

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.

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**Item D1**

**Proposed Inclusion and Family Centre at Marsh Academy,  
Station Road, New Romney – SH/11/399**

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A report by Head of Planning Applications Group to Planning Applications Committee on 26 July 2011.

Application by The Marsh Academy for a new build facility for the Marsh Academy comprising an Inclusion Centre for its pupils and a Family Centre providing ongoing support for the pupils and their families. The centre will also have as part of its facilities the provision for education for disabled members of the community and out of hours use for organisations such as the youth club. The Marsh Academy, Station Road, New Romney – SH/11/399 (KCC/SH/0189/2011)

Recommendation: permission be granted subject to conditions.

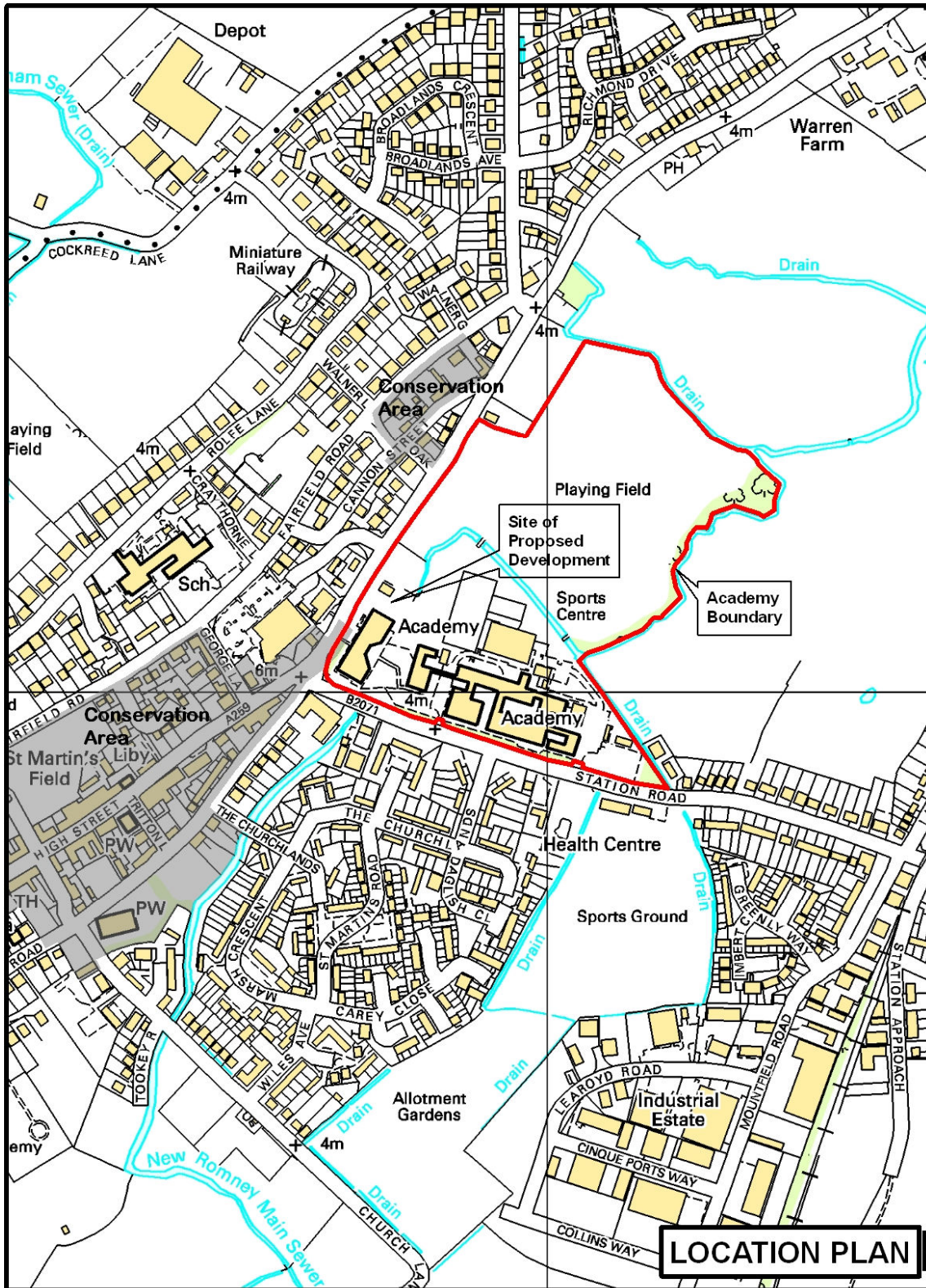
**Local Member:** Carol Waters

**Classification:** Unrestricted

**Site**

1. The Marsh Academy is located in close proximity to New Romney's High Street, at the junction of Station Road (to the southern boundary of the site), and Dymchurch Road (to the western boundary of the site). The overall Academy site is approximately 11.8 hectares in size, and is bounded by facing residential properties to the south and west, and agricultural fields which form part of the wider New Romney landscape to the north and east. Drainage ditches form the north and east boundaries of the site, and extend into the school site where they become what is officially termed the New Romney Open Sewer. The Academy site is essentially split in two by the tree lined Open Sewer, with the Academy buildings and associated infrastructure to the south, and open playing pitches to the north. The boundaries to the site are generally a combination of fencing and mature hedges and trees, providing some screening, and the western boundary on Dymchurch Road is elevated above the school site due to a sloping landform. The proposed Inclusion and Family Centre is proposed to the west of the site, to the north of an existing teaching block, adjacent to an existing maintenance access from Dymchurch Road. A Conservation Area is located to the west of the site boundary, and the proposed development could affect its character and appearance. The whole of the school site is classed as an area at high risk of flooding, the playing fields are protected by Local Plan Policy LR12, a Local Landscape Area lies to the north of the school site, and the whole of the site is outside the settlement boundary, as defined in the Shepway District Local Plan. *A site location plan is attached.*

Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399



LOCATION PLAN

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**Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399**



Planning Application

<b>Project:</b> Inclusion and Family Centre <b>Client:</b> Marsh Academy <b>Drawn:</b> JM <b>Project No.:</b> SA <b>Site No.:</b> APD0002 <b>Date:</b> 15/03/11 <b>Scale:</b> 1:500 <b>Drawn:</b> D10011 <b>Check:</b> AC <b>Revision No.:</b> E <b>Date:</b> 08/01/11 <b>Drawn By:</b> JM <b>Check By:</b> AC <b>Project Manager:</b> SA <b>Project Manager Contact:</b> 01424 821211 <b>Project Manager Email:</b> sa@seymourharris.co.uk <b>Project Manager Website:</b> www.seymourharris.co.uk	
<b>Site No.:</b> SA <b>Site Name:</b> Marsh Academy <b>Site Address:</b> Station Road, New Romney, Kent, TN28 9JL <b>Site Area:</b> 1.2 Ha <b>Site Type:</b> School <b>Site Use:</b> Education	<b>Project No.:</b> APD0002 <b>Project Name:</b> Inclusion and Family Centre <b>Project Address:</b> Station Road, New Romney, Kent, TN28 9JL <b>Project Area:</b> 0.5 Ha <b>Project Type:</b> Leisure <b>Project Use:</b> Leisure
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# Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399



**KEY**

- Proposed Soft Landscape**
  - Existing trees to be retained
  - Proposed Existing Street and Tree Planting 150mm girth AND PREPARATION GENERAL INFO, PLANTING TREES Q31 GENERAL INFO
  - Grassed area, topsoil depth 150mm Q30 GENERAL INFO, Q31 GENERAL INFO
  - Shrub planting, topsoil depth 450mm Q31 GENERAL INFO, PLANTING SHRUBS GENERAL INFO
  - Proposed hedge planting, topsoil depth 450mm Q31 GENERAL INFO
  - Proposed bulb planting
  - 450mm depth Prepared Topsoil for Academy Horticulture Q31 GENERAL INFO, PREPARATION
  - Proposed reinforced grass for maintenance access
  - Proposed reinforced gravel stripes in maintenance access
- Proposed Hard Landscaping**
  - Concrete slab paving
  - Concrete sett paving
  - Tarmac/adam refer to Civil Engineers drawings for ballparks
- Proposed Street Furniture / Landscape Feature**
  - Timber bench / picnic table
  - Stepping stone path
  - Litter Bin
  - Potential Location for Artwork / Feature
- Proposed Boundary Treatments**
  - Existing fences / walls to be retained
  - Retaining Wall with Balaustrade, build up to Civil Engineer's detail
  - Proposed 2m feature waistline fencing - to have timber posts and occasional stone panels to match Academy plaza strip
  - Proposed 2m garden fence boundary - details to be confirmed
  - Proposed 2m timber fencing to Sprinkler Tank Enclosure
  - Gates, to match adjacent fencing type

