

PLANNING APPLICATIONS COMMITTEE

Wednesday, 8th February, 2017

10.00 am

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



AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 8th February, 2017, at 10.00 am Ask for: **Andrew Tait**
Council Chamber, Sessions House, County Telephone: **03000 416749**
Hall, Maidstone

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 D L Brazier, Mr N J D Chard, 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 - 18 January 2017 (Pages 5 - 10)
4. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. Review of Training to Planning Applications Committee (Pages 11 - 14)
2. Update on the Committee's concern on Sport England Advice (Pages 15 - 20)

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal SE/16/03272/KCCRG3 (KCC/SE/0273/2016) - Stand-alone teaching block to provide three new classrooms and associated facilities, new entrance lobby to existing school and expansion of car park at Edenbridge Primary School, High Street, Edenbridge (Pages 21 - 38)

E. COUNTY MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 39 - 42)
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)

John Lynch
Head of Democratic Services
03000 410466

Tuesday, 31 January 2017

(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. The Draft conditions concerning the application being recommended for permission, reported in section D, are available to Members in the Members' Lounge.)

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Wednesday, 18 January 2017.

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

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr M Clifton (Principal Planning Officer - Waste Developments), Mr P Hopkins (Principal Planning Officer), Mr D Joyner (Transport & Safety Policy Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS**1. Minutes - 7 December 2016**
(Item A3)

(1) The Chairman informed the Committee that he had received a response from the Secretary of State in respect of the delay in implementation caused by Sport England's objections to various applications (Minute 16/55). He would report in greater detail on this response under the "General Items" heading (Section B) at the next meeting of the Committee.

(2) RESOLVED that the Minutes of the meeting held on 7 December 2016 are correctly recorded and that they be signed by the Chairman.

2. Site Meetings and Other Meetings
(Item A4)

(1) The Committee was reminded that the Site Meeting to Paradise Farm, Hartlip would take place following the meeting.

(2) The Head of Planning Applications Group informed the Committee, that as she had still not received notification of the detailed mitigation measures for the proposed school developments in Wilmington, there would be no site visit until after the Local Government elections.

3. General Matters
(Item B1)

(1) The Committee was notified that there would be an item at the next meeting asking Members to review the training that had been provided during the previous four years. The objective would be to assist the Head of Planning Applications Group to provide the most appropriate training programme for the new Committee following the Local Government elections.

4. Application TW/16/05690 (KCC/TW/0135/2016) - Erection of a 499kw anaerobic digestion facility to process farm yard manure and slurry which is processed on site along with a proportion of crops which are grown on the farm and 832 tonnes of imported chicken manure. The development comprises two 18m diameter tanks connected by a pump room, each topped with a gas dome, one feeder and a Combined Heat and power unit at Forest Farm, Nineveh Lane, Benenden; Mr G Reynolds
(Item C1)

(1) Mr M J Angell informed the Committee that he had a close relative who lived in proximity to Forest Farm with whom he had not discussed the application. Mr C Simkins informed the Committee that he was acquainted with the applicant. This was not a close personal association and he had not discussed the application with him. They were both able to consider the application with a fresh mind.

(2) Mr Kent Barker (Chairman of Benenden PC Planning Committee), Mr Andrew Errington and Mrs Judith Norris addressed the Committee in respect of the application. Mr Arthur Reynolds replied on behalf of the applicant.

(3) Following discussion, the Head of Planning Applications offered to amend her recommendation by inserting a condition specifying that the importation of feedstock to the AD plant via the public highway would only be by tractor and trailer. This was agreed.

(4) On being put to the vote, the recommendations of the Head of Planning Applications Group as amended in (3) above were agreed by 14 votes to 0 with 1 abstention.

(5) RESOLVED that permission be granted to the application subject to conditions, including conditions covering implementation of the permission within 3 years of the date of the permission; the development being carried out in accordance with the approved details and drawings set out in the application; the submission and approval of an Odour Management Plan; noise levels from the facility at the nearest sensitive receptors being below 30dB $L_{Aeq,15min,freefield}$ from 1900 to 0700 on Mondays to Sundays, below 50dB $L_{Aeq,1h,freefield}$ from 0700 to 1900 on Mondays to Saturdays and below 45dB $L_{Aeq,15min,freefield}$ from 0700 to 1900

on Sundays; construction works being limited to 0700 to 1900 on Mondays to Fridays and from 0700 to 1300 on Saturdays only; construction noise levels at the nearest sensitive receptors being below 65dB $L_{Aeq,1h,freefield}$; an Archaeological Watching Brief; details of the final building design, earthworks and landscaping; feedstock only being permitted from the sources outlined in the application documents; a precautionary ecological mitigation strategy and the incorporation of ecological enhancements into the development; no further development being carried out if, during development, contamination not previously identified is found to be present at the site until the developer has submitted a remediation strategy for written approval by the local planning authority detailing how this unsuspected contamination is to be dealt with (unless otherwise agreed in writing with the local planning authority). This remediation strategy to be implemented as approved; the development not commencing until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. This scheme to be implemented as approved; the detailed design of the surface water drainage scheme; and the importation of feedstock to the Anaerobic Digester plant via the public highway to only be by tractor and trailer.

NB: The lettering $L_{Aeq,15min,freefield}$ gives effect to both the noise levels themselves and the duration over which such noise levels should apply (without obstruction between the noise source and receptor site) in order to reflect the sensitivity of the noise environment, making a distinction between daytime and night time levels.

**5. Proposal DA/16/01413/CPO (KCC/DA/0211/2016) - New two storey building, kitchen and toilet extension and internal alterations to existing building; fenced hard games court and 6 additional spaces at Craylands Primary School, Craylands Lane, Swanscombe; KCC Property and Infrastructure Support
(Item D1)**

(1) Mr P M Harman informed the Committee that he was the Local Member. He had not taken part in any discussions on this proposal and was able to approach its determination with a fresh mind.

(2) The Head of Planning Applications Group agreed that that both Dartford BC and Swanscombe & Greenhithe TC would be consulted on the construction materials to be used externally.

(3) In agreeing the recommendations of the Head of Planning Applications Group, the Committee added an Informative that when reviewing the School Travel Plan, the applicants should also take account of the contribution that Swanscombe Centre Carpark could continue to play in the provision of parking for the School at the beginning and end of the school day.

(4) RESOLVED that the proposal be referred to the Secretary of State for Communities and Local Government 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; the development being carried out in accordance with the permitted details; the submission and approval (in consultation with Dartford BC and Swanscombe and Greenhithe TC) of details of all construction materials to be used externally; the submission of a revised School Travel Plan prior to occupation of the new school and its ongoing review for 5 years, with monitoring results being posted on the school's website; the submission of a Construction Management Plan, providing details of (amongst other matters) times of access to the site (to avoid school peak times), operative parking, wheel washing and delivery vehicle unloading and turning; the provision of the parking and drop off spaces shown on the site layout prior to occupation, and their permanent retention thereafter; no lighting of the MUGA taking place without the written consent of the County Planning Authority; the submission of a detailed mitigation strategy for the protection of Great Crested Newts during construction; the submission of a scheme of ecological enhancements to supplement those proposed in the Ecological Appraisal; the submission of a detailed surface water strategy for approval in writing prior to the commencement of construction; no infiltration of surface water drainage into the ground taking place without the approval of the County Planning Authority in consultation with the Environment Agency; no development commencing until a scheme is agreed in writing regarding a preliminary risk assessment, site investigation and verification plan relating to potential contamination; the site not being occupied until a verification report has been approved detailing any remediation work required; construction ceasing if contamination is found during development until a remediation strategy has been agreed by the County Planning Authority; no piling or foundation designs which use penetrative methods being implemented without the approval of the County Planning Authority in consultation with the Environment Agency; and the submission of a native species landscape scheme, with the requirement for it to be planted in the first planting season following completion of development; and
- (b) the applicants be advised by Informative that:-
- (i) they should register the School Travel Plan with Kent County Council through the "Jambusters" website;
 - (ii) they should ensure that all necessary highway approvals and consents are obtained;
 - (iii) the development should take account of the Bat Conservation Trust's 'Bats and Lighting in the UK' guidance;
 - (iv) they should ensure that works to trees are carried out outside of the breeding bird season and, if this is not possible, an ecologist should examine the site prior to works commencing;

- (v) they should ensure that all precautions are taken to avoid discharges and spills into the ground during and after construction; and
- (vi) when reviewing the School Travel Plan, they should also take account of the contribution that Swanscombe Centre Carpark can continue to play in the provision of parking for the School at the beginning and end of the school day.

