
22. The original proposal, which did not attract objection from Canterbury City Council or from our Landscape Officer was accompanied by a Landscape and Visual Assessment (LVA) in which it is noted that the context of these views was one that already contained rooftops and suburban influences from street lighting, floodlighting, houses and school buildings and the hospitals. It was noted that the fencing and floodlights would be noticeable in views from the public footpath to the south east of Hall Bank House off Stuppington Lane until planting on the western boundary establishes and matures. The planting of gaps in the hedgerow and of standard tree planting at the western boundary has only recently been carried out and has not yet had time to establish or mature. The existing scheme requires

Extension of hours at Simon Langton Grammar School for Boys

management of the hedgerow to encourage it to grow to 2.5m high. It is now proposed that additional bolster planting be carried out and that the hedgerow be managed to grow to a height of 3.5m.

23. Whilst the use of lighting could generally be considered to be a negative urbanising impact to the landscape, I do not consider that the findings of the LVA submitted with the original application would be significantly altered by the use of lighting for the proposed additional hours (i.e one additional hour Monday to Saturday and an additional two hours on a Sunday and Bank Holiday) and additional black opaque screening fitted to the height of the fencing. The night sky landscape already includes lighting from existing developments at the school, including on the sports hall building which sits behind the ATP, the hospital and surrounding property at the edge of Canterbury.
24. Planning Policy BE2 requires lighting schemes to not be obtrusive in those rural areas where dark skies are an important part of the nocturnal landscape. Supplementary Planning Guidance on Outdoor Lighting refers to The Institute of Lighting Professionals 2012 guidance notes for the reduction of obtrusive light GN01:2011. This sets out the expected requirements for appropriate design of a lighting scheme with reference to sky glow, light intrusion into windows and luminaire intensity and sets limits according to pre and post curfew times. Post curfew is considered to be after 2300 hours. The site is located within environmental zone E2 which is a rural location where there is currently a low district brightness lighting environment. The location is typical of village or relatively dark outer suburban location.
25. In relation to the original application (CA/14/174), our lighting consultant's advice was that the scheme met the required standards for a location in an E2 zone in terms of sky glow, light intrusion and luminaire intensity. The extension of hours proposed by this application is within the pre-curfew hours. Given that there are no other changes to the scheme in terms of number of pitches, luminaires and columns; my view is that this advice still stands. Furthermore, our lighting consultant has reviewed the application for additional hours and does not raise any concerns or objection to the proposal.
26. The applicant has not provided any new information with regard to cumulative impacts to the landscape regarding the use of the lighting as a result of the proposal when the ATP, MUGA and the neighbouring facilities at the Canterbury Rugby Football Club off Merton Lane could be open and in use at the same time. However, in the original application cumulative impacts were considered within the LVA by reference to the baseline environment which already has street lighting, hospitals, and floodlighting and concluded that the cumulative effect to the landscape would not be significant. Our Landscape advice to this proposal is that the additional hours for lighting use being sought do not give rise to objection on landscape grounds and for this reason I conclude that the cumulative effect of the additional hours to the landscape is not so significant as to suggest refusal of the proposal in respect of landscape impacts.
27. Given that the planning policy and the guidance on lighting included within the Canterbury District SPD on Outdoor Lighting does not differentiate between days of the week or the number of days lighting is in operation, I conclude that regardless of the day of the week, provided the proposal still meets the required standards in terms of sky glow, light intrusion and luminaire intensity for the pre-curfew hours for

Extension of hours at Simon Langton Grammar School for Boys

an E2 location, the proposed hours are considered acceptable in policy terms in relation to policy BE2 and the Supplementary Guidance on Lighting, and the Institute of Lighting Professionals 2012 guidance notes.

28. Furthermore, given that our Lighting and Landscape advisors and Canterbury City Council do not object to the proposal, I consider that an extension to hours of use is acceptable in this location when considered in terms of the national planning policy guidance and planning policy R7 and BE2 of Canterbury Local Plan with regard to the local landscape character and setting and the impact to the dark sky and nocturnal landscape. I do not consider that the additional hours would cause unacceptable harm to the landscape or night sky at this location at the edge of the urban area, within the Area of High Landscape Value.

Impacts of extended hours to Biodiversity

29. The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and delivering net gains in biodiversity where possible. Policy BE1 and NE1 of Canterbury Local Plan require consideration of biodiversity impacts of proposals and mitigation measures appropriate to the habitat or species interests of the site.
30. The applicant was asked to submit a bat survey report with their application to assess the potential impacts of extended hours of floodlight use on nocturnal species and specifically local bat populations. The surveys were carried out in July and August 2015. The bat survey identifies light spill levels around the site in relation to the hedge locations at the site H1, H2, H3 and H4. The report concludes that the use of floodlighting may impact on commuting and foraging of bats, and that the area of greatest concern is the section of hedgerow H1 that runs adjacent to the ATP/MUGA to the west.
31. Our Ecological advice is that the bat survey report provides an adequate assessment of the potential impacts of extending the lighting hours of the sports facilities and that in order to have adequate regard to the potential ecological impacts at the site, particularly to foraging and commuting bats along the hedgerow that forms the western boundary of the site, and it would be necessary to secure the implementation of mitigation measures to ensure that the connectivity and flight paths are not affected by the potential impacts of extending the floodlighting hours.
32. The mitigation measures proposed are the establishment of a “dark corridor” along the western and northern side of the ATP and the western side of the MUGA which would be achieved by covering the extent of the fencing at the western and northern end of the ATP using a black opaque material thereby reducing the levels of light spill on a section of hedgerow H1 and H2 as well as the mixed plantation and pond area adjacent to the ATP. The applicant states that the opaque material will provide 80% shading from light.
33. In addition to this, the applicant proposes landscape planting and management of vegetation to assist with limiting light spillage over the current situation. The existing landscape scheme includes bolster planting. Gaps in the western hedgerow have recently been planted along with some standard tree planting, although further standard planting is still required to the west of the MUGA and the planting along the northern boundary has not yet been carried out. Further bolster planting of hedgerow H1 and H2 is included within this proposal in order to create and maintain thick and

Extension of hours at Simon Langton Grammar School for Boys

tall hedgerows to a height of at least 3.5m and to reduce light spillage in order to provide a dark corridor on the non-lit side of the hedgerow. However, no details of the type and extent of bolster planting have been provided in the application other than that it would consist of native tree and shrub species and be planted at the same time as fitting of the opaque material. It is proposed by the applicant that the opaque material could be removed once bolster planting has grown to sufficient height and size to reduce any adverse impacts to bats from the floodlighting use and that there would be a period of survey of bat activity before and after removal of the opaque material.

34. The applicant states that hoods, cowls and louvres and shields can be installed on the existing lighting to direct light away from the areas of most concern to bats. However, no details have been provided within the application of where hoods, cowls, louvers and shields can be installed at the site as an additional means of ensuring mitigation of the potential for impacts for bats. Should Members decide in favour of the proposal, these details can be required by condition in relation to the proposal to extend hours prior to commencement of any extension to hours.
35. In the absence of mitigation, bat activity may be detrimentally affected by the proposal to extend hours at the site. Therefore, in order to decide in favour of the proposal, conditions would be required to reflect the recommendations of the Ecological Advice Service requiring the black opaque material to be erected prior to commencement of the extended hours and planting of native tree and shrub species to bolster the existing tree and hedge line at the western boundary. Details of species and numbers would also need to be required in advance by condition should Members decide in favour of the proposal.
36. Our Ecological advice is that the opaque material must be maintained in place until the bolster planting has matured to at least 3.5m and is sufficiently high and thick so as to reduce light spillage without the aid of the opaque material and so whilst the applicant proposes 5 years, it is recommended that the opaque material be maintained for a minimum of 5 years and until evidence has been provided that the hedgerow has reached sufficient height and thickness to justify removal. This can be required by condition.
37. It would also be necessary for the applicant to demonstrate that the opaque material has been used effectively in relation to bats as no evidence has been provided in the application to show that the 80% reduction in shading from light will have the intended effect. Should Members decide in favour of an extension to existing hours, bat activity monitoring using the same methodology as already applied in the bat survey report (v3) would be appropriate to require by condition requiring implementation within the first year of the extended hours with a requirement to submit the survey findings to the Planning Authority. I am satisfied that bat activity monitoring prior to removal and after removal of the proposed opaque material could also be secured by condition.
38. Whilst I do not consider there to be a current need for an extension of hours to the MUGA, I am satisfied that with the implementation of mitigation measures referred to above the requirements of the NPPF and policy BE1 and NE1 in respect of biodiversity impacts of the proposal are adequately addressed in relation to both extension of hours at both the ATP and in relation to the MUGA.

Extension of hours at Simon Langton Grammar School for Boys

39. Members should note that the Biodiversity advice is that the opaque material should be installed irrespective of whether permission is granted for the proposed extended hours. However, the existing permission does not currently provide for the installation of opaque screening material.

Impacts of extended hours to residential amenity

40. Planning policy seeks to achieve a high quality design and good standard of amenity. The positive impacts of this proposal in terms of increasing opportunity for sport and recreation and the promotion of health and wellbeing need to be balanced against the impacts of the proposal. Local Plan policy R12 and BE1 require consideration of design, compatibility and amenity impact, including residential amenity.

Lighting Impacts

41. Concerns have been raised by neighbours to the proposal to the north-west of the site and the impact of lighting to residential amenity in relation to the proposal for extending hours and in relation to compliance with the permitted original lighting scheme.
42. Permission for the existing scheme (CA/14/174) requires compliance with the documents submitted as part of the planning application for installation of lighting at the site. The applicant has confirmed that the installation to date has met the system performance requirements and that the installation was in accordance with the approved scheme and our Lighting Consultant does not raise any new issues with regard to the information provided and has no issues of concern regarding sky glow (upward light ratio) and light intrusion (light spill). The proposed extension of the hours of use is within the requirements of the Guidance notes for the reduction of obtrusive light GN01:2011 for pre-curfew time for light intrusion into windows and, furthermore the light spill calculation shows that it would also be within the post curfew limit also in the E2 location.
43. However, residents at Hallbank House and Merton Cottages to the north west of the site say that they are in direct line of sight with the ATP/MUGA and are some 10 metres lower, and that they consider that they are affected to a much greater extent by light "spillage". The resident at Hallbank House further comments that there should be a requirement to install light hoods, cowls, louvres or shields and so help to mitigate what they consider to be the current high and unacceptable amounts of light over the land to the west and over Hallbank House and Merton Cottages. The fact that the luminaires may be visible from neighbouring properties (in this case approx. 190m (623ft) away) does not mean that there is light spill reaching these properties and causing any material harm, and it is important to bear in mind that planning decisions are not concerned with changes of view from private properties. However, the use of hoods and louvres can usefully reduce any glare and simultaneously reduce the overall visual appearance of the luminaires.
44. Whilst the light may be visible from surrounding property, the technical information provided within the application for the lighting scheme demonstrates that the light intrusion into windows and the sky glow does not exceed the recommended planning guidance. The lighting scheme has been designed to minimise light falling where it is not wanted in an E2 area. The nearest properties to the north west of the site are 190m from the site and the light spillage calculation shows that these properties

Extension of hours at Simon Langton Grammar School for Boys

would not be affected by any light spillage at this distance. Installation details indicate that the light is directed to the appropriate locations at the site and that it does not unacceptably illuminate residential property at this distance from the site boundary.

45. Given that the data indicates compliance with the approved scheme, the addition of hoods, cowls, louvres or shields would not be ordinarily be necessary in order to mitigate impacts of lighting to residents at Hallbank House and Merton Cottages as the data indicates that the light does not spill 190m to the north-west of the site. However, the current permission allows for the installation of light hoods, cowls, louvres or shields should they be deemed necessary in the interests of environment, wildlife and amenity. The Biodiversity advice I have now received indicates that this fuller treatment is necessary as an additional means of ensuring mitigation for the impacts of lighting for bats. Installation as mitigation in relation to bat impacts will also assist in meeting neighbour expectations to the north west of the site.
46. The information submitted in relation to the bat survey shows where the light is falling outside the site and where the Lux level is less than 2 lux. To the north west of the site, light spillage is less than 2 lux within 50 metres of the site boundary and to the north 30m. With the proposed "bolster" planting of hedge H1 and H2 with gradual growth to 3.5m over time in order to create a dark corridor for bats and the use of an opaque screen for at least a 5 year interim period the visible impact at the margins of the site should be reduced which would be to the benefit of biodiversity and to residents to the north west. This would also assist in reducing the visibility of other lighting from the School site, such as the lighting on the sports hall building.
47. The Property at Merton Cottages to the north west of the site is lower than that at the proposed site, however as light does not spill as far as this property the difference in ground surface level will not affect the light spill and relates only to the extent of what can be seen of the proposal from the property. The Cottages are well screened by their own boundary trees and do not have direct views toward the site from the upstairs windows, although it does have oblique views which take in the existing Canterbury Rugby Ground pitches as well as the Simon Langton pitches. The proposed additional planting and use of black opaque screening would provide further screening of the proposal from views from the property.
48. Given that there is no objection from Canterbury City Council or from our Lighting advisor, I conclude that the lighting impacts to residential amenity would not be so significant as to warrant refusal of permission for an extension to hours of use in relation to the Local Plan policy R12, BE1 and BE2.
49. Whilst the proposal meets the technical requirements and accords with planning policy and guidance, Members should note that control over the hours of use and minimising the hours of use can assist in reducing the impact of sports lighting schemes. It may also assist in reducing the perception of impact experienced by neighbours. Providing a break period when lighting is not in use, such as after 1800 hours on a Sunday/Bank Holiday evening would in my view be appropriate in this location to address the perceived impact to residential amenity and Members may be minded to not grant permission for the proposed additional 2 hours from 1800 to 2000 hours on a Sunday/Bank Holiday.

Extension of hours at Simon Langton Grammar School for Boys

Noise Impacts

50. National Planning Policy Guidance relating to noise is contained within paragraph 123 which states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development and to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of new conditions. It recognises that development will often create some noise and that there should not be unreasonable restrictions because of changes in land use.
51. Local Plan policy R12 also requires consideration of adverse impacts to residential amenity and policy BE1 requires proposals to consider compatibility of the proposed use with the existing environment and site context.
52. The Noise Policy Statement for England provides three levels of assessment in relation to noise - no observed effect level, lowest observed adverse effect level and significant observed adverse effect level. As the location of this proposal has not been identified in planning policy as an area of tranquillity the NPPF guidance that applies in this case is that significant adverse impact as a result of noise should be avoided in determining applications whereas otherwise noise impacts should be reduced to a minimum and mitigated against in planning decisions.
53. The applicant was asked to submit a noise assessment in support of their application for extended hours. The noise assessment considers the impacts of additional noise from the ATP during the proposed hours and the impacts once the MUGA has been refurbished and brought into use.
54. The three nearest residential locations have been considered in the assessment at Rivendell (Langton Lane), Merton Cottages and Underwood Close. The findings indicate that Rivendell is screened by other school buildings and as a result the noise levels are lower than at the other two locations. Since the Underwood Close location has the lowest background residual noise levels the noise assessment refers to it as being the most critical in terms of assessing the background noise impact.
55. The assessment focuses on the proposed midweek extension to hours as this is the latest proposed time extension and this approach is considered sound by Amey.
56. As the background noise at Underwood Close is much the same level in the period 2000-2100 as it is during the proposed additional hour 2100 – 2200, the applicant concludes that the noise levels from the ATP when operating at the same time as the MUGA (once it is in use) are at the borderline for causing an adverse impact during the currently permitted hours and during the proposed additional hour.
57. The applicant states that the highest noise level reaching any house from their assessment would be 39 dB L_{Aeq} at Merton Cottages when the ATP and MUGA operate simultaneously and that this is 11dB below the World Health Organisation (WHO) guideline value of 50 dB L_{Aeq} for protecting the majority of people from being moderately annoyed. It concludes that with the L_{Aeq} level being 11 dB within the guideline value, this tends towards the view that the majority of people will not experience “moderate annoyance” according to the WHO guidelines.