Levels
Existing spot level
Outline proposed spot levels - for detailed levels and drainage see Civil Engineers proposals

**NOTES:**

- All areas of existing soft and hard landscape to be retained shown unhatched.
- For all proposed edging, drainage, materials and building to match existing. Consider existing context.
- Allowance should be made for making good all existing soft and hard areas at interface with new landscape proposals.
- Proposed 2m garden fence boundary - details to be confirmed for bills, copies and water valves to be installed as per ecological recommendations.

Project No. Landscape Layout Plan	
Client: Marsh Academy	Drawn No. CHL51195
Client: Marsh Academy	Drawn No. 27113523
Client: Marsh Academy	Drawn No. 27113523
Client: Marsh Academy	Drawn No. 27113523
Client: Marsh Academy	Drawn No. 27113523
Client: Marsh Academy	Drawn No. 27113523
Client: Marsh Academy	Drawn No. 27113523

Rev	Date	Description
01	14/03/21	Final hard landscape
02	14/03/21	Revised to provide for drainage to play area
03	14/03/21	Revised to provide for drainage to play area
04	14/03/21	Revised to provide for drainage to play area
05	14/03/21	Revised to provide for drainage to play area
06	14/03/21	Revised to provide for drainage to play area
07	14/03/21	Revised to provide for drainage to play area
08	14/03/21	Revised to provide for drainage to play area
09	14/03/21	Revised to provide for drainage to play area
10	14/03/21	Revised to provide for drainage to play area
11	14/03/21	Revised to provide for drainage to play area
12	14/03/21	Revised to provide for drainage to play area
13	14/03/21	Revised to provide for drainage to play area
14	14/03/21	Revised to provide for drainage to play area
15	14/03/21	Revised to provide for drainage to play area
16	14/03/21	Revised to provide for drainage to play area
17	14/03/21	Revised to provide for drainage to play area
18	14/03/21	Revised to provide for drainage to play area
19	14/03/21	Revised to provide for drainage to play area
20	14/03/21	Revised to provide for drainage to play area





**Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399**

**EAST ELEVATION E02**

**Planning Application**

Rev	Drawn	Date	Description	By	Check	Date	Description	By	Check	Date
1	JM	14/05/11	Design update following a letter regarding 11/03/11							
2	JM	23/05/11	Design update following a letter regarding 11/03/11							
3	JM	23/05/11	Design update following a letter regarding 11/03/11							
4	JM	03/04/11	Issued for Planning							

Project Name		Reference	
Inclusion and Family Centre		SH/11/399	
Marsh Academy		SH/11/399	
Marsh Academy, Station Road, New Romney, Kent, SA10 3JH		SH/11/399	
Architect: Seymour Harris Architecture		SH/11/399	

Rev	Drawn	Date	Description	By	Check	Date
1	JM	14/05/11	Design update following a letter regarding 11/03/11			
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**Proposed Inclusion and Family Centre at Marsh Academy, Station Road, New Romney – SH/11/399**

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**Background**

2. The John Southlands Community Comprehensive School, which is now named Marsh Academy, was established on the site in the 1950s. As part of the Kent Academies Programme, planning permission was granted for the redevelopment of the Academy site in 2009. The planning application was determined under delegated powers, and consisted of a new teaching block, outdoor sports facilities, parking, access and circulation routes. The new teaching block is due to be completed in 2012, and replaces single storey 1960s prefabricated school buildings which have reached the end of their lifespan. The new block will house the school's main teaching, administration, dining and ancillary areas, and is located between the existing Leisure Centre and the Arts Block. The proposed Inclusion and Family Centre is proposed to be located to the north of the Arts Block and to the west of the new block currently under construction. The proposed site is currently being used to house the construction compound associated with the works on site.