6. Matters dealt with under delegated powers

(Item E1)

(1) The Head of Planning Applications Group informed the Committee that Permissions DO/16/229/R5 & 8 (Aylesham Primary School) and MA/16/503892/R3 (Headcorn Primary School) had been determined under item E2 rather than E1 and that Permission SE/16/1043 (Seal Primary School) had been refused by the Committee itself rather than under delegated powers.

(2) RESOLVED (subject to (1) above) to note matters dealt with under delegated powers since the last meeting relating to:-

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

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Review of Training to Planning Applications Committee

A report by Head of Planning Applications Group to Planning Applications Committee on 8 February 2017.

Review of training to Planning Applications Committee to aid development of future training programme

Recommendation: The Committee's views be invited on training received and recommendations for the development of a training programme for future members and substitutes of the Planning Applications Committee following the County Council elections in May 2017.

Local Members: N/A

Classification: Unrestricted

Background

1. Planning is a positive and proactive role that facilitates the delivery of a number of Government and Corporate objectives. It plays a key role in the shaping of our communities and landscapes, delivering sustainable development that balances competing social, economic and environmental needs. As a quasi judicial process, the determination of planning applications needs to comply with planning law, regulation and guidance. Planning decisions are challengeable via a right of appeal to the Planning Inspectorate, the ombudsman or judicial review in the High Court. Such challenges whether successful or not bring considerable financial and reputational costs.
2. The determination of planning decisions at committee is one of the most visible ways in which a local authority makes decisions and is often seen as the public face of decision making. It is therefore important that the committee members are well informed so that planning decisions are lawful and based upon sound judgement and justifiable planning reasons.
3. Training for committee members is not mandatory, although it is considered best practice and is compulsory in many local authorities. The Local Government Association recommends that due to the complexity of the planning system and the frequent changes to it, that planning committee members should receive appropriate and ongoing training. In the case of Kent, training is supported in the Constitution and the Kent County Council Standards Committee Advice Note 4, 2009. There is an expectation that Members should receive training and development to assist them in fulfilling their roles and responsibilities.
4. The practice of this Committee has been to ensure all Members and potential substitutes are trained prior to sitting on the Committee, with a general induction, supported by ongoing training. The induction session post the Council election in May 2013 took the form of a day at Shorne Country Park. It covered:
 - Introduction to Planning;
 - The Role of the Committee;
 - Material Considerations
 - Key Topics – AONBs, Green Belt, Nature Conservation, Climate Change and Renewables;

Review of Training to Planning Applications Committee

- Planning Conditions and Legal Agreements;
 - Mineral and Waste Local Plan
 - Probity
 - Summary
5. Subsequent training has usually taken place on the afternoon of the Committee. Topics have reflected Member's requests or arisen due to changes in planning law, guidance or practice that were relevant to decision making. In addition, the Committee has had an annual visit to a number of sites post construction. This has proven to be a worthy exercise to assess the quality of the both the decision making and the development. It also provided an opportunity to assess how successfully concerns that were raised during the planning process were addressed and any lessons that could be learnt for future developments. Appendix 1 sets out the training that has taken place since 2013.
6. Work will shortly commence on preparing a training programme for the new Committee Members post the Council elections in May 2017. In preparing the programme, I would particularly value the views of the current Committee Members on the training they have received, the breadth and adequacy of topics, any omissions, delivery style and the effectiveness of the training in helping you deliver the responsibilities of the Planning Applications Committee.

Recommendation

7. I RECOMMEND that the Committee's views be invited on training received and recommendations for the development of a training programme for future members and substitutes of the Planning Applications Committee following the County Council elections in May 2017.

Sharon Thompson - Head of Planning Applications

Tel no: 03000 413468

Background Documents:

Kent CC Standards Committee Advice Note 4 2009 Kent CC Constitution
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Review of Training to Planning Applications Committee

APPENDIX 1

Training undertaken by Planning Applications Committee 2013 – 2017

Date	Training	Venue
June 2013	Induction <ul style="list-style-type: none"> • Introduction to Planning; • The Role of the Committee; • Material Considerations • Key Topics – AONBs, Green Belt, Nature Conservation, Climate Change and Renewables; • Planning Conditions and Legal Agreements; • Appeals and Enforcement • Mineral and Waste Local Plan • Probity • Summary 	Shorne Wood Country Park
July 2013	Mineral and Waste Planning Issues Highway Matters Kent Minerals and Waste Local Plan	County Hall
October 2013	National Domestic Extremism – Beyond Lawful Protest	County Hall
November 2013	Government advice on Handling Proposals for Onshore Oil and Gas	County Hall
February 2014	Planning and Biodiversity	County Hall
October 2014	Training Day <ul style="list-style-type: none"> • Probity in Planning • Role of Highways & Transportation in Development Management • Planning – A positive and Proactive Role • Archaeology 	Lullingstone Country Park
May 2015	Kent Minerals and Waste Local Plan Update Ebbsfleet Garden City	County Hall
June 2015	Site Tour of Permitted Developments	Schools in Swale Area and Waste Activities in Ridham Dock, including MVV facility
July 2015	Environmental Impact Assessments	County Hall
October 2015	Site Visit to permitted aggregate quarry	Hermitage Quarry, Maidstone
November 2015	Probity in Planning : Kelton v. Wiltshire Judgement	County Hall
April 2016	Site Tour of permitted Basic Need School Developments	Tunstall, Thistle Hill, Sheppey, Holborough and Wouldham
May 2016	Kent Minerals and Waste Local Plan update	County Hall

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Update on Committee's Concern regarding Sport England Advice

A report by Head of Planning Applications Group to Planning Applications Committee on 8 February 2017.

Update on Committee's concern regarding the delay to planning decisions as a result of Sport England consultation views

Recommendation: The Committee's notes the response from the Minister of State for Housing and Planning and supports the Head of Planning Applications Group in seeking a meeting with Sport England at a senior level to discuss the concerns and how we might work together to address them in order to speed up the planning process and ensure that sporting facilities are appropriately maintained.

Local Members: N/A

Classification: Unrestricted

Background

1. At the meeting of 16th November 2016, the Committee resolved that the Chairman be requested to write on the Committee's behalf to the Secretary of State for Communities and Local Government in respect of the delay in implementation caused by Sport England's objection to a proposal at Charing Primary School and at similar proposals across the county. (Minute 55 (4) (C)).
2. Members may recall that the application was for a permeable tarmac playground to be used as a multi-use games area and trim trail at Charing Primary School, on land at the edge of the playing field. It was being reported to the Committee solely on the grounds of the objection from Sport England. The Parish Council attended the Committee meeting and spoke in favour of the development.
3. The Chairman wrote on 24th November 2016 to the Secretary of State for Communities and Local Government drawing attention to the Committee's concern regarding the delay to delivering important educational facilities as a result of the manner in which Sport England views are addressed during the planning application process. Where Sport England raises an objection to a proposal and the planning authority is satisfied having considered all material planning considerations that planning permission should be granted then there is no discretion, the application must be referred to the Secretary of State (SoS) via the Department of Communities and Local Government (DCLG).
4. The Town and Country Planning (Consultation) (England) Directions 2009 clarifies the arrangements and criteria for consulting the Secretary of State (SoS). The purpose of the direction is to give the SoS the opportunity to consider whether to exercise their call in powers and therefore determine the planning application. Referrals have to be made for those developments that fall within the 2009 Direction and where the local planning authority is minded to grant planning permission. In the case of Kent, where there is no delegated authority to determine applications where there are material planning objections, then the application also has to be reported to the Planning Applications Committee.
5. A copy of the letter and the reply from Gavin Barwell MP, Minister of State for Housing and Planning and Minister for London are attached at Appendix 1. Whilst recognising the importance of safeguarding facilities for sport use, the Chairman's letter drew attention to the Committee's responsibility in not compromising existing and potential sports facilities, but recognised that it has to do so in the context of other policy

Update on Committee's Concern regarding Sport England Advice

objectives. This includes the great importance that the Government attaches to ensuring that there are sufficient school facilities to meet community needs and Government expectation that sustainable development should be determined without delay.