Extension of hours at Simon Langton Grammar School for Boys

58. The report concludes that in terms of the NPPF/Noise Policy Statement for England (NPSE) guidelines, the proposal would be placed at the lowest observed adverse effect (LOAEL) level; that significant adverse impact is unlikely and that noise levels are at the borderline for causing an impact at the lowest observed adverse effect level during the proposed extra hour as well as during the currently permitted hours.
59. Given our noise consultant advice that the noise assessment methodology and conclusions are sound I conclude that the noise survey assists the Council in reaching a decision over the noise impacts of the proposal. Our noise consultant advises that further assessment is not necessary; it is likely that the effect of the proposal at the proposed additional hours between 2100 to 2200 would be similar to 2000 to 2100 and that the findings on a weekday evening would also be relevant to a Saturday or Sunday.
60. Our noise advice is that the noise effects from the proposal are around the low observed adverse effect level (LOAEL) and that the fact that a sound can be easily heard does not mean that it constitutes a nuisance. The NPPF guidance recognises that development will often create some noise and that there should not be unreasonable restrictions because of changes in land use. The advice from the noise consultant is also that noise at the levels measured is unlikely to disrupt the sleep of an average person. The advice also takes account of the topography and ground cover.
61. In the light of this advice, and given no objection to the proposal from Canterbury City Council, I conclude that whilst the proposal might give rise to some additional noise which might be audible at neighbouring property, it is not considered to be a significant adverse impact and so according to the guidance in the NPPF and planning Policy R12 and BE1 would not warrant refusal on noise grounds alone. In particular the planning system is not in place to prevent any perceptible change in noise unless there is any significant harm relating to noise.
62. However, the neighbour representation indicates that in their opinion, there is an adverse impact to local residents to the north west of the site, that the noise from the activities can be discerned from any other background noise to the extent that it is obtrusive and questions the reasonableness of the hours now being sought given the hours that the facility can already operate.
63. Given that the proposal has been assessed in terms of the current noise guidance in the NPPF and NPSE as being at the lowest observed adverse effect level it could be expected that conditions could be used to restrict the hours to those applied for. Restrictions on the use of loud speakers and public address systems could also be controlled by conditions. It could also be expected that the school provide a named point of contact for neighbour liaison. Our noise consultant advises that any mitigation measures should work to improve community relations in order to reduce any potential adverse effect from the proposal, for instance including measures to avoid anti-social behaviour or having a contact person responsible for the facility who could be contacted at any time in case residents had any cause for concern.
64. It is not unusual to operate within the extended hours now being sought. Other schemes have been permitted elsewhere within the County at a number of locations for similar sports facilities with similar hours of use permitted. However, whilst the proposal meets the technical requirements and accords with planning policy and guidance relating to noise, Members should note that control over the hours of use

Extension of hours at Simon Langton Grammar School for Boys

and minimising the hours of use can assist in reducing the impact of sports schemes to residential amenity. Providing a break period in the evening when the facility is not in use, such as after 1800 hours on a Sunday/Bank Holiday evening would in my view be appropriate in this location to address the perceived impact of noise to residential amenity. Members may therefore be minded to not grant permission for the proposed additional 2 hours from 1800 to 2000 hours on a Sunday/Bank Holiday.

65. Should Members decide to grant permission I consider that such measures could be required by conditions and an informative, including updating of the Community Use Agreement to reflect any extended hours and the conditions/informatives imposed.

Other matters

66. The application was publicised by site notice in two locations in accordance with the Statement of Community Involvement.
67. Neighbour representations concerning compliance with the existing approved ecology design strategy including planting and enhancement of habitats and incorporation of a planting plan to the western boundary of the site have been raised with the applicant in the context of this application. The implementation of the landscape planting at the site had been delayed and whilst some planting was carried out at the end of 2015, further planting is still to be carried out at the site.
68. The ecological mitigation proposed in support of extended hours of use includes additional bolster planting to that already carried out and already permitted, in order to extend height and width of the planting on the northern and western boundary. A condition already exists requiring planting to be managed appropriately and this would also apply in relation to any additional bolster planting.
69. The impacts to biodiversity for the proposed hours can be mitigated against by the use of opaque screening and managing planting at the site. Members should note, that the existing permission allows for adjustments to the lighting system in order to address concerns in relation to impacts to bats but does not allow for the addition of opaque screening or further bolster planting.
70. The impacts to the landscape in this location of the proposed black opaque material which would be for a temporary 5 year period whilst landscape planting becomes established and has not given rise to objection on landscape grounds by Canterbury City Council. Should Members decide in favour of the proposal I would suggest a condition be used to require that the black material screen be fit for the intended use, securely attached and maintained and replaced as necessary during the temporary period.
71. Neighbour representation considers that the existing facility already impacts on residential amenity and that the extension of the hours would further detrimentally impact the environment and nearby residents and that there should be a balance struck between the needs of the school and its social and sporting amenities and the effect on the living conditions of local residents. I would agree that the facility does already have considerable flexibility in the existing hours of operation at the site and that the applicant's proposal to further extend hours at the site is ambitious. However, whilst the proposal to increase the existing operating times might seem unreasonable to local residents, given the absence of any technical objection from statutory consultees and given the planning policy and guidance, refusal of the

Extension of hours at Simon Langton Grammar School for Boys

scheme on noise, biodiversity and lighting and amenity impacts would be unjustified in my view. Whilst the application does not include the species mix, details of management and timetable for the additional proposed bolster planting, and details of the hoods, cowls, louvres and shields and the locations where they would be fitted, these matters are capable of being required by condition should Members be minded to grant permission.

72. The proposal has been assessed in relation to the impacts to residential amenity as well as biodiversity and bats. The proposal to extend hours is within the pre-curfew time and the lighting scheme demonstrates compliance with the required limits in the E2 location. The noise assessment indicates that the proposal is within the lowest observed adverse effect and is not so severe as to indicate that permission should be refused.
73. The impacts to residential amenity can be mitigated against by use of a range of appropriate conditions. That includes limits on hours in relation to the ATP and MUGA, including differential times for the ATP to the MUGA and limits on the use of public address systems and music. These matters have been discussed above.
74. The applicant will need to appropriately manage neighbour relations at the site in relation to the existing facility and adopt a procedure in order to manage complaints relating to the school and community activity at the site and also be willing to modify their activities and booking system in order to maintain neighbour relations should Members decide in favour of an extension to hours. As an example of this, the school has recently been made aware of concerns with regard to operating hours and have stated that they will check their records and review their systems with immediate effect to ensure that non-compliance does not continue to occur if found. The school have also been reminded of the requirement to carry out appropriate planting for the existing development as a result of neighbour concerns and this has been partially completed.

Conclusion

75. In considering this proposal, the value and need for extended hours to education and sport and community use and the consequential impacts to biodiversity, landscape and residential amenity and whether these can be made acceptable by appropriate mitigation have been considered. In my opinion, the applicant has not adequately demonstrated a need for an extension to the hours to the MUGA when it has not yet been refurbished and it would therefore be premature to support the request for an extension of hours for the MUGA. However, given the support of Sport England to the proposal, there would appear to be a need for increased hours for sports facilities, although this needs to be balanced against the likely impacts arising from increased hours of use.
76. Given the technical advice received and in the absence of any objection from the statutory consultees, I consider that the applicant has demonstrated that the lighting currently installed is appropriately directed and therefore consider that increasing the hours of use within the pre-curfew hours would not unduly impact on the landscape character or historic setting or unduly affect the night sky environment in this location. I consider that conditions can be used to require maintenance; monitoring and checking on a regular basis should Members decide in favour of an extension or partial extension to hours.

Extension of hours at Simon Langton Grammar School for Boys

77. In relation to impacts of lighting to biodiversity, and taking account of our technical advice, which is that in the absence of mitigation, bat activity may be detrimentally affected, I consider that conditions can be used and are necessary to mitigate the impacts of the proposal on bats, including the fitting of hoods, cowls, and louvres to shield the luminaires as well as the opaque screening around the pitches.
78. The impacts of extended hours to residential amenity have been considered in relation to lighting and noise. Given the technical advice from our noise and lighting consultant, the scheme would meet the relevant planning guidance and policy requirements in terms of light spillage, sky glow and light intrusion in this location. The noise assessment also indicates that the proposal would conform to WHO guidelines and BS4142. Our technical advice is that the conclusion of the assessment is sound and that the proposal is at the lowest observed adverse effect (LOAEL) level. The technical advice is that this level of impact is acceptable in this location for the proposed hours applied for. Planning policy and would also allow a decision in favour of the proposal.
79. However, to address the perception of adverse impacts to the quality of life and residential amenity and in particular the neighbour request to the Council to reject the application in order to provide a sense balance between the needs for sports facilities and the quality of life for local residents, I consider that it would be reasonable to impose conditions prohibiting loud speakers, music and public address systems at the site. I also consider that to further extend the hours of use by 2 hours on Sunday and Bank Holiday in this location (ie to 2000 hours) as well as an extension of an hour to 2200 hours Monday to Friday and an additional hour to 2100 on a Saturday would not be appropriate for the reasons detailed in paragraphs 49 and 64. I recommend that should Members be minded to grant in favour of this proposal they consider a partial extension to the hours for the ATP only, to 2200 hours Monday to Friday and 2100 hours on a Saturday with no additional extension on a Sunday and Bank Holiday.

Recommendation

I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- Controls on the hours for ATP:
0900 to 2200 Monday to Friday
0900 to 2100 Saturday
0900 to 1800 Sunday and Bank Holiday (as already permitted)
- Controls of hours for MUGA (as already permitted):
0900 to 2100 Monday to Friday
0900 to 2000 Saturday
0900 to 1800 Sunday and Bank Holiday
- Within the permitted hours, lights to be turned off when not in use and/or within 15 minutes of the last use;
- Restriction to no use of amplified music and loudspeakers or public address systems;
- That the Community Use Agreement be updated and submitted prior to extension of hours;
- Implementation of bat survey report recommendations;

Extension of hours at Simon Langton Grammar School for Boys

- Prior to extension of hours erection of the 'black opaque material' along the northern and western fence line of the ATP;
- Prior to refurbishment of MUGA erection of the "black opaque material" along the western boundary of the MUGA
- That the black opaque material be fit for the intended use, securely attached and maintained and replaced as necessary during the temporary period;
- The planting of additional native tree and shrub species to bolster the existing tree/hedgeline along the western and northern boundary of the site;
- Provision of detailed specifications and management for planting;
- that the opaque material is maintained for a minimum of 5 years and until evidence has been provided that the hedgerow has reached sufficient height and thickness to justify the removal of the opaque material;
- The implementation and submission of bat activity monitoring (using the same method as submitted) during year 1 of operation with the opaque material and monitoring of bat activity prior to and after removal of the opaque material;
- Details to be submitted for approval and the installation of hoods, cowls, louvres and shields on the existing lighting and that proposed for the MUGA.

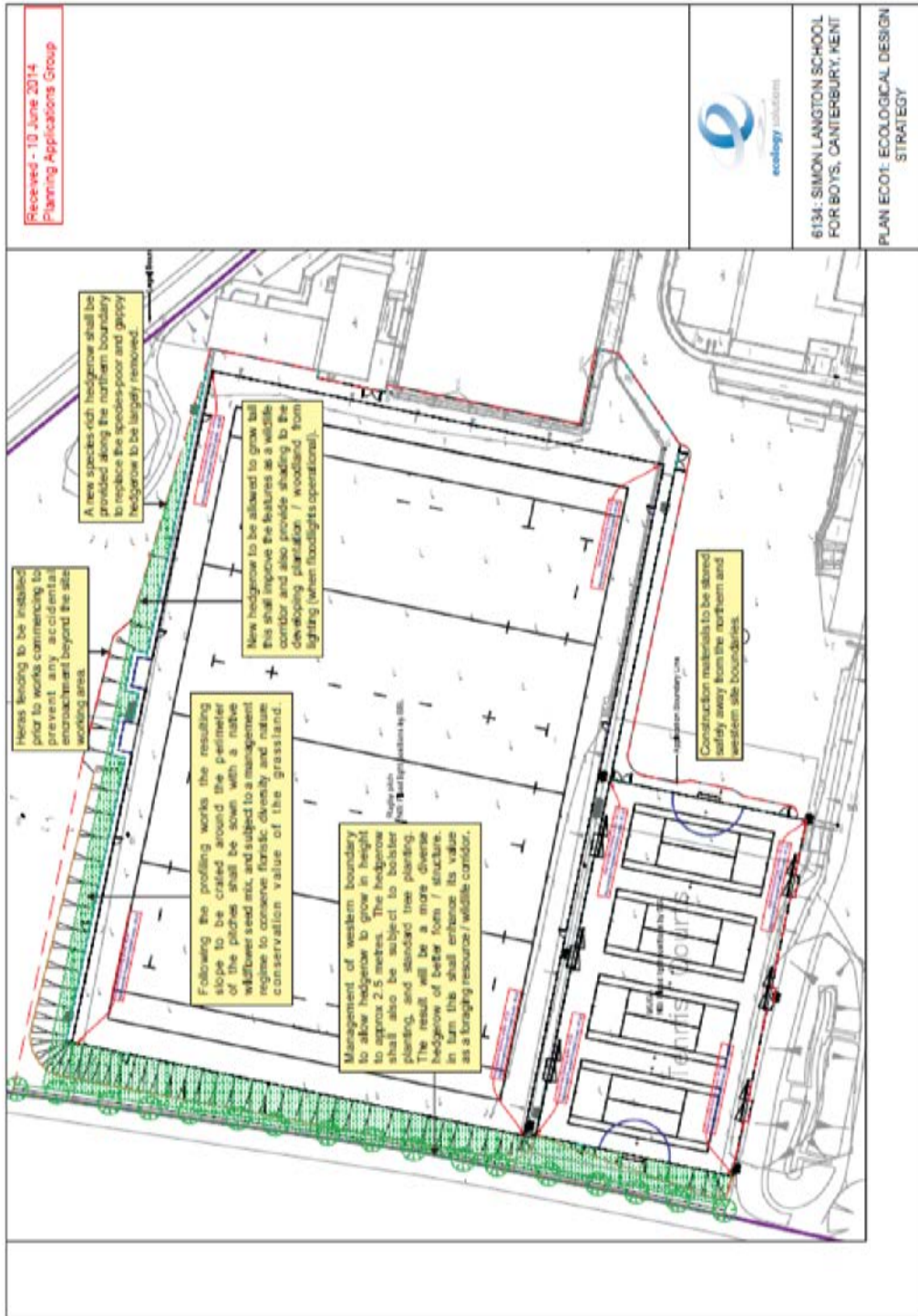
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| Background Documents: see section heading |
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Extension of hours at Simon Langton Grammar School for Boys

Approved ecological design strategy



Single storey extension for 3 classrooms with on-site parking and relocation of hard play area – Hoath Primary School, Hoath, Canterbury – CA/15/2379

A report by Head of Planning Applications Group to Planning Applications Committee on 18 May 2016.

Application by Kent County Council for a proposed single storey extension to the north of the existing primary school for 3 classrooms; one key stage 1 classroom and two key stage 2 classrooms. The proposal is also for on-site parking and the relocation of the hard play area. The two classrooms within the existing school will be returned back to the main hall. An external outbuilding accommodating a school store will be demolished (Ref: KCC/CA/0320/2015 and CA/15/2379)

Recommendation: The application be referred to the Secretary of State for Communities and Local Government and subject to his decision planning permission to be granted, subject to conditions.

