

PLANNING APPLICATIONS COMMITTEE

Wednesday, 12th June, 2019

10.00 am

Council Chamber - Sessions House





AGENDA

PLANNING APPLICATIONS COMMITTEE

Wednesday, 12th June, 2019, at 10.00 am
Council Chamber - Sessions House

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

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

Membership (13)

- Conservative (10): Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman),
Mrs R Binks, Mr A Booth, Mr P C Cooper, Mr M D Payne,
Mr H Rayner, Mr C Simkins, Mrs P A V Stockell and Mr J Wright
- Liberal Democrat (1): Mr I S Chittenden
- Labour (1) Mr J Burden
- 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. Membership.
To note the appointment of Mr J Burden to the Committee in place of Mr B H Lewis
2. Substitutes
3. Declarations of Interests by Members in items on the Agenda for this meeting.
4. Minutes - 15 May 2019 (Pages 5 - 10)
5. Site Meetings and Other Meetings

B. GENERAL MATTERS

1. General Matters

C. MINERALS AND WASTE DISPOSAL APPLICATIONS

D. DEVELOPMENTS TO BE CARRIED OUT BY THE COUNTY COUNCIL

1. Proposal 19/501705 (KCC/MA/0060/2019) - Extension of the 1 FE primary school to 2FE, to comprise a single storey extension to existing building, internal and external modifications to existing building, extension of the site to accommodate a new parking and drop-off area , and associated hard and soft landscaping works at Harrietsham CEP School, West Street, Harrietsham; KCC Property and Infrastructure Support (Pages 11 - 32)
2. Proposal TM/19/506 (KCC/TM/0484/2018) - Section 73 application for variation of Condition 5 (variation of time restriction on delivery of pavilion facility) of Permission TM/15/3918 at Judd School Playing Fields, Land Off Lower Haysden Lane, Tonbridge; KCC Education and Governors of Judd School (Pages 33 - 48)

E. MATTERS DEALT WITH UNDER DELEGATED POWERS

1. County matter applications (Pages 49 - 52)
2. County Council developments
3. Screening opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017
4. Scoping opinions under Town and Country Planning (Environmental Impact Assessment) Regulations 2017

F. KCC RESPONSE TO CONSULTATIONS

1. Application CA/17/01866/FOS - Land at Hillborough, Sweechbridge Road, Herne Bay (Pages 55 - 62)
2. Application EDC/1/17/0048 - Application for approval of Item "N" of Condition 19 at Eastern Quarry, Watling Street, Swanscombe (Pages 63 - 64)

G. 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)

Benjamin Watts
General Counsel
03000 416814

Tuesday, 4 June 2019

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

KENT COUNTY COUNCIL

PLANNING APPLICATIONS COMMITTEE

MINUTES of a meeting of the Planning Applications Committee held in the Council Chamber - Sessions House on Wednesday, 15 May 2019.

PRESENT: Mr R A Marsh (Chairman), Mr R A Pascoe (Vice-Chairman), Mrs R Binks, Mr I S Chittenden, Mr P M Harman, Mr B H Lewis, Mr M D Payne, Mr H Rayner, Mr C Simkins, Mrs P A V Stockell and Mr J Wright

IN ATTENDANCE: Mrs S Thompson (Head of Planning Applications Group), Mr P Hopkins (Principal Planning Officer), Mrs H Edwards (Planning Officer), Mrs S Bengé (Transport and Development Manager) and Mr A Tait (Democratic Services Officer)

UNRESTRICTED ITEMS

17. Minutes - 6 March 2019

(Item A3)

RESOLVED that the Minutes of the meeting held on 6 March 2019 are correctly recorded and that they be signed by the Chairman.

18. Proposal 19/00063 (KCC/CA/0003/2019) - Demolition of existing school buildings and replacement with a part two storey, part three storey teaching block with interlinked Sports Hall together with new Multi Use Games Area (MUGA), landscaping and associated ancillary works at Simon Langton Girls' Grammar School, Old Dover Road, Canterbury ; KCC and Kier Construction (Southern)

(Item D1)

(1) Mr I S Chittenden reported the views of Ida Linfield, the Local Member who supported the proposal whilst raising concerns over the Construction Management Plan.

(2) In agreeing the recommendations of the Head of Planning Applications Group, the Committee specified that the Construction Management Plan needed to include emergency escape routes and arrangements for the handling of asbestos. It also agreed that plant species suitable for bee pollination should be incorporated within the landscape scheme.

(3) The Committee added an Informative advising that the applicants should further consider the environmental and economic benefits of solar panels as well as further consideration of the installation of electric charging points.

(4) RESOLVED that:-

- (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3 year time limit; the development being carried out in accordance with the permitted details; the

submission and approval of details of all construction materials to be used externally; the provision and permanent retention of the vehicle parking spaces as shown on the submitted plans prior to the occupation of the school and their retention thereafter; the provision and permanent retention of vehicle loading/unloading and turning facilities, as shown in the submitted plans, prior to the occupation of the new buildings; the provision and permanent retention of secure, covered cycle parking facilities prior to the occupation of the building, in accordance with details to be submitted and approved by the County Planning Authority; the submission of a detailed review of the School Travel Plan incorporating measures to encourage sustainable transport; the implementation of the submitted Construction Management Plan, including emergency escape routes for pupils and arrangements for the handling of asbestos for the duration of the construction activities on site; works only being carried out on site between the hours of 0800 to 1800 on Mondays to Fridays, 0900 to 1300 on Saturdays, with no operations on Sundays or public holidays; the submission and approval of a detailed surface water drainage scheme; the submission of a verification report covering this scheme for approval by the Lead Local Flood Authority; no infiltration of surface water drainage into the ground taking place other than with the written approval of the County Planning Authority and such infiltration only being used in those areas where there would be no unacceptable risk to controlled waters or ground stability; the development not commencing until a scheme to connect the building to foul and surface water drainage systems has been submitted and approved by the County Planning Authority; the Landscape scheme set out in the Landscape Submission being implemented, including plant species suitable for bee pollination, within the first available planting season once the development is occupied; the replacement of any plants or trees that die within the first 5 years; no development taking place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written specification and timetable to be approved in writing by the County Planning Authority; no demolition of the original school taking place until an Historic Building Record (basic photographic survey) has been made to record the building for social and communal interest; the submission, prior to the commencement of development, of a Biodiversity Method Statement for the protection of badgers and hedgehogs for approval by the County Planning Authority; the submission of a bat and badger sensitive lighting scheme for approval by the County Planning Authority; the submission of an Ecological Design Strategy prior to the commencement of the development for approval by the County Planning Authority, relating to the retention and protection of existing habitats, the creation of semi-natural habitats and ecological enhancement measures; the submission for approval of a Landscape and Ecology Management Plan to cover the ongoing maintenance of the landscape and ecological areas; no development commencing until a remediation strategy to deal with risks associated with contamination of the site has been submitted to the County Planning Authority and approved in writing; no occupation of the new building taking place

until a verification report has been submitted and approved in writing by the County Planning Authority, demonstrating the completion and effectiveness of the remediation works; no further development taking place until a remediation strategy has been agreed with the County Planning Authority in the event that contamination not previously identified is found to be present; and no piling or penetrative foundation methods being used on site without the prior written consent of the County Planning Authority; and

- (b) the applicants be advised by Informative that:-
- (i) they need to ensure that all necessary highway approvals and consents are obtained;
 - (ii) they need 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;
 - (iii) the Environment Agency refers the applicant to the guidance document "*Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention*";
 - (iv) the Environment Agency advises that there should be no surface water discharge by SuDS on land impacted by contamination or on land previously identified as being contaminated;
 - (v) contaminated soil that either is or must be disposed of, is waste, and that its handling, transport, treatment and disposal is subject to waste management legislation; and
 - (vi) they should give further consideration as part of the detailed design to installing photovoltaic panels on the roof of the building to enhance its energy efficiency, and should further consider the potential for electric charging points.

19. Proposal 19/00247 (KCC/SE/0014/2019) - Alteration to existing fencing and gates to remove existing 1.2m high staves and replace with 1.5m high matching staves and installation of staves to existing gates at Ide Hill Primary School, Sundridge Road, Ide Hill; Governors of Ide Hill Primary School

(Item D2)

- (1) The Head of Planning Applications Group reported correspondence from the Local Member, Mr N J D Chard in support of the proposal.
- (2) RESOLVED that:-
 - (a) permission be granted to the proposal subject to conditions, including conditions covering the standard 3-year timescale for commencement of the development; the development being in accordance with the submitted details; and the protection of existing trees and hedgerows

along the southern and eastern site elevations within the application area; and

- (b) the applicants be advised by Informative:-
 - (i) of the advice from KCC Highways and Transportation and KCC Public Rights of Way; and
 - (ii) that they should establish the need or otherwise for Listed Building Consent with Sevenoaks DC.

20. Matters dealt with under delegated powers

(Item E)

(1) A supplementary report E5: *County Matter Proposals agreed pursuant to the Urgent Matter Procedure under Delegated Powers* had previously been published and circulated to all Members of the Committee.

(2) The Head of Planning Applications Group reported an urgent decision taken under Section 1.7 of Appendix 2 Part 3 of the Constitution (Item E5). This was to **extend where necessary the operating hours of the KCC Contracted Waste Transfer Stations and final disposal infrastructure for a period of 3 months**. This was a part of KCC's Brexit Contingency Arrangements to provide the certainty that the Borough Councils as the Waste Collection Authorities were seeking from the County Council as Waste Disposal Authority. The commencement of the 3-month period would be notified in writing by the Waste Planning Authority. The extent of any extended hours was not clear at this time and would be dictated by individual circumstances at each site as affected by Brexit traffic congestion.

(3) The decision related to a request by the County Council as Waste Disposal Authority which sought to ensure that the County Council had effective contingency arrangements in place to manage kerbside collected household waste in the event of traffic related congestion arising from Brexit affecting the ability to manage household waste into and out of the waste transfer and the third-party disposal sites.

(4) The request envisaged that, in practice, there should be no greater number of movements than currently permitted and that these movements would be stretched over a longer working day. In the event of no congestion there would be no need for any out of hours working.

(5) The request was linked to the following Kent Waste Transfer Station sites:

- (i) Dover Waste Transfer Station (Whitfield);
- (ii) Ashford Waste Transfer Station (Brunswick Road);
- (iii) Tunbridge Wells Transfer Station (North Farm);
- (iv) Sevenoaks Waste Transfer Station (Dunbrik);
- (v) Sittingbourne Waste Transfer Station (Church Marshes); and
- (vi) Pepperhill Waste Transfer Station (Southfleet).

(6) The request was also related to the following third-party Final Disposal Points:

- (i) Allington Waste to Energy Plant, Maidstone;

- (ii) Blaise Farm, West Malling, Tonbridge and Malling;
- (iii) Countrystyle, Sittingbourne;
- (iv) Ling, Hersden, Canterbury;
- (v) Veolia, Hersden, Canterbury;
- (vi) Smurfit Kappa, Snodland, Tonbridge & Malling;
- (vii) Thanet Waste Services, Sandwich; and
- (viii) Viridor Materials Recycling Plant, Crayford (out of area).

(7) The views of the Local Members and of the Chairman of the Planning Applications Committee (Mr Marsh) had been sought in accordance with the Urgent Matter procedure. Three responses were received. No objection from Mr Marsh and Mr Chard (Dunbrik Waste Transfer Site). Mr Bartlett (Ashford Waste Transfer Station) agreed with the approach and drew attention to the proximity of Viburnum Close and Juniper Close to the Cobbs Wood Recycling Centre in Ashford. He asked whether a press notice would be issued.

(8) In respect of Mr Bartlett's comments, the Head of Planning Applications Group considered that the route taken by vehicles accessing and leaving the Transfer Station avoided the need to go near Viburnum Close and Juniper Close. The approved route was one that was closely monitored for adherence by Providers' vehicles using vehicle tracking information. She also considered that there should be no need for a press release regarding the out of hours operation as there should be no effect on the public. This was true for all of the sites except for Dunbrik where it was intended to deliver a polite notice to local residents due to their proximity of the Transfer Station; It was envisaged that any out of hours operations would be kept to a minimum for that site. Any communications regarding kerbside collection disruption should come from the Waste Collection Authorities directly to their residents. KCC Waste Management would communicate with the public via social media and press outlets in the event that any HWRC service was altered or disrupted, as was the normal arrangement.

(9) The request was agreed on this basis subject to:-

- (a) any extended hours only being initiated in the event of significant delay caused to the local or wider primary highway networks or other delaying influences arising from Brexit;
- (b) this fall-back position providing emergency operational control to the Waste Collection and Waste Disposal Authorities, with any additional operating hours being kept to the absolute minimum. In the event of no significant highway delays, there would be no extended operating periods;
- (c) the Waste Management Authority seeking to implement whatever mitigation was reasonably possible to keep disturbance to a minimum in order to minimise any potential disturbance to residents. The Waste Management Authority carefully monitoring any additional hours being worked and using any pertinent data, information or representation to build in mitigation measures where required;
- (d) these emergency controls being in place for a period of 3 months, commencing by written notification from the Waste Planning Authority;
- (e) formal planning applications being made for the variance of the planning conditions in the event of a further extended period of additional hours

of working being operationally required, based upon operational experience of Brexit; and

- (f) records being kept of any out of hours working and being submitted to the Planning Authority within one week of the out of hours working taking place.
- (10) 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 2017;
 - (d) Scoping Opinions under the Town and Country Planning (Environmental Impact Assessment) regulations 2017; and
 - (e) the urgent decisions taken under Section 1.7 of Appendix 2 Part 3 of the Constitution as set out in (2) to (9) above.