6. Where Sport England raise objection to a proposal, officers seek to resolve the concerns of Sport England on an individual basis. Where this is not possible a reasoned case is provided to Sport England, the Planning Applications Committee and the Secretary of State via DCLG. On no occasion, has the latter not been persuaded by the case put before them by the County Council, such that the application has been recovered for a decision by the SofS. As a result, it is considered that the existing process of addressing the views of Sport England and the referral process is unreasonably delaying the delivery of important community facilities.
7. This reporting and referral process delays the determination of the application and in the case of Charing added some 6 weeks to the planning process. This is at a time when planning authorities are being strongly encouraged not to hold up development.
8. In his reply, the Minister of State for Housing and Planning confirmed that the SofS is very selective about calling in applications and, in general will only do so if they raise issues of more than local importance and those issues need to be decided by him rather than the local planning authority. He noted the Committee's concern and that on this occasion, DCLG dealt with the referral in a timely manner of 11 days. In addition, he suggested that the concerns raised could usefully be considered when the 2009 Consultation Direction is reviewed. The Minister also suggested that this Council may wish to seek a meeting with Sport England at a senior level to discuss the concerns of this Committee.
9. There is no current date set for a review of the 2009 Consultation Direction. I will however ensure that the concerns raised above will be incorporated into any future review responses and in the meantime will draw attention to the matter at appropriate discussions with DCLG and peer group to raise awareness. With regard to a meeting with Sport England, I recommend that a meeting be arranged.

Recommendation

10. I RECOMMEND that Committee's notes the response from the Minister of State for Housing and Planning and supports the Head of Planning Applications Group in seeking a meeting with Sport England at a senior level to discuss the concerns and how we might work together to address them in order to speed up the planning process and ensure that sporting facilities are appropriately maintained.

Officer : Sharon Thompson	Tel no: 03000 413468
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APPENDIX 1



The Rt Hon Sajid Javid MP
 Secretary of State for Communities &
 Local Government
 House of Commons
 LONDON
 SW1A 0AA

Chairman of the Planning
 Applications Committee
 Sessions House
 County Hall
 Maidstone
 Kent ME14 1XQ
 Email:john.davies@kent.gov.uk
 Date: 24 November 2016

Dear

Sajid

I am the Chairman of the County Council's Planning Application's Committee which is responsible for determining planning applications for, amongst others, the County Council's school development proposals.

I have been requested to write to you on behalf of my Committee about concerns that have arisen as a result of objections received from Sport England to a number of school development proposals. The most recent was for a playground at Charing Primary School on the edge of the playing field adjoining the school's buildings which is to be used as a multi-use games area and marked out for netball. This will provide the school with an all year round useable space for sport as well as for informal play. If it had not been for Sport England's objection my officers could have dealt with this application under delegated powers. It would not otherwise have been necessary to report it to my Committee and a decision could have been issued at the end of September.

The enclosed copy of the committee report provides details of the proposal and considers the objection from Sport England. It will be noted that Sport England was only prepared to reconsider its objection if the playground was relocated or it was fenced and floodlit. My Committee did not consider either option was appropriate in this case for the reasons set out in the report. Moreover the objection has further delayed a final decision being made on the application since it has now been sent to the National Planning Casework Unit as required by the Town and Country Planning (Consultation) (England) Direction 2009 for consideration on your behalf. A decision is not expected until late December 2016.

We have had other recent cases where there has been some encroachment necessary onto school playing field for essential school development where Sport England has maintained an objection despite the school still having more than adequate playing field remaining for their needs. I understand that we have several other applications that will be coming forward to the committee where Sport England has similarly objected.

Update on Committee's Concern regarding Sport England Advice

There is clearly a balance to be struck as part of the planning process in these matters and we do not take lightly the planning policy objectives that provide for protection of playing fields. On the other hand we are also mindful of 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. It has therefore been necessary to set aside Sport England's objection on a number of cases recently but that has not been without ensuring that the school's sporting facilities would not be diminished or that that sufficient playing field remains for the required pitches, running tracks, etc. None of the applications have subsequently been called in following the referral process. However, it has resulted in unnecessary delays in the decision making process and ultimately the provision of important education facilities which are usually subject to tight deadlines in terms of funding and delivery.

It seems to me that something needs to be done to remove what is clearly an impediment to the efficiency of the planning process, particularly in the light of the Government's ongoing aims to speed up the time it takes for decisions to be made on planning applications. Certainly it would help if Sport England were able to adopt a more pragmatic approach to much needed school development proposals. After all they are not about the disposal of playing fields for speculative development as occurred in the past, which the current provisions for consulting Sport England were rightly introduced. In the absence of a change in approach it would help if there was more discretion given to local planning authorities when applications to which Sport England has objected were required to be referred. An amendment to the Town and Country Planning (Consultation) (England) Direction 2009 to this effect could provide a way forward and enable more timely decisions to be made on such applications.

I would be most grateful to hear your views on this matter and hope it will be possible to effect a significant improvement in the situation that currently prevails for the benefit of the Community, Applicants, Sport England and Planning Authorities.

Yours sincerely

John Davies
Chairman of the Planning Applications Committee
Kent County Council

Update on Committee's Concern regarding Sport England Advice



Department for
Communities and
Local Government

Mr John Davies
Chairman of Planning Applications Committee
Kent County Council
Sessions House
County Road
Maidstone
Kent
ME14 1XQ

Gavin Barwell MP
*Minister of State for Housing and Planning and
Minister for London*

**Department for Communities and Local
Government**

Fry Building
2 Marsham Street
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SW1P 4DF

Tel: 0303 444 3430
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Email: gavin.barwell@communities.gsi.gov.uk

www.gov.uk/dclg

Our Ref:2953534

19 DEC 2016

Thank you for your letter of 24 November to The Rt Hon Sajid Javid MP, about Kent County Council planning application, AS/16/1148; construction of a multi-use games area at Charing Primary School, Charing, Kent, and Sport England's representations on planning applications affecting playing fields. I am replying as the Minister for Housing and Planning.

Your Council referred the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009, on 18 November. The purpose of the Direction is to give the Secretary of State the opportunity to consider whether or not he wishes to call-in applications which fall within its scope for his own decision. He is very selective about calling in applications and, in general, will only do so if they raise issues of more than local importance and those issues need to be decided by him rather than the local planning authority. In this case it was decided that the Secretary of State should not intervene. He was content that the application should be determined by your council.

I note that Sport England has objected to a number of school proposals in your area and note your concerns in this respect, as well as your concerns about the referral process generally potentially delaying planning decisions. The referral was received by the Department on 21 November 2016, and the decision not to intervene was issued on 2 December 2016. I hope you agree that in this case, my officials dealt with your council's referral in a timely manner.

I am always interested to hear views on how the planning system is operating and how it might be changed, and your views will be taken into account when we next review the 2009 Consultation Direction. Your council may also wish to seek a meeting with Sport England at a senior level to discuss your concerns, and how you might work together to address them.

In the meantime, I hope you will understand that I am unable to comment on this particular planning decision, as I must avoid prejudicing the Secretary of State's position.

Yours sincerely,

GAVIN BARWELL MP

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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

Proposed stand-alone teaching block to provide three new classrooms and associated facilities, new entrance lobby to existing school, and expansion of car park at Edenbridge Primary School, High Street, Edenbridge – SE/16/03272/KCCRG3 (KCC/SE/0273/2016)

A report by Head of Planning Applications Group to Planning Applications Committee on 8th February 2017.