**Proposal**

3. This application has been submitted by the Marsh Academy, and proposes the construction of an Inclusion and Family Centre, along with 2 car parking spaces and 2 minibus parking spaces, and associated access and landscaping. In brief, the application comprises the following:

- The erection of a new building with a gross internal floor area of 1025m<sup>2</sup>;
- New car parking provision for the use of disabled users of the facility only, as well as by emergency vehicles when necessary;
- All associated landscape works.

The building is proposed to provide facilities for existing pupils during school hours, for teenagers and young people outside of school hours, and for the wider community including parent support. The two storey building is proposed to accommodate the Academy's uses on the ground floor, and community uses on the first floor, although the entire building could be used by the Academy when necessary. Separate access points would differentiate the two primary uses of the building, and ensure that the publicly accessible areas are kept secure from the Academy.

4. The centre would be able to accommodate a maximum number of 30 pupils on the ground floor, and 60 visitors to the first floor at any one time. The accommodation would consist of the following:

Ground floor – 542m<sup>2</sup>

- A suite of general teaching rooms, one-to-one rooms and administrative spaces to the perimeter of the building;
- A seclusion classroom with its own dedicated entrance and WC;
- A central breakout area;
- An internal courtyard; &
- Other support and ancillary facilities such as WCs and stores.

First Floor – 483m<sup>2</sup>

- A suite of general teaching rooms, one-to-one rooms and administrative spaces to the perimeter of the building;
- A central unbroken breakout space with reception and IT points;
- A kitchen and dining area; &
- Other support and ancillary facilities such as WCs, circulation spaces and stores.

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5. It is proposed that there would be two distinct and separate entrances on the ground floor. The main entrance for the Academy would be on the eastern elevation, controlled from an office located adjacent to the entrance. The location of the pupil entrance would ensure easy access from all other parts of the Academy, and is directly linked to paths linking back to the new student plaza. Members of the public would access the building either from a new pedestrian access gate proposed on Station Road, or from the dedicated car park, which is designated for use by disabled users of the facility only. The main entrance for members of the public would be located on the north elevation, from where the facilities on the first floor could be accessed using either the lift or staircase provided. The applicant advises that there would be no opportunity for members of the public to access the ground floor, or visa versa for the Academy, unless expressly planned and managed.
6. The ground floor accommodation would be used by the Academy to facilitate the delivery of education to the Academy's more "difficult" pupils. The concept behind the building and the internal layout is not to exclude these pupils, but educate them in a nurturing environment. Windows on the southern classrooms have been purposely kept narrow to focus occupant's concentration on the activities within the room rather than out. To increase the natural daylight to these rooms, rooflights would be provided. In addition, in order to bring in natural daylight and animate an inward looking space, a courtyard open to the elements has been introduced at the heart of the building, adjacent and connecting to the breakout area. The courtyard would be landscaped and could be used for some teaching activities.
7. On the first floor, the facilities would primarily be used to deliver teaching and learning during the school hours to the Academy's Special School partners, and would be used out of hours by local groups. Entry to the first floor would be via the entrance on the northern elevation, to ensure access is managed and controlled. An open plan kitchen and dining area is proposed to the northern side of the building, with the northern wall glazed to allow far reaching views across the site and wider landscape, but not into the Academy buildings. Discrete rooms would be provided to the southern side of the building, allowing most of the first floor to be open plan. In order to provide light to the central space, a large void would be cut into the floor plate, with full height glazed walls on all sides. In turn, this void would provide light down into the courtyard on the ground floor. The applicant advises that the glazed walls would be treated to ensure that it would not be possible to look down into the courtyard space below, maintaining the security of the Academy pupils.
8. The applicant advises that the proposed building has been designed to respect its surroundings, both in terms of built form and landscape. All the existing buildings on site are of two storey construction, as is the proposed Inclusion and Family Centre. However, the difference in the sites ground level and Dymchurch Road is approximately 3.5 metres, making the first floor of the building virtually at the same height as the road. The applicant advises that the new building would be contemporary and sleek in nature, in line with the new block currently being constructed, whilst still making reference back to the site's historic surroundings.
9. Essentially the building would be formed from two boxes, the lower of which would be constructed from flint panels or similar, and would be solid in nature, grounding the building into the landscape. The upper 'box' would be clad in a light render, with glazing and coloured render and cladding panels to the east and west elevation to visually lift the building. The applicant advises that the colours would be derived from the landscape, perhaps autumnal hues of browns and bronzes. The two 'boxes' would be subtly separated from each other by a channel running around the entire building, which