21. KCC response to consultations

(Item F)

RESOLVED to note Kent County Council's response to the following consultations:-

- (a) Item F1: Draft Folkestone and Hythe Core Strategy Review 2019;
- (b) Item F2: Application DO/12/00440 - Western Heights and Farthingloe, Dover;
- (c) Item F3: Canterbury CC Community Infrastructure Levy
- (d) Item F4: Application CA/17/01383/OUT - Outline application (with all matters reserved) for the development of up to 650 houses and associated community infrastructure comprising primary school, community building, public car park and associated amenity space, access, parking and landscaping, and detailed/full application for the construction of part of the Sturry Link Road and a local road from the Sturry Link Road to Shalloak Road; and
- (e) Item F5: Response to Scoping request for land at Westgate on Sea.

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

Expansion of the 1 form entry primary school to 2FE, to comprise a single storey extension to the existing building, internal and external modifications to the existing building, an extension of the site to accommodate a new parking and drop-off area and associated hard and soft landscaping works, at Harrietsham CEP School, West Street, Harrietsham, Maidstone, Kent ME17 1JZ – 19/501705/COUNTY (KCC/MA/0060/2019)

A report by Head of Planning Applications Group to Planning Applications Committee on 12th June 2019.

Application by Kent County Council for Expansion of the 1 form entry primary school to 2FE, to comprise a single storey extension to the existing building, internal and external modifications to the existing building, an extension of the site to accommodate a new parking and drop-off area and associated hard and soft landscaping works at Harrietsham CEP School, West Street, Harrietsham, Maidstone, Kent ME17 1JZ – 19/501705/COUNTY (KCC/MA/0060/2019)

Recommendation: Permission be Granted subject to conditions.

Local Member: Mrs Shellina Prendergast

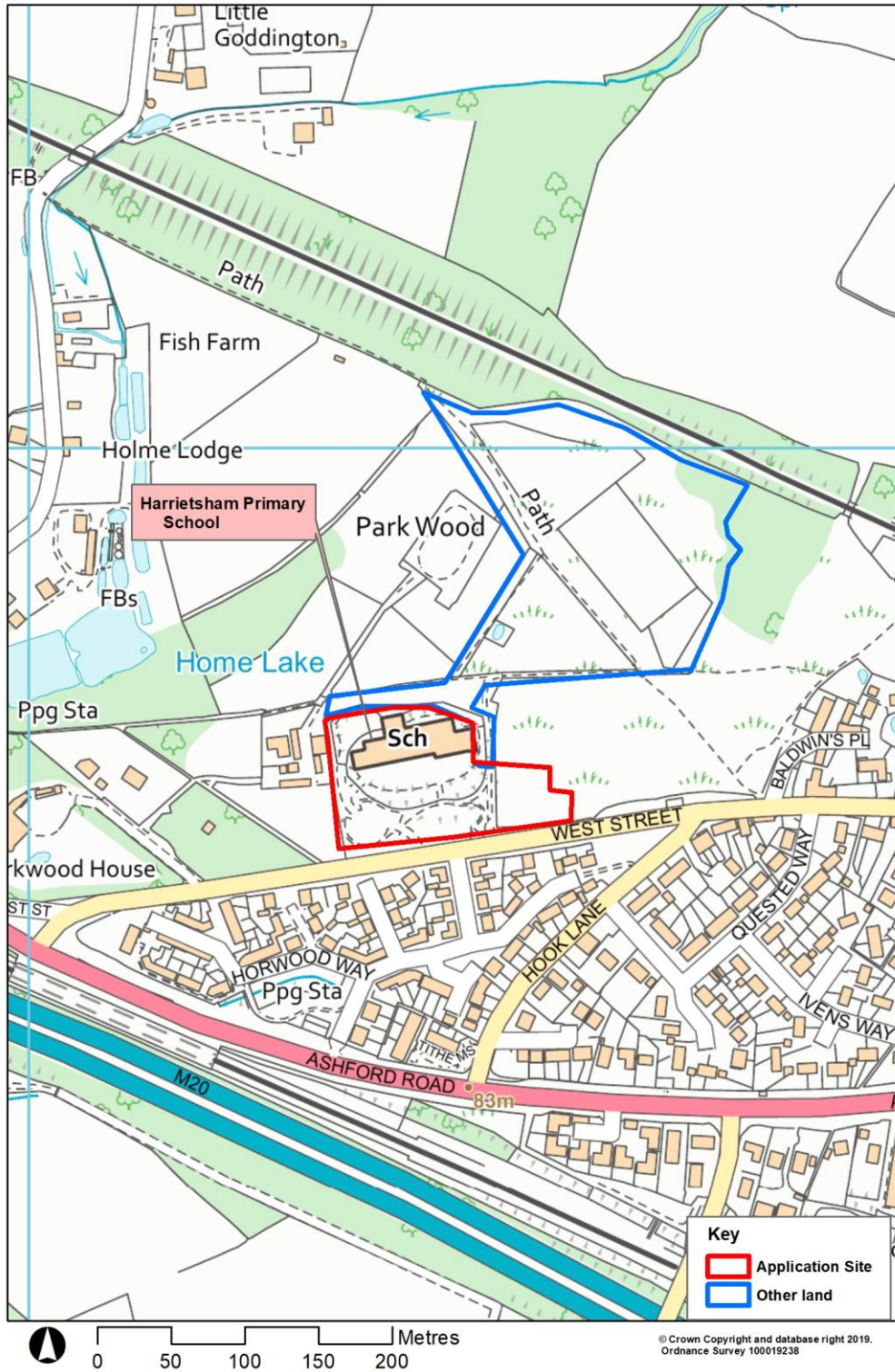
Classification: Unrestricted

Site

1. Harrietsham Primary School is a modern single storey building which is located on the northern side of West Street. The School is set back from the road frontage and mostly hidden by existing bund planting. The land rises away from the road and the frontage for the school is landscaped and well established, with a large copper beech tree being a prominent feature. There is a single vehicular access into the school, which is barrier controlled, and leads to a parking area for staff and visitors. There is a second bell mouth at the eastern end of the school frontage, and from here there is a grasscrete access strip which runs between the existing eastern boundary of the school grounds and Tong's Meadow, which lies to the east. Along the highway are zig-zag keep clear school markings which run the length of the frontage.
2. On the southern side of West Street is a development of new housing, with access to a large part of this from Alexander Road, immediately opposite the school frontage. The village of Harrietsham lies to the south and east of the school, and the school itself falls outside the settlement policy boundary for Harrietsham – the boundary line running along West Street but including land to the south only in this area.

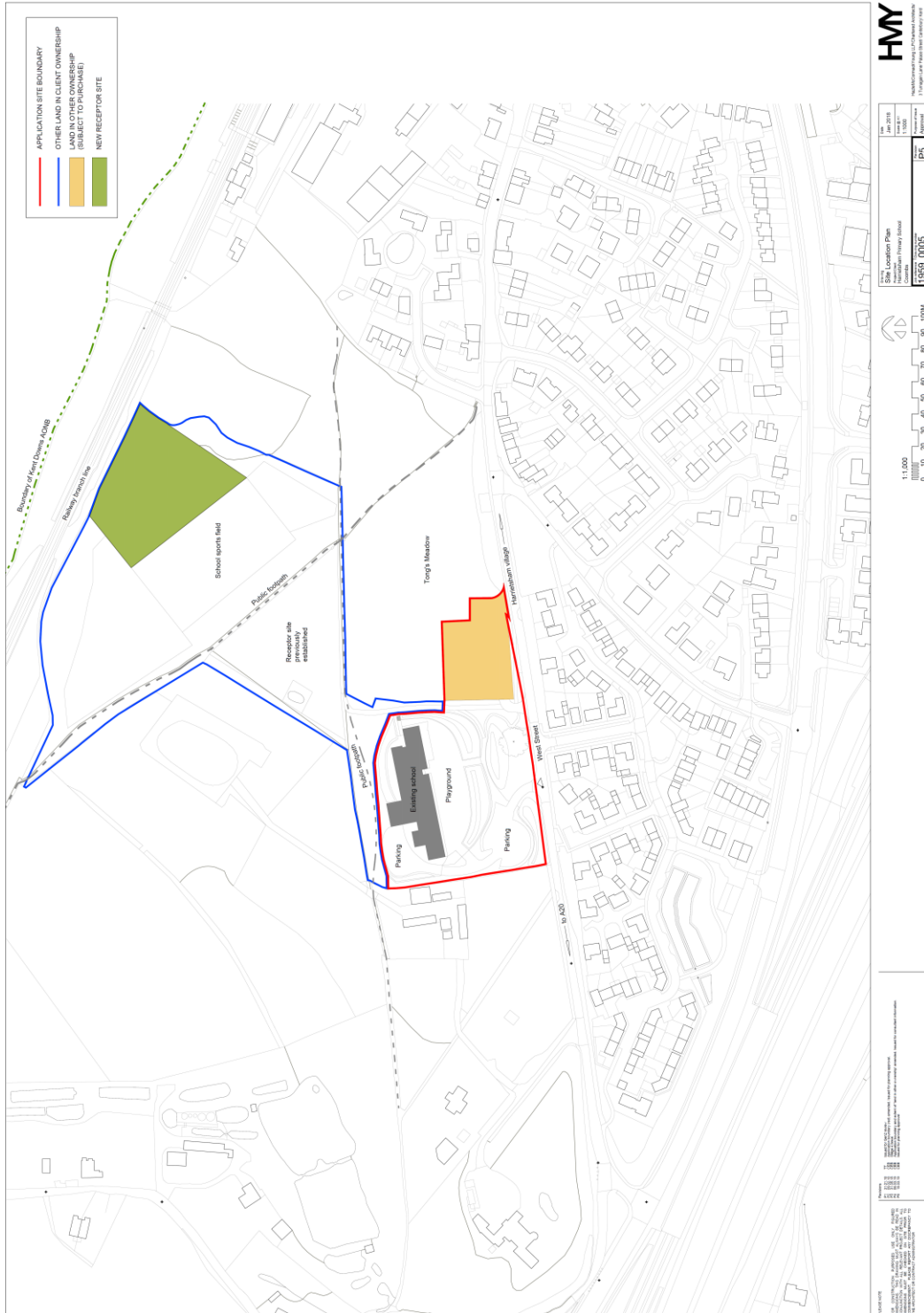
Expansion of the 1 form entry primary school to 2FE, with a single storey extension, extension of the site to accommodate a new parking and drop-off area, and associated landscaping works at Harrietsham CEP School, West Street, Harrietsham, Maidstone, Kent ME17 1JZ – 19/501705/COUNTY (KCC/MA/0060/2019)

General Location Plan



Expansion of the 1 form entry primary school to 2FE, with a single storey extension, extension of the site to accommodate a new parking and drop-off area, and associated landscaping works at Harrietsham CEP School, West Street, Harrietsham, Maidstone, Kent ME17 1JZ – 19/501705/COUNTY (KCC/MA/0060/2019)

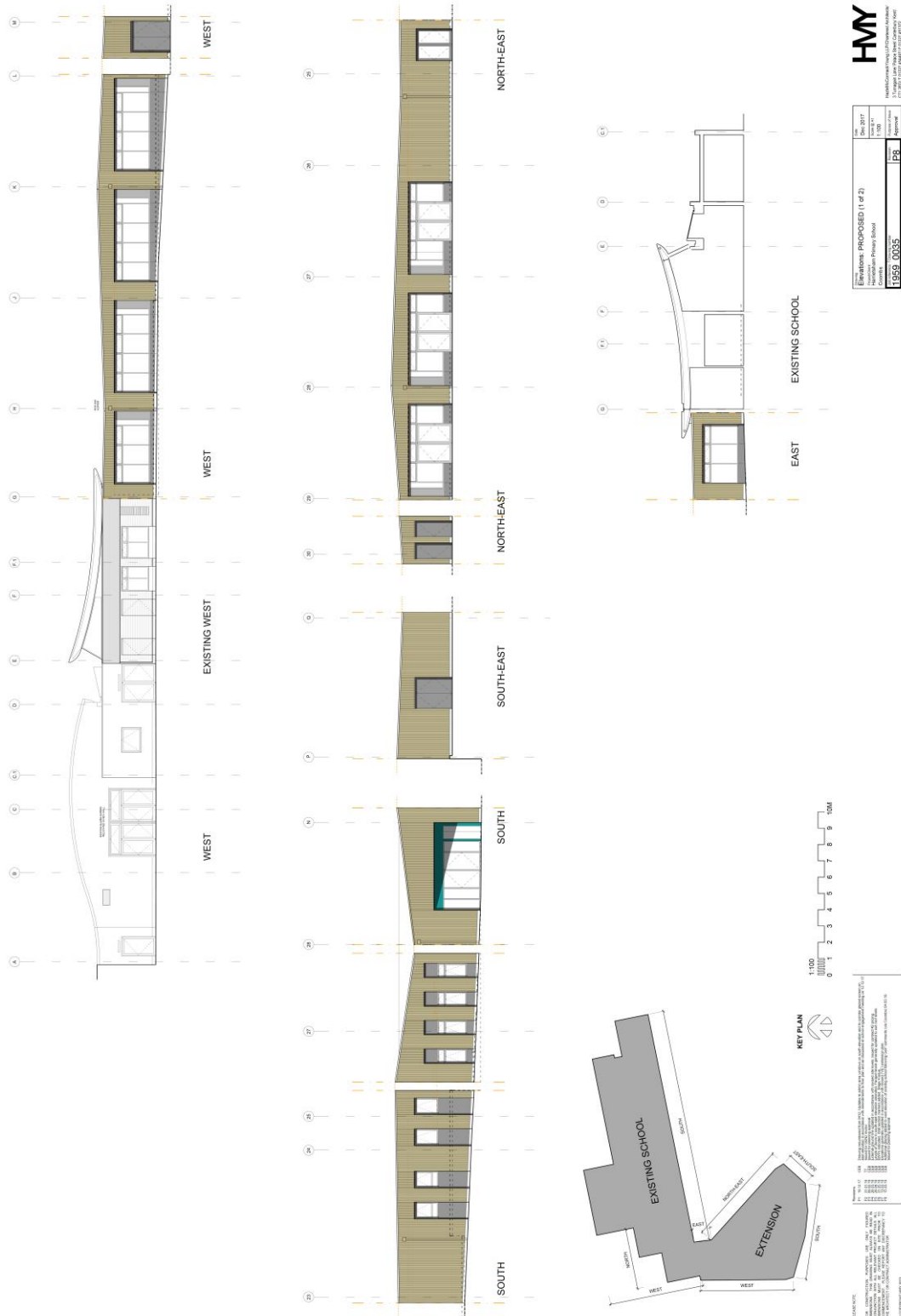
Site Location Plan



Item D1

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Proposed Elevations



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3. There is access through the car park located at the front of the school along the western boundary to a further area of parking at the rear of the school, and this route would also be used for deliveries to the school. The school building itself runs in an east/west direction across the back of the site, with the playground located in front, enclosed by the landscaped bund. The school's playing fields are separate from the main site and are located to the north-east of the building, accessed via the grasscrete pathway. A public footpath runs along the northern boundary of the site (access to the playing fields is across the footpath) and this path runs across Tong's Meadow to the east, back down to West Street near Baldwins Place.