Application by Kent County Council Planning and Infrastructure for stand-alone teaching block to provide three new classrooms and associated facilities, new entrance lobby to existing school, and expansion of car park at Edenbridge Primary School, High Street, Edenbridge, Kent TN8 5AB – SE/16/03272/KCCRG3 (KCC/SE/0273/2016)

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

Local Member: Mr Clive Pearman

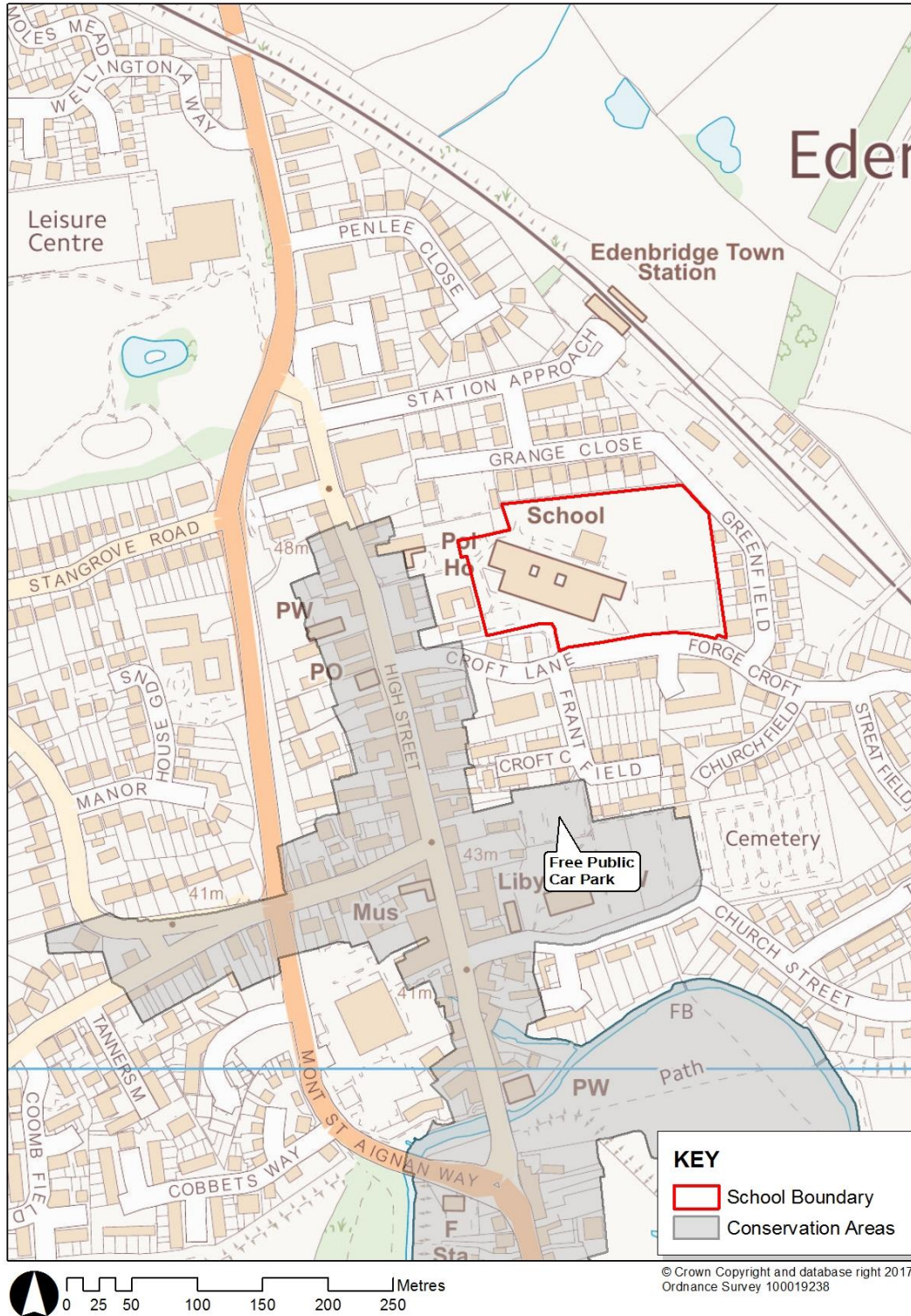
Classification: Unrestricted

Site

1. Edenbridge Primary School is located within the town of Edenbridge, in the District of Sevenoaks. The school lies within the centre of the town, on the eastern side of the High Street, and is accessed from a road alongside of and shared with the Police Station. This leads to the School's car park and main entrance, but other pedestrian access gates are located along Frant Field and Croft Lane, which lie to the south of the site. To the north-east of the school site is the town's railway station and railway line. The school is surrounded by residential properties, and in close proximity to the town's shops along the High Street.
2. The surrounding residential streets have some provision for on street parking, but also areas of parking restrictions, including the zig-zag keep clear school markings along Frant Field. The existing car park provides space for the parking of 22 cars, although not all meeting current regulations in size. The School building is located in the south-west corner of the site, close to the vehicular entrance; the playground lies in the south-eastern corner and the school playing fields located to the north-east. The school is enclosed with mature hedging and a dwarf brick wall along the boundary with Frant Field, and elsewhere with fencing. There are mature trees along the eastern boundary of the playing field backing onto the houses in Greenfield.
3. The school itself is a single storey, traditionally constructed brick building with a series of pitched roofs and a central flat roof. There are two small internal courtyards to allow light into the central sections of the school. A covered external teaching area stands within the grounds, along with a soft play adventure area, and a ball court, plus a stand-alone building which houses the Sure Start facility which is located to the north of the

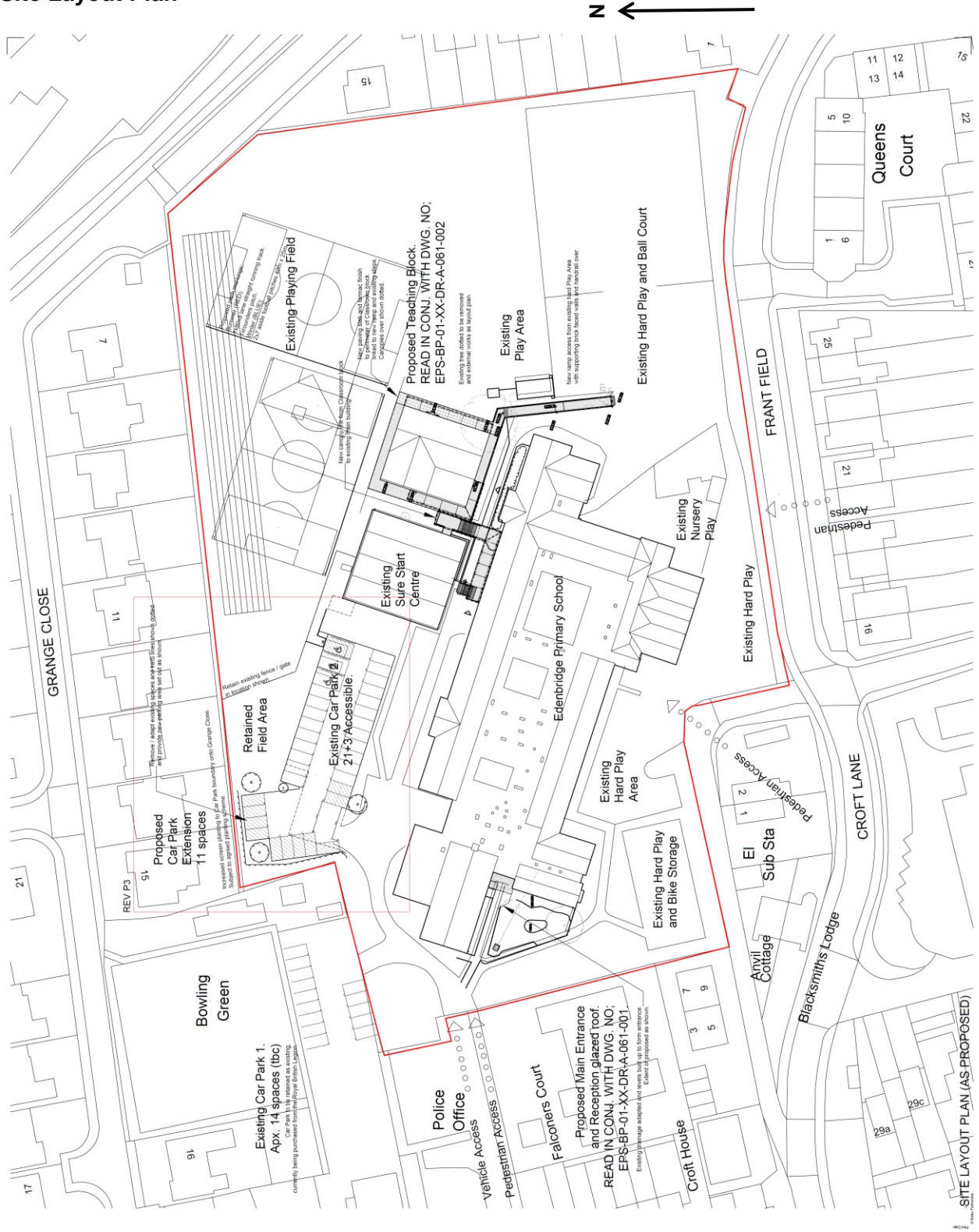
Stand-alone teaching block to provide three new classrooms and associated facilities, new entrance lobby to existing school, and expansion of car park at Edenbridge Primary School – SE/16/03272/KCCRG3 (KCC/SE/0273/2016)