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would be painted dark grey. In addition, the floor plates of the two 'boxes' would not align, so that the first floor would overhang the ground floor wall on the eastern elevation, and would be pulled back from the wall on the southern elevation. In addition to being a design feature, this opens up an area of the ground floor roof so that roof lights can be incorporated to provide light into the classrooms below, and creates a canopy area above the student entrance on the east elevation.

10. The existing service vehicle access point from Dymchurch Road would be upgraded to facilitate access for vehicles carrying disabled passengers and also for emergency vehicles. A new secure gate would be installed and junction visibility splays adjusted to comply with current standards. A ramped road would lead down into the site, with retaining walls on either side to enable retention of trees, and an adjoining sub-station building. A new tarmac car park is proposed, to provide 2 dedicated car parking spaces and 2 mini bus spaces to serve the centre. This vehicular entrance and car park would only be available for use by cars and mini-busses bringing disabled people to the site, and service vehicles.
11. A new pedestrian access point is proposed from Station Road, which would be used by members of the public to access the facility out of school hours. This entrance would direct pedestrians along the western elevation of the Art Block to the centre entrance, using an existing fire access path. This route would be secured with fencing from the main academy site, with lighting and CCTV along its length. During the school day, vehicles and pedestrians would access the centre via the main Academy site entrance on Station Road, using the Academy car park if arriving by car. Visitors would be required to report to the Academy visitors' entrance and, thereafter, would be escorted to the centre through the Academy grounds.
12. Mature trees and vegetation form the perimeter of the site with Dymchurch Road. The applicant advises that the final position of the building has taken this into account, with only one tree proposed to be felled. In addition, new tree and understorey bulb planting is proposed to enhance the boundary, creating a 'woodland coppice character' to the perimeter of the car park. A path would link the car park to the building entrance, separated from the 'garden and growing' areas by a 2 metre high fence, which would have planting on either side to soften its appearance. The 'garden and growing' areas would provide seating and social space for use by the community and pupils, as required, and an external allotment for development by the Academy. All existing trees to be retained would be protected during construction works in accordance with BS5837: Trees in Relation to Construction.
13. The building would be naturally ventilated as much as possible, and would rely on natural sunlight to the majority of the internal spaces. The construction of the external walls would be robustly designed and well insulated to limit solar heat gain and retain naturally generated heat. Windows would be high performing and installed to ensure low thermal loss and minimal solar admittance. A BREEAM rating of 'very good' would be achieved.

*The application is accompanied by a Design and Access Statement, Extended Phase 1 Habitat Survey, Tree Condition Survey, Energy Strategy for Marsh Academy, HVAC Services Strategy for Marsh Academy, External Lighting Strategy Statement, Drainage Strategy, Transport Statement and Draft Travel Plan, Archaeological Evaluation, Marsh Academy: Planning Statement, and Marsh Academy Statement of Community Involvement.*

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**Planning Policy**

14. The following Guidance/Statements Development Plan Policies summarised below are relevant to the consideration of the application:

(i) **Planning Policy Guidance and Statements:**

<b>PPS1</b>	Delivering Sustainable Development
<b>PPS4</b>	Planning and Sustainable Economic Growth
<b>PPS5</b>	Planning for the Historic Environment
<b>PPS7</b>	Sustainable Development in Rural Areas
<b>PPS9</b>	Biodiversity and Geological Conservation
<b>PPG13</b>	Transport
<b>PPS23</b>	Planning and Pollution Control
<b>PPS25</b>	Development and Flood Risk

(ii) The adopted **South East Plan 2009:**

<b>Policy CC1</b>	Seeks to achieve and maintain sustainable development in the region.
<b>Policy CC4</b>	The design and construction of all new development will be expected to adopt and incorporate sustainable construction standards and techniques.
<b>Policy CC6</b>	Promotes the creation of sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.
<b>Policy CC7</b>	States that the scale and pace of development will depend on sufficient capacity being available in existing infrastructure to meet the needs of new development. Where this cannot be demonstrated the scale and the pace of the development will be dependent on additional capacity being released or the provision of new infrastructure.
<b>Policy T4</b>	Sets out the approach to parking standards to be taken in Local Development Documents including restraint-based maximum levels of parking provision for non-residential development in line with PPG 13 and provision of adequate secure cycle parking.
<b>Policy NRM2</b>	Water quality will be maintained and enhanced through avoiding adverse effects of development on the water environment.