Local Member: Mr A Marsh

Classification: Unrestricted

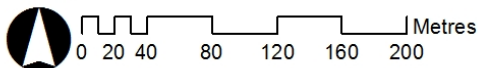
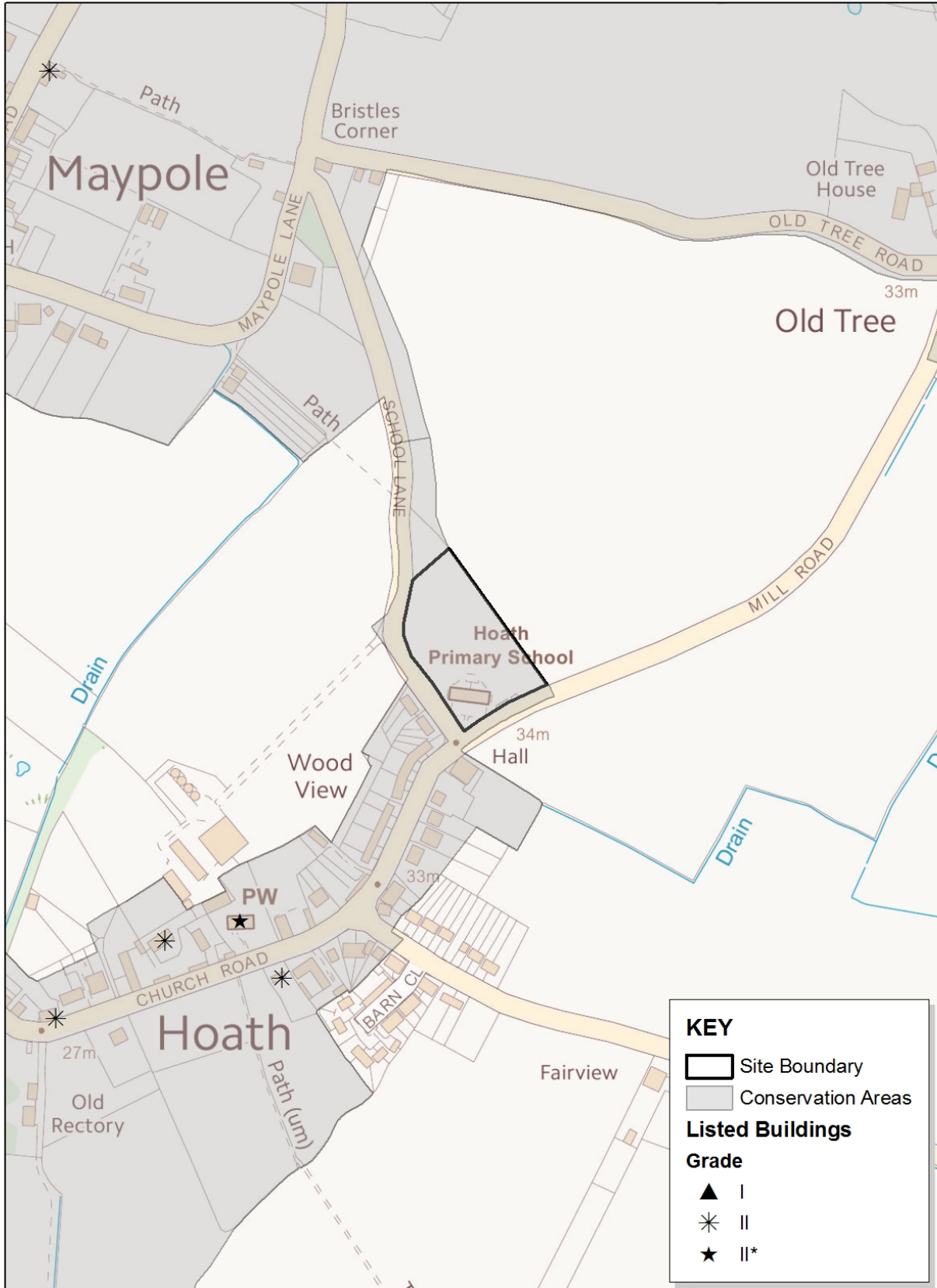
Site

1. Hoath Primary School is a small rural school located at the corner of School Lane and Mill Road in the village of Hoath, which is to the north east of Canterbury. The school is located within the Hoath Conservation Area which encompasses most of the village and the nearby village of Maypole. However the school buildings are not listed. It is a village school which caters for children aged 4-11 and the school opened on the current site in 1928. Prior to that the school was located in the Village Hall. Please refer to the site location plan.
2. The school is located at the eastern edge of the built up area of the village and is bounded by School Lane on its western and north-western sides; Mill Road on its southern side and open agricultural fields to the east. Footpaths are provided along either side of School Lane across the section over which the school occupies, at which point they finish, owing to the fact that there are only very limited number of dwellings to the north. There is no formal vehicular access into the school other than an informal access for maintenance vehicles and there are no car parking facilities for any staff. The school buildings are located on the southern part of the site, with the playing field located behind the buildings. Due to its rural location, the majority of children come from the surrounding area and are mainly driven to this school.

Background and relevant planning history

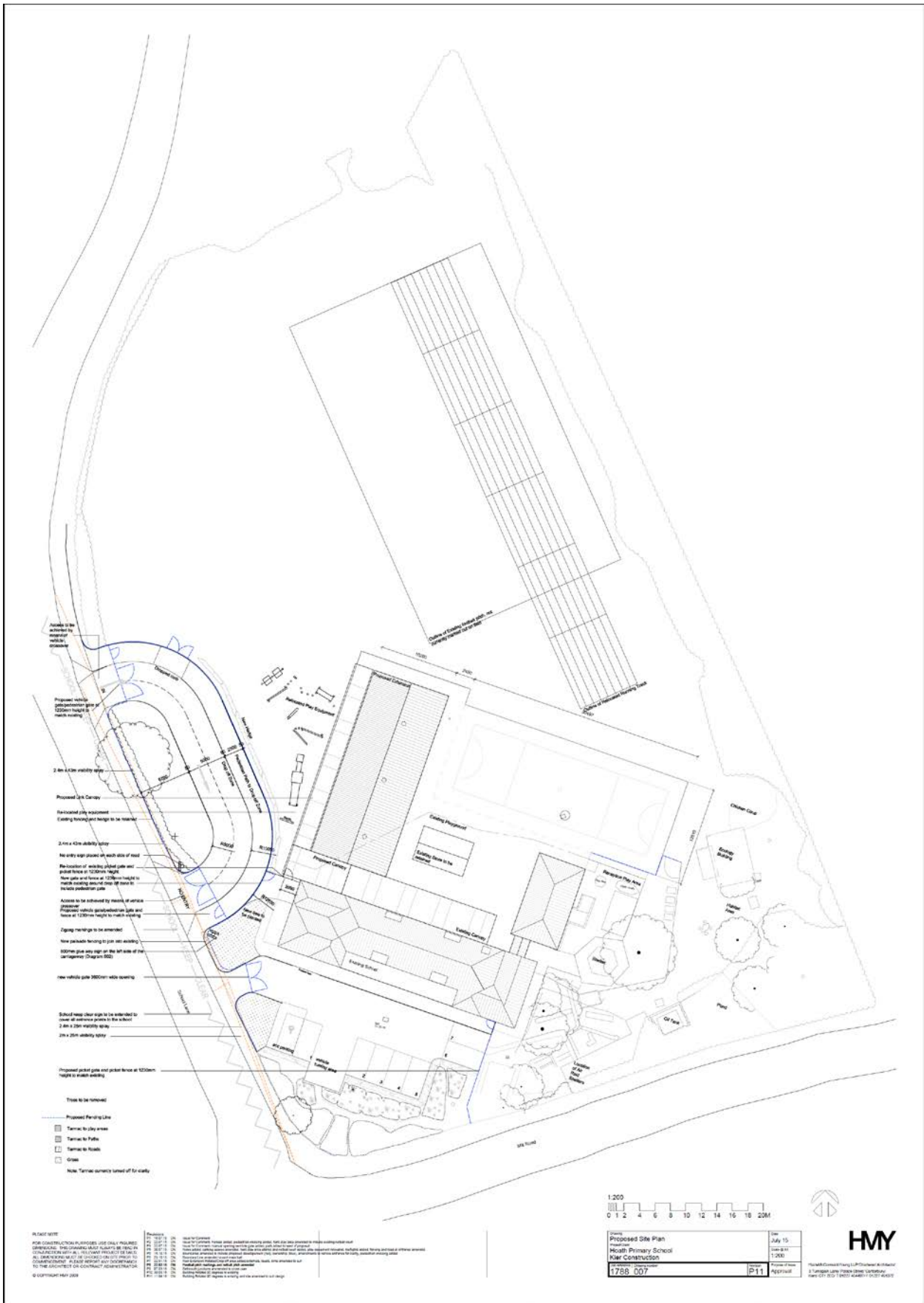
3. Hoath Primary School currently has 69 pupils aged 4-11 years. From September 2016 the school numbers will need to increase to 105 pupils to meet the national increase in requirements for primary school places. There is also pressure within the existing school to provide accommodation to meet the needs of the current cohort of pupils, as they have 'outgrown' the available space within the existing school. Currently the existing school has converted the main hall into two classrooms which accommodates Years 2 to 6. The Reception class and Year 1 class are located in an extension block to the north east of the school. School assemblies and indoor activities take place in the neighbouring Village Hall.

Site Location Plan

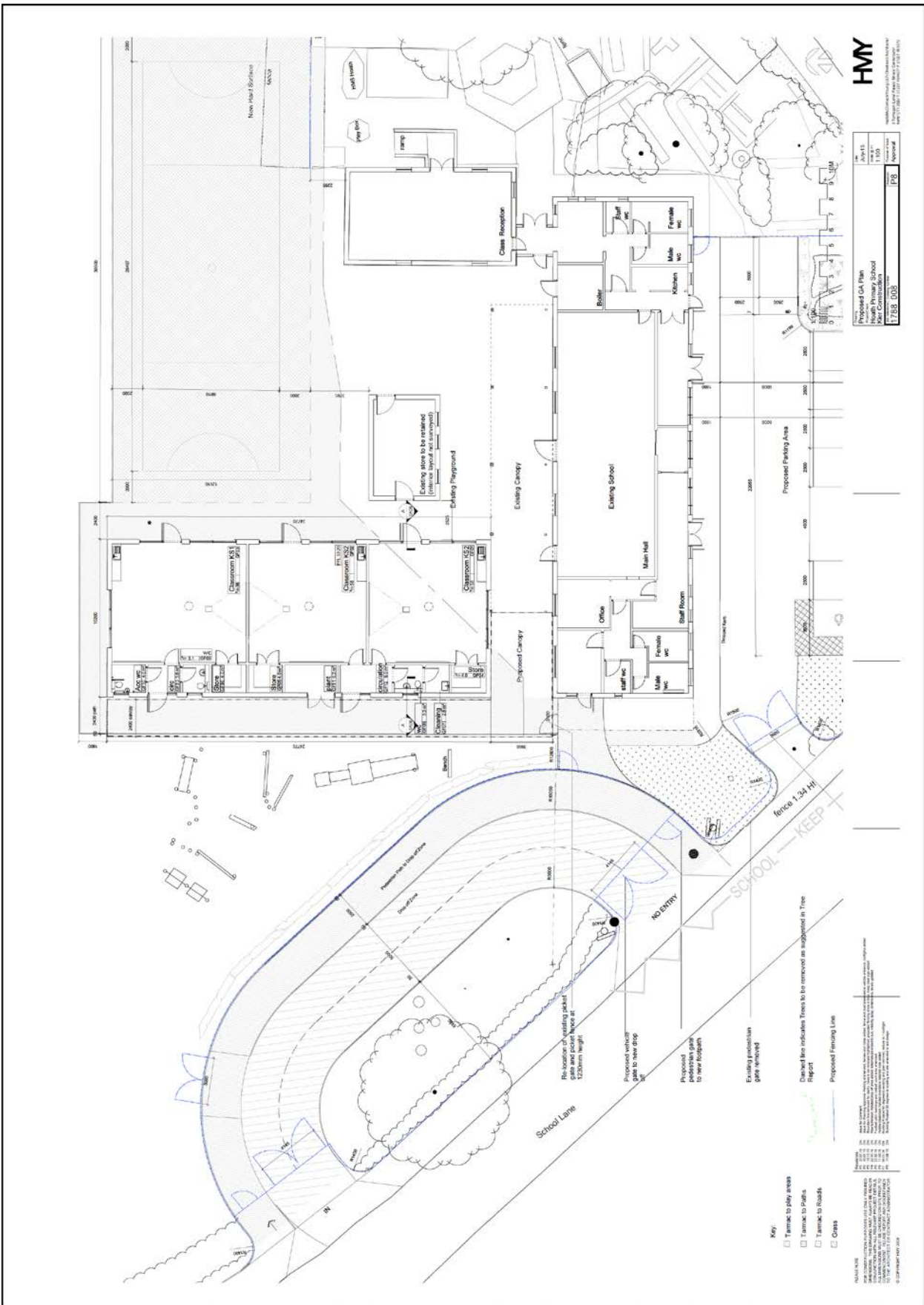


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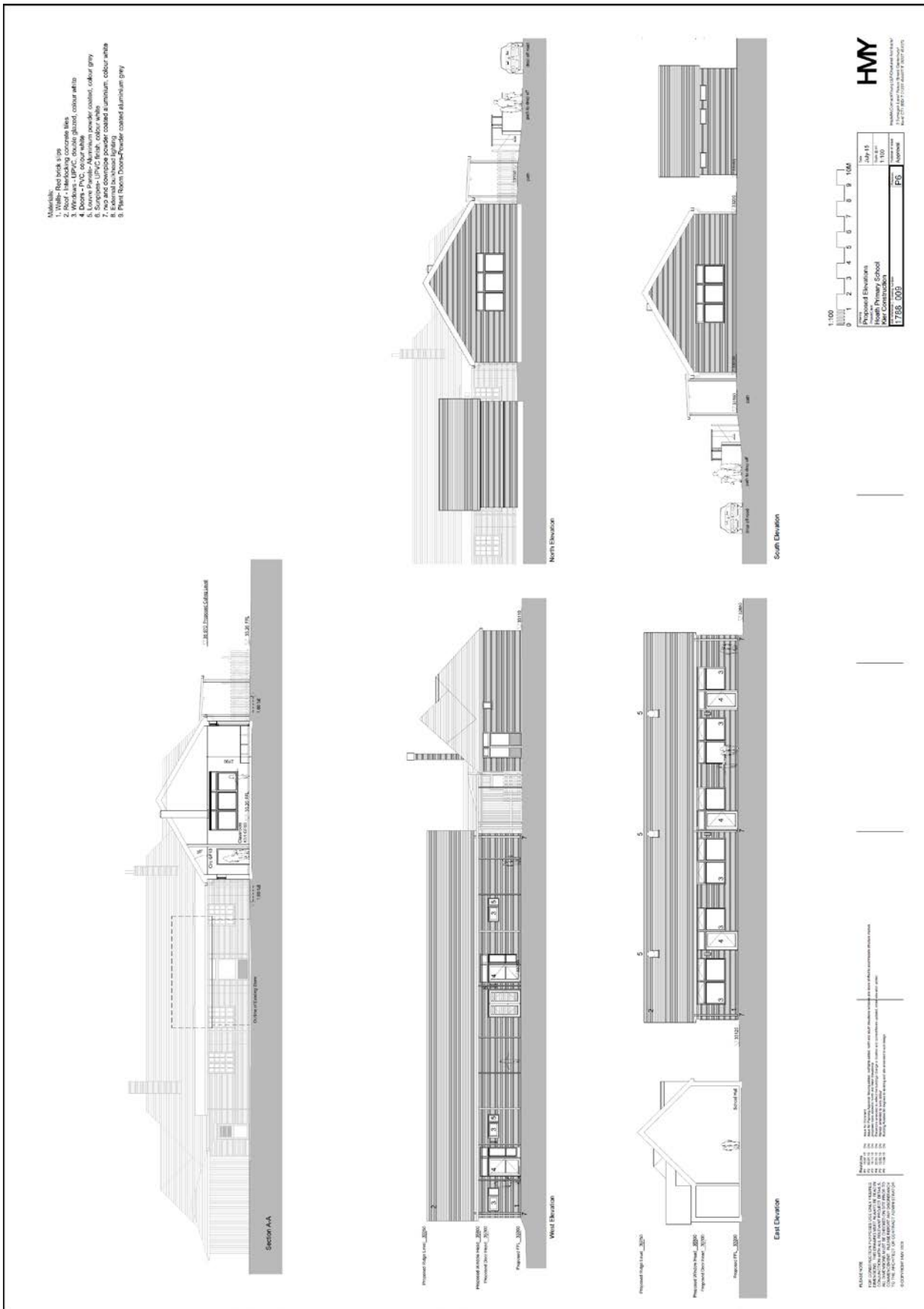
Single storey extension, Hoath Primary School, Hoath - CA/15/2379



Single storey extension, Hoath Primary School, Hoath - CA/15/2379



Single storey extension, Hoath Primary School, Hoath - CA/15/2379



Single storey extension, Hoath Primary School, Hoath - CA/15/2379



Single storey extension, Hoath Primary School, Hoath - CA/15/2379



Single storey extension, Hoath Primary School, Hoath – CA/15/2379



View from School Lane



View from School Lane obscured by 2m Hedge



Single storey extension, Hoath Primary School, Hoath – CA/15/2379

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4. The current school roll is 69 pupils and 23 teaching staff, both full and part time. The proposed increase of pupils to 105 will result in the increase of an additional two members of full time staff.
 5. Nationally and locally, pupil numbers are rising and there is an increased demand for places for children in existing primary schools. Funding has been granted to Hoath Primary School to provide a three classroom extension. This will enable the two existing classrooms located within the school hall to be re-located in a new extension, along with one extra classroom. The main hall could then be returned to its original use.