General Location Plan



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Site Layout Plan



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Proposed Elevations of new Classroom Block

03/03/2016 10:00 AM
03/03/2016 10:00 AM



North Elevation
1:50



South Elevation
1:50

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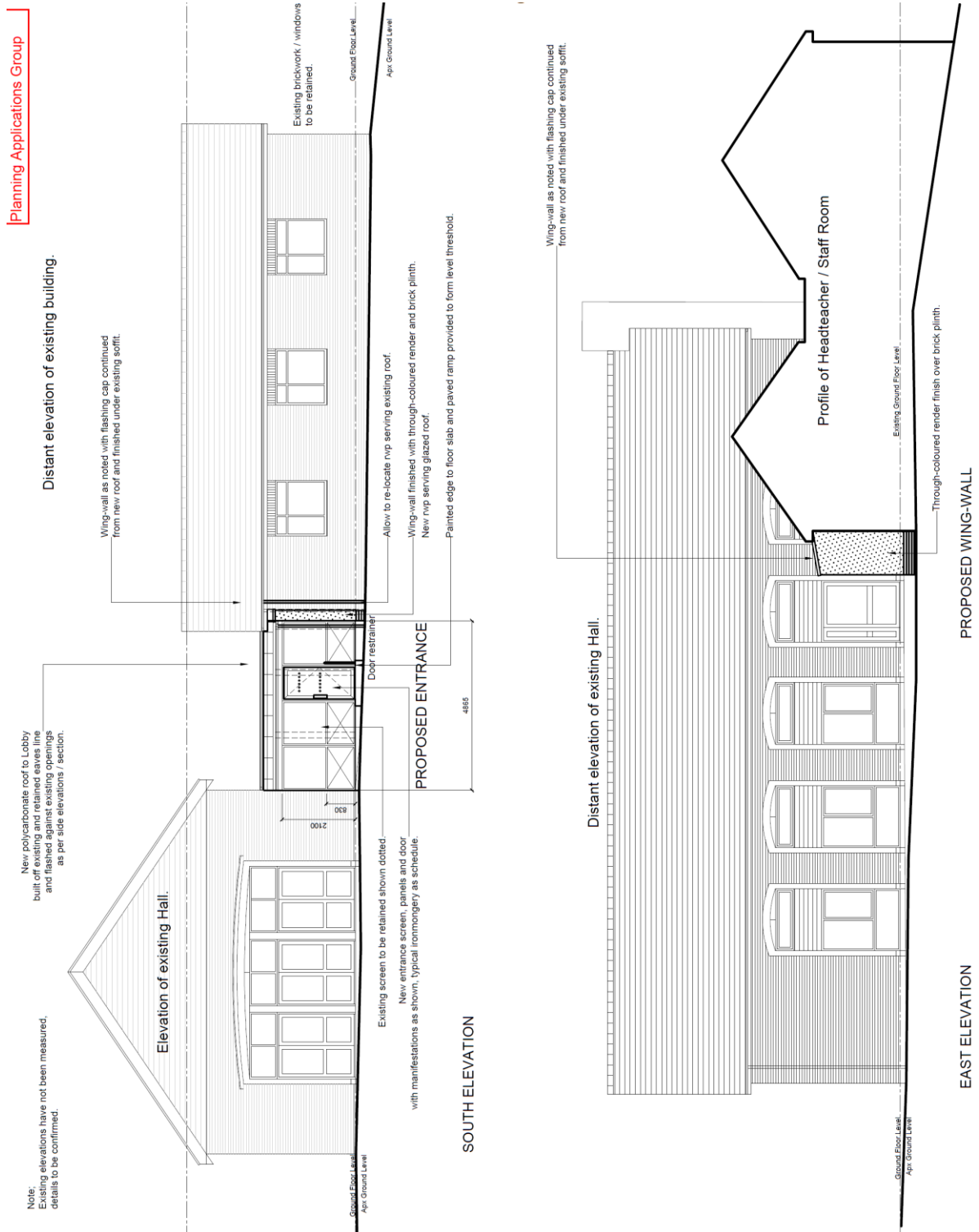
East Elevation
1:50



West Elevation

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Proposed Elevation of new front entrance



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main school. This is used independently from the primary school and accessed separately from the main car park.

4. In terms of Local Plan policies, the site lies within the settlement boundary of Edenbridge, and outside of but adjacent to the town centre designation, and close to the conservation area boundary which runs along the High Street. The school site excluding the original school building itself is covered with an Open Space policy designation, the wording of which is provided in paragraph 11 below.

Background

5. A need for additional primary school places have been identified in the Sevenoaks District as a result of changing demographics in the area and inward migration from London, EU and non EU countries, plus new housing developments in the area. There is a forecast deficit of primary places for several parts of the Sevenoaks rural area from 2016 onwards. Edenbridge Primary School is the only school in the town where an additional 300 homes have been agreed by the District Council, and where there are already 60 four-year-old children who will require school places. There are limited options for the expansion of alternative school sites in the Sevenoaks district area, and therefore without expanding Edenbridge parents will have a restricted choice of school places and children may have to travel considerable distances for a school place. KCC Education suggest that within the town this school would sit in the area of greatest need, the site size is adequate to accommodate the expansion, the Headteacher and governors are supportive of the proposal and the school has been graded 'Good' by Ofsted.

Recent Site History

6. In 2006 permission was granted for a covered external canopy and in 2008 consent given for the replacement of two sheds and the formation of a new door opening to an existing window. There is no other recent planning history.

Proposal

7. The application seeks approval for a stand-alone single storey building to provide three new classrooms with associated ancillary space and toilets. The new building would sit alongside the Sure Start building and would result in the loss of the corner of the playing fields and require the removal of one tree. The building would have a rectangular footprint, being 16m by 19m (52ft by 62ft) in size. The building would predominantly have a pitched roof design, with a small flat roof element, a mixture of brickwork and timber cladding on the elevations and a slate grey plain tile roof. There would be powder coated polyester windows, rooflights and doors, with coloured panels between the windows, and a timber canopy frame with a Perspex roof running along the eastern and western elevations. The building would be linked to the main school with a covered canopy.
8. In addition a small extension is proposed to the existing main entrance to the school to provide a new lobby area. This would simply infill an area between the existing hall and office, where the existing reception had been set back. It would project 1.25m (4.1ft) in

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front of the existing office elevation and link to the hall, and would have a polycarbonate roof and a new entrance screen, panels and doors to match the existing.