Background / Recent Site History

4. Harrietsham Primary School originally occupied an old Victorian building on a restricted site at the eastern end of the village at the junction of Church Road with Ashford Road (A20). This was replaced with a new, modern primary school located on a greenfield site on West Street in 2006. The school opened in September 2006 and was later extended (on a footprint anticipated in the original design) to accommodate a full form of entry (1FE) in 2013. In September 2016 KCC undertook a public consultation exercise regarding the expansion of the School from 1 FE to 2 FE – increasing the school roll from 210 to 420 pupils.
5. In February 2018 a planning application was submitted to KCC for a single storey extension to the existing school to accommodate the expansion, along with a new access from West Street and new drop off and parking area (reference KCC/MA/0027/2018). The application was in abeyance whilst further surveys were carried out for the protected species known to be present on site, and in the intervening period changes were made to the design of the application which resulted in the size of the extension being reduced, and amendments being made to the configuration of the new car park and the position and design of the new access onto West Street. As a result of these changes (in particular the alteration to the red line of the planning application site) the original application was withdrawn (March 2019) and this new application submitted.

Proposal

6. The application seeks permission for a single storey extension to the school to provide accommodation to allow an expansion of the school from 1FE to 2FE. The extension would be sited on the western side of the site and project towards the road over part of the existing playground, bund and parking. The footprint would have a roughly triangular shape and would accommodate 7 new classrooms, along with a new main reception, headteacher's office, administration areas and toilet blocks. To accommodate the change in levels across this part of the site the classrooms would be at a raised level compared to the entrance area, and a flight of stairs and lift access would be provided to reach the classroom level.
7. The extension would have a flat roof in a grey membrane, although this would essentially be hidden by the external walls. The walls would be a continuous series of

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faceted surfaces, covered with vertical timber cladding. The windows would be framed with light grey coloured aluminium, with doors in a mid-grey aluminium. Fibre cement cladding panels would also be included on the elevations and aluminium louvres in the same colour as the windows would provide ventilation.

8. The access road along the western boundary would remain, and the parking at the rear of the site rearranged slightly to allow an additional 2 spaces to be accommodated here (increasing from 11 to 13 spaces). At the front of the site the number of parking spaces would be reduced from 24 spaces to 7, and this would be utilised for disabled bays and visitor parking. The existing school vehicular access from West Street and the barrier arm control would remain. At the eastern end of the site a new parking and drop off area is proposed on an area of land in Tong's Meadow – the field to the east of the school. A new access would be created to serve this area which would be utilised as an 'in only' access for the school parking area. An area of staff and visitor parking would be provided here (28 spaces inclusive of 2 disabled bays), as well as a drive through drop off area which would be 'one-way' only and provide 18 bays in a chevron layout. The exit from this new parking and drop off area would be through the existing bell mouth at the eastern end of the school frontage, by the grasscrete access strip. In total there would be 48 parking spaces provided on site, and 18 drop off bays. Although not relevant for this application, the new access onto West Street would be both 'in and out' and would be suitable for future access to Tong's Meadow. A 1m high timber and wire mesh fence would form the boundary for this new area, and there would be barrier arms at both the entrance and exit of the parking area.
9. A small extension to the existing school hall would be built under permitted development rights, and the existing canopy in front of the reception classrooms would also be extended under this application. The existing playground would be extended into the existing bund area which would then be re-landscaped and a new secure perimeter fence provided with a pupil entrance at the eastern end close to the new parking and drop off area.

Planning Policy

10. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:
 - (i) **National Planning Policy Framework (NPPF) February 2019** 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).

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In determining applications, the NPPF states that local planning authorities should approach decisions in a positive and creative way, 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:

- That development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road would be severe;
- That developments should aim to protect or enhance biodiversity;
- Achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

In addition, Paragraph 94 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.*

- (ii) **Policy Statement – Planning for Schools Development** (15 August 2011) sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. It is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.
- Local authorities should make full use of their planning powers to support state-funded school applications. This should include engaging in preapplication discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out on the Planning Practice Guidance website. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.

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- Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

(iii) The adopted Maidstone Borough Local Plan (adopted October 2017)

Policy SS1 **Maidstone Borough Spatial Strategy.** Paragraph 5 states that Harrietsham as a rural service centre will be the secondary focus for housing development with the emphasis on maintaining and enhancing their role and the provision of services to meet the needs of the local community. Suitably scaled employment opportunities will also be permitted.

Policy SP6 **Harrietsham Rural Service Centre.** This states that key services will be retained and supported, and that a key infrastructure requirement is for a 1FE expansion at either Lenham or Harrietsham Primary Schools.

Policy SP23 **Sustainable Transport.** The policy aims to mitigate the impact of development, where appropriate, on the local road networks.

Policy DM1 **Principles of Good Design.** Covers the principles of good design which proposed development should accord with, including reference to permeable layouts; responding to local natural or historic character and incorporating a high quality, modern design approach; high quality public realm; respecting the amenities of occupiers of neighbouring properties; respecting natural features such as trees and hedges; high quality design which responds to surrounding areas; maximising opportunities for sustainable development; protecting on-site biodiversity; safely accommodating vehicle and pedestrian movements; incorporating security measures to design out crime; avoiding areas at risk of flooding; incorporating adequate storage of waste and recycling; and providing adequate vehicle and cycle parking; and being flexible towards future adaptation in response to changing life needs.

Policy DM2 **Sustainable Design.** Where technically feasible and viable, non-residential developments should meet BREEAM very good standards addressing maximum water efficiencies under the mandatory water credits and energy credits.

Policy DM3 **Natural Environment.** The Policy seeks to protect and enhance the natural environment through measures to protect landscape character, avoid inappropriate development, control pollution, enhance biodiversity, maintain and manage natural assets, mitigate for climate

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changes, and positively contribute to the improvement of accessibility to natural green spaces. It seeks to ensure that where appropriate an ecological evaluation of development sites is made to take full account of biodiversity present, as well as arboricultural assessments and landscape/visual impact assessments. Further guidance is provided for internationally, nationally and locally designated sites.

Policy DM4 Development affecting designated and non-designated heritage assets. Part 3 states that where development is proposed for a site which includes or has the potential to include heritage assets with archaeological interest, applications must be accompanied by an appropriate desk-based assessment and where necessary field evaluation.

Policy DM20 Community Facilities. The adequate provision of community facilities, including social, education and other facilities is an essential component of residential development. Where appropriate the dual use of education facilities (new and existing) should be encouraged for recreation and other purposes.

Policy DM21 Assessing the transport impacts of development. Proposals must demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual impacts; provide a satisfactory Transport Assessment and a satisfactory Travel Plan; and comply with the requirements for the policy for air quality.

Policy DM23 Parking Standards. Vehicle parking for non-residential uses will need to take into account the accessibility of the development and the availability of public transport; the type, mix and use of the development proposed; whether development proposals exacerbate on street car parking to an unacceptable degree; and the appropriate design and provision of cycle parking facilities.

Policy DM30 Design Principles in the Countryside. Outside the settlement boundaries proposals which would create high quality design will be permitted if they meet criteria relating to materials, siting, mass and scale; impact on appearance and character of the landscape; would not result in unacceptable traffic levels; be of a scale which relates sympathetically to the existing building and rural area.

Consultations

11. **Maidstone Borough Council** raise no objection to the proposal.

Harrietsham Parish Council support the application subject to a 20mph speed limit being imposed throughout the West Street area of the School, in line with other schools

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in the County; and that there be restricted parking zones (double yellow lines) within 100m of the school and that these be rigorously enforced, including parking on the verges. They further comment that in their view the traffic survey data is out of date and there are serious traffic problems around Harrietsham Primary School, exasperated by the additional houses built since 2017; that West Street is being used as a cut through since the A20 now has a 30mph speed limit; and that they are disappointed there is no provision for the Pre-School who will lose their facility as a result of this application, and request a condition securing space for the Pre-School on site.

KCC Highways and Transportation Officer raises no objection to the application subject to the imposition of conditions to secure the provision and permanent retention of the parking spaces and drop off loop prior to occupation; the formation of the new access in accordance with a S278 agreement prior to occupation; a requirement for school staff to monitor the efficient and safe use of the drop off bays and that the barriers be open at peak times; the provision of an updated School Travel Plan within 6 months of occupation; adherence to the submitted Construction Phase Health and Safety Plan; and the provision of measures to prevent the discharge of surface water onto the highway.

Environment Agency (Kent Area) state they have no comments to make.

KCC Biodiversity Officer states that they are satisfied that sufficient information has been submitted to determine the application, and should permission be granted this should be subject to a condition to secure the submission of a detailed Ecological Mitigation Strategy for written approval by the County Planning Authority.

KCC Flood and Water Management Officer raise no objection subject to the imposition of conditions to secure a detailed sustainable surface water drainage scheme, and that the new building shall not be occupied until a verification report pertaining to the surface water drainage system has been approved by the County Planning Authority.

KCC County Archaeological Officer raise no objection subject to the imposition of a condition to secure archaeological field evaluation works due to the potential for Mesolithic archaeology on the site.

Local Member

12. The local County Member for Maidstone Rural East, Mrs Shellina Prendergast was notified of the application on 2 April 2019. No written comments have been received.

Publicity

13. The application was publicised by the posting of a site notice, an advertisement in a local newspaper, and the individual notification of 115 nearby properties.

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Representations

14. In response to the publicity, 2 letters objecting to the application have been received. The key points raised can be summarised as follows:
- Consider the size of the expansion is unjustified and inappropriate for the location;
 - Suggests growth in Harrietsham results in a forecast demand for an additional 58-62 children, requiring 2 classrooms not 7;
 - Think the additional spaces will be taken by children outside of the village;
 - Think children should be educated locally at primary age not have to commute to school;
 - Proposal will generate hundreds of extra car journeys, which would be damaging to the environment;
 - Consider the Transport Assessment to be flawed as the vast majority of children will come from outside the village;
 - West Street suffers severe congestion at school times;
 - Proposed drop off and parking area inadequate for the huge increase in cars the expansion will generate;
 - Parents will try and park as close to the school as possible and neighbouring roads will be affected;
 - The outdoor play and sports facilities are limited with no room for expansion;
 - Consider the Ecological Appraisal is limited, without full surveys for key protected species and the mitigation proposals are inadequate;
 - Loss of habitat for Great Crested Newts (GCN) without an increase in habitat creation;
 - The chosen receptor site for CGN is already a receptor site from when the school was originally built – concern for overpopulation and territory clashes on this site;
 - Concerned that site clearance activities have already been undertaken, before planning and ecological mitigation matters have been approved;
 - Consider KCC [as applicant] are riding roughshod over rules and regulations which are there to protect the environment.

Discussion

15. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 10 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.
16. This application is being reported for determination by the Planning Applications Committee due to the neighbour representations received. In my opinion, the key material planning considerations in this particular case are the principle of development in this location and the education need for the expansion; the siting and design of the proposed extension in terms of its built form; the highway and traffic implications of the

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school expansion on the surrounding roads; and the ecological impacts of the proposal. Other material matters such as construction, surface water drainage, sustainability and archaeology will also be covered in the report.