Recent Planning History

6. The most relevant recent site planning history is listed below:

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| CA/09/1779 | Installation of a 5KW isktra R9000 wind turbine with 5.4m diameter rotor mounted on a 15m free standing mast. Application was withdrawn. |
| CA/06/460 | Extension to provide a new classroom and all associated works and alterations. Granted planning permission. |

Amendments

7. The planning application has been amended twice from the original proposal as part of on-going discussions from the consultation process. The original planning application proposed for the new 3 classroom extension to sit parallel to the rear elevation of the school and to be accessed via the existing canopy and proposed to have a flat roof and to be clad in an off-white rendered finish with a black painted plinth. The rendered finish was intended to be sympathetic to its surroundings and proposed to have further rendered panels in dark and light shades of green located between the windows. Car parking for 8 staff spaces, including 1 disabled parking space, was proposed on the existing playground to the front of the existing school buildings, with a new vehicular and pedestrian access from School Lane. A new relocated playground/netball court was proposed to the rear of the school buildings.
8. This attracted an objection from the Highways and Transportation Manager due to the fact that there was no provision made to accommodate the additional parental traffic that would be generated, and that only 8 car parking spaces would be created on the site for staff parking. A revised scheme was negotiated between the applicant and Highways and Transportation which included a parental drop off area to the south west of the school site, and located off School Lane. A new footpath was also proposed that ran behind the parental drop off area and the proposed 3 classroom extension was relocated to sit directly behind this area. The proposed relocated playground/netball court and staff parking area were to remain as originally proposed.
9. Furthermore, the proposed single storey extension sat parallel to the existing school adjacent to the existing canopy. The proposed extension sat predominantly on the existing hard surface area. However the County's Conservation Officer objected to this orientation and asked for the proposed extension building to be rotated by 90 degrees. Due to the objection from the Highways and Transportation Manager (referred to in para 8 above) about the lack of parking provision for parents, it was proposed to incorporate a drop off area for parents and so the proposed extension was rotated to sit behind the drop off area and to be parallel to School Lane.

10. This revised second version of the planning application was subject to consultation with the statutory consultees and the same neighbours, as originally notified, were informed of the proposed changes.
11. As the proposed new location of the extension and the new drop off facility would require more land than the original planning application, Sport England was consulted on this proposal and raised an objection due to the amount of playing field land the proposed development would now impede upon. However, Sport England raised no objection to the proposed staff car parking on the existing school playground.
12. Further objections were subsequently received from Canterbury City Council based on the proposed flat roof of the extension, the rendered design and the setting of the building, whilst also drawing concerns from the City Council's Conservation Officer about the appearance of the building and that it would now be more visible than the original proposed location. To create the drop off area, some of the boundary treatment would need to be removed and thus the proposed extension would now be more visible from School Lane. However it must be noted that the appearance of the proposed building had not changed from the original design, to which Canterbury City Council originally raised no objection to.
13. In summary, whilst the second version of planning application addressed the Highways and Transportation objection, new objections were received from Sport England and Canterbury City Council. Further negotiations took place with the applicant to try to overcome these latest objections. The proposed location of the extension was reviewed as well as the materials to be used externally and the design of the proposed building. This resulted in a third version of the scheme.
14. The current and third amendment to the planning application, and the subject of this report, is now proposed to sit to the north of the existing school at a 90 degree angle and parallel to the current reception block. The building is now located further into the site, and as close as possible to the existing school buildings, being mindful not to encroach too much onto the existing playing field. A new canopy is proposed to connect into the existing canopy and to provide a covered link between the two buildings. The new building location is on the 'secure' side of the school grounds and would allow for access to both the playing field and the playground from the classrooms. Minor alterations are also proposed to the existing school buildings and these have not changed from the original planning application. The staff parking and relocated playground/netball court have not been altered from the original planning application.
15. Furthermore the appearance of the 3 classroom extension has also been reviewed in light of Canterbury City Council comments. A 30 degree pitched roof is now proposed and the originally proposed render panels are to be replaced with red brick slips, which are sympathetic to the existing school and its neighbouring residential surroundings.
16. This revised third version of the planning application was again sent out to consultation with the statutory consultees and the same neighbours, as notified twice previously, were informed of the proposed changes. Whilst Canterbury City Council and the County's Conservation Officer have withdrawn their respective objections, Sport England have maintained their objection due to the proposed encroachment upon the school's playing field. It is for this reason the planning application is being reported to this Committee.
17. Please note that it is this amended third version of the planning application that is outlined below and discussed in this report.

Proposal

18. The current application is for a new single storey extension to provide 3 classrooms, stores, toilet facilities and a plant room. It also proposes a new staff parking area, vehicle drop off area, a relocated playground/netball court and minor alterations within the existing school for the conversion of existing toilets into a head teacher's office and for the installation of two reception toilets.
19. To accommodate the increase in pupils there is a requirement to build an extension for three new classrooms. Two classrooms would replace those within the existing school hall which would enable the hall to be reinstated. One classroom for Key Stage 1 (KS1) is proposed to measure 66sqm (710.4sqft) which would also include a coat area. The other two proposed classrooms for KS2 would measure 58sqm (624.3sqft) and again include a coat area. In addition, it is proposed that each classroom would have access to its own 4sqm (43sqft) store. Furthermore two toilets and an accessible toilet are also required for the school pupils. A new plant room would also be provided within the extension for plant associated with the proposed extension. It is proposed to provide these facilities within a single storey extension that would have a footprint of 235sqm (2,529.5sqft) gross internal area (GIA). The existing school buildings total 335sqm (3606sqft) GIA and the site area is 0.88Ha (2.17 acres)
20. The proposed extension would have a 30 degree pitched roof and is proposed to be clad in red brick slips which are more in keeping with the original school buildings and its neighbouring residential surroundings. Windows are proposed to be double glazed UPVC and coloured white which match the windows on the existing building. The external doors are also proposed to be white UPVC, which would provide a visual contrast to the walls and match the existing school doors. The proposed extension would consist of 3 ventilated sun pipes, one above each classroom and this would allow for natural daylight and ventilation within the classrooms.
21. The proposed site for the single storey extension is part playing field and part hard play area for minimal impact upon the playing field. The current area of playing field to be built upon is currently used for external play equipment, which is to be relocated to an un-used section of the field to the west of the site. It is proposed that the classrooms would open out on to the asphalt finish hard play area. This area currently accommodates an external brick built store, which the school wish to maintain. A proposed path would connect the current asphalt hard play area to the entrances of the new extension. The path would also extend to the west of the main school building, reconnecting with the existing path at the schools visitors' entrance.
22. The former front playground would become a staff parking area for 8 cars, including 1 disabled parking space and provide emergency vehicle access and turning. This would be accessed from School Lane. The existing entrance off School Lane would be removed so vehicle access would only be made via the new drop off zone. The existing playground to the front of the site would be relocated to the rear of the school and the relocated netball court is the same size as the previously used with a 2m (6.6ft) run off zone.
23. The proposed parent drop off area is located to the west of the school site, off School Lane. The drop off will operate a one-way system and will be controlled with entry and exit gates. A new line of hedging behind the drop off is proposed which would provide a level of screening of the development from the street.
24. Finally, minor alterations are proposed to be made within the existing school. The main hall would be reinstated. The existing boys/girls toilets that sit next to the staffroom are not

used by pupils and have become redundant due to their location. These former toilets are to be converted into a new office for the head teacher. Two new reception class toilets would be located within an existing cloak room area near the reception class. The cloakroom area would then be integrated into the reception classroom. This makes a better use of space within the existing building layout.

Planning Policy Context

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

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

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

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

- Supporting a prosperous rural economy by promoting the retention and development of local services and community facilities in villages
 - Achieving the requirement for high quality design and a good standard of amenity
 - The promotion of healthy communities
 - Conserving and enhancing the natural environment, including protecting and enhancing valued landscapes
 - Conserving and enhancing the historic environment.
- (ii) **Policy Statement – Planning for Schools Development (August 2011)** sets out the Government's commitment to support the development of State-funded schools, and their delivery through the planning system.
- (iii) **Development Plan Policies**

Canterbury District Local Plan First Review: Adopted 2006

- Policy BE1** The City Council will expect proposals of high quality design which respond to the objectives of sustainable development.

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- Policy BE3** Design statements and/or Development Briefs shall be submitted with planning applications setting out the principles used in the scheme to relate the development within and to its context. This will apply to all planning applications, where the development is visually significant or is significant to its neighbours.
- Policy BE7** Development within, affecting the setting, or views into and out of a Conservation Area should preserve or enhance all features that contribute positively to the Area's character or appearance.
- Policy C9** The City Council will apply Kent County Council's adopted Vehicle Parking Standards to development proposals.
- Policy C11** Proposals for new buildings or uses for local communities to provide social infrastructure will be encouraged and granted planning permission on the basis that any new building is appropriately designed and located, and highway safety would not be prejudiced.
- Policy C27** Proposals for development, which would result in the loss, in whole or part, of playing fields will only be permitted if there is an overriding need for the proposed development which outweighs the loss of the playing field and if sports and recreation facilities can be best retained and enhanced through the redevelopment of a small part of the site.

Canterbury District Local Plan Publication Draft (2014)

- Policy HE6** Development within a conservation area should preserve or enhance its special architectural or historic character or appearance.
- Policy OS2** Proposals for development, which would result in the loss, in whole or part, of playing fields will only be permitted if there is an overriding need for the proposed development which outweighs the loss of the playing field and if sports and recreation facilities can be best retained and enhanced through the redevelopment of a small part of the site.

Consultations

26. **Canterbury City Council:** Raised **no objection** to the originally submitted application, subject to addressing any concerns of the Highway Authority.

Hoath Parish Council: No comments received to the originally submitted application.

Kent County Council Highways and Transportation: Raised **objection** to the originally submitted application, for the following reasons:

"The school is situated in a very rural location with limited transport sustainability. Consequently the vast majority of staff and pupils currently travel to and from school by car. My concerns however are primarily in relation to the parking demand rather than residual vehicle trip attraction.

Pupils and staff primarily reach the school by car; therefore there is already a high demand for parking in the area. It is evident that inappropriate parking already occurs on the local roads, particularly at the School Lane/Mill Road junction and there are therefore highway safety issues at present.

Based on the modal split the proposed expansion will result in an additional parking demand for 28 cars, once the proposed parking provision is taken into consideration there is an actual parking demand for an additional 21 cars on the local roads.

I do not consider that the immediate surrounding roads can accommodate the projected 21 additional cars safely. Mill Road and School Lane are narrow roads and lack street lighting. Cars are likely to park inappropriately on footways, verges and junctions, as well as further down Mill Road and School Lane. The obstruction of footways on School Lane, and a lack of footway on Mill Road will result in pedestrians having to walk in the carriageway. Moreover damage is likely to occur to the highway verges along these roads.

Whilst the proposal to provide 7 (plus 1 disabled) off-street parking spaces will be an improvement on the existing situation, I do not consider that it is sufficient mitigation for the expansion of the school.

I recommend refusal of the application as it currently stands as I am concerned that the increase in the size of the school will lead to increased parking demand on local roads which will be detrimental to highway safety.”

School Travel Planner: Raised **no objection** subject to an updated School Travel Plan being conditioned and for the School to submit this via the Jambusters website.

County Conservation Officer: Raised **concern** to the originally submitted application, for the following reasons:

“The extension as drawn will have little impact on the Conservation Area as the shorter elevation is end on to the School Lane frontage, but because this building is at the far eastern end of the Conservation Area with open field on the opposite side of the road, then this is of less importance than the impact of the extension on the existing building.

There can be no objection to a modern, well designed extension to a listed or in this case non-listed Heritage Asset, but the design must be of good quality, sit well with the existing and must preserve or enhance the setting of the original. In this case the juxtaposition of old and new causes concern. The two buildings do not sit well.

The design concept appears to be based around the existing modern canopy along the rear or north elevation of the school which is of no architectural merit. This ‘covered’ area will become the link between the existing and new building which houses the classrooms. Once enclosed the area under the link will be a dark, dank space especially as the roof of the canopy (plastic) cannot be reached for cleaning once the extension is in place. Children will have to pass through this outdoor space to reach the classrooms.

If the building were turned through 90 degrees (to have a North to South axis) it could be physically linked up to the existing building, the rear elevation of the existing building would remain exposed and, with some ‘tweaking’ to the internal layout, the new classrooms could open up onto an enclosed, safe space.

A proviso on the extension should be that no plant is placed on the roof of this flat roofed extension to ensure the finished roof level is kept as low as possible. At the moment there are 6 roof lights shown and these should be the only projection above the roof line.”

Landscape Officer: recommends that a small number of trees are planted along the school boundary. The Canterbury Landscape and Biodiversity Appraisal include a set of guidance for the area, such as ‘conserving and restoring field boundaries – particularly

along lanes'. Whilst the school site is no longer an agricultural field, its boundary can still contribute positively to local landscape character as well as ecological connectivity and could benefit from new tree planting or a hedgerow to restore this.

Environment Agency: has no comment to make.

Comments received to the revised second planning application are as follows;

Canterbury City Council: Raised **objection** to the second version of the application for the following reasons:

“The National Planning Policy Framework (NPPF) advises that Local Planning Authorities (LPA) should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Indeed, LPA’s are instructed to give weight to the need to create, expand or alter school. However, the NPPF also states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location ; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The proposal would be set away from the existing cluster of school buildings and as such would be read as a stand-alone new building and not an extension to the existing school building. The footprint of proposed building, together with drop-off and parking area would result in the loss of a large part of the open space and playing field associated with the school. This results in a conflict with Policy C27 of the Canterbury District Local Plan First Review (2006) and emerging Policy OS2 of the Canterbury District Local Plan Publication Draft (2014) which seeks to protect open space and playing fields subject to certain criteria. The information submitted with the application does not convincingly set out how the proposal meets the criteria within the NPPF or the Canterbury Development plan policy. For this reason, and in the absence of further justifying information, it is considered that the proposed building and/or drop-off area should be sited in a location that would not result in such a significant loss of playing field and open space provision.”

Following consultation with City Council Conservation Officer, the following comments were raised:

“According to legislation and national/local planning policy, works of development within a conservation area should preserve or enhance the character or appearance of that area. The proposed works should also make a positive contribution to local character and distinctiveness. In addition, new development should contribute positively to making places better for people. Where proposals conflict with these aims, there should be public benefit arising to such a degree that it outweighs the potential harm, and can be justified/mitigated.

Rural primary schools are to be encouraged, as they have diminished in number during the latter half of the 20th century, a trend which has continued. The extension to a primary school which is growing is therefore acceptable in principle.

The design of the extension should be functional, yet respond to its environment. Unfortunately, this proposal fails to do so. Buildings in the immediate vicinity of Hoath

Primary School are brick with pitched roofs. The proposal is for a long low flat-roofed building in a combination of different coloured renders and rendered panels. Combined with the proposed urbanisation of the highway in front of it, this structure would be highly visible within the site, and would not sit comfortably with the existing buildings. It would have a temporary appearance, as if it was a temporary mobile that was put on site until the school could build a proper, permanent extension.

Unfortunately, while it is understood that it is a necessary extension, the design of the building and the associated highway works are too urban and contrary to the established form within the conservation area. As the works fail to preserve or enhance the area as per the legislation and policy, the only recommendation can be refusal/objection as the proposed development would conflict with the aims of policy BE7 of the Canterbury District Local Plan First Review (2006) and emerging policy HE6 of the Canterbury District Local Plan Publication Draft (2014). It is recommended that additional development is located to the south east corner of the site and away from the main playing field.

In view of the above, Officers cannot endorse the proposal in its current form.”

Hoath Parish Council: Raised **no objection** to this second version of the planning application.

Kent County Council Highways and Transportation: Raised **no objection** to the second version of the application, subject to the following comments:

“I am satisfied that the proposed drop off/pick up point within the site will help alleviate the additional parking demand generated as a result of the proposed school expansion. The access and egress have however been indicated as bellmouth junctions, and I would consider it more appropriate that these are formed as vehicle crossovers. This would provide the continuation of the footway for pedestrians along School Lane and therefore maintain pedestrian priority across the access and egress points.”

Subject to a revised drawing now showing the bellmouth junctions being changed to vehicle crossovers, Highways and Transportation confirmed acceptance of this proposed alteration to the entrance and exit of the drop off area.

County Conservation Officer: Has the following comments to make on the second version of the planning application:

“As a principle I have no objection to a well design modern extension sitting alongside an existing listed it non-listed Heritage Asset as a modern interpretation can often be a better solution than a pastiche of the original.

Canterbury City Council state that they do not like the appearance of the proposed extension, yet the design has not altered from that of the original scheme (to which I understand they did not object), it is just its position on the site that has altered. In the original layout the juxtaposition of old and new meant there was negative impact on the original school.

They also state the proposal would be set away from the existing school and would read as a standalone new building, but this was the case in the original scheme. There was no physical link in the original scheme, indeed the use of the existing canopy was a poor detail in design terms.

I agree with Canterbury City Council that the new road layout is rather ‘urban’ and will make the extension more visible from the roadway. As I previously commented more screening

will be necessary to replace the hedging that will be lost by the in/out roadway. Clever design should be able to overcome these objections.

Canterbury City Council recommended the building be moved to the south east corner of the site which is away from the playing field. I am not adverse to this suggestion as it will ensure the original school building is not impacted.”