9. The proposals also involve the reorganisation and expansion of the school car park to provide an additional parking area, so that in total there would be 35 parking spaces, including three accessible parking bays within the school site.
10. The proposed development would enable the school to expand to a 3 Form Entry primary school with 630 pupils (90 in each year) and 68 members of staff. In the past the school has already accepted a bulge intake, therefore is operating slightly above the 2FE pupil roll of 60 children in the lower years, but further up the school the current pupil numbers are currently less than 60 per year. The proposed 3FE intake would happen incrementally as the pupils move up through the school.

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

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

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

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

Paragraph 74 of the NPPF is also relevant to the consideration of this application, it states that:

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Existing open space, 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 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.*

(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) **Sevenoaks District Core Strategy (February 2011)**

Policy SP1 Design of New Development and Conservation: Requires all new development to be designed to a high standard, reflect the distinctive local character of an area, create safe, inclusive and attractive environments, incorporate sustainable development principles and maintain biodiversity. 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 Districts 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 Sustainable Development: Sets standards for sustainable design and construction. Institutional development will be required to achieve a BREEAM rating of at least ‘very good’. In order to achieve this, the proposal will be expected to demonstrate 10% energy savings through renewable sources.

Policy SP10 Green Infrastructure, Open Space, Sport and Recreation Provision: Promotes the provision of multifunctional green space by linking existing green space areas. The Policy also seeks the retention of open space, sports and recreational facilities, including indoor facilities of value to the local community, unless any loss can be justified by additional provision of at least equivalent value to the local community.

Sevenoaks Allocations and Development Management Plan (February 2015)

Policy SC1 Sustainable Development: requires that Council’s take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF when dealing with development proposals. Council’s should work proactively with applicants to ensure proposals can be approved wherever possible and to secure

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development that improves the economic, social and environmental conditions in the area. This should be done in accordance with Local Plan policies and have regard to the suitability of the proposal to its location; its impact on the surrounding environment; its contribution to creating a balanced community; the conservation and enhancement of cultural heritage; contribution to and impact on the economy; and the impact on existing infrastructure.

- Policy EN1 Design Principles:** sets out the need for high quality design and for proposals to meet criteria including: responding to scale, height and materials; respecting the topography and character of the site and any sensitive features; not result in the loss of buildings or open space that would affect the character of an area, provided satisfactory means of access and parking provision; include opportunities for increasing biodiversity potential, including sustainable drainage and to avoid harm to existing biodiversity; create a permeable layout; safe and easy access for those with disabilities; creation of a safe and secure environment to deter crime and fear of crime; include modern communication technology and infrastructure; and make efficient use of land.
- Policy EN2 Amenity Protection:** Proposals should provide adequate residential amenities for existing and future occupiers of development, and safeguard amenities of existing and future occupiers of nearby properties by ensuring development does not result in excessive noise, vibration, odour, activity, vehicle movements, overlooking or visual intrusion and where it would not result in a loss of privacy or light.
- Policy G12 Loss of Open Space:** states that the redevelopment of green infrastructure, open space, sport or recreation sites within the urban confines of towns and villages and redundant school playing fields will not be permitted unless the applicant demonstrates (i) that the open space is surplus to requirements and there is no need for an alternative community, sport or recreation use; (ii) the loss will be mitigated by equivalent replacement provision; or (iii) the development is for alternative sports/recreation use.
- Policy T1 Mitigating Travel Impact:** Sets out the need to mitigate against adverse travel impacts including their impact on congestion and safety, environmental impact such as noise, pollution and impact on amenity and health.
- Policy T2 Vehicle Parking:** Sets out that vehicle parking provision, including cycle parking, for non-residential developments should be in accordance with the advice of Kent County Council as Local Highway Authority.

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Consultations

12. **Sevenoaks District Council** raise an objection to the proposal on the grounds that it would result in the loss of protected green open space without justification or alternative provision, contrary to Policy G12 of the Sevenoaks Allocations and Development Management Plan.

Edenbridge Town Council - no views received.

KCC Highways and Transportation Officer considers that there are not any severe highway safety concerns relating to the proposed development and that it would comply with KCC and Sevenoaks District policies. Recommend conditions be imposed requiring the submission of an updated School Travel Plan and a comprehensive Construction Management Plan covering issues such as delivery times, site staff parking, delivery lorry access and turning, and wheel washing facilities.

Sport England: raise no objection to the car park alterations or main entrance extension, but object to the proposed new classroom building on the grounds that it would not accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

The Environment Agency raise no objection.

KCC School Travel Planner confirms that the submitted School Travel Plan is acceptable in principle but that it needs to be updated with current pupil postcode data.

County Archaeological Officer raises no objection subject to the imposition of a condition to secure archaeological field evaluation works in respect of likely Roman or later activity which may survive on the site.

KCC Flood Risk Project Officer regards the development as low risk but suggest that the Drainage Strategy referred to in the Flood Risk Assessment be submitted prior to the commencement of development.

Local Member

13. The local County Member, Mr Clive Pearman was notified of the application on 21st October 2016. Mr Pearman wrote to advise that he was in support of the proposed extension and would like to address the Planning Applications Committee should the application have to go before Members.

Publicity

14. The application was publicised by the posting of three site notices, and the individual notification of 52 residential properties.

Representations

15. In response to the publicity, three letters of representation have been received. The key

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points raised can be summarised as follows:

- Concerned about the congestion on the surrounding roads at drop off and pick up times;
- Existing parking restrictions ignored by parents;
- Suggest the car park should be big enough for parents to drop off and pick up on site;
- Suggest an additional pedestrian access from Grange Close would help alleviate problems;
- Doubt the walking buses suggested would be effective, especially in the rain.

Discussion

16. 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.
17. This application is being reported for determination by the Planning Applications Committee due to the objections raised by the District Council, the objections received from Sport England, and the neighbour representations received. In my opinion, the key material planning considerations in this particular case are the principle of development in this location in relation to the Open Space policy of the Allocations and Development Management Plan; the siting and design of the proposed extension in terms of its built form (and sustainability); its siting which results in the loss of part of the playing field; the highway and transportation implications of the school expansion on the surrounding roads and the subsequent amenity impacts of this for neighbouring residents.

Principle of development relating to planning policy

18. The school site lies within the defined settlement boundary of Edenbridge, where the principle of development is considered acceptable. However, the land surrounding the existing school building is all covered by the Open Space policy designation G12 which, as set out in paragraph 11, seeks to protect such areas from change of use or redevelopment unless the open space is surplus to requirements and there is no need for an alternative community, sports or recreation use; the loss will be mitigated by equivalent alternative provision; or the development is for alternative sports/recreational use.
19. There is no evidence to demonstrate that the open space within the school grounds is surplus to requirements and therefore the proposed school extension does not meet any of the above exceptions and as such the development would be contrary to this Policy, and Sevenoaks District Council has raised an objection to the application on these grounds. The NPPF, however, requires Local Planning Authorities to take a proactive, positive and collaborative approach to meeting the requirement to provide sufficient school places, and paragraph 72 states that great weight should be given to the need to

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create, expand or alter schools. Paragraph 5 of this report sets out the need for this school to be expanded to a 3FE Primary School, and the lack of any suitable alternative provision that would not require children to travel some distance to attend school. The open space policy designation has been tightly drawn around the existing school leaving no opportunity for any expansion here without being contrary to Policy.

20. The area of land which the extension would be built on forms part of the existing school playing field, yet the school would retain sufficient space to be able to provide the required sports pitches and facilities, as set out in paragraph 27 below. The proposals would allow expansion of an existing school facility located in a sustainable location, which would meet the requirements of the NPPF in relation to school provision, and the aims of Policy SC1 of the Allocations and Development Management Plan by improving social conditions and helping create a balanced community. In my opinion the strict application of the open space policy would restrict an otherwise acceptable development and the provision of these additional school places would be of a wider benefit to the local community than the protection of an area of amenity green space, only used by the school children themselves. Therefore, despite the objection received from Sevenoaks District Council it is my view that the development would meet the aims of the NPPF.