Principle of Development and Education Need

17. Although the school site lies outside the settlement policy boundary of Harrietsham, the site has an established education use and therefore the principle of an extension would be appropriate and in accordance with Planning Policy SP6 which states that key services (such as schools) should be retained and supported and that a key infrastructure requirement is for a 1FE expansion at either Lenham or Harrietsham Primary Schools. The expansion of Harrietsham Primary School was commissioned in response to significant planned housing growth within the local area, both from sites identified in the Maidstone Borough Council Local Plan and additional windfall permissions. Whilst it is evident that a number of housing sites have been constructed in the village or are in the process of being built out, some have not been occupied as quickly as originally anticipated. However, over the next four years there are anticipated to be 491 houses occupied within the local area which is forecast to generate the need for an additional 141 primary places in the period of 2019-2023, which are not available within any current surplus.
18. Harrietsham Primary School had its first intake of 2 forms of entry in September 2018 and would continue to expand on a yearly basis by taking an additional form of entry at reception level every year until the school is complete. Given the option of parental preference it may be that some children choose to attend the school from outside of Harrietsham itself or that they would need to be accommodated here from existing and new housing developments in Lenham, where a single form of entry primary school may not be able to accommodate all those who apply. It therefore cannot be ruled out that some children will be driven into Harrietsham to attend the school, as suggested by the objector. However the applicant does not consider it to be feasible to create half a Form of Entry in one village and half a Form of Entry in another, and because of their proximity Lenham and Harrietsham are considered as a joint area for educational planning purposes. Given the education use of the site and the Policy backing for an additional Form of Entry at either Harrietsham or Lenham, it is considered that the principle of the school expansion would meet Policy SP6 of the adopted Local Plan.

Siting and Design of Extension

19. The proposed extension to the school would project forward towards West Street and would form an arm of the school which would be located on the western edge of the site. Although it would project toward the road, the existing school is set so far back within the site, the new extension would remain set back from the road and footpath itself, with the existing landscaped bund and parking area remaining as it is currently, in terms of its appearance from the road. The extension would essentially be constructed with a continuous series of faceted wall surfaces. It would have a flat roof, but the profile of the top of the walls would rise and fall to provide interest to the facades. The nature of the curved oversailing roof on the original school would not have lent itself to be easily replicated on the extension therefore this faceted design has been proposed

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which, it is considered, would also provide a unique and complimentary appearance to the overall design.

20. Whilst the form of the extension would contrast with the original, the materials proposed are consistent with it, therefore tying the two elements together. The extension would be clad with matching timber, although this would be aligned vertically in contrast to the horizontal cladding on the original school. The windows and doors would have grey framing to match and the roof would also be clad in a grey membrane, although this would largely be hidden due to the height of the walls. The elevations would be broken up with large elements of glazing for the classrooms, with louvres serving hybrid ventilation units.
21. There would be a reorganisation of the classroom layout within the whole school, so that reception and Key Stage 1 classrooms would be located in the original school, and the new extension would accommodate the Key Stage 2 classrooms. The provision of the new main entrance in the extension would also enable an improvement in security at the school. At present access for visitors to the school is across the playground meaning it can't be secured at any time, whereas under the new layout the playground would be closed to anyone other than pupils and staff once school has started.
22. As proposed it is considered that the extension would be well contained within the whole school site and would have a limited impact on the wider street scene of Harrietsham, it being set well back from the road. The design of the extension is considered to be acceptable and the proposed use of materials would tie the two elements of the school together. The scheme would therefore accord with Policies DM1 and DM30 of the adopted Local Plan.

Access, Parking and Highways

23. The proposal includes the creation of a new vehicular access onto West Street from the land to the east of the school known as Tong's Meadow. The access has been designed to accommodate vehicular access to the rest of Tong's Meadow as well as the new school car park. For reference, although not relevant to this application, there have been a number of previous planning applications submitted to Maidstone BC for housing on this site. The access would be two way and the entrance to the new school car park would be off this new access. In terms of the school use of the new access, this would only serve vehicles entering the new car park – school traffic would not exit onto West Street from the new access. Once in the new car park and through the entrance barrier there would be a 22 space car park for staff and visitors to the north (turning right upon entry) and the 18 bay drop off area straight on. Exit from both the car park and drop off area would be through an exit barrier and out onto West Street at the current access point.
24. The application was supported by a Transport Assessment and Stage 1 Safety Audit, both of which have been assessed by the County Council's Highways and Transportation Officer. The report acknowledges that at present there is queuing and congestion along West Street during the morning and afternoon peak school periods due to the existing drop off and collection arrangements. The proposal seeks to

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address these issues by increasing on site parking provision and providing a drop off facility. It goes on to state that the intention would be for staff to monitor the use of the drop off and pick up bays to ensure their efficient use and control the opening and closing of the barriers, and this would be covered as part of a revised School Travel Plan.

25. The Highways Officer has considered the plans and information submitted and has provided the following comments. A pupil travel survey was undertaken in November 2017, for which there was a 98% response rate, and this showed that 60% of children are dropped off by car, 30% walk and 10% cycle/scooter. The staff travel survey undertaken at the same time (80% response rate) showed that 76% drive and 24% walk. It is expected that the proposal to increase the school roll from 1FE to 2FE would generate an additional 126 car trips within each of the school peak hours as well as a noticeable increase in walking trips. He points out however, that the school has a breakfast club and various after school clubs and that sibling/car sharing is not counted which would help spread/ameliorate peak demand.
26. The detailed design of the new access would be agreed as part of a S278 agreement, which the applicants are aware they would need to enter into. The access would need to be in place prior to occupation of the extension, and it is proposed that this be secured by condition. The submitted 'Construction Phase Health and Safety Plan' is considered to be acceptable by the Highways Officer, which includes details that all construction and delivery traffic would be routed to the site via the A20 and West Street to the west of the school.
27. The Highways Officer concurs with the findings of the Transport Assessment and notes that although there would be a noticeable increase in traffic and other journeys in proximity to the school during school peak periods, it is accepted that these trips would not lead to a severe impact on capacity or safety. There would therefore be no grounds to object to the application in terms of the planning guidance of the NPPF and local planning policies DM21 and DM23 of the Maidstone Borough Local Plan, subject to the conditions listed in paragraph 11.
28. The Parish Council have commented that they consider a 20pmh speed limit ought to be imposed outside the school, but such a speed restriction is not used for all schools, rather is considered on a case by case basis. The Highways Officer considers that in this instance speeds along West Street near the school are low anyway, and there are existing buildouts and raised tables which are physical features constructed to reduce speed limits in the area. For this school, therefore, the Highways Officer considers that a 20mph speed limit or double yellow lines are not necessary or appropriate. This could however be monitored by the School as part of the Travel Plan, depending on the effectiveness of the drop off loop, and I propose to include this in the recommendation below.

Construction

29. As noted above, the applicants have submitted a Construction Phase Health and Safety Management Plan as part of the application which the Highways Officer considers to be

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acceptable. The hours of work are included within this document, which details that site working hours would be 7.30am to 5pm Monday to Friday, 8am to 1pm on Saturdays and no work on Sunday's or public holidays. Furthermore, the document states that deliveries to the site would not be permitted between the hours of 8am to 9am and 3pm to 4pm Monday to Friday to avoid peak school times. Wheel washing facilities are also covered and a specification that during dry summer months water sprinklers would be utilised to suppress dust control. A condition ensuring adherence to this document is proposed and this would ensure matters of construction which could affect neighbouring residents would be taken into account.

Ecology

30. The land at Harrietsham Primary School and to the east on Tong's Meadow has been subject to various investigations for biodiversity in relation to slow worms, grass snakes, great crested newts, foraging and commuting bats and breeding birds, as well as dormice and badgers. There have been on-going discussions between the applicant and the County Council's Biodiversity Officer since the submission of the previous planning application in 2018 that was subsequently withdrawn. As a result the application has been supported by the submission of an Ecological Appraisal and an Ecological Scoping Survey, both of which have been assessed by the Biodiversity Officer.
31. In summary the Ecological Appraisal gives the following outline of the notable species on or using the site, in particular the proposed site of the new car park.

Reptiles - slow worm, lizard and grass snake	Suitable Reptile habitat on site including grassland and scrub. A good population of slow worm and low populations of common lizard and grass snake have been recorded through presence/likely absence surveys. A receptor site would be created within the Harrietsham School grounds. A trapping and translocation exercise would be undertaken.
Bats	Common and widespread use of the site by bat species (at least 5 species recorded). Majority of the activity recorded as common or soprano pipistrelle bats and noctules. Boundary features would be buffered and enhanced around the peripheries and dark corridors should be maintained around the peripheries of the car park.
Birds	Breeding and nesting bird species were recorded on site, including house sparrows and dunnock. Scrub belt should be retained and the creation of new breeding habitats made (new hedgerows), along with nest boxes to ensure continued use by local bird populations.
Dormouse	No evidence of dormice found during surveys in 2018. There is a historical record of dormice within the southern boundary of Tong's Meadow. The site provides suitable habitat for foraging opportunities for dormice but the habitat is isolated from other habitat linkages, recuing the

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	suitability of occupation. As the presence of dormice cannot be ruled out a precautionary approach required.
Great Crested Newts (GCN)	No waterbodies on site, but eight were identified within a 250m radius of the site, five of which had a low population of GCN. Site comprises suitable terrestrial habitat in the form of grassland and scrub. Trapping and translocation would form the mitigation measures for this species. A licence from Natural England would be applied for. The habitat enhancement within the offsite receptor site would ensure that more refuge opportunities are available in the long term

The Biodiversity Officer has considered the reports submitted and advises that sufficient information has been submitted to allow the application to be determined. She concurs with the findings of the report that the area of greatest ecological interest is the proposed parking area which is a mixture of rough grassland and scrub. The school grounds are primarily hardstanding and short mown grassland and these areas have minimal potential to be utilised by protected/notable species.

32. In relation to Great Crested Newts (GCN) the Officer notes that additional GCN surveys will be carried out to inform the detailed mitigation strategy and Natural England licence. The results of the 2018 surveys were largely similar to previous monitoring results and their view is that it is unlikely that the additional surveys will demonstrate a significant increase in population size and result in the mitigation strategy having to be significantly amended. Whilst the surveys are not required prior to determination of the application, they are currently being carried out as the GCN survey season covers the period March to June.
33. In relation to dormice, the Officer notes that as only two surveys were carried out, insufficient information has been provided to demonstrate likely absence from the site, however, as the development would only result in the loss of a small area of hedgerow and because additional hedgerows would be created around the car park, it would not be proportional to request further dormice surveys to be carried out.
34. Details of the mitigation strategy have been provided within the report and it proposes the following:
 - Creation of a suitable GCN and reptile receptor site within the school grounds
 - Translocation of reptiles and GCN to the receptor site
 - Implementation of a sensitive lighting scheme
 - Planting of dense hedgerows around the boundary of the proposed car park
 - Precautionary approach for the clearance of the hedgerows to create access into the proposed car park

The Biodiversity Officer is satisfied that the proposed mitigation is appropriate, and a plan has been submitted showing the proposed reptile/GCN receptor site (see plan below). In addition, confirmation by letter has been received from the School that they

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have no plans for the receptor site area, and it would be used for the mitigation area in perpetuity. Despite the concerns raised by neighbours to the site, the receptor site is considered to be appropriate. As such it is considered that from a biodiversity/ecology perspective the proposed development is acceptable subject to the imposition of a condition requiring a detailed Ecological Mitigation Strategy to be submitted, prior to works commencing. Subject to this, the scheme is considered to accord with the aims and objectives of Policy DM3 of the Maidstone Borough Local Plan.



Extract from Drawing Number 1959 0005 Rev P5

35. Both of the objection letters received make reference to works already carried out on the site of Tong's Meadow, prior to the application being determined and a licence from Natural England being granted. The applicant has confirmed that development has not commenced on site but that some preparatory survey work for ecology assessments has been carried out, along with the erection of temporary stock and reptile fencing around the proposed car park area. All works undertaken at the site of the proposed car park were overseen by a fully qualified ecologist within an Ecological Clerk of Works (ECoW). The ecologist has confirmed that the work carried out was correct, undertaken at the appropriate time and minimised risk to Protected Species, particularly nesting birds. They also confirmed that no Protected Species were observed. The cutting of vegetation on the remaining meadow was not undertaken by, or instructed by, the applicants and does not form part of the school development.

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Flood Risk and Drainage

36. The application has been supported by the submission of a Drainage Statement including soakaway testing, drainage calculations and a permeable paving solution. The applicants also provided additional information regarding the soakage rate and calculations for all storm events upon request of the Flood and Water Management Team. This team have confirmed that following review of the additional information, the correct infiltration rate has been evidenced and is consistent in the drainage layout and calculations. As such they raise no objection to the application on drainage grounds subject to the imposition of conditions to secure a detailed sustainable surface water drainage scheme (prior to commencement of development) and the submission of a verification report prior to occupation to demonstrate that the flood risk is appropriately managed through the drainage system.

Landscape and Trees

37. The existing school site benefits from established landscaping along the boundaries of the site, the parking areas and the playground. There is a mature Copper Beech along the frontage with West Street surrounded by mown grass verges, along with some other smaller trees. The application has been supported by the submission of an Arboricultural Report and an Arboricultural Impact Assessment and accompanying tree survey and tree protection plans. A landscape masterplan has also been submitted. The proposed extension to the school would require the removal of 13 individual trees, two groups of smaller trees and two hedgerows which run along the perimeter of the existing playground, and at the edge of the new drop off area. The remaining trees and hedges would be retained and protected with 'heras' style fencing during the construction period. The Copper Beech is the only tree on site given the grading A1, and this would be protected as set out above, with a method statement required for any works within the root protection zone, such as where the proposed footpath would run underneath its canopy.
38. The proposed landscape master plan shows that the existing bund in the south-east corner of the site would be reinforced with native species trees and shrubs, and that there would be some informal planting to the site frontage in the vicinity of the Copper Beech. Some existing thicket vegetation along the site frontage at Tong's Meadow (in front of the proposed drop off bays along West Street) would also be reinforced, and the car park and drop off bays would have native species grass mix along the verges and trees to soften its appearance. Along the front of the playground a new green retaining structure would provide the secure boundary in this location, and its position would be sited to avoid the root protection area of the Copper Beech. The retaining structure would support vigorous climbing plants such as honeysuckle, rambling rose, clematis, jasmine and vine. Where the existing hedge would be removed along the eastern boundary a new hedge would be planted alongside the perimeter fencing.
39. A condition is proposed to require a more detailed landscape scheme to be submitted, in conjunction with the submitted masterplan, and this would include the stipulation that species to be planted should include those that would be suitable for bee pollination. It is considered, on this basis, that the proposed development would accord with the aims

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of Policy DM3 of the Maidstone Borough Local Plan and the document 'Kent's Plan Bee' (Kent County Council Pollinator Action Plan 2019).