Sport England: Raises **objection** to the second version of the application, in particular to the drop off zone, single storey extension and hard play area.

“These aspects of the proposed development would appear to be sited on an existing area of playing field. Locating these aspects of the proposed development on the existing playing field would prejudice the use of the playing field. In the light of the above, Sport England **objects** to these aspects of the proposed application because they are not considered to accord with any of the exceptions to Sport England’s Playing Fields Policy or with Paragraph 74 of the NPPF.”

Sport England raises **no objection** to the car parking area aspect of this planning application.

“Sport England is satisfied that this aspect of the proposed development meets the following Sport England Policy exception:

E3 – This aspect of the proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

Sport England **objects** to the proposed drop off zone, single storey extension and hard play area because they are not considered to accord with any exceptions to Sport England’s Playing Field Policy or with paragraph 74 of the NPPF.

These aspects of the proposed development would appear to be sited on an existing area of playing field. Locating these aspects of the proposed development on the existing playing field would prejudice the use of the playing field.

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

Comments received to the revised third version of the planning application are as follows:

Canterbury City Council: Raises **no objection** to the revised application for the following reason:

“We have reviewed the amended plans and raise no objections to the proposed scheme. The design concerns we raised previously have now been overcome, and the design proposed is now considered sympathetic to the existing school buildings and would preserve the character and appearance of the conservation area.

In terms of the loss or part of any playing field, I would advise that County Council should take account of Policy C27 of the Canterbury District Local Plan First Review (2006) and

Single storey extension, Hoath Primary School, Hoath – CA/15/2379

emerging Policy OS2 of the Canterbury District Local Plan Publication Draft (2014) which seeks to protect open space and playing fields subject to certain criteria.

Provided that the County Council are satisfied in this regard, the Council wishes to raise no objections to the proposal.”

Hoath Parish Council: No comments received to the third version of the application.

Kent County Council Highways and Transportation: Comments remain unchanged from the previous response confirming no objection, subject to planning conditions covering provision of

- Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing;
- Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the use of the site commencing;
- Use of a bound surface for the first 5 metres of the access from the edge of the highway;
- Completion and maintenance of the accesses shown on the submitted plans prior to the use of the site commencing;
- Gates to open away from the highway and to be set back a minimum of 5 metres for the edge of the carriageway;
- Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 0.6 metres above the carriageway level within the splays, prior to the site commencing.

County Conservation Officer: Has the following comments to make on the third planning application:

“This new scheme is for an extension of the same size as previously, but the footprint has moved on the site to accord with Sport England requirements, and the elevational treatments have changed to a more ‘traditional’ brick faced building with pitched roof to accord with Canterbury City Council requirements.

Although the school building is not listed, it is within a Conservation Area and must be considered a non-listed Heritage Asset. The design of any extension must therefore be of good quality, sit well with the existing and must preserve or enhance the setting of the original.

I am content with the new footprint, which is at 90 degrees to the existing school, and therefore respects the existing building. I am also content with the elevational treatment for the proposed extension (as I was with the modern rendered finish of the previous schemes).

As a ‘traditional’ approach is now being taken, the external wall finish of red brick slips must be of a colour and type to match the existing school.

My only concern is regarding the roof finish. The Design and Access Statement says this is to be concrete interlocking tiles, which will not be appropriate here. The main school building is finished with plain tiles but as the proposed extension roof is only at 30 degree pitch, plain tiles are not suitable. However slate would be suitable for such a low pitch and I feel would be more appropriate to this location within a Conservation Area.”

Single storey extension, Hoath Primary School, Hoath – CA/15/2379

Sport England: Maintains an **objection** to the third version of the planning application and has no further comments to make on the revised proposal. Therefore previous comments still apply.

Local Member

27. The local County Member, Mr Alan Marsh, was notified of the application on 2 November 2015, 24 February 2016 and 13 April 2016.

Publicity

28. The application was advertised by the posting of site notices, the notification of 18 neighbours, and an advert was placed in the local newspaper on 5 November 2015.

Representations

29. One letter of representation has been received, strongly opposing the original version of the application. The main points of the objection can be summarised as follows:

- The proposed development is within a Conservation Area with no infrastructure to support the additional congestion through Maypole and its surrounding lanes, which invariably are used for farm vehicles, horse riding, walkers and cyclists.
- Hoath Road, Maypole Lane and School Lane cannot sustain any additional vehicles during the peak school drop off and pick up times.
- It is alterations like these that could irrevocably transform the look of what is currently an historical Kentish village.

30. No further letters of representation from local neighbours have been received to the two subsequent re-notifications, nor have any further comments been received from the person who wrote (see above comments) on the original version of the planning application.

Discussion

31. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (25) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, including the National Planning Policy Framework (NPPF), Planning Policy Statement for Schools Development and other material planning considerations arising from consultation and publicity.

32. This application has been reported for determination by the Planning Applications Committee following the receipt of an objection from Sport England. The main issues relating to this objection are Sport England's objection to the loss of playing field and the one neighbour objection. All previous objections have been addressed through negotiation and been subsequently withdrawn.

Sport England Objection

33. Sport England has objected to the revised planning application on grounds that the proposed development would appear to be sited on an existing area of playing field and would prejudice the use of the playing field and does not accord with the exceptions to Sport England's Playing Field Policy. It is Sport England's policy to oppose any planning

application which would result in the loss of playing field land unless it is satisfied that the application meets with one or more of five specific exceptions. The gist of these exceptions are incorporated within paragraph 74 of the Government's National Planning Policy Framework (NPPF).

34. Sport England also considers that the application does not accord with the exceptions of paragraph 74 of the NPPF, which states:

Existing open spaces, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss of resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable locations; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

35. Whilst it is acknowledged that there would be some encroachment onto the usable part of the playing field from the proposed drop-off area, new extension and relocated playground/netball court, the school has generous grounds and would be able to accommodate the proposed development without affecting the usage of the playing field or the current area of the running track and football pitch.

36. To ensure that the development did not encroach upon the playing field, the existing playground to the front of the site was initially considered but rejected because it was not large enough to accommodate the extension. The School was also required to provide some onsite parking facilities for the staff and so this was best located at the front of the school site, where it was easily accessible and could use the existing maintenance access off School Lane.

37. Furthermore, following on from Canterbury City Council's Conservation Officers comments about considering an alternative site that did not encroach upon the playing field, the site to the south east of the existing school buildings was also considered but rejected as this area currently accommodates the reception play area; an oil tank (main heating source); electric pole; former air raid shelters and structures and an existing pond. Building in this area of the site would disturb habitation associated with both the pond and the Ecology Building. Additionally the Reception Class outdoor play area would be significantly affected by a building on this part of the site and would be a loss to the school. Creating a zone would elsewhere disconnect it from the Reception classroom and there would be insufficient space to retain it. It would also be difficult to construct the extension to this side of the site and the school playing field due to its disconnection from the main road and interruption to the School. The building would also be an awkward shape, due to the shape of the land available. Therefore this suggestion has not been pursued any further.

38. The location of the new proposed extension and drop-off area has now been positioned on an area of the site where there is currently little use. The area of the drop-area is currently not used for playing as there are few trees located in this area that would have to be removed to create the drop-off. Additionally the area of the proposed extension is on the edge of the current hard pay area and where play equipment is currently located in this area. It is proposed to relocate this play equipment into an area between the footpath behind the drop-off area and the extension. This is a triangular piece of land, which is unusable and incapable of making up an area for sports and is currently not marked out for PE games or activities. The proposed extension has also been located as close as

possible to the existing school buildings to further reduce encroachment of the new development on the playing field and into the open countryside. Due to the loss of the existing hard playground to the front of the existing school building to staff parking, then an area to the rear of the existing school buildings and near to the area where children currently play, was deemed the most sensible place to relocate the hard playground. A netball court is also proposed which will provide further a further area of hard play and allow for all year usage of this facility.

39. The applicant has also provided drawings showing the markings for the existing running the sports pitches are currently marked out on the school field as both have faded over the winter months. The drawings provided indicate their proposed positions but both can be relocated within the playing ground and away from the hard PE courts.
40. According to the recommended areas prescribed in Building Bulletin 103 (Notes on Area Guidelines for Mainstream Schools), these are exceeded at this site for Soft Outdoor PE and Soft Informal and Social Areas. The existing playground to the front of the school currently measures 305sqm (3,283sqft) and accommodates a scaled down netball court. This is currently smaller than the BB103 recommendations. It is proposed to reposition and enlarge the court to an increased size of 470sqm (5,059sqft). Although this is still less than the recommendations, this application proposes to provide more hard outdoor PE area than previously used by the school. In fact the whole of the school's playing field measures 8,361sqm (89,997sqft) and the recommended maximum area for a school with this number of pupils is 3,877sqm (41,732sqft). This demonstrated that with the proposed development encroaching upon the playing field, there would still be more playing field available than would be expected.
41. It is accepted that schools do need to expand to provide additional facilities for both the existing and proposed pupils, and therefore this will result in some encroachment upon the school's playing field. However in this case and through careful consideration and design, any encroachment upon the playing field has been kept down to a minimum and where possible, it is proposed to use land which is currently incapable of forming usable play space.
42. In my view, this is a relatively minor encroachment onto areas of unusable parts of the playing field (due to vegetation and existing play equipment) that has to be balanced against the need for the development and wider benefits to the community of this educational facility and the strong policy presumption in favour of new school facilities. The substantial part of the playing field would remain unaffected by the development where it would still be possible to accommodate the running track and sports pitch and still have space around it. In my view, the use of the playing field would not be adversely affected either for informal sports or indeed more informal recreation. I do not therefore consider there is any basis for a planning objection on the grounds that the development would lead to an unacceptable loss of playing field to would affect the ability of the School to use the playing field. Whilst the provision and protection of playing fields is only one of the many facets that planning decisions have to reflect, I am satisfied that thorough consideration has been given to the playing field impacts and the latest version of the proposals reflects an acceptable compromise in balancing building design and conservation issues, educational need, vehicle access and parking, tree protection and biodiversity interests and playing field protection. As such it is considered that the application would accord with saved Policy C27 and emerging Policy of OS2 of the Local Plans and Paragraph 74 of the NPPF. Under the circumstances, I would therefore not raise a planning objection to the proposal on grounds of loss of playing field.

43. The application site falls within the Hoath Conservation Area and although the school building is not listed it must be considered a non-listed Heritage Asset. Therefore any new build design must be of good quality, sit well with the existing and must preserve or enhance the setting of the original. The planning application has been through 2 revisions and both Canterbury City Council and the County's Conservation Officer have confirmed their acceptance of the final version of the application, as overcoming the previous concerns about the design, location and choice of materials. A 'traditional' approach has now been taken to the design and appearance of the building, with the external wall finish of red brick slips which would match the materials on the existing school and a 30 degree pitch roof. It is now considered to be sympathetic to the existing school buildings and would preserve the character and appearance of the Conservation Area.
44. The only outstanding issue is about the type of roof material has been raised by the County's Conservation Officer. It is suggested that concrete interlocking tiles are not appropriate and that slate tiles would be more in keeping with the type of roof material used in this area. The applicant has confirmed that they would be willing to use a slate tile but I propose to deal with that issue by reserving this detail by way of condition.
45. I am satisfied that thorough consideration has been given to the design, materials, location and impact upon the Conservation Area, and the latest version of the proposals also reflects an acceptable compromise in balancing all the comments and objections received. As such it is considered that the application would accord with saved Policies BE1, BE3 and BE7 and emerging Policy of HE6 of the Local Plans. Under the circumstances, I would therefore not raise a planning objection to the proposal on grounds of heritage issues.

Residential amenity

46. It has been acknowledged that the development is within a Conservation Area and the design and external materials of the proposed extension has been revised to be more in keeping and sympathetic with the existing school, the surrounding area and the Conservation Area. The extension is proposed to be clad in red brick slips, which would have the same appearance as the existing school building and the buildings in the vicinity of the school. The originally proposed flat roof is replaced by a 30 degree pitched roof. The proposed extension has also been moved closer to the existing school buildings and together with a proposed planting scheme, so that the new extension should not be that visible from outside the school site.
47. A drop-off facility is also now proposed to help accommodate the additional traffic that an extra 35 pupils would generate and help alleviate the additional parking in School Lane. Any additional traffic created by these additional pupils would only be on the highway network twice a day and during term time only. There would be no justification in improving rural roads in this instance, over and beyond what is already proposed in School Lane. As no further comments were received from the one neighbour representation to the subsequent revision of this planning application, then I consider that the original comments have been addressed through the revisions of this planning application. As such it is considered that the application would accord with saved Policies BE1, BE3, BE7, C9 and C11 and emerging Policy of HE6 of the Local Plans Under the circumstances I would not raise a planning objection to design, additional traffic and the impact upon the character and appearance of the Conservation Area.

Conclusion

48. In summary, I consider that, subject to the imposition of appropriate planning conditions, this proposed development constitutes sustainable development, with an appropriate

standard of design and layout, which would not have significantly detrimental effects on the sporting facilities at the school. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies, as well as the National Planning Policy Framework. I am not aware of any material planning considerations that indicate that the conclusion should be made otherwise.

49. However I recommend that various conditions be placed on any planning permission, including those outlined below. However, given the Sport England objection, should Members support my views expressed in paragraphs 33 to 42 above and decide against refusal of this application, the County Planning Authority is required to consult the Secretary of State for Communities and Local Government at the National Planning Casework Unit and not grant planning permission until the Secretary of State has first had opportunity to consider the application. The Town and Country Planning (Consultation) (England) Direction 2009, requires that the Authority may only proceed to determine an application once the Secretary of State has had an opportunity to consider whether or not to call in the application for his own determination.

Recommendation

- 50 I RECOMMEND that the application BE REFERRED to the Secretary of State for Communities and Local Government and SUBJECT TO his decision, PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- The standard 5 year time limit;
- The development carried out in accordance with the permitted details;
- The submission of details of all materials to be used externally, including the details of the roof material;
- A scheme of landscaping, including details of species, source, location of saplings to be planted as well as mitigation and visual impact information be provided, and hard surfacing, its implementation and maintenance, as well as referencing the Canterbury Landscape and Biodiversity Appraisal;
- Measures to protect trees to be retained;
- No tree removal during the bird breeding season;
- Provision and permanent retention of vehicle parking spaces;
- Provision and permanent retention of vehicle loading/unloading and turning facilities;
- Completion and maintenance of the access of the drop off facility;
- Drop-off gates to open away from the highway and be set back a minimum of 5 metres;
- Provision and maintenance of the visibility splays and no obstructions over 0.6 metres above the carriageway level within the splays;
- Hours of working during construction to be restricted to between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- Measures to prevent mud and debris being taken onto the public highway;
- The submission of a construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction operations;
- The submission of a revised School Travel Plan

I FURTHER RECOMMEND that the School BE ADVISED that the revised Travel Plan should be registered with the County Council's new School Travel Plan website

Single storey extension, Hoath Primary School, Hoath - CA/15/2379

(‘Jambusters’) by accessing the following link www.jambusterstpms.co.uk, to assist with the updating, monitoring and future reviews of the Travel Plan.

| | |
|---------------------------|--------------|
| Case officer – Lidia Cook | 03000 413353 |
|---------------------------|--------------|

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| Background documents - See section heading |
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Item D4

Demolition of existing main school building and construction of a replacement school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

A report by Head of Planning Applications Group to Planning Applications Committee on 18 May 2016.

Application by Kent County Council, Property & Infrastructure Support and the Education Funding Agency for the demolition of the existing main school building and construction of a replacement school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016).

Recommendation: permission be granted subject to conditions.

Local Member: Mrs Margaret Crabtree

Classification: Unrestricted

Site

1. Sevenoaks Primary School is located approximately 1.5km (0.9 miles) to the north of Sevenoaks Town Centre, within the built confines of the town. The 4.48ha (11 acre) rectangular school site is accessed via Bradbourne Park Road and Bradbourne Road. In addition to the existing school buildings, which are located to the north of the site, the school site also hosts Bradbourne Park Pre School, Acorns Day Nursery and some County Council Adult Services facilities, all of which are located in modular buildings to the south of the main school building. The application site is bound by facing residential properties in Bradbourne Park Road to the north/north west, and those in Bradbourne Road to the north/north east. Beyond the south/south eastern boundary of the school site lies the County Council's Sevenoaks Adult Education Centre, and residential properties in Linden Close face the southern boundary. Walthamstow Hall Junior School (an independent school) is located to the south/south west of the application site, and is also accessed via Bradbourne Park Road.
2. Sevenoaks Primary School is a 3 form of entry (FE) school which could provide 630 places for 4-11 year olds, although there are currently only 529 pupils on the school roll. The existing school buildings, car parking and hard play areas are all located to the north of the site, with amenity grass space to the south west of the main building, and playing fields to the south/south east. The main school building was built in the mid 1950's and was originally constructed as a secondary school. The red brick part two and part single storey building consists of a long central corridor which spans several levels, and a series of 'off shoots' which contain the school's main teaching facilities. Between the 'off shoots' are areas of soft play and three new modular buildings (see planning history below).
3. The site is within the built confines of Sevenoaks and is therefore not affected by the Green Belt protection policies which are applicable to much of the Sevenoaks District. The application site is not located within or adjacent to a Conservation Area and there are no Listed Buildings nearby.