Siting and design

21. The proposed classroom building would be sited alongside the Sure Start building and would have a footprint of a comparable size. The building has been designed to reflect the design of the original school and the Sure Start building. It would be constructed with a mixture of brickwork and timber panelling, with a slate grey plain tiled roof. The dark grey windows, doors and flashings would complement the roof colour, and on the eastern elevation the windows would be interspersed with coloured aluminium panels where the classrooms would face the school grounds. The two different pitched roof elements would ensure the overall height of the ridge would be kept low and in proportion to the surrounding structures. Whilst the materials would differ in colours from the original school (which has white windows and doors and brown roof tiles), the overall design would be complementary and the building reflective of its time. The canopy surrounding the eastern elevation and part of the south and western elevation would have a frosted Perspex roof, supported on a timber frame, which would also be complementary and allow covered access from this new building to the main school. The small addition to the main entrance to the school is considered to be very minor in nature and would be barely noticeable given its location tucked between the existing hall and office. The design would be in keeping with the general arrangement of the existing school and is considered to be acceptable.
22. The new building in this proposed location would be viewed in the context of the existing built form on the site, and would be sited well away from any surrounding residential properties. It is considered that the classroom would be of an appropriate and contemporary design in relation to the original school and wider site, sited in an acceptable location, and would therefore accord with the aims of the NPPF, Policy SP1 of the Sevenoaks District Core Strategy and Policy EN1 of the Sevenoaks Allocations and Development Management Plan.

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Sustainability

23. The NPPF places a presumption in favour of development that is sustainable and Policies SP2 of the Sevenoaks District Core Strategy and SC1 of the Sevenoaks Allocations and Development Management Plan reiterate this advice at the local level. The Design and Access Statement and addendum provides details of the sustainability design principles that the development would involve, which include lighting sensors so that lights are only used when required; the use of LED lights which are low energy; the orientation of classrooms to maximise natural daylight to ensure lights are not required throughout the day; opening windows for natural ventilation and cooling rather than needing mechanical means; dual flush WC's and timed flow water taps to ensure efficient water usage. The use of energy efficient heating and lighting systems within the design would also further assist in the overall energy reductions of the proposed building.
24. A 'carbon emissions compliance assessment' has been undertaken for the proposed building, and this shows that it would comply with the Part L2A (2013) building regulations emissions criteria. A 30m² array of roof mounted PV panels could potentially off-set the Building Emission rate for CO₂ by a further 21.4%, but such an array could not be accommodated on the southern roof slope as this roof area would be too small. Such an array *could* be provided on the south-east facing roof slope, but the panels would need to be orientated at 72° clockwise from North and with a 37° incline. This would mean the panels would stand proud of the roof plane and gives rise to concern about the resultant overall design and ongoing maintenance issues. Given that this application is for a relatively minor extension (3 classrooms) and that the building has been designed to include other energy efficient principles, it is considered that the provision of such a large array of PV panels should not be a formal requirement in this case.
25. Policy SP2 of the Sevenoaks District Core Strategy requires institutional developments to be designed to achieve a BREEAM rating of at least 'very good'. Kent County Council Property and Infrastructure do not undertake BREEAM assessments for the basic needs school projects, but they work within the 'spirit' of BREEAM by working to the same environmental standards but without diverting funds away from the end development itself, towards the costly assessment rating process. Given the sustainable elements incorporated into the design of the building, it is considered that the scheme would comply with the aims of the NPPF and Policy SP2 of the Core Strategy, and is therefore considered to be acceptable.

Loss of playing field

26. The proposed new classroom building would be sited on the edge of the existing school playing fields. The area of the field that would be covered by the footprint of the building could potentially be utilised for playing pitches, given that it is level. Historic aerial photographs show that formal playing pitches have extended into this area in the past and also at the time of the site visit, the pitches were similarly orientated so that the corner of the pitch was located close to the tree and therefore would fall within the footprint of the new building.

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27. The applicants have submitted a layout plan for the school grounds showing the proposed footprint of the building and the laying out of two 7-a-side football pitches which can be accommodated on site without being affected by each other. The provision of an 8 lane 80m running track and a rounders pitch for the summer months, can also be accommodated on site should the new classroom be sited as proposed. Although the proposed classroom would result in the loss of an area of useable playing field, it would not compromise the ability of the school to provide the required sports facilities (both hard and soft play) necessary for a 3FE primary school.
28. In support of the application a supplementary statement was submitted in relation to the sports facilities that would be retained on site, which confirmed that the current sports pitch provision would be maintained throughout the process of construction and after the new build was completed. It went on to state that Sevenoaks District Council's Playing Field (pitch) Strategy is not up to date and it is therefore not possible to find documentary evidence to show whether the level of playing pitch provision in the area is acceptable or not. Finally it detailed that the school is in close proximity to Edenbridge Recreation Ground which provides the majority of playing pitches for the town, with further pitches available on other sites. (The Leisure Centre is shown on the general location plan on page 1.2, on the western side of the High Street.) They state that the school has never been asked for the use of its playing fields, despite some pupil's parents being active in local football clubs, but the School has always advised that the pitches are available if required. The School would continue to offer these pitches for community use if such a request was made, but acknowledge that the lack of ancillary facilities (such as showers, toilets etc.) would mean they are unlikely to be practically used on a regular basis.
29. Despite the provision of this supplementary statement and the illustration that the necessary sports provision can be accommodated on site should the new classroom be approved, Sport England have raised an objection to the planning application on the grounds that the proposal would prejudice the use of the playing fields and would not accord with any of the exceptions of the Sport England Playing Field Policy, or Paragraph 74 of the NPPF.
30. In my opinion the proposed classroom has been sited in the most appropriate location for the running of the School, close to the existing built form on the site. To build any form of extension at the School would result in the loss of either playing field or hard play spaces and therefore to inflexibly apply the Sport England Policy would mean that no additional classroom space could be built on site (without extending up from the existing school). It is considered that a more pragmatic approach should be applied, whereby we consider that although a small area of playing field would be built over, the requisite sports provision can still be adequately provided on site and therefore no sports facilities are actually 'lost'. However, because of the objection received from Sport England, if Members agree with this holistic approach and are minded to permit the proposals, the application would need to be referred to the Secretary of State.

Highway and transportation issues

31. This application seeks to provide the necessary accommodation to allow the School to expand from a 2FE school to a 3FE school, accommodating a maximum of 630 pupils with the number of staff increasing from 64 to 68. The planning application has been

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supported by the submission of a Transport Statement which has been considered by the County's Highways and Transportation Officer. His view is that the assessment is generally robust and has addressed the key transportation issues relating to the expansion – that being traffic generation and parking issues.

32. The key to reducing the level of on street parking occurring at school start and finish times, and staff parking demand is the production of a revised School Travel Plan. The School Travel Plan, he states, should be used to encourage more sustainable travel modes and increase the numbers of pupils and staff who use such methods. The production of a revised Travel Plan can be secured through a suitably worded condition, and the School should be required to update the plan on a yearly basis through the Jambusters system, with the results published on the school's website. New initiatives such as the Responsible Parking Programme should also be promoted in the Travel Plan.
33. On street parking is available around the site, alongside some areas of parking restriction, although it is acknowledged that these may not be rigorously enforced, as suggested by the objectors. There is also a free car park within a short walking distance of the school, off Frant Field (as annotated on the general location plan, page D1.2). The school car park is only used by members of staff and visitors, therefore any additional pupil related traffic generated by the school expansion would need to be accommodated on the surrounding roads and/or the nearby public car park. The Highways Officer acknowledges that there is likely to be congestion at the school and that this can have a detrimental impact on the amenity of the local residents, but in most cases this is a short lived nuisance and irritation rather than a serious risk to road safety. As with other recent applications, the fact that this disturbance only occurs on the days when the school is open has to be taken into account, along with the fact that the public highway is there to be used by all parties and not the sole preserve of any one category of highway user. The key to minimising traffic nuisance and avoiding safety risks is sound management of the available facilities and in this instance these are best pursued through the School Travel Plan.
34. In terms of the proposed alterations to the car park, the reorganisation and expansion of this would allow for the parking on site to increase from 24 spaces to 35 spaces, including 3 accessible spaces. In addition the school also use a car park currently owned by the British Legion just to the south of the Bowling Green. This car park provides a further 14 parking spaces and access to it is from within the existing School grounds. The School are currently in the process of purchasing this car park from the British Legion, but the sale has yet to be finalised. The combined provision of these two car parks would be 49 spaces which the Highways Officer confirms would be acceptable, and in accordance with the County parking standards and Policy T2 of the Sevenoaks District Allocations and Development Management Plan.
35. In summary it is considered that given the proposed increase in parking provision as shown on the submitted drawings, that these spaces are conditioned to be retained, and that the School Travel Plan is updated and monitored to promote and encourage travel to school in a sustainable manner, the proposed development would not result in any severe highway safety concerns and would therefore accord with the aims of the NPPF.