Archaeology

40. The application has been supported by the submission of an Archaeological Desk Based Assessment (Heritage Statement) carried out by Archaeology South-East in January 2018. There were a series of archaeological investigations carried out on the school site at the time of the original construction period (trial trenching, excavation and watching brief) and these identified Mesolithic/Neolithic and Late Iron Age/Roman archaeological remains. The footprint of the new extension is within the area which was subject to these previous intrusive archaeological works, however the proposed parking area on Tong's Meadow has not been subject to any investigation. The report states that those heritage assets within the existing school site have been subject to an extensive programme of archaeological works, including publication, and as such have been 'preserved by record', but there is the potential for unknown heritage assets of archaeological interest (below ground archaeological remains) in the area outside the existing school.
41. The County Archaeological Officer concurs with the findings of the report and recommends that should permission be given a condition be imposed to secure further archaeological field evaluation works in accordance with a specification to be agreed with them. On this basis it is considered that the proposed development would be in accordance with Policy DM4 of the Maidstone Borough Local Plan.

Sustainability

42. The sustainability aspects of the development have been covered as part of the Design and Access Statement and this states that all new teaching spaces would have levels of daylight that would be compliant with KCC design standards and thereby reduce reliance upon artificial lighting. All internal light fittings would have low energy LED bulbs and solar control glass and blinds would be accommodated in new rooms to reduce overheating. Generally there would be natural ventilation or hybrid ventilation units to reduce energy consumption, running costs and building maintenance. Water usage would be minimised through the use of efficient taps, dual flush toilets and low water use appliances. The report states that the external envelope will be built to a standard of insulation and airtightness in excess of that required under Building Regulations and the building materials to be used would include renewable timber for the structure of the extension walls and roof as well as the timber cladding.
43. Low and Zero Carbon technologies have also been considered for this scheme, and whilst the construction methods themselves would meet Part L2 of the Building Regulations (meaning LZC technologies are not required) the proposed development includes an area of Photo Voltaic panels on the roof of the new extension which would contribute to the sustainability of the development. The combination of measures being used would ensure the scheme complies with Policies DM1 and DM2 of the Local Plan.

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Conclusion

44. In my view the key determining factors for this proposal are the principle of expanding the school, the siting and design of the extension, the highway and transport related impacts of the proposal and the ecological impacts of the development. The NPPF gives 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. In my view the development can be accommodated without detrimental impact to the local highway network, ecology, landscape, controlled waters or archaeology, all of which can be suitably mitigated by the proposed conditions. It is therefore considered that the development is sustainable, in accordance with the aims of the NPPF and the adopted Maidstone Borough Local Plan policies, and there are no material planning considerations that indicate that the conclusion should be made otherwise. I therefore recommend that planning permission be granted.

Recommendation

45. I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
- The standard 3 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, prior to commencement of development;
 - The provision of the new access prior to occupation, in accordance with a S278 agreement with the Highway Authority;
 - The provision and permanent retention of the vehicle parking spaces and drop off loop as shown on the submitted plans prior to the occupation of the school and their retention thereafter;
 - The submission of a detailed review of the School Travel Plan, within 6 months of occupation of the extension, including management of the drop off loop and barrier by staff, and incorporating measures to encourage sustainable transport;
 - The adherence to the submitted Construction Phase Health and Safety Management Plan for the duration of the construction activities on site, which includes the working hours of 0800 to 1800 Monday to Friday; 0900 to 1300 on Saturdays; and no operations on Sundays or public holidays;
 - Prior to commencement of development, the provision of measures to prevent surface water discharge onto the highway;
 - Submission of a detailed surface water drainage scheme prior to commencement of development;
 - Submission of a verification report covering this scheme to be approved by the Lead Local Flood Authority;
 - The submission and written approval of a detailed Landscape Scheme within 3 months of commencement of development (to include species suitable for bee pollination) and the implementation of the scheme within the first available planting season once the development is occupied;
 - Any plants or trees that die within the first 5 years after planting shall be replaced;
 - No development shall take place until the applicant has secured a programme of

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archaeological field evaluation work in accordance with a written specification and timetable to be approved in writing by the County Planning Authority;

- The submission of a detailed 'Ecological Mitigation Strategy' prior to the commencement of development, to be approved by the County Planning Authority;

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

- 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: Mrs Helen Edwards

Tel. no: 03000 413366

Background Documents: see section heading

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) following the granting of planning permission reference TM/15/3918 at Judd School Playing Fields, Lower Haysden Lane, Tonbridge – TM/19/506 (KCC/TM/0484/2018)

A report by Head of Planning Applications Group to Planning Applications Committee on 12 June 2019.

Application by Kent County Council as Education Authority and The Judd School proposing a section 73 application for the proposed variation of planning condition number 5 (removal of time restriction on delivery of pavilion facility) following the granting of planning permission reference TM/15/3918 dated 7 April 2016 at Judd School Playing Fields, Land off Lower Haysden Lane, Tonbridge – TM/19/506 (KCC/TM/0484/2018)

Recommendation: the application BE REFERRED to the Secretary of State for HCLG on Sport England grounds, and that SUBJECT TO his decision that PLANNING PERMISSION BE GRANTED SUBJECT to conditions.

Local Member: Mr Richard Long

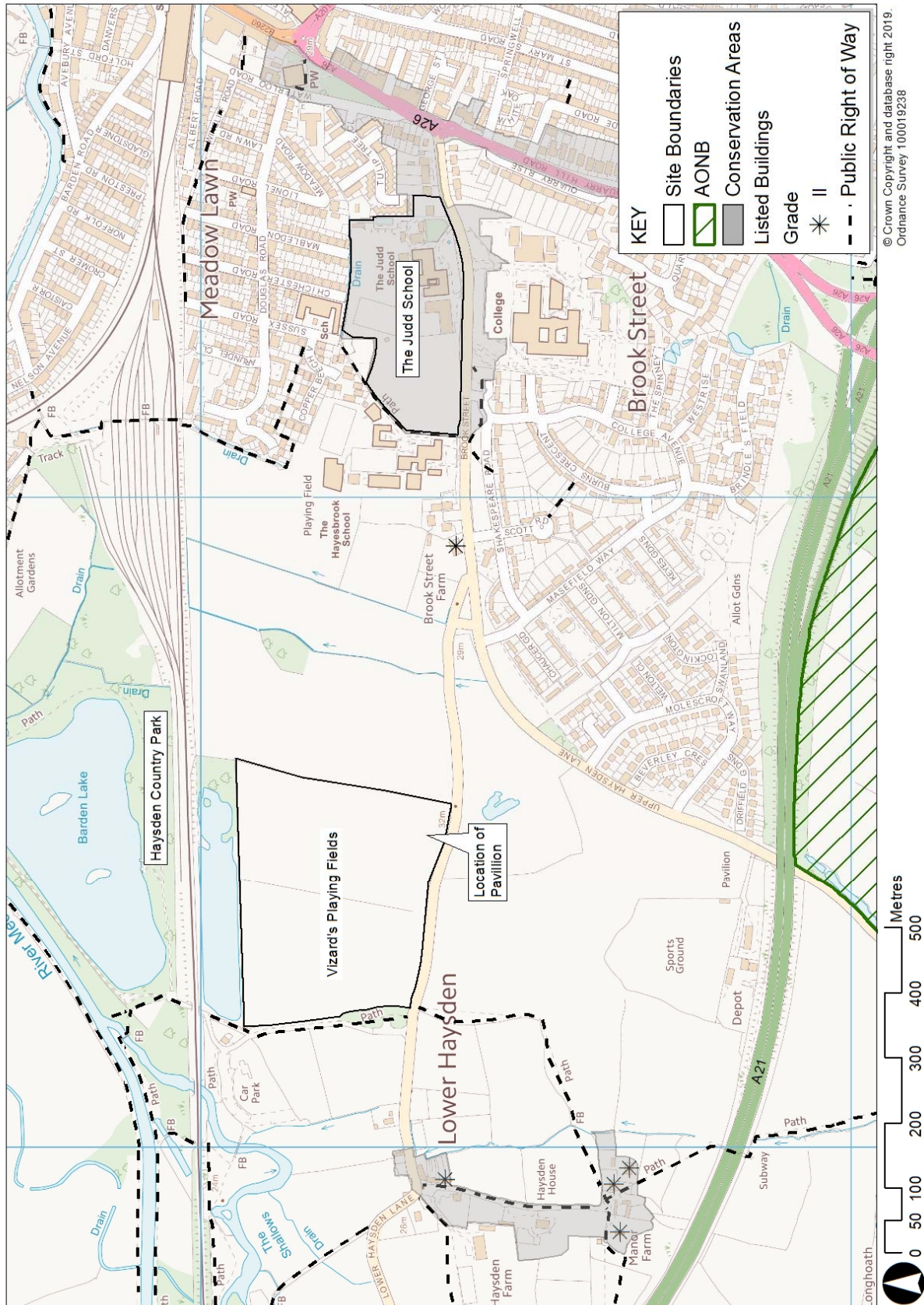
Classification: Unrestricted

Site

1. The Judd School is a Voluntary Aided Grammar School for boys, with a mixed sixth form (approximately 25% are female), located to the south west of Tonbridge town centre, just under half a mile from Tonbridge train station. The main school site is accessed via Brook Street (pedestrian and vehicular), and the school also has remote playing fields (known as Vizards) approximately 0.6 of a mile to the west, adjacent to the access to Haysden County Park on Lower Haysden Lane (see planning history in paragraph 4).
2. This application relates to the remote playing fields (Vizards) and, as set out in the proposal section of this report, proposes a variation to condition 5 of planning permission reference TM/15/3918, to enable a delay in the provision of a permanent pavilion facility at the site. The 5ha site, which is rectangular shaped and relatively flat, accommodates grass sports pitches, a floodlit all-weather pitch, car parking and associated access, and temporary storage and toilet facilities. The site is within Judd School's freehold ownership for which change of use to playing field (from agricultural land) was established under application reference TM/15/121 (see paragraph 4). The site boundaries are formed of mature hedgerows, with further open agricultural land to the east, Lower Haysden Lane and further agricultural land to the south, and the access road to Haysden Country Park to the west. Haysden Country Park, a designated Local Nature Reserve, which incorporates fishing lakes and parkland, lies to the north of the site. It should be noted that the fields to the east of the application site, between the site boundary and the boundary of the urban area of Tonbridge, are designated as 'Safeguarded Land' under Policy CP4 of the adopted Core Strategy. An outline planning application (reference 19/00014) is currently being considered by Tonbridge and Malling Borough Council for up to 125 new homes, a new Primary school and associated access and landscaping.
3. The application site is within the Metropolitan Green Belt.
A site location plan is attached.

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

Site Location Plan



Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

Site layout as approved under consent reference TM/15/3918



PI	First issue	AP	ZM	05.11.15
rev	description	drawn	checked	date

PRELIMINARY

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The Judd School
 Tonbridge
 Changing Room Block
 Kent County Council

Site Plan

bba internal project reference scale(s) @A3
 15-178 1:1250

drawing / document name :
 project originator zone level type code number

JSP - BBA - Z0 - ZZ - DR - A - 01001

subtable : code description
 D5 ISSUED FOR PLANNING APPROVAL
 revision : code description
 P1 PRELIMINARY

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Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)


Changing room building elevations as approved under consent reference TM/15/3918

P1	First issue	AP	ZM	05.11.15
rev	description	drawn	checked	date

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PRELIMINARY




The Judd School
Tonbridge
Changing Room Block
Kent County Council


drawing / document name :		scale(s) @/A3	
JSP - BBA - Z0 - ZZ - DR - A - 00003		15-176 1:2.61, 1:4.44	
project	originator	zone	level
Visualisations			
stability	code	description	type
			role
			number

revision :		code		description	
D5		ISSUED FOR PLANNING APPROVAL			
P1		PRELIMINARY			


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1 South West Corner



2 Aerial South West Corner



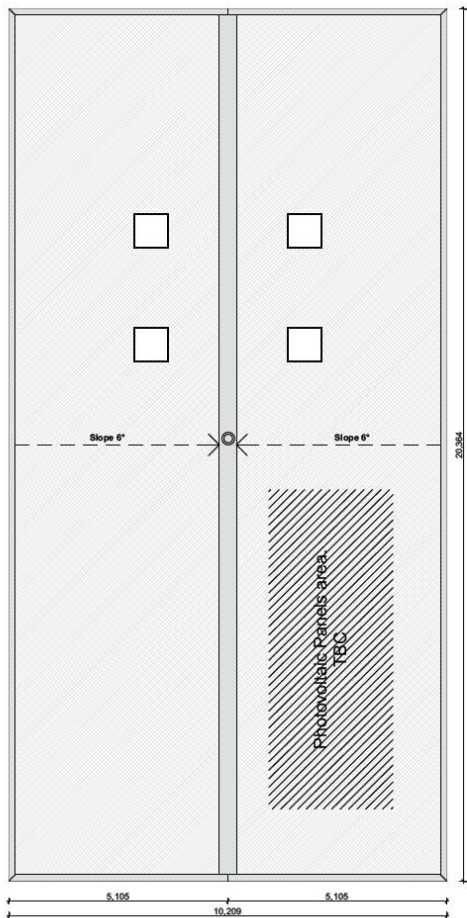
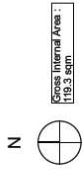
3 East Facade