A site location plan is attached.

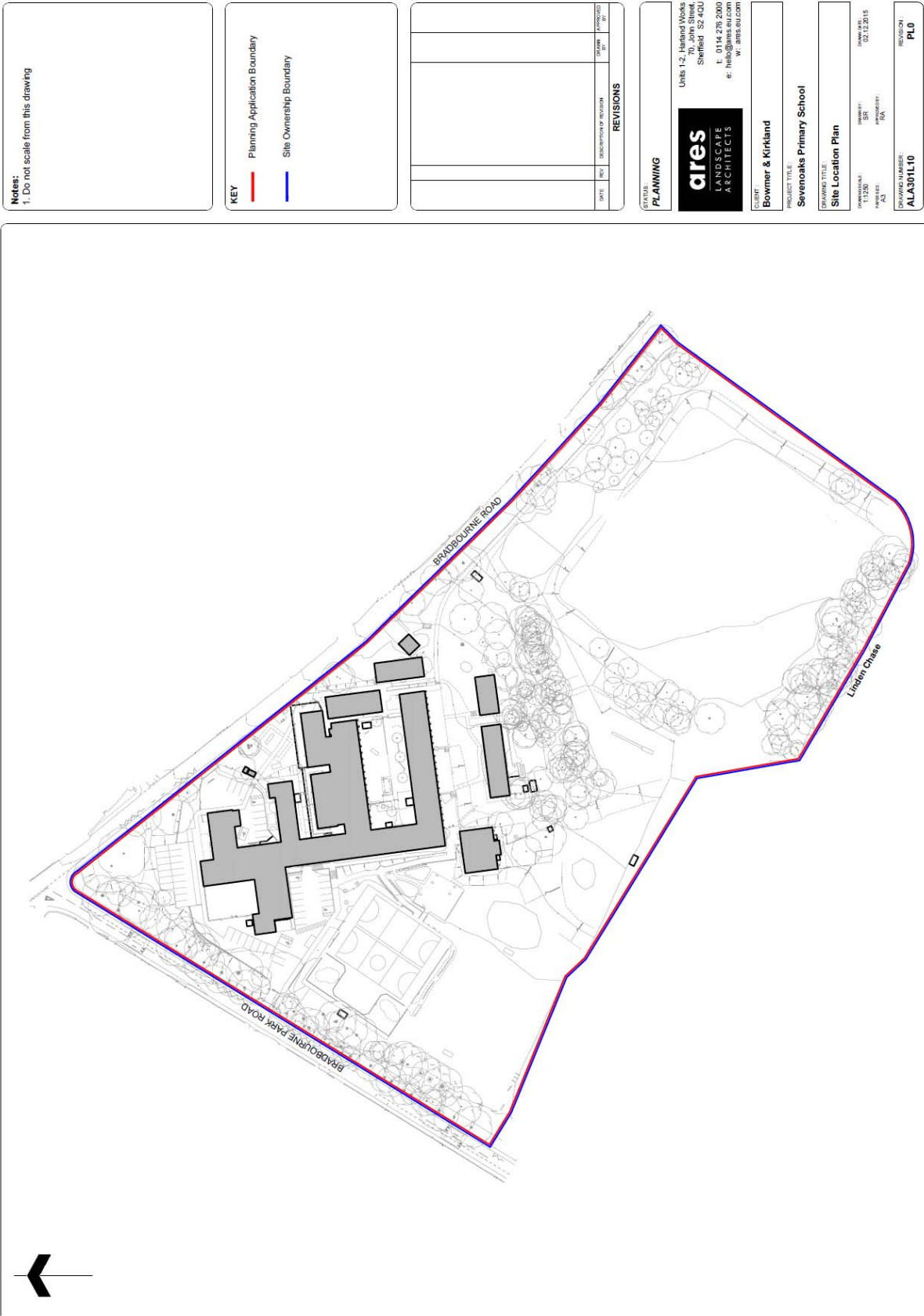
Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

Site Location Plan



Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

Existing Site Plan



Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

Proposed Site Plan

| <p>NOTES:</p> | <ol style="list-style-type: none"> 1 Hard Play Retained 2 Existing Building Retained 3 Soft Internal Play 4 Entrance Space 5 Existing Car Parking & Drop Off Arrangement. Drive Spaces Retained 6 Proposed Proposed Entrance and Emergency Vehicle Access 7 Proposed Ramp Access With Central Fenceline 8 Existing Play Area & Equipment To Be Retained 9 Service Access 10 Proposed Games Court 11 Proposed Sub Station and Bin Store 12 New Covered Walkway Linking New School Building, Design To Match Existing 13 Existing Sub Station 14 Bradbourne Road Entrance and Barrier Retained | <p>REVISIONS</p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>CHKD</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table> | NO. | DATE | DESCRIPTION | BY | CHKD | | | | | | | | | | | | | | | | <p>CONTRACTOR PROPOSALS</p> <p>Unit 1, 2, Sevenoaks 1, 0114 276 2000 # 1190000000 www.cires.co.uk</p> <p>cires ASSOCIATE ARCHITECTS</p> <p>Author: Bower & Kirkland Project Title: Sevenoaks Primary School Drawing Title: Bradbourne Park Road Drawing No: 16/141/0007/2016 Date: 16/12/2016 Scale: 1:500 Drawing By: [Name] Checked By: [Name] Drawing Status: ALAN01101 Revision: 001 Discipline: CDP</p> |
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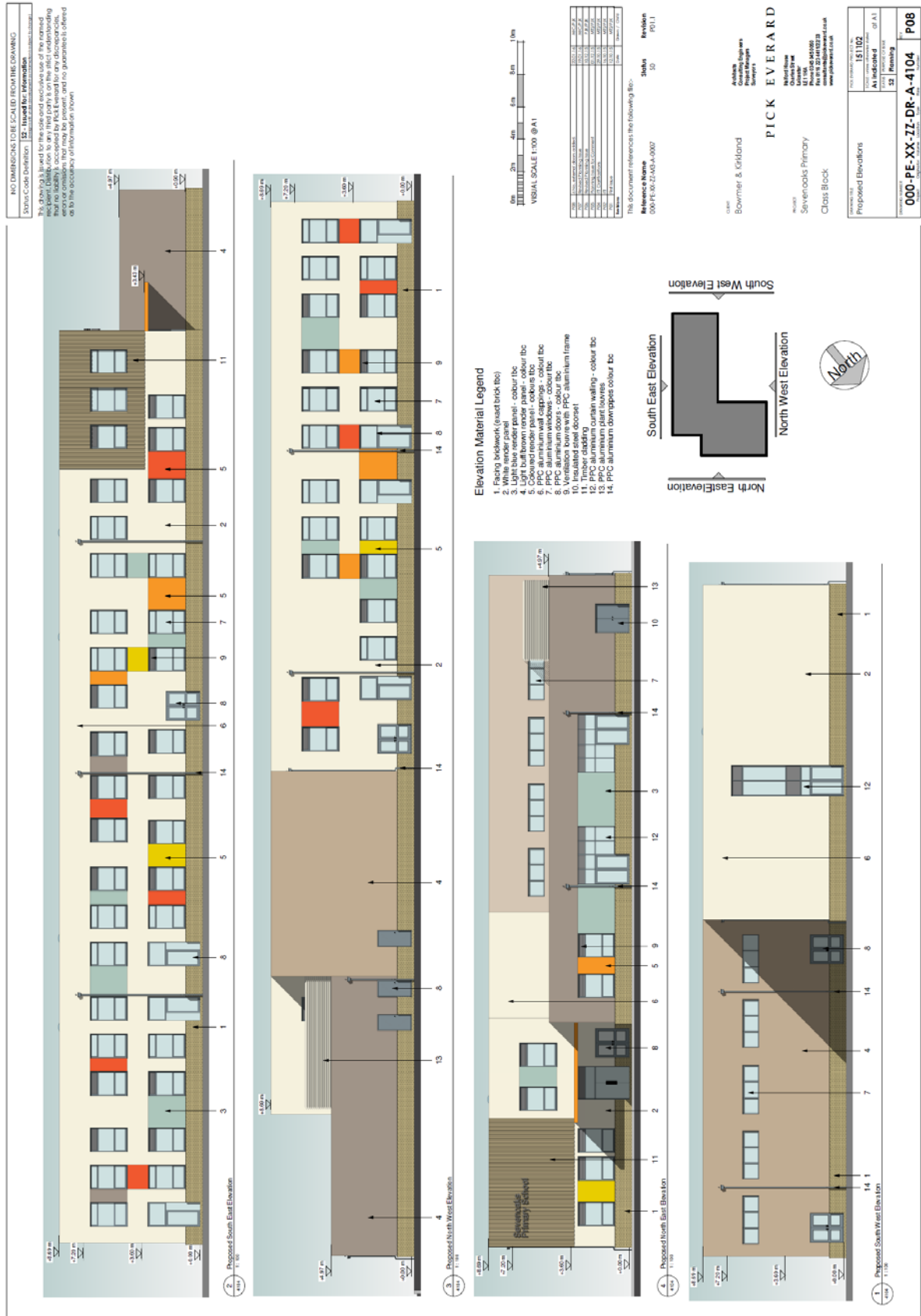
Item D4
 Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

Proposed Ground Floor Plan



Item D4
Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

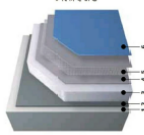
Proposed Elevations



Proposed Material Palette

NO DIMENSIONS TO BE CALLED FROM THE DRAWING
 Status Code Definition: **12** - Based on information received from the manufacturer.

This drawing is issued for the sole and exclusive use of the named recipient. Distribution to any third party on the site is unauthorized. Any errors or omissions that may be present, and no guarantee is offered as to the accuracy of information shown.



1. Interlocking
 2. External polymer reinforced board
 3. External polymer reinforced board
 4. Interlocking timber
 5. Interlocking timber

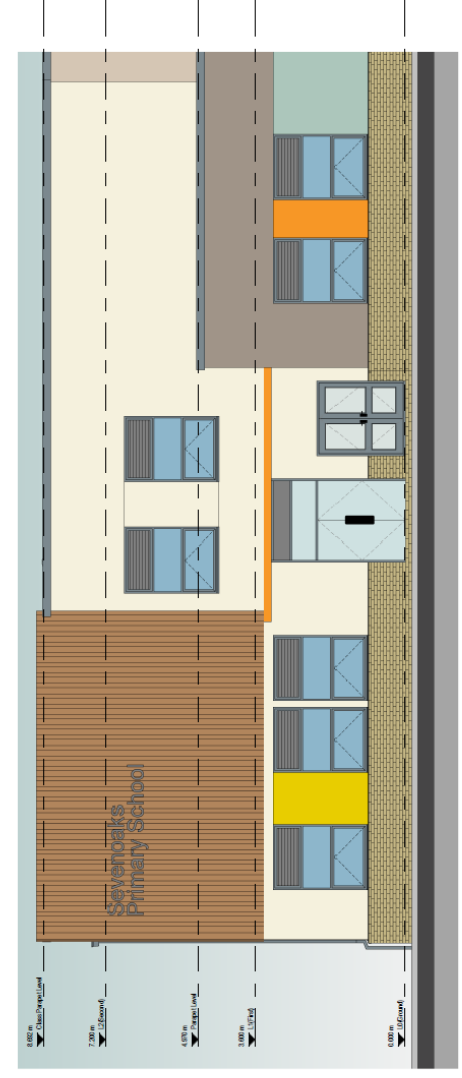
Proposed Material Palette

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The document references the following file:
 Reference Name: 000-PE-XX-ZZ-A-4105
 Status: 30
 Revision: P01.1

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 Bowmer & Kirkland
 Project Manager
 Bowmer & Kirkland

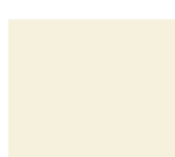
PICK EVERARD
 Architects
 Sevenoaks Primary
 Class Block
 L21106
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Sevenoaks Primary School

8.00 m
7.20 m
4.80 m
3.60 m
6.00 m

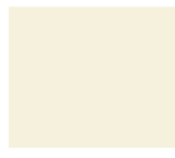
Proposed Main Block Detailed Elevation




Light Powder Accent




Interlocking Powder Panel 1




Interlocking Powder Panel 2




Interlocking Powder Panel 3




Interlocking Powder Panel 4



Interlocking Powder Panel 5



Dark Lower Block Brick Panel



Timber Siding

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

Background/Relevant Planning History

4. Recent planning applications at Sevenoaks Primary School are as follows:

SE/11/966 – Placement of one modular building (*granted permission until 31 May 2016*).

SE/13/1498 – Placement of 2 modular buildings to accommodate an expansion from 2FE to 3FE, with associated covered walkway and landscaping works, provision of a replacement pedestrian side access gate, 13 additional parking bays and a drop-off/pick-up area within the school boundary (*granted permission with modular buildings to be removed by 31 July 2018*).

KCC/SE/0374/2015 – Permanent retention of 3 modular buildings (*withdrawn*)

SE/16/644 (KCC/SE/0033/2016) - Retention of 1 modular building (approved under consent reference SE/11/966 until 31 July 2018 (*granted permission with modular building to be removed by 31 July 2018*)).

5. As can be seen from the above, there are three modular buildings used by the school on the site, one which had permission until May 2016, and the remaining two which have permission until July 2018. The applicant recently submitted an application to retain all three modular buildings on a permanent basis. That application was subsequently withdrawn as it was premature to consider the merits of permanent retention in considering that the redevelopment of the site was proposed and yet to be considered (the subject of this paper). The applicant subsequently submitted a further application proposing the temporary retention of the one modular building whose permission expired in May 2016, proposing retention until July 2018. That application (SE/16/644 (KCC/SE/0033/2016)) was approved on the 1 April 2016 under delegated powers. All three modular buildings therefore have permission until 31 July 2018, at which time the applicant could consider its position and seek further retention should it be deemed necessary at that time. For the avoidance of doubt, the three modular buildings are not included within this application in that they are not proposed for removal but are shown as retained for the time being. However, their further retention, beyond 31 July 2018, would be proposed and considered via a future planning application should the applicant require that.

Amendments

6. Following the submission of this application, the height of the proposed replacement school building was increased by approximately 1 metre due to changes in the proposed construction fabric of the building and the resultant change to the roof design. When originally submitted the scheme comprised a braced, structural steel framed building with precast concrete floor construction and a precast roof structure which had an inverted pitch, draining over a very shallow pitch towards the centre of the roof. The applicant advises that in order to provide an exemplar educational building to meet stringent environmental performance standards within tight budget constraints, it was necessary to amend the fabric of the building to increase energy efficiency.
7. A Structural Insulated Panel system (SIPs), which consists of an insulating foam core sandwiched between two structural facings, was considered to be the best option for not only energy efficiency, but build speed. However, in order to provide a water tight roof structure using SIPs a 5-degree roof pitch is required, with a traditional central ridge line. The roof design was therefore amended, and in order to ensure that the roof remained hidden behind the external parapet, the parapet height was increased as follows:

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

| Element | Previous Flat Roof Parapet Height (mm) | Proposed Pitched Roof Parapet Height (mm) | Difference (mm) |
|------------------|--|---|-----------------|
| Studio / Dining | 4086 | 4970 | +884 |
| Main Hall | 7630 | 8692 | +1062 |
| Main Class Block | 7630 | 8692 | +1062 |

It is the amended proposal that will be discussed throughout this report.