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Other Matters

Archaeology

36. Comments have been received from the County's Archaeological Officer who advises that the site lies towards the eastern side of the historic core of Edenbridge, which was a later medieval market town. Prior to this it is considered that there may have been a community along the Roman road which is considered to be on the alignment of the High Street. Remains associated with Roman or later activity may survive on site and it is therefore recommended that a condition be placed on any permission that may be given, to secure and implement field evaluation works in accordance with a scheme to be submitted and approved by the County Planning Authority.

Construction

37. A condition requiring the submission of a full Construction Management Strategy, prior to commencement of development has been requested by the Highways and Transportation Officer and is considered appropriate given the School's location amongst residential properties and the centre of town. This would need to include, amongst other matters, times of access to the site (to avoid school peak times), operative parking, wheel washing facilities and delivery vehicle unloading and turning.

Drainage

38. The application was supported by the submission of a drainage scheme, drainage plan and a Flood Risk Assessment which has been assessed by the County's Flood Risk Project Officer. The scheme is considered to be of low risk, and the applicants have subsequently submitted the missing Drainage Strategy that was referred to in the earlier consultee response (paragraph 12). In the light of this the proposed development is considered to be acceptable in drainage terms.

Tree removal

39. The proposed development would require the removal of a common ash which is located at the corner of the playing field, and one small Hollywood juniper which has grown alongside the edge of the Sure Start building. The application was supported by an Arboricultural Statement which graded the ash as a category B tree and the juniper as a category C tree. Category B trees are defined as one of moderate quality and value and category C trees as being of low quality and value in British Standard 5837, 2012. Neither tree is considered to be of such significant value that they would justify constraining the design and it is proposed to plant 4 native replacement trees along the northern boundary to compensate for their removal. Subject to the imposition of a condition requiring the planting of these replacement trees in the first available planting season following construction, the scheme is considered to be acceptable.

Conclusion

40. In my view the key determining factors for this proposal are the planning policy aspects in relation the open space designation, highways and transport related issues, the siting

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and design of the new building, and the objection received from Sport England regarding loss of playing field land. In addition weight should also be given to the NPPF's clear policy support for ensuring that a sufficient choice of school places be available to meet the needs of existing and new communities, and the need to create, expand or alter schools. Subject to the imposition of the conditions suggested below I consider that the development would not give rise to any demonstrable harm as explained in the discussion above, would result in a sustainable form of development, and would meet the aims of the NPPF in relation to the guidance for school provision.

Recommendation

41. 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 to be carried out in accordance with the permitted details;
- The submission and approval of details of all construction materials to be used externally;
- The submission of a revised School Travel Plan prior to occupation of the new classroom building and its ongoing review via the 'Jambusters' system for 5 years, with monitoring results posted on the school's website;
- The submission of a Construction Management Plan, providing details of (amongst other matters) times of access to the site (to avoid school peak times), operative parking, wheel washing and delivery vehicle unloading and turning;
- The provision of the revised parking spaces shown on the site layout prior to occupation, and their permanent retention thereafter;
- The submission of a scheme of archaeological field evaluation work to be submitted and approved in writing prior to commencement of development and the recording and reporting of any findings;
- The School to undertake the planting of four native replacement trees in the first planting season following completion of development.

42. 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.

Case Officer: Helen Edwards

Tel. no: 03000 413366

Background Documents: see section heading

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

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

Background Documents - The deposited documents.

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|-----------------|---|
| DA/15/887/EC/RA | Details of inlet screen cladding for phase 1 of the development pursuant to condition (4) of planning permission DA/15/887/EC.
Eastern Quarry Wastewater Treatment Works, Watling Road, Swanscombe, Ebbsfleet
Decision: Approved |
| DA/16/1830 | Provision of a staff welfare facility consisting of a container to provide lockers, WC and messroom on ground floor and accommodation on first floor for nighttime site security.
Lees Yard, Rochester Way, Dartford, Kent, DA1 3QU
Decision: Permitted |
| SH/16/803/R13 | Details of proposed boundary fencing pursuant to condition (13) of planning permission SH/16/803.
Ross Depot, Military Road, Folkestone
Decision: Approved |
| TM/16/3455 | Section 73 application to vary conditions 4 and 5 of planning permission TM/93/1086 to allow a new maximum level of liquid import and associated HGV movements.
Tonbridge Wastewater Treatment Works, Sanderson Way, Tonbridge, Kent, TN9 1XX
Decision: Permitted |

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

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

Background Documents – The deposited documents.

- CA/16/2774 Refurbishment of existing caretakers store to provide new care suite. Caretakers store to be replaced with a new timber shed Barham C Of E Primary School, Valley Road, Barham, Canterbury, Kent, CT4 6NX
Decision: Permitted
- DO/15/1079/R6 Discharge of condition 6 of DO/15/1079. Portal House School, Sea Street, St Margarets at Cliffe
Decision: Approved
- DO/16/229/R4 Partial discharge of condition 4 (Program of Archaeological Work) of planning permission DO/16/229 - ALL DOCUMENTS ON DO/16/229/R5&8
Aylesham Primary School, Attlee Avenue, Aylesham, Kent, CT3 3BS
Decision: Approved
- DO/16/659/R3, 4 & 5 Details of construction management plan (condition 3), external materials (condition 4) and external plant (condition 5) pursuant to planning permission DO/16/659
Sibertswold CE Primary School, Coldred Road, Shepherdswell, Dover
Decision: Approved
- MA/16/503410/R8A Discharge of Condition 8 (Archaeology) of planning permission MA/16/503410
South Borough Primary School, Stagshaw Close, Postley Road, Maidstone, Kent, ME15 6TL
Decision: Approved
- MA/16/508390 The construction of an external entrance door (in existing window), canopy and footpath from new entrance to existing main pedestrian entrance and several internal refurbishments/adaptations.
Holy Family Roman Catholic Primary School, Bicknor Road, Maidstone
Decision: Permitted
- SE/16/141/RA Application for a Non-material amendment; extension to the hard informal play area to the south east of the new building to allow for a netball sized court.
Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks
Decision: Approved

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

Background Documents –

- *The deposited documents.*
 - *Town and Country Planning (Environmental Impact Assessment) Regulations 2011.*
 - *The Government’s Online Planning Practice Guidance-Environmental Impact Assessment/Screening Schedule 2 Projects*
 -
- (a) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does not constitute EIA development and the development proposal does not need to be accompanied by an Environmental Statement:-
- KCC/SH/0005/2017 Extension to the existing Hope Farm Composting Facility along with the variation of conditions to planning permission reference SH/14/751 in respect of the inclusion of Bank Holiday deliveries of waste, removal of restriction on sources of material, increase in waste throughout, utilisation of processed material on other surrounding farms and increase in current restriction on vehicle movements.
Hope Farm, Crete Road East, Folkestone, CT18 7EG
- (b) Since the last meeting of the Committee the following screening opinions have been adopted under delegated powers that the proposed development does constitute EIA development and the development proposal does need to be accompanied by an Environmental Statement:-
- None

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

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

Background Documents -

- *The deposited documents.*
- *Town and Country Planning (Environmental Impact Assessment) Regulations 2011.*
- *The Government's Online Planning Practice Guidance-Environmental Impact Assessment/Preparing an Environmental Statement*

KCC/SCO/TM/0295/2016 - Request for a Scoping Opinion to determine the extent of an Environmental Impact Assessment to accompany a proposed planning application to extend Ightham Sand Quarry westwards.
Land to the west of Ightham Aircrete Works, Ightham, Sevenoaks