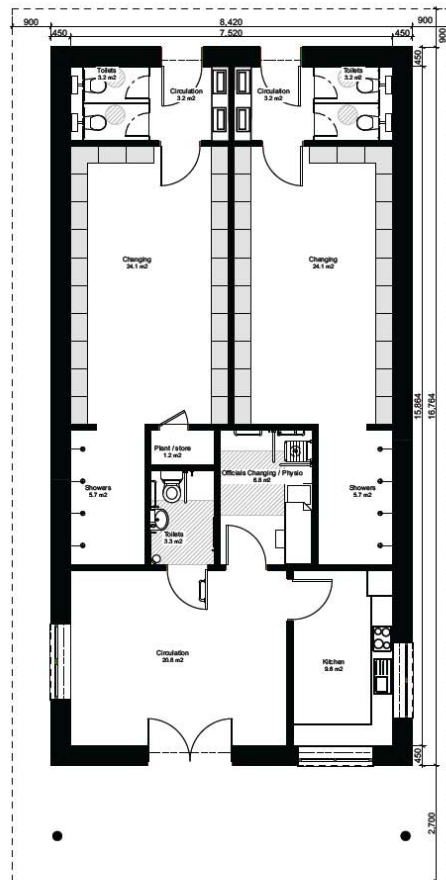
4 Aerial North East Corner

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

Changing Room Building Floor Plan as approved under consent reference TM/15/3918



Roof Plan



Ground Floor Plan

P1	First Issue	AP	ZM	05.11.15
rev	description	drawn	checked	date

PRELIMINARY

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The Judd School
 Tonbridge
 Changing Room Block
 Kent County Council

Floor Plans

bba internal project reference scale(s) @ A3
 15-176

drawing / document name :
 project originator zone level type role number
JSP - BBA - Z0 - ZZ - DR - A - 02001

suitability : code description
 revision : code description
D5 ISSUED FOR PLANNING APPROVAL
P1 PRELIMINARY

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Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

Relevant Planning History

4. The table below summarises recent and relevant planning history at the Judd School (both the main school site and the remote playing fields). Those that relate to the remote playing fields (Vizards) are highlighted in grey:

Application Reference	Description	Decision
TM/18/1924 (KCC/TM/0443/2018)	Proposed expansion from 5 to 6 forms of entry involving two storey extension of existing religious studies building, two new multi use games areas (MUGA), creation of new 'exit only' footpath link to Mabledon Road, provision of 14 additional car parking spaces and associated landscaping works	Approved 11/03/2019
TM/18/2532 (KCC/TM/0485/2018)	Section 73 application for the proposed variation of planning condition number 8 (removal of 'no community-use' restriction) following the granting of planning permission reference TM/15/121 dated 16 April 2015	Approved 21/02/2019
TM/18/2527 (KCC/TM/0493/2018)	Full planning application for the proposed erection of a temporary single storey modular building to be used as changing room/pavilion facility to serve the Judd School's off-site outdoor sports facilities	Approved 13/12/2018
TM/15/3918 (KCC/TM/0385/2015)	Full planning application for the relocation of The Judd School's outdoor playing pitches at Yeomans - comprising 1 x grass senior rugby pitch, 1 x grass junior rugby pitch, 1 x grass training pitch, 1 x floodlit synthetic pitch (with restricted non-school use), 1 x hammer cage, 1 x cricket square plus all weather wicket and a single storey changing rooms block and associated landscaping works	Approved 07/04/2016
TM/15/554 (KCC/TM/0038/2015)	Proposed expansion of The Judd School (Brook Street, Tonbridge) from 4 to 5 forms of entry involving the demolition of existing kitchen and part of the dining space and reinstatement of former external facade, erection of a part two and three storey building, provision of 9 additional car parking spaces and associated landscaping works	Approved 28/04/2015
TM/15/121 (KCC/TM/0435/2014)	Proposed change of use from agricultural land to recreational playing field to serve The Judd School together with associated ancillary development including access, parking and hard landscaping works	Approved 16 April 2015

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

Background and Proposal

5. Planning permission reference TM/15/3918 included, amongst other matters, a pavilion building located in the south east corner of the site, as shown on the plan on page 3 of this report. That single storey building, with a gull wing roof design, contained two separate changing rooms, toilets, showers, physio/officials changing room and a general break out/circulation space, as shown on the floor plan on page 5. The building was timber clad with a dark grey brickwork plinth, with high level glazing under the eaves providing natural lighting into the building whilst breaking up the elevations (see elevation drawing on page 4).
6. Condition 5 of planning permission reference TM/15/3918 reads as follows:

Phasing of the development

Phase I of the development (all weather pitch and floodlighting) shall be made available for use by 1st September 2016 in accordance with the Proposed Site Layout Plan (drawing number TGMS-0866.8-2 Rev 2) and with the standards and methodologies set out in the guidance note 'Natural Turf for Sport' (Sport England, 2011) and 'Artificial Surfaces for Outdoor Sport' (Sport England 2013). Phase II of the development (natural turf playing pitches, hammer cage, cricket square and permanent changing room block) shall be made available for use by 1st September 2018 in accordance with the Proposed Site Layout plan (drawing number TGMS-0866.8-2 Rev 2) and Changing Room Block – Floor Plans (drawing number JSP BBA Z0 ZZ DR A 02001 Rev P1) and with the standards and methodologies set out in the guidance note 'Natural Turf for Sport' (Sport England, 2011) and 'Pavilions and Clubhouses' (Sport England, 1999).

Reason: To ensure the quality of pitches is satisfactory and that they are available for use within agreed timescales.

7. The above condition required the approved pavilion facility (referred to as changing room block) to be provided on site by 1 September 2018, and in accordance with the approved plans. This application seeks to vary the above condition to require the provision of a pavilion facility within a further four year period. All other requirements of condition 5 have been met.
8. The applicant states that the main reason that the pavilion building has not been provided within the previously approved timescale is due to funding shortfalls. The approved pavilion had an estimated build cost of £600,000, which I am advised was not affordable to the school whilst it continues to repay a £1million loan needed to deliver the new teaching building approved under consent reference TM/15/554.
9. Further, the school wished to alter the design from that approved to provide a pavilion at the site that would be more substantial and suitable for the long term needs of the site and its users (the site is available for community use). The cost of such a building would be far greater than the £600,000 needed to provide the approved building, hence the need for an additional four year period to be able to secure funding and be able to provide the facility. For the avoidance of doubt, should an alternative design of the pavilion building be pursued by the school, this would be subject to a separate full planning application. Should the school wish to provide the pavilion as approved under consent reference TM/15/3918, they would be able to do so within a further four year period, should this application to vary the condition be approved.

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

10. The School are currently constructing a temporary pavilion on site as an interim measure, which was granted a 5 year temporary permission in December 2018 (reference TM/18/2527). The temporary facility, see plan on page 5 of this report, is located in the south east corner of the site and provides 4 changing rooms and a 'club house'. Toilet facilities are provided on site in a temporary portababin facility, provided as part of the main development of the site.

Planning Policy Context

11. The Government Guidance and Development Plan Policies summarised below are pertinent to the consideration of this application in that they are relevant to the application site as a whole:

- (i) **National Planning Policy Framework (NPPF) February 2019** 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 approach decisions in a positive and creative way, and decision takers at every level should seek to approve applications for sustainable development where possible.

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

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- the great importance the Government attaches to Green Belts, with the fundamental aim of Green Belt Policy being to prevent urban sprawl by keeping land permanently open;
- 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;

- (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. In particular the Policy states that the Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

(iii) **Development Plan Policies**

Tonbridge and Malling Borough Core Strategy September 2007:

Policy CP1 Sustainable Development: 1) All proposals for new development must result in a high quality sustainable environment; 2) provision should be made for housing, employment and other development to meet the needs of existing and future residents of the Borough; 3) the need for development will be balanced against the need to protect and enhance the natural and built environment; 4) locations for development should seek to minimise waste generation, water and energy consumption, reduce the need to travel and where possible avoid areas liable to flooding; 5) new housing development should include a mix of house types and tenure and mixed use developments promoted where appropriate; 6) development to be concentrated at the highest density compatible with the local environment, and be well served by public modes of transport; 7) that development should minimise the risk of crime and make appropriate provision for infrastructure to serve the new development including social leisure, cultural and community facilities and adequate open space accessible to all.

Policy CP2 Sustainable Transport: New development that is likely to generate a significant number of trips should (a) be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres; (b) minimise the need to travel through the implementation of Travel Plans and the provision or retention of local services and facilities; (c) either provide or make use of, and if necessary enhance, a choice of transport modes, including public transport, cycling and walking; (d) be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated; (e) provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure whilst avoiding road improvements that significantly harm the natural or historic environment or the character of the area; and (f) ensure accessibility for all, including elderly people, people with disabilities and others with restricted mobility.

Policy CP3 Metropolitan Green Belt: National Green Belt policy will be applied generally to the west of the A228 and the settlements of Snodland, Leybourne, West Malling and Kings Hill, and to the south of Kings Hill and east of Waterringbury.

Policy CP6 Separate Identity of Settlements: 1) Development will not be permitted within the countryside or on the edge of a settlement where it might unduly erode the separate identity of settlements or harm the setting or character of a settlement when viewed from the countryside or from adjoining settlements; 2) Any development that is considered acceptable in terms of this policy should maintain or enhance the setting and identity of the settlement, and in the countryside, be consistent with Policy CP14.

Policy CP11 Urban Areas: States that development should be concentrated within the confines of the urban areas which include Tonbridge. Development

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

adjoining these urban areas will only be permitted where there is an identified need and there are no suitable sites within the urban areas/ Priority will be given to the use of previously developed land.

Policy CP14 Development in the Countryside: In the countryside development will be restricted to (a) extension to existing settlements in accordance with Policies CP11 or CP12; or (b) appropriate replacement or extension to an existing dwelling; (c) necessary development for the purposes of agriculture or forestry; (d) limited expansion of an existing employment use; (e) development that secures the viability of a farm; (f) redevelopment of the defined Major Developed Sites in the Green Belt which improves visual appearance, enhances openness and improves sustainability; (g) affordable housing which is justified as an exception under Policy CP19; (h) open recreation uses together with associated built infrastructure; or (i) any other development for which a rural location is essential.

Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by very special circumstances.

Policy CP24 Achieving a High Quality Environment: 1) All development must be well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance, be designed to respect the site and its surroundings; 2) All development should accord with the advice contained in Kent Design, By Design and Secured by Design, and other supplementary Planning Documents and, wherever possible, should make a positive contribution towards the enhancement of the appearance and the safety of the area; 3) Development which by virtue of its design would be detrimental to the built environment, amenity or functioning and character of a settlement or the countryside will not be permitted; 4) The Council will seek to protect and enhance existing open spaces; 5) The environment within river corridors will be conserved and enhanced.

(iv) Tonbridge and Malling Managing Development and the Environment Development Plan Document April 2010:

Policy CC1 Sustainable Design: Requires all proposals for new development, building conversions, refurbishments and extensions to incorporate passive design measures to reduce energy demand.

Policy NE2 Biodiversity: The biodiversity of the Borough, and in particular priority habitats, species and features, will be protected, conserved and enhanced.

Policy NE3 Impact of Development on Biodiversity: 1) Development that would adversely affect biodiversity or the value of wildlife habitats will only be permitted if appropriate mitigation and/or compensation measures are provided which would result in overall enhancement; 2) Proposals for development must make provision for the retention of habitat and protection of its wildlife links; 3) Where development is permitted the

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

Council will impose conditions, where necessary and appropriate, to minimise disturbance, protect and enhance ecological conservation, contribute towards the objectives of Kent Biodiversity Action Plan, ensure appropriate management and monitoring, and the creation of new or replacement habitats.

Policy NE4 Trees, Hedgerows and Woodland: The extent of tree cover and the hedgerow network should be maintained and enhanced.

Policy SQ1 Landscape and Townscape Protection and Enhancement: Proposals for development are required to reflect the local distinctiveness, condition and sensitivity to change of the local character areas as defined in the Character Area Appraisals SPD. All new development should protect, conserve and where possible enhance (a) the character and local distinctiveness of the area including its historical and architectural interest and the prevailing level of tranquillity; (b) the distinctive setting of, and relationship between, the pattern of settlement, roads and the landscape, urban form and important views; and (c) the biodiversity value of the area, including patterns of vegetation, property boundaries and water bodies.

Policy SQ8 Road Safety: 1) Before proposals for development are permitted, they will need to demonstrate that any necessary transport infrastructure is in place or is certain to be provided; 2) Development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network; 3) Development proposals should comply with parking standards; 4) Appropriate mitigation measures shall be provided where required before a development is occupied.

Policy DC6 Rural Lanes: In the consideration of development proposals which are in the vicinity of, or served by, rural lanes, permission will only be granted where: (a) the development conserves and enhances the value of the lane in terms of its landscape, amenity, biodiversity, historic or archaeological importance; and (b) any proposed alterations to the lane are the minimum necessary to serve the proposal in terms of highway safety.

Consultations

12. **Tonbridge and Malling Borough Council** – no comments received to date (consulted on 7 November 2018).