Proposal

8. This application has been submitted by Kent County Council Property and Infrastructure Support, in conjunction with the Education Funding Agency, and proposes the demolition of the main school building and the provision of a replacement purpose built one and two storey building with associated landscaping and infrastructure works. The proposal is not to provide additional accommodation on site (the school would remain 3FE), but to provide up-to-date teaching facilities to replace those on site which are considered by the applicant to be substandard and unsuitable for modern primary school teaching.
9. Following initial onsite appraisal and in considering the need to retain the existing building whilst constructing the replacement building and bearing in mind existing land uses on site (i.e. playing field) the applicant is proposing to construct the replacement school building to the south west of the existing school. This area of the school site is a plateau, at a higher level than the Bradbourne Park Road school frontage, but set behind a mature screening of trees and boundary planting. The area is currently used for outdoor play, and accommodates fenced playground space and amenity grassland.
10. The 'L' shaped building is proposed to be stepped in height, with the main two storey teaching block to the rear, running parallel with the site boundary with Bradbourne Park Road. The return of the 'L' is proposed to the north west of the building, and would accommodate a one and a half storey main hall and a single storey dining area and kitchen. An external play area is proposed to the south of this return, between the main classroom block and the treed boundary on Bradbourne Park Road.
11. Externally, the building would have a brickwork plinth, above which the building would be faced with white and buff synthetic render. Coloured render panels (see plan on page 8 of this report) would also be used to provide relief to the facades and highlight the low level hall and kitchen areas. Vertical timber cladding is proposed to the entrance area, stained in a light colour, to delineate the entrance of the building. Windows and doors are proposed to be powder coated aluminium, finished in dark grey.
12. The two storey classroom block would be 56.3metres (184ft) in length, and 8.7metres (28ft) in height, with the main hall and dining area section of the building measuring 29.9metres (98ft) in length and stepping down from 8.7metres (28ft) in height (main hall) to 4.9 metres (16ft) in height (dining area). The building would be sited approximately 17metres (56ft) from the site boundary with Bradbourne Park Road at the closest point (corner of main hall), with the classroom block approximately 36metres (118ft) from the boundary. Only 2 trees are proposed to be removed across the site, a Goat Willow and a Poplar, and both are recommended for removal for sound arboricultural management reasons. 8 trees would require pruning to accommodate the proposed development, but

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

would be retained.

13. Upon completion of the proposed new building, the existing main school building would be demolished and the area landscaped to form soft informal play areas/amenity grassed spaces. Existing play areas and play equipment would be retained, and the main playing fields would remain as existing. A covered walkway is proposed to link the proposed new school building to the closest of the three existing modular buildings to be retained on site (permission expires in July 2018 (see paragraph 5 above)).
14. Under app reference SE/13/1498, which proposed the expansion of the school to 3 FE, 57 car parking spaces were approved, and an onsite drop off loop was to be provided using the entrance on Bradbourne Road and the exit on Bradbourne Park Road. I am advised by the applicant that only 53 of those 57 spaces were actually provided on site. Therefore, as part of this proposal, four car parking spaces would be provided within the existing car parking area to bring the total number of spaces on site to 57, in line with the previous planning consent. Apart from the provision of a new emergency vehicle only access to the east of the pedestrian access on Bradbourne Road, no other access changes/alterations are proposed as part of this application.
15. The applicant advises that the development has been designed in line with the 'Be Lean, Be Clean, Be Green' Energy Hierarchy, and to meet the exemplar standards for education buildings based on the Education Funding Agency (EFA) briefing document 'Facilities Output Specification'. The applicant further advises that the fabric first design strategy ensures that the construction budget is invested in reducing the energy consumption of the building, rather than focussing on 'expensive renewable energy technologies. The design philosophy would also provide a significantly better internal environment than previous education projects in terms of ventilation and comfort.

The planning application is accompanied by a Design & Access Statement, Planning Statement, Transport Statement, School Travel Plan, Preliminary Ecological Appraisal, Protected Species Survey Report, Energy Statement, Tree Survey, Noise Assessment Report and Drainage & Floor Risk Assessment.

Planning Policy Context

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

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

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

all existing and future occupants of land and buildings;

- minimising impacts on biodiversity, and protecting and enhancing valued landscapes, contributing to the Government's commitment to halt the overall decline in biodiversity;
- promoting sustainable transport;

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

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

(ii) Development Plan Policies

Sevenoaks District Local Plan: Adopted 2000:

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

Policy EN4A - Proposals for all forms of non-residential development must make satisfactory provision for the safe and easy access of those with disabilities.

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

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

Sevenoaks District Core Strategy: Adopted February 2011:

Policy LO1 - Requires new development to be focused within the built confines of existing settlements.

Policy LO2 – Seeks to control development within Sevenoaks and seeks protection of the setting of the urban area and the distinctive character of the local environment. New developments in the Sevenoaks Urban Area should respect the physical and community identity of adjoining settlements, and prevent further coalescence.

Policy SP1 – Requires all new development to be designed to a high standard, reflect the distinctive local character of an area, create safe, inclusive and

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

attractive environments, incorporate sustainable development principles and maintain biodiversity. Account should be taken of guidance adopted by the District Council in the form of Conservation Area Appraisals and Parish Plans, amongst other matters. The District's heritage assets and their settings, including listed buildings, conservation areas, historic buildings, archaeological remains, landscapes and outstanding views will be protected and enhanced.

Policy SP2 - Sets standards for sustainable design and construction. Institutional development will be required to achieve a BREEAM rating of at least 'very good'.

Policy SP11 - Seeks to conserve biodiversity, to ensure no net loss through development and to promote opportunities to enhance biodiversity.

Consultations

17. **Sevenoaks District Council** raises no objection to the application provided Kent Highways & Transportation find the submitted details acceptable, ecological matters are adequately assessed, and that conditions are imposed regarding sympathetic screening of the site and screening of any wooden buildings to be retained.

Sevenoaks Town Council recommends refusal of the application as the Town Council is of the view that the application does not seek to address the long term (15-20 year) demand for Primary School places in Sevenoaks. In addition, the Town Council notes that the submitted traffic survey was undertaken on a day when two local schools were closed, and request that the survey be repeated at peak hours on a date when all schools in the surrounding area are open.

Kent County Council Highways and Transportation raises no objection to the application. However, it is advised that parking bay 28 should not be marked as a disabled space as it would block car parking spaces 26 & 27.

Environment Agency raises no objection to the application subject to conditions regarding ceasing work should previously unidentified land contamination be found, and the control of surface water drainage and infiltration into the ground (there should be no discharge to ground within a Source Protection Zone 1 [*the site is within a Source Protection Zone 1*] unless the discharge is clean and uncontaminated i.e. roof water). Further informatives are requested regarding drainage and waste.

Sport England considers that the proposal would not have any impact on existing playing field and therefore have no comments to make.

The County Council's Biodiversity Officer has no objection to the application subject to conditions requiring the submission of the results of an additional bat emergence survey prior to demolition, the submission of an updated badger survey and any required mitigation prior to the commencement of the development, and the submission of a Biodiversity Management Plan (ecological enhancements for the site). In addition, informatives are requested to advise the applicant that any external lighting on site should adhere to the Bat Conservation Trust's Guidance, and that the Construction Management Plan should include measures to protect land suitable for reptile habitat within the site.

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

The County Council's Flood Risk Team (SuDs) raises no objection to the application subject to the imposition of conditions requiring the submission of a detailed sustainable surface water drainage scheme and the submission of details of the implementation, maintenance and management of the sustainable surface water drainage scheme. A further condition is required to control surface water drainage into the ground.

The County Council's School Travel Plan Advisor considers that the submitted Travel Plan is very well written and informative but, as it was produced in 2014, needs to be updated. Therefore, should permission be granted, an updated Travel Plan should be required pursuant to condition.

Local Member

18. The County Council Local Member, Mrs Margaret Crabtree, was notified of the application on the 19 January 2016, and further notified of the amended details on the 15 February 2016. The following comments have been received:

"I have no objection to the proposal to demolish the existing building and construct a replacement school building but would ask Highways to look at the parking and traffic issues that residents have raised."

Representations

19. The application was publicised by advertisement in a local newspaper, the posting of 3 site notices around the application site and the individual notification of 65 nearby properties. Those who made written representations on the original submission were further notified of the amended details.
20. At the time of writing this report, 6 letters of objection have been received (from two local residents), in addition to a representation from St John's Residents' Association (see below) and representations querying procedural matters such as site notice and neighbour notification dates. The main points of concern and objection are summarised as follows:-

Site Layout/Design

- The building should be moved further south to avoid damage to existing trees and to reduce the visual impact of the building;
- The new building would make little or no statement located behind the trees along Bradbourne Park Road;
- The building design is not in keeping with the rest of the buildings in the locality;
- An increase in height of a metre is not a slight increase;
- The site would become a unattractive combination of illogically laid out raised car parking areas wrapped around the footprint of the building to be demolished, with randomly sited and unrelated temporary buildings retained;
- The car parking siting should be amended to reflect the new site layout not retained as is;
- Opportunity is being missed to address the haphazard layout and untidiness of the site;
- The site layout should be completely redesigned to provide clearly zoned areas;
- Existing wire link fencing surrounding the site is unattractive and should be screened by planting;
- The retention of the 3 modular buildings would be visually unsatisfactory;
- The 3 modular buildings should be removed and replacement permanent

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

- accommodation provided within the new building;
- The covered walkway across the site should not receive permission until the future retention of the 3 modular buildings is determined;
- The proposed playground would be under the tree canopy which may not be desirable from the safety perspective;
- The proposed playground would be in shade due to the increased building height and trees;
- Widespread vegetative screening is required;

Amenity Concerns

- Security lighting at the school and headlights within the elevated car park are an existing nuisance to local residents;
- The new building should not have any security lighting on the elevation facing Bradbourne Park Road;
- The kitchen extraction unit should be entirely hidden by the increased parapet height, and tests validating the applicants' assertion that there would be no noise/odour pollution re-done and independently reviewed;

Flooding

- There is regular flooding at the junction of Bradbourne Road and Bradbourne Park Road, and further along at the St John's and St James' road junction area there has been flooding including sewage in gardens as a result of existing drainage problems. This suggests that local drainage capacity is limited;
- Soakaways should be used on site rather than reliance on the local drainage system;
- What confidence can residents have that they will be protected from the risk of flooding should the applicant not have assessed the situation correctly or should the proposed drainage system fail?

Access and Highway Matters

- The existing drop off area is closed to all but staff;
- Delivery vehicles park in local roads rather than attempt to access the site;
- An onsite pick up/drop off facility should be provided, perhaps between the new building and the boundary of Bradbourne Park Road;

Construction

- How would construction traffic be managed? An additional construction access would not be feasible;
- The applicant should be required to put out to consultation its plans for parking/traffic during and after the rebuild.

Other

- The 3 modular buildings are clearly included within the site plans and the new building would be linked to them by a covered walkway. There is a clear intention to retain the modular buildings and, therefore, their retention should be considered as part of this application;

St John's Residents' Association, which represents residents living in homes surrounding Sevenoaks Primary School, comments as follows:

"We warmly welcome the provision of more educational facilities for the area but wish to express a few reservations about some of the details currently under consideration:

- Despite the great advances which the School has made in traffic management

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

on and around the site, which are described in its Travel Plan, local residents are unable to agree with the traffic consultants' conclusion that there is not a problem. The drive-through scheme currently in operation to alleviate the congestion associated with pupil drop-off and collection times does not work and has effectively fallen into disuse. We believe much more effort should be put into finding possible solutions before the placing of planned new buildings and auxiliary areas is finalised. For example, if the new school were to be built slightly further to the south, a relief service road could pass between it and Bradbourne Park Road.

- At an appropriate later date we would expect to be consulted over the access of heavy plant traffic to the site during both the demolition and construction phases of the project.
- We are also concerned about the site perimeter, currently defined on the Bradbourne Rd and Bradbourne Park Rd sides by a mixture of chain link and close-boarded fences. The fence deprives local residents of what used to be a grand vista across open space, and creates an impression that the school wishes to cut itself off from the local community. We suggest that the entire boundary should instead be a living barrier, perhaps a 2m hedge of beech and/or hawthorn, with an integral chain link fence if it is felt that the thorns of the latter are an insufficient deterrent for any would-be intruders.
- Regarding the future of mobile classrooms on the site, any wooden buildings left after the demolition of the present school would be obtrusively visible to the public and should also be attractively screened.

We look forward to having a new school building within the community and hope that these comments can be taken into consideration.”

Discussion

Introduction

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

Siting and Design

22. As outlined in paragraphs 9 to 13 of this report, this application proposes the demolition of the existing main school building and the provision of a purpose built one and two storey replacement school building. In considering the need to retain the existing building whilst constructing the replacement building, and bearing in mind existing land uses across the site (i.e. playing field), the applicant is proposing to construct the replacement school building to the south west of the existing school. This area of the school site is a plateau, at a higher level than the Bradbourne Park Road school frontage, but set behind a mature screening of trees and boundary planting. The area is currently used for outdoor play, and accommodates fenced playground space and amenity grassland.

23. Before assessing and discussing the design of the proposed building, it is necessary to

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

consider the implications of the proposed site layout. Local residents consider that the site would have illogically laid out car parking areas wrapped around the footprint of the building to be demolished, with randomly sited and unrelated temporary buildings. It is suggested that the car parking layout should be amended to reflect the new site layout, and further that the whole site layout should be completely redesigned.

24. First, it is important to note that this application is proposing to replace the existing main school building as the accommodation it provides is no longer fit for purpose and does not provide the accommodation required for modern teaching practices. However, the replacement building needs to be constructed whilst the existing school remains in operation. This obviously limits development opportunities for the site, but the cost implications of a full decant into modular accommodation for the duration of the works would render the scheme unviable. Moreover, the siting of the replacement building is, in my view, logical and acceptable in planning terms. The new building would be well screened by existing mature boundary planting, and would relate well to existing accesses and ancillary facilities on the site. Alternative locations for the new building within the school site would also have resulted in a loss of playing field, which undoubtedly would have met with objection from Sport England. The existing hard play areas to be lost as a result of the proposed siting of the new building would be replaced as part of the proposal, and additional grassed amenity areas would be provided upon demolition of the existing school building. It is suggested that the replacement hard play area would be in the shade and under the tree canopy, but the trees would be managed to avoid any overhanging branches (see Landscaping section below) and shade is required when children are at play. Other alternative amenity areas within the school site would be in full sunlight if required. I therefore consider the siting of the replacement building and hard play to be acceptable, and further consider a complete redesign of the site to be impracticable in the current restricted funding climate.
25. With regard to the car parking layout, this is to remain as existing. Although access and highway matters will be discussed below, it is important to note that this proposal is to provide replacement accommodation for existing staff and pupils and not to provide additional accommodation to facilitate an expansion. The school was expanded to 3 Form on Entry (3FE) under application reference SE/13/1498 and that application also provided additional onsite car parking and an onsite drop-off facility. As outlined in paragraph 14 of this report, 57 car parking spaces in total were approved under consent reference SE/13/1498, but only 53 have been marked out on site. As part of this proposal, 4 spaces will be provided within the existing car parking area to bring the amount of spaces on site up to 57, in line with the previous planning permission. No other access or parking changes are proposed and, as this application would not result in additional staff and pupils, Kent County Council Highways and Transportation is satisfied that no additional car parking and/or access changes are required. There is no justification therefore to require the car parking area to be re-designed or amended as part of this proposal. In addition, following demolition of the existing main school building, the car parking and access arrangements would continue to relate to the replacement building and work operational for the school. I therefore consider the retention of the existing siting of the car parking to be acceptable, although its later re-configuration at some future date would still be possible.
26. It is further suggested by a local resident that the modular buildings on the site should be removed and permanent accommodation provided as part of this proposal. First, as outlined in paragraph 1 of this report, 3 of the 6 modular buildings on site are not used by the Primary School and are in use by the separate Bradbourne Park Pre-School, Acorns Day Nursery and Kent County Council Adult Services. Those 3 modular buildings are therefore not within the remit of this application. However, the remaining 3

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

modular buildings (see paragraph 5) are used by the School for teaching accommodation, and all 3 have temporary permission until 31 July 2018.