Sport England objects to this application. Sport England consider that four years is not an acceptable time frame, particularly when it is considered that the school is already in breach of its planning condition. Further, Sport England do not feel that they have been provided with any comfort that the temporary facility is satisfactory in terms of meeting their 'facilities guidance' as well as equalities and safeguarding, given that it is proposed to be used for the next 4 years rather than a shorter timeframe. Sport England would accept a 12 month extension only.

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

Local Member

13. The local County Member, Mr Richard Long, was notified of the application on the 7 November 2018.

Publicity

14. The application was publicised by the posting of 2 site notices, advertisement in a local newspaper, and the individual notification of 36 neighbouring properties.

Representations

15. To date, I have received 1 letter of representation which raised objection to the provision of a 'new building in this area' due to potential impact on the local landscape and wildlife, and also traffic implications.

I wrote back to the resident and explained that planning permission for a pavilion building at the Judd School Playing Fields (Vizards) was granted planning permission under application reference KCC/TM/0385/2015 (TM/15/3918). I further explained that the pavilion should have been built by now, but the School wish to secure additional funding in the long term to provide a building of a better quality design that would have a lesser impact on the local landscape than that already permitted, hence the application we are considering seeking to vary the time restriction for the provision of a pavilion. I explained that use of the site would not change over and above that that they have permission for and that, for avoidance of doubt, a pavilion building has permission here and we are not reconsidering the merits of that in determining this application.

I gave the resident a further 14 days to reply with any further points of concern, otherwise it would be assumed that their concerns had been addressed and they had no further comments to make. Nothing further was received.

Discussion

16. This application seeks to vary condition 5 of planning permission reference TM/15/3918 to extend the specified timeframe for the provision of a permanent pavilion facility on the site from 1 September 2018 for a further period of four years from the date of determination of this application (should permission be granted).
17. As set out in paragraph 8 of this report, the main reason that the pavilion building is yet to be provided is due to funding shortfalls. Further, the school wishes to alter the design from that approved to provide a pavilion at the site that would be more substantial and suitable for the long term needs of the site and its users (the site is available for community use). The cost of such a building would be far greater than the approved building, hence the need for an additional four year period to be able to secure funding and be able to provide the facility. For the avoidance of doubt, should an alternative design of the pavilion building be pursued by the school, this would be subject to a separate full planning application. Should the school wish to provide the pavilion as approved under consent reference TM/15/3918, they would be able to do so within a further four year period, should this application to vary the condition be approved.

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

18. As an interim measure, a temporary pavilion building was granted a 5 year temporary permission in December 2018 (reference TM/18/2527). The temporary facility, see plan on page 5 of this report, is currently being constructed in the south east corner of the site and will provide 4 changing rooms and a 'club house'. Toilet facilities are provided on site in a temporary portababin facility, provided as part of the main development of the site.
19. The key determining issue in considering the merits of this application is whether or not a further four year time frame to provide a permanent facility is acceptable. Sport England do not consider that a four year extension would be acceptable, and request a 12 month extension only.
20. However, as stated above, the Judd School wish to improve the design and specification of the already approved permanent facility, and in order to be able to provide this, funding must be secured. In addition, such an improved facility would need to be subject to a separate full planning application and a period of 12 months would simply not be sufficient to secure funding, design a scheme, and secure planning permission. In the event that the school should decide to provide a pavilion in accordance with the previously approved design, funding would still need to be secured and I am advised that this also could not be achieved within 12 months.
20. In addition, as per paragraph 18 above, the school have provided a temporary facility on the site. Although Sport England do not consider that the temporary pavilion accords with their 'facilities guidance', the four changing rooms and 'club house' that the temporary facility provides more than meets the applicants needs. The site also has toilet facilities in a portacabin which has been on site prior to its first use. It should be noted that the approved permanent facility includes two separate changing rooms, toilets, showers, physio/officials changing room and a general break out/circulation space. The temporary facility does not provide the shower facilities, but actually provides more changing rooms than the approved permanent facility, in addition to providing an official's changing room and general break out 'club house' space. Therefore, I am more than satisfied that the temporary facility meets the needs of the users of the site on an interim basis.
21. Whilst noting Sport England's view that a 12 month extension only should be permitted, in reality that period of time is not practicable in enabling the school to secure the required funding, especially when considering their intention to secure planning permission for an improved scheme. Moreover, the applicant has provided a temporary facility at the site which meets the needs of the sites users. I therefore consider a further four year period within which to provide a permanent facility to be acceptable in this instance.
22. As Sport England are objecting to this application, should Members be minded to agree with the recommendation to permit this application subject to conditions, the application would need to be referred to the Secretary of State for Housing, Communities and Local Government for consideration before planning permission could be issued.
23. Application reference TM/15/3918 was assessed against the development plan policies summarised in paragraph 11 above, including consideration against Green Belt Policy. It was concluded that very special circumstances were demonstrated in that particular case for overriding Green Belt policy constraints, and that the development would not give rise to any material harm and was otherwise in accordance with the general aims and objectives of the relevant Development Plan Policies and the guidance contained in the 2012 NPPF. This application would not alter those previous conclusions. The changes to the NPPF since 2012 are supportive of the proposal.

Section 73 application for the proposed variation of planning condition number 5 (variation of time restriction on delivery of pavilion facility) at Judd School Playing Fields, Lower Haysden Lane – TM/19/506 (KCC/TM/0484/2018)

Conclusion

24. This application seeks to vary condition 5 of planning permission reference TM/15/3918 to extend the specified timeframe for the provision of a permanent pavilion facility on the site from 1 September 2018 for a further period of four years from the date of determination of this application (should permission be granted). In considering the reasoning provided by the applicant for the need for this additional timeframe, the applicants intention to provide an improved pavilion in terms of design an specification over that already approved, and the temporary facility that has been provided on site, I am of the opinion that condition 5 of planning permission TM/15/3918 should be varied to provide the applicant a further period of four years within which to provide a permanent pavilion facility.

Recommendation

- 25 I RECOMMEND that the application BE REFERRED to the Secretary of State for Housing Communities and Local Government on Sport England grounds, and that SUBJECT TO his decision that that PERMISSION BE GRANTED for the variation to condition (5) of planning permission TM/15/3918, as follows:

A permanent Pavilion Building shall be constructed on site by 30 June 2023, in accordance with the Changing Room Block – Floor Plans (drawing number JSP BBA Z0 ZZ DR A 02001 Rev P1) as approved under planning permission reference TM/15/3918.

Reason: To ensure the quality of the permanent pavilion is satisfactory and that it is available for use within agreed timescales.

Please note that the previous requirements included within condition 5 regarding the provision of other facilities at the site (see paragraph 6 of this report) have been removed from the condition as they have been provided and are operational. Reference to Sport England’s guidance is also removed as the permitted scheme accords with those details.

26. I FURTHER RECOMMEND that all other relevant conditions on planning permission TM/15/3918 BE restated except in so far as the wording of certain conditions takes account of the details that have already been submitted and approved.

Case officer – Mary Green	03000 413379
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Background documents - See section heading
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E1 COUNTY MATTER APPLICATIONS AND DETAILS PURSUANT PERMITTED/APPROVED/REFUSED UNDER DELEGATED POWERS - MEMBERS' INFORMATION

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

Background Documents - The deposited documents.

- DA/17/762/R12 Details of a consolidated landscape planting and management plan pursuant to Condition 12 of planning permission DA/17/762 (for the restoration of the southern half of Stone Pit 1).
Stone Pit 1, Cotton Lane, Stone, Dartford, Kent DA9 9ED
Decision: Approved
- MA/19/501709 Variation of condition 2 of planning permission MA/14/727 to amend the date for completion of importation and stabilisation works and restoration from 18 to 36 months from commencement of development (i.e. from 25 March 2019 to 25 September 2020).
Chilston Sandpit, Sandway Road, Sandway, Maidstone, Kent ME17 2LU
Decision: Permitted
- MA/19/502344 Variation of condition 2 of planning permission MA/14/727/R22&R24 to amend the date for completion of restoration from 18 to 36 months from commencement of the importation and stabilisation works permitted by planning permission MA/14/727 (i.e. from 25 March 2019 to 25 September 2020).
Chilston Sandpit, Sandway Road, Sandway, Maidstone, Kent ME17 2LU
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/16/1009/RVARA Details of road improvements to Bredlands Lane (Condition 16), School Travel Plan (Condition 17) and Soft & Hard Landscaping (Condition 18) pursuant to planning permission CA/16/1009. Spires Academy, Bredlands Lane, Sturry, Canterbury
Decision: Approved
- DO/19/479 Installation of 2.4m high weld mesh fencing. Elms School, Elms Vale Road, Dover, Kent, CT17 9PS
Decision: Permitted
- SE/18/2023/R3 Details of a landscaping scheme pursuant to condition 3 of planning permission SE/18/2023. Sevenoaks Primary School, Bradbourne Park Road, Sevenoaks
Decision: Approved
- SW/17/505852/R14 Details of Construction Management Plan pursuant to Condition 14 of planning permission SW/17/505854 Meadowfield School, Swanstree Avenue, Sittingbourne, Kent ME10 4NL
Decision: Approved
- TW/18/7023/R4 Details of a programme of heritage implementation pursuant to condition 4 of planning permission TW/18/7023 Hawkenbury Farm, Hawkenbury Road, Tunbridge Wells, Kent TN3 9AD
Decision: Approved

E3 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – SCREENING OPINIONS ADOPTED UNDER DELEGATED POWERS

Background Documents –

- *The deposited documents.*
 - *Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*
 - *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:-

None

- (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:-

KCC/SCR/SW/0083/2019 - Request for a Screening Opinion as to whether a proposed Incinerator Bottom Ash (IBA) recycling facility requires an Environmental Impact Assessment.
Land at Plot 6 Ridham Dock, Lord Nelson Road, Sittingbourne, Kent ME9 8SR

E4 TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 – 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 2017.*
- *The Government’s Online Planning Practice Guidance-Environmental Impact Assessment/Preparing an Environmental Statement*

None

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SECTION F KCC RESPONSE TO CONSULTATION

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.

KCC Response to Consultations

Reports to Planning Applications Committee on 12 June 2019.

These reports set out KCC's responses to consultations.

Recommendation: To note the reports

Unrestricted

1. Introduction and Supporting Documents.

The County Council has commented on the following planning matters. A copy of the response is set out in the papers. These planning matters are for the relevant District/Borough or City Council to determine.

F1: Application CA/17/01866/FOS Land at Hillborough, Sweechbridge Road, Herne Bay

A mixed use development including up to 955 dwellings comprising: Detailed proposals for the erection of 194 new dwellings, a Local Equipped Area of Play (LEAP), a new vehicular access (via priority junction) onto Sweechbridge Road (north), provision of realigned vehicular access to Sweechbridge Road (south), new westbound on slip to, and modified westbound off-slip from, A299 Thanet Way to Heart in Hand Road, upgraded alignment of May Street, associated internal roads/footpaths/cycleways, sustainable drainage system, earthworks, public open space, landscaping (inc woodland) and street lighting. Outline application for up to 761 additional dwellings with all matters reserved except access (excluding internal circulation) also including: up to 33,000 sqm. of employment/commercial floorspace with associated parking spaces comprising employment units (within Use Class B1(a), B1 (c) B2 and B8) (27,000 sqm) and a 65 bed care-home (Use Class C2) (4,500 sqm and works)

F2: Application EDC/17/0048 - Application for approval of item 'n' of Condition 19 at Eastern Quarry, Watling Street, Swanscombe Kent

Recommendation: To note the reports

Background documents; As set out in the reports.

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Canterbury City Council

Highways and Transportation

Ashford Highway Depot

4 Javelin Way

Ashford

TN24 8AD

Tel: 03000 418181

Date: 21 May 2019

Application -	CA/17/01866/FOS
Location -	Land at Hillborough, Sweechbridge Road, Herne Bay
Proposal -	Planning application for a mixed use development including up to 955 dwellings comprising: Detailed proposals for the erection of 194 new dwellings, 1 no. Local Equipped Area of Play (LEAP), a new vehicular access (via priority junction) onto Sweechbridge Road (north), provision of realigned vehicular access to Sweechbridge Road (south), new westbound on slip to, and modified westbound off-slip from, A299 Thanet Way to Heart in Hand Road, upgraded alignment of May Street, associated internal roads/footpaths/cycleways, sustainable drainage system, earthworks, public open space, landscaping (inc woodland) and street lighting. Outline application for up to 761 additional dwellings with all matters reserved except access (excluding internal circulation) also including: up to 33,000 sq.m. of employment/commercial floorspace with associated parking spaces comprising employment units (within Use Class B1(a), B1 (c) B2 and B8) (27,000 sqm) and a 65 no. bed care-home (Use Class C2) (4,500 sq.m.

Thank you for consulting the Highway Authority on the above application for which we have the following observations and comments on the revised Supplementary Transport Assessment.

Development proposals

Sweechbridge Road Priority Junction- The updated drawing ITB8344-SK-36 REV D includes additional kerb radius to accommodate the 12m bus and 11.4m refuse vehicle as requested. The arrangement as revised is now agreed.

It is acknowledged that the junction will be completed prior to the first occupation.

Sweechbridge Road/May Street/Heart in Hand Roundabout – The principles of this junction arrangement are agreed as outlined on drawing number ITB8344-SK-20. The arrangement had previously been tracked for a 16.5m long HGV's and a 12m rigid bus and are agreed to operate effectively.

A condition will be required to ensure that the junction will be completed prior to the first occupation of land to the South of the railway and that a Road Safety Audit would be completed at the time of any reserved matters applications.

The Boulevard Access - The principles of this junction arrangement were agreed as outlined on drawing number ITB8344-SK-026 however the applicant has sought to amend this with

disagreement from the Highway Authority. It is however agreed that the link and point of access are required. In their latest submission the applicant is suggesting that the vehicular link to Altira will be pursued by best endeavours prior to the completion of phase 3 of the development. None of the phasing figures provided demonstrate acceptable access to the adjoining supermarket, employment and other amenities in the Margate Road area. This approach demonstrates that the combined landowners for this application are not working in a co-ordinated fashion and it is unacceptable to consider the elements of an allocation in isolation. The Site 3 Local Plan policy requires a link to Altira and limited access to Sweechbridge Road. Further to that it is assumed that the Southern parcel would not comply with Kent Design Standards which requires two vehicular points of access for developments greater than 300 units. The breakup of land within the allocation is clearly unhelpful. Our position remains that limited development of the Southern Parcel should be considered without assurance that the policies can be met. It is recommended that a suitably worded condition restricts any development on land South of the railway to 50 units or until such time as a publicly available link to "The Boulevard" West of the application is provided.

There are a combination of issues caused by the landownership breakup of the land within the allocation. As such the following conditions approach is suggested so as to protect the existing highway network and residents.

1. That a condition be placed on the Kitewood application CA/19/00557/OUT that they must construct a publicly accessible highway from the Boundary West, to the boundary of the Taylor Wimpey land, prior to commencement. Reason: Sustainable access from the development must be provided to the Altira Business Park and ensure the allocation meets its site specific policy requirements. Without such a link, an unacceptable increase in additional traffic would be expected to route along the Sweechbridge Road resulting in significant safety and congestions concerns.
2. That a condition be placed on this "Taylor Wimpey" application, that they must provide a suitable access for construction of the adjoining Kitewood land, prior to any occupation. Reason: The residential streets through Beltinge are unsuitable for construction traffic and access will be required for the entire allocated site through the Taylor Wimpey land.

Traffic generated by the development to the store and other amenities at Altira Park and employment should not be reliant on vehicular access via the A299 or Beltinge. Such action would necessitate vehicle only access and fail to comply with National and Local planning policy.

Internal Site Layout –The internal site highway layout parameters submitted in the phase 1 masterplan are agreed.

The updated street lighting plan T306/40 Rev G includes full illumination for the May St NMU link which is welcomed however the following comments have been received from our lighting engineer. *"The proposed lanterns are not to KCC requirements as we do not use Philips luminaires. Attached for reference is a copy of the most recent approved materials list. Any lighting proposed for adoption needs to adhere to this document. This drawing shows lux level contours, but there is no indication of the proposed or achieved lighting levels in terms of average and minimum lux values or uniformity values.*

The key on the above mentioned drawing denotes that the columns on The Avenue North are 8 metres tall, whilst the rest are 5 metres. This suggest to me a higher lighting level and uniformity requirement for this section of road, though I don't understand why the lighting does not extend as far as the junction with Sweechbridge Road.

There are no details of column specs, service provider, secondary isolator specs etc, though these are usually submitted at the 'detailed design' phase so I would expect them to be provided further along during the formal S38 / S278 submission. Attached for the developers reference is a list of items required as part of the S38 formal submission."

The TRO strategy drawing T306/41 Rev E is now correct and includes a Southbound only restriction for D-G along with a weight restriction between points H-I to prevent HGV use of the Southern Boulevard.

The adoptable surfaces drawing T306/69 has been reviewed and is agreed.

Junction Assessments

The updated junction assessments at 2024 using the KCC sensitivity rates have all been reviewed. It is accepted that the correct rates have been applied and all junctions, save for the Sweechbridge shuttle workings, are acceptable once the mitigations proposed are in place.

Sweechbridge Road Shuttle workings

The applicant has provided a detailed review of the shuttle workings and attempted to answer the three main questions raised by the Highway Authority. These being;

1. Why can the Sweechbridge Road not be widened to remove the need for the shuttle working.
2. What alternative to increasing vehicular flows on Sweechbridge Road can be identified?
3. At what level of development will the Sweechbridge Road shuttle working reach operational capacity?

A review of each questions response is taken in order below.

1. The applicant has acknowledged that the lane narrows to as little as 3.88m at the point the shuttle workings are proposed to 6.79m over the bridge. It is agreed that the bridge itself is not therefore the constraining factor to vehicular flows along the Sweechbridge Road. The TA presents information regarding a peak two way flow of 619 vehicles. A further count at the location was completed in 2018 and the results confirm that the stated peak flow figures are appropriate. The flows of the 2024 AM peak with development demonstrate two way flows of 1114 movements, demonstrating an increase of 80%. This is clearly a severe impact on the lanes two way flows. Using the Kent design Guides standards this road serves a greater number than 300 dwellings and should therefore be capable of meeting Local Distributor Road standards. This has a mandatory minimum width of 6.0m. Given the location of the site it is imperative that a bus service is maintained, and this would ordinarily be expected to increase to a 6.2m width to meet with Stagecoach guidance. The applicants response confirms that no approaches have been made to landowners either side of the road for fear of a high ransom being required. As no approach has been made there is no evidence provided to confirm this assumption. The question has therefore not been answered to our satisfaction and again suggest that evidence of land value be demonstrated.
2. An alternative route has been proposed, upgrading the existing May St bridge within the development to allow for one-way Southbound movements. The impacts of this introduction have not been demonstrated, however it can be assumed that introducing

this would reduce the developments AM peak Southbound movements. Whilst reducing movements some Southbound flows the Northbound increase will remain a significant impact. The applicant has suggested that widening or installing new bridges across the railway would introduce ransom and further prejudice the sites viability. Again though no evidence of ransoms has been demonstrated.

3. The applicant acknowledges that a junction is considered to be at operational capacity with a degree of saturation of 85% although the modelling demonstrates this is exceeded. Whilst the applicant demonstrates that the flow clears within one cycle of the lights it cannot consider the queues and interaction with Sweechbridge Road queues that would build at the sites Northern access. The applicant has therefore reviewed the impact to consider at what point a trigger would be required for the May St bridge to be implemented to avoid queueing across the Northern site access. In section 4.2.2 of the summary note it is explained that the site access is 45m North of the stop line so that the 10th vehicle would block vehicles egressing the site or those arriving southbound to right turn into the site. However in paragraph 4.3.2 the trigger requirements are assumed as being either the 85% or the queue extending to 12 vehicles where the Northern access is blocked. Having already identified that 10 vehicles would block the junction our opinion is that a 10 vehicle queue should determine the trigger. This is reached at the point of full occupation of the 194 phase 1 development.

Sweechbridge shuttle summary.

The proposed lights continue to cause concern in terms of both modelling capacity and delay, being of severe impact compared to that of the base tests. Whilst the applicant claims viability issues and ransom issues, they have at no point demonstrated any evidence to suggest that this is the case. The road width on approach reduces to 4.8 metres for a significant 60m section and therefore does not comply with Kent Design road width standards for the main access to development of over 300 units. Nor does it meet with requirements from the bus operators which, given the sites relatively remote location, must be taken into account. The applicant is again requested to suggest an approach that could result in the widening of Sweechgate Road to comply with standards, avoiding the installation of traffic lights. The Highway Authority would be willing to discuss this issue further with the applicant with a view to finding alternative solutions to the road width issues. The original assessment submitted also concludes that with full development of the allocation that saturation of the Southbound lights reach 99% with a queue of 30 vehicles. The Northbound lights would reach a saturation of 96% with a queue of 17 vehicles. As both approaches reach saturation levels above the operational capacity it is can be gauged that queueing vehicles would not clear in each cycle leading to increasing delay and queue lengths. The Northbound queue is demonstrated to reach 17 vehicles or 85 metres making it close to impacting on the proposed Southern May St/A299 exit roundabout. The Sweechbridge Shuttle workings have not been proven to operate effectively without causing significant delays. On the evidence presented, the Highway Authority cannot therefore accept them as acceptable mitigation.

Hoath distribution and Herne Relief Road

In my representation of August last year it was agreed that the proposals outlined in Appendix G of the Transport Assessment, combined with the improvements to the A299 slips and Herne Relief Road were sufficient so as to comply with the Local Plan site policy. That stance remains dependent on the mitigation being in place by early occupations to discourage early

development of habitual use of the Hoath Road route. To date it is unclear as to how the combined owners of the allocated site intend to pay for contribution as agreed in the Herne Relief Road Heads of Terms. As two of the applications have been submitted, we request that a combined Section 106 agreement is prepared covering the full allocations required £2,249,000.00. It has been suggested that partial payments of this requirement be made which would result in full receipt not occurring until the 750th dwelling. This approach would only encourage traffic through the villages of Hoath and Herne and therefore not meet with the sites policy requirements. Additionally it would introduce significant traffic generation with uncertainty of delivery of the Herne Relief Road. It should be noted that the inspectors report on the Strode Farm application found that the severity of impact on Herne village due to expected increases in traffic was beyond acceptable levels. Subsequent to that the applicant of the Strode Farm application has agreed to make payment of their contribution by occupation of the 250th dwelling. Using the Planning Authorities latest Annual Monitoring Report this is predicted to be in the year 2023. Having reviewed the earlier representations and inspector direction from the Strode Farm application it is calculated that full payment of the site contribution is paid before occupation of the 350th Taylor Wimpey occupation. Assuming occupations are as predicted by the Annual Monitoring Report, at that point the A291 would be just over the 750 acceptable flows determined at the previous public inquiry. It is therefore deemed that the most appropriate condition is that full payment of the allocation is paid by the end of the fourth annual anniversary of any signed Section 106 or occupation of the 350th dwelling, whichever is the sooner. It will be for the Planning Authority or applicant to ensure that equalisation of the additional Relief Road contribution across the allocation occurs through any individual Section 106 agreements.

Thanet Way on slip

The applicant has sought to demonstrate that the on slip improvements would not be necessary until the occupation of the 250th dwelling based upon the predicted capacity. At 250 dwellings the number of turnings towards this junction from the development would be 47 in the AM peak. At the same point in time the modelling suggests that the average time waiting to exit would be 65 seconds and a queue of 4 vehicles. However the flows placed through the junction assessment include a scenario when all other mitigations are in place. As proposed, access to the West via "The Boulevard" would not be available. It should therefore be considered that the analysis presented underestimates the expected movements. The recently submitted Kitewood application demonstrates that an increase of 38% of traffic generated from the allocation as a whole may have to use this junction without "The Boulevard" link in place. Conversely, with the Boulevard in place the adjoining supermarket would be expected to generate link trips which could reduce flows at this junction.

The Highway Authority are therefore willing to accept the 250 occupational trigger for these improvements subject to "The Boulevard" being open and available at our above mentioned (50 units South of the railway) trigger. It is considered that driver choice would be significantly influenced by an expected 65 second delay at this junction, causing unacceptable impacts on the rural lanes of Broomfield, Herne and Hoath.

Phase 1

Following the response on the detailed element on 25th January, the HA wishes to make the following additional comments:

Shared surfaces:

Shared surface 4 has now been changed to Street 3 with a 2 metre wide footway on one side. The applicants revised approach to shared surfaces is acceptable.

Private Drives:

The access width of all private drives and side roads on to The Avenue North have now been increased to at least 4.8 metres.

Parking:

The level of visitor parking on Street 2 is still insufficient and it appears as though additional parking bays can be provided in the following locations with some minor layout amendments:

- 1 space outside plots 138 and 139
- 1 space outside plot 142

Due to visibility constraints and other physical issues, such as the presence of ditches, it is accepted that provision of additional on street parking is not possible on The Avenue North, Street 1 and Private Drive serving plots 96-100. Additional on street parking is available on Street 1 and other side roads to provide some visitor parking facilities in areas of The Avenue North which are lacking parking.

The highway authority wishes to maintain its stance in regards to electric vehicle (EV) charging point provision as outlined in our comments on 25th January. All allocated parking bays should have access to a charging point.

Tracking:

The revised tracking is acceptable.

Access to foul pumping station:

The revised turning area to facilitate access to the pumping station is acceptable.

Surface treatments:

The hard-surfacing plans have been updated and granite setts have been removed.

Temporary turning head:

The turning head has been relocated as suggested.

Visibility:

The applicants have noted comments regarding trees not being placed within access visibility splays. There are some areas where trees seem to be placed in close proximity to street lights, the KCC street lighting engineer is currently assessing these plans and will provide detailed comments shortly.

Bus service infrastructure:

The revised plans (drawing ref: T306/85) show the bus turning area and bus only markings as requested. No details have been provided in regard to the remaining bus stop infrastructure. A hard standing with footway connection must be provided at every bus stop within the phase 1 development, along with a shelter and bus stop flag.

Pedestrian / cycle links:

The applicants have shown a system of street lighting along the May Street cycle route as requested.

In general, the HA are satisfied with the amendments made following our comments on 25th January, however matters relating to parking and bus service infrastructure still need to be addressed.

Yours faithfully

Colin Finch

Principal Transport & Development Planner

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**Ebbsfleet Development Corporation**

The Observatory
Castle Hill Drive
Cstle Hill
Ebbsfleet
Kent
DA10 1EE

Highways and Transportation

Ashford Highway Depot
4 Javelin Way
Ashford
TN24 8AD

Tel: 03000 418181

Date: 28 May 2019

Application - EDC/17/0048

Location - Application for approval of item 'n' of Condition 19

Proposal - Eastern Quarry Watling Street Swanscombe Kent

Thank you for your re-consultation in relation to the above planning application. I have reviewed the Internal Junction Modelling Technical Note (v07) and have no further comments to make in relation to highways.

I therefore raise no objection on behalf of the local highway authority.

INFORMATIVE: It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at

<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Yours faithfully

Angela Coull

Principal Transport & Development Planner

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