27. The 3 modular buildings are shown as retained within the application documentation, and a covered walkway is proposed to link the replacement school building to them, but their future retention beyond July 2018 is not currently proposed. The applicant advises that they have not included the retention of the modular buildings within this application as those particular buildings have been determined under separate planning consents. Further, the modular buildings are subject to separate funding streams within the County Council, whereas the proposed new building development would be funded directly by the Department for Education via the Education Funding Agency and delivered in partnership with the County Council as Education Authority. The applicant for future retention of the modular classrooms would therefore be different. Should the County Council (or the School) wish to retain the modular buildings beyond July 2018, a separate planning application would be required and the merits of their retention considered at that time.
28. However, as a redevelopment of a school site it would normally be expected that temporary accommodation would be replaced by permanent accommodation and subsequently removed. In this case however, the applicant advises that in 2013 the County Council invested a significant sum of money to expand the Sevenoaks Primary School, which included the construction of the modular buildings and access and car parking improvements. These modular buildings are in excellent condition and the accommodation they provide is more than suitable for modern teaching methods.
29. As already mentioned, this application has been submitted as part of the Government's Priority Schools Building Programme, which specifically addresses the need to replace school buildings in poor condition rather than school expansions. The modular buildings, being only 3 years old, are not in poor condition and therefore do not fall within the remit of the Priority Schools Building Programme. Further, the applicant advises that there are good education reasons for leaving the modular buildings on site as the surroundings of a 3FE Primary School can be quite daunting for pupils in Early Year's classes. The modular buildings, used as Early Year's classrooms, provide a stepping stone into the main school building and a gentle transition into Year 2 and above. In considering above, I am satisfied with the justification provided for not replacing the temporary accommodation at this time and see no reason to refuse the application on this ground.
30. However, Sevenoaks District Council and St John's Residents' Association consider that the modular buildings should be screened if they are to be retained. As detailed above, the retention of the modular buildings is not proposed as part of this application, and I therefore consider that requiring screening now would be premature and retention beyond July 2018 may not be required or be acceptable in planning terms. The applicant has advised that any future application to retain the modular buildings beyond July 2018 would include screening and, in addition, would propose an upgrade of the elevations to accord with those of the replacement main building (should permission be granted). I consider this approach to be logical and acceptable, and as a result do not consider that screening of the temporary buildings is necessary as part of this application especially in considering that their retention does not form part of this application.
31. Having accepted the site layout as proposed, including the siting of the replacement building, the design of the building now needs to be considered and discussed. It is suggested that the design of the building would not be in keeping with the rest of the buildings in the locality, although it is also stated that the building would make little

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

statement located behind the trees on Bradbourne Park Road. First, with regard to the massing of the building, the 'L' shaped building is proposed to be stepped in height, with the main two storey teaching block to the rear, running parallel with the site boundary with Bradbourne Park Road. The return of the 'L' is proposed to the north west of the building, and would accommodate a one and a half storey main hall and a single storey dining area and kitchen. The two storey classroom block would be 56.3metres in length, and 8.7metres in height, with the main hall and dining area section of the building measuring 29.9metres in length and stepping down from 8.7metres in height (main hall) to 4.9 metres in height (dining area). The building would be sited approximately 17metres from the site boundary with Bradbourne Park Road at the closest point (corner of main hall), with the classroom block approximately 36metres from the boundary. Facing properties in Bradbourne Park Road are set back from the road by large driveways/front gardens, meaning that the degree of separation between closest residential properties and the proposed building is significant. There is also a significant belt of existing tree planting and vegetation along the school site boundary, which would be retained. I therefore consider that the massing of the building would have little impact on the amenity of local residents, and although the building would be visible, it would not be overbearing in nature or unduly obtrusive.

32. Externally, the building would have a brick work plinth, above which the building would be faced with white and buff synthetic render. Coloured render panels would also be used to provide relief to the facades and highlight the low level hall and kitchen areas. In addition, vertical timber cladding is proposed to the entrance area, stained in a light colour, to delineate the entrance of the building. The proposed building is an educational establishment so would not be expected to replicate the materials palette of local residential dwellings. In my view, the design of the proposed building would be a significant improvement over the dated and bland existing brick built building, and would offer a considerably improved educational environment for the pupils. Although the modern design solution would be well screened by existing tree planting and vegetation, it would be visible from the street scene complementing the existing architecture of the area. Although indicative details of external materials have been provided, I consider that further details should be provided pursuant to condition, should permission be granted. Subject to that condition, I consider the design of the proposed building to be more than acceptable in this locality.
33. It is suggested by a local resident that the covered walkway, which is proposed to link the new main school building to the 3 modular buildings, should not be approved until the future retention of the 3 modular buildings is determined (in 2018). However, the covered walkway would be required upon completion of the new building/demolition of the existing building to link the modular buildings to the main school. I am of the view, however, that the covered walkway is essentially temporary in nature, in that it could be removed at a later date if needs be. I also consider that the walkway would not be unduly intrusive, and that its provision would not have a significantly detrimental effect on the character and appearance of the school site. I therefore see no reason to refuse its provision at this stage.
34. Lastly, concern is expressed regarding the existing wire link and timber fencing that surrounds the site, which is considered to be unattractive. St John's Residents' Association further considers that the fence deprives local residents of a vista across the site and gives the impression that the School wishes to distance itself from the local community. It is suggested that the entire boundary should instead be a '2metre high hedge of beech and or/hawthorn'. However, in my view, a solid hedge screening would further reduce views into and across the site, and would further close the school off from the local community. Moreover, the use of hedging alone would not provide the

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

necessary site security required by current standards. The existing fencing is fit for purpose and is not unduly visually intrusive and I see no reason to require the treatment of the boundary of the site to be changed, especially in considering that it is unaffected by the proposals. Although the District Council wishes to see conditions imposed regarding sympathetic screening of the site, I consider that the site is sufficiently well screened as existing by boundary planting and trees. However, a scheme of landscaping would be required pursuant to condition to soften the development and reinstate areas affected by demolition, and this will be discussed later in this report.

Parking and Access

35. Local residents have expressed concern regarding this application on the grounds that the existing drop-off area is closed to all but staff, and delivery vehicles park in local roads rather than attempt to access the site. Further, St John's Residents' Association states that, despite the great advances which the School has made in traffic management, local residents are unable to agree with the traffic consultants' conclusion that there is not a problem. The Residents' Association believe that much more effort should be put into finding possible solutions - for example if the new school were to be built slightly further to the south, a relief service road could pass between it and Bradbourne Park Road.
36. First, it should be noted that this application is proposing to replace existing substandard accommodation on site, and is not proposing an increase in staff or pupils numbers. The expansion of the school to 3FE was considered and addressed under application reference SE/13/1498, which proposed a total of 57 car parking spaces onsite and the provision of an on-site pick-up/drop-off facility. I am advised by the applicant that only 53 of those 57 spaces were actually provided on site. Therefore, as part of this proposal, four car parking spaces would be provided within the existing car parking area to bring the total number of spaces on site to 57, in line with the previous planning consent. In addition, the applicant has provided written assurance that the pick-up/drop-off facility would be reopened and managed by the school.
37. Secondly, the suggested provision of a 'relief road' to the south of the proposed building would have little justification given that staff and pupil numbers are not proposed to increase, and moreover such a road would require removal of trees to create a new site access, and would require the new building to be moved further south, impacting upon an existing playground to be retained. I see no requirement for such a facility, especially in considering that the existing onsite pick-up/drop-off is to be reinstated as part of this application.
38. This application was accompanied by a Transport Statement, and the highway and access implications of the application have been considered and addressed in detail by Kent County Council Highways and Transportation, who raise no objection to the development subject to the provision of 4 car parking spaces to bring the amount of parking on site in line with that approved in 2013 (57 spaces) and the reopening and retention of the pick-up/drop-off facility. It is noted, however, that parking bay 28 should not be marked as disabled as it would block bays 26 & 27 and I consider that, should permission be granted, an informative should advise the applicant of this. It should also be noted that the Transport Statement was amended and resubmitted in the determination of this application to address the concerns of Sevenoaks Town Council in that the first Statement was prepared using survey work undertaken on a day when another local school was closed.
39. The County Council's School Travel Plan Advisor considers that the submitted Travel

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

Plan is very well written and informative but, as it was produced in 2014, needs to be updated. Therefore, should permission be granted, an updated Travel Plan should be required pursuant to condition. 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 prior to occupation of the development, and the provision and permanent retention of the additional 4 car parking spaces and the re-opening and ongoing provision of the existing onsite pick-up/drop-off facility, that the development would not have a detrimental impact on the local highway network. I therefore see no justification to refuse this application on highway and parking grounds.

Landscaping and Ecology

40. Two trees are proposed to be removed across the site, a Goat Willow and a Poplar, and both are recommended for removal for sound arboricultural management reasons. 8 trees along the Bradbourne park Road site frontage would require pruning to accommodate the proposed development, but would be retained. It is suggested that the proposed building be moved further into the site to negate the need for tree works, but such a move would affect existing playground proposed to retention, in addition to existing vegetation to the south of the proposed building. In considering the limited tree works proposed, and bearing in mind the significant amount of tree planting and screening along the Bradbourne Park Road site frontage, I do not consider that the proposal would have a significantly detrimental impact on the existing trees on site. However, should planning permission be granted conditions of consent should be imposed requiring the erection of tree protection fencing prior to commencement of the development to ensure that existing trees would be adequately protected, and the submission of a detailed scheme of landscaping and tree planting to not only require the provision of amenity planting in close proximity to the proposed building, but detail how the site would be reinstated following demolition of the existing school building. 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.
41. This application was accompanied by a Preliminary Ecological Appraisal and a Protected Species Survey Report. Following assessment of these documents, the County Council's Biodiversity Officer has no objection to the application subject to the imposition of conditions requiring the submission of the results of an additional bat emergence survey prior to demolition, the submission of an updated badger survey and any required mitigation prior to the commencement of the development, and the submission of a Biodiversity Management Plan (ecological enhancements for the site). In addition, informatives are requested to advise the applicant that any external lighting on site should adhere to the Bat Conservation Trust's Guidance, and that the Construction Management Plan should include measures to protect land suitable for reptile habitat within the site. Subject to the imposition of the conditions and informatives outlined above, I am satisfied that the proposed development would not have a detrimental impact on protected species and/or their habitat.

Drainage, Flooding and Land Contamination

42. The Environment Agency and the County Council's Flood Risk Team (SuDs) both raise no objection to this application subject to the imposition of conditions. The Flood Risk Team require the submission of a detailed Sustainable Surface Water Drainage Scheme and the further submission of details of the implementation, maintenance and management of the sustainable drainage scheme. Both the Flood Risk Team and the Environment Agency require a further condition to control surface water drainage into the ground (there should be no discharge to ground within a Source Protection Zone

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

[the site is within a Source Protection Zone 1] unless the discharge is clean and uncontaminated i.e. roof water). Further informatives are also requested regarding drainage and waste. Should permission be granted, the conditions as outlined above would be imposed upon the consent, and I am satisfied that such conditions would ensure that drainage of the site was both sustainable and effective.

43. However, a local resident considers that soakaways should be used on site as the local drainage system is at capacity, demonstrated by localised flooding. It should first be noted that the site is not expanding in size, so the impact on the drainage system should be no greater than existing. In addition, the County Council's Flood Risk Team have commented on this specific concern and advise as follows:

“I have covered the possibility of infiltration losses within my consultation response and recommend this is taken into account within the detailed design (to be submitted). I noted some misconnections to the foul drainage system are resolved with this strategy and now are directed into the new controlled surface water system which provides benefit both on and off the site. I have recommended conditions for the drainage details and as such, any permission would still require these conditions to be discharged to the satisfaction of the planning authority. This would be in liaison with consultees, including Thames Water.

The Bradbourne Road/Bradbourne Park Road appear to be vulnerable to surface water flooding due to the topography of the area and hence surface water becomes trapped within the highway or uses the highway as a flow route. During heavy rainfall this may exceed the capacity of the highway drainage. Any particular concerns for highway drainage, such as for blocked or poorly performing drains, should be reported to KCC highways in the first instance.”

44. In considering the advice provided above and the fact that a detailed Sustainable Surface Water Drainage Scheme would be required pursuant to condition, I am more than satisfied that the development would improve the current onsite drainage scenario. Offsite flooding issues that are not directly affected by the proposal, such as surface water flooding on local roads, cannot be expected to be resolved as a result of this application and would need to be addressed separately.
45. With regard to land contamination, the Environment Agency 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.

Amenity Concerns

46. Local residents express concern that existing security lighting at the school and headlights within the car park are a nuisance to local residents. As the car parking is not affected by these proposals, there is little that the Planning Authority can do to alleviate that concern. With regard to security lighting, the existing lighting cannot be controlled as part of this application, but the demolition of the main school building upon completion of the new building would remove lighting of that building from the site. It is suggested by a resident that the new building should not have any security lighting on the elevation facing Bradbourne Park Road. However, this may cause security concerns for the school and I would not wish to impose such a restriction upon them. Facing residential properties are separated from the proposed building by existing tree planting and boundary vegetation and Bradbourne Park Road, and are further set back from the

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

road due to front gardens and driveways. Should lighting on the elevation facing Bradbourne Park Road be required it may, therefore, be acceptable in amenity terms. However, as no details regarding external lighting of the building have been submitted, I consider that details should be required pursuant to condition should permission be granted. That would enable further assessment, and would protect the amenities of local residents whilst allowing the building to be lit as appropriate for security purposes

47. It is also requested by a local resident that the kitchen extraction unit should be entirely hidden by the roof parapet, and that tests validating the assertion that there would be no noise/odour pollution redone and independently reviewed. However, I am satisfied that the kitchen extraction unit (and other roof plant) would be a significant distance from facing properties in Bradbourne Park Road, and further screened from view by existing boundary planting and vegetation. Kitchen/roof plant would also be contained within a screened plant enclosure. In addition, the onerous requirements of Building Regulations would need to be met with regard to noise and odour issues, and it should be noted that a school kitchen is only in use for limited hours of the school day. I am satisfied that no further details are required with regard to kitchen extraction, and that its location on the school building would not unduly affect the amenity of local residents.

Sustainability

48. As outlined in paragraph 15 of this report, the development has been designed in line with the 'Be Lean, Be Clean, Be Green' Energy Hierarchy, and to meet the exemplar standards for education buildings based on the Education Funding Agency (EFA) briefing document 'Facilities Output Specification'. The applicant further advises that the fabric first design strategy ensures that the construction budget is invested in reducing the energy consumption of the building, rather than focussing on 'expensive renewable energy technologies. The design philosophy would also provide a significantly better internal environment than previous education projects in terms of thermal insulation, ventilation, natural light and overall comfort.
49. In addition, the building design would meet, and exceed, the energy calculations required under Building Regulations Part L 2013. Although roof mounted solar PVs are not proposed in this instance, 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. 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. Moreover, the proposed roof design does not preclude the provision of PV panels at a future date when available funding allows. In considering the sustainable design credentials of the proposed building, 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.

Other matters

50. Sevenoaks Town Council recommend refusal of this application as the Town Council are of the view that the application does not seek to address the long term (15-20year) demand for Primary School places in Sevenoaks. However, Sevenoaks Primary School was expanded by one form of entry in 2013 to meet future demand. This application is proposing the provide purpose built accommodation to replace the existing substandard accommodation on site. Should the further expansion of Primary Schools in Sevenoaks be needed in the future (over and above the numerous expansions that have already

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

been granted permission) then applications for additional accommodation would be submitted and considered as appropriate. In my view, this application is proposing to replace existing substandard accommodation which should be encouraged, and a lack of provision for additional spaces (which may or may not be needed in the future) should not be a reason to refuse the application.

Construction Matters

51. Concern has been expressed regarding disruption resulting from the construction of the development, mainly as a result of construction traffic. Unfortunately, construction and demolition activities can be disruptive, and there is a potential for noise and other nuisance during the course 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 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.
52. In addition, to address concerns raised by St John's Residents' Association and 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. A draft document has been submitted with the application, but this should be amended to include details of the methods and hours of working (as specified above), location of site compounds and operative/visitors parking, details of site security and safety measures, lorry routing, waiting and wheel cleaning 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.
53. 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

54. 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. In particular, it needs to be borne in mind that the application relates to improving the existing teaching accommodation and not expanding the School. Therefore, I recommend that permission be granted subject to appropriate conditions

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

Recommendation

55. 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;
- the submission of details of external lighting, including hours of operation;
- the erection of tree protection fencing prior to commencement of the development to ensure that existing trees would be adequately protected;
- the submission of a detailed scheme of landscaping and tree planting to not only require the provision of amenity planting in close proximity to the proposed building, but detail how the site would be reinstated following demolition of the existing school building;
- no tree removal during the bird breeding season;
- the submission of the results of an additional bat emergence survey prior to demolition of the main school building;
- the submission of an updated badger survey and any required mitigation prior to the commencement of the development;
- the submission of a Biodiversity Management Plan (ecological enhancements for the site);
- the submission of an updated Travel Plan prior to occupation, and thereafter ongoing monitoring and review;
- provision and retention of 4 car parking bays (57 total on site), and reopening and retention of the onsite pick-up/drop-off area;
- the submission of a detailed Sustainable Surface Water Drainage Scheme;
- the submission of details of the implementation, maintenance and management of the Sustainable Surface Water Drainage Scheme;
- the control of surface water drainage into the ground (there should be no discharge to ground within a Source Protection Zone);
- measures to address any land contamination;
- 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 routeing, 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.

56. 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 advised that parking bay 28 should not be marked as a disabled space as it would block car parking spaces 26 & 27.
- 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 and waste.
- The applicant is advised that any external lighting on site should adhere to the Bat

Item D4

Replacement main school building at Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks – SE/16/141 (KCC/SE/0007/2016)

Conservation Trusts Guidance, and that the Construction Management Plan should include measures to protect land suitable for reptile habitat within the site.

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