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- Policy NRM4** Confirms that the sequential approach to development in flood risk areas set out in PPS25 will be followed.
- Policy NRM5** Requires Local Planning Authorities and other bodies to avoid a net loss of biodiversity, and actively pursue opportunities to achieve a net gain across the region.
- Policy BE1** Local Authorities and their partners will use opportunities associated with new development to help provide significant improvements to the built environment.
- Policy S3** States that, local planning authorities, taking into account demographic projections, should work with partners to ensure the adequate provision of pre-school, school and community learning facilities.
- Policy S6** Encourages the mixed use of community facilities, and requires community facilities to be located and designed appropriately.
- Policy W2** Requires development design, construction and demolition which minimises waste production and associated impacts.

***Important note regarding the South East Plan:***

*Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers.*

**(iii) Shepway District Local Plan Review** adopted March 2006:

- Policy SD1-** All development proposals should take account of the broad aim of sustainable development.
- Policy BE1** – A high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Building form, mass, height and elevational details should be considered.
- Policy BE4** – The District Planning Authority require the height, scale, form and materials of new development, including alterations or extensions to existing buildings, to respect the character of Conservation Areas, and the protection of trees, verges and hedgerows which enhance both the setting and character of Conservation Areas.
- Policy BE16** -The District Planning Authority will require development proposals to retain important existing landscape features and make appropriate provision for new planting.

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**Policy U6 -** Development, including proposals involving the raising of land, will not be permitted in areas at risk from flooding, as shown on the Proposals Map, if it would materially increase the risk of flooding elsewhere, unless appropriate flood protection and mitigation measures are proposed and will be carried out, to prevent this occurring.

**Policy SC2 -** The District Planning Authority will grant planning permission for new or improved social and community facilities where the proposal meets set criteria relating to compatibility with surrounding land uses, access, access for disabled people and acceptability on highway, infrastructure and environmental terms.

**Policy LR12 –** Proposals resulting in the loss of playing fields will only be permitted where development would not cause an unacceptable loss in local environmental quality and where it also accords with the following criteria:

- a) Sufficient alternative open space provision exists, or new sport and recreational facilities will be provided.....
- b) The land required is for an alternative educational purpose which cannot reasonably be met in another way.

**Policy CO5 –** Proposals should protect or enhance the landscape character and functioning of Local Landscape Areas.

**Policy CO11 -** The District Planning Authority will not give permission for development if it is likely to endanger plant or animal life (or its habitat) protected under law and/or identified as a UK Biodiversity Action Plan priority species or cause the loss of, or damage to, habitats and landscape features of importance for nature conservation.

**Policy TR12 -** Proposals for new development will only be permitted if provision is made for off street parking in accordance with the current maximum vehicle parking standards.

**Policy TR13 -** Applications for new or expanded school facilities should be accompanied by a School Travel Plan.

**Consultations**

15. **Shepway District Council** has no objection to the application, subject to Kent Highway Services approving the access arrangements. The District Council considers the design to be commendable, and states that the building would sit comfortably in this setting, and would provide a useful facility for the school and the wider community.

**New Romney Town Council** raise no objection, subject to the provision of a small contribution towards the long term costs of running and maintaining the proposed new

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pumping station, and that the access/egress arrangements proposed are applied rigorously.

**The Divisional Transportation Manager** comments as follows:

“I confirm I have no objections to the proposals in accordance with the transport provision being as per the submitted Transport Statement with limited access off Dymchurch Road for 2no. mini buses (and emergency services) and all pedestrian access via Station Road.

Subject to the operation of the site being conditioned in accordance with the Transport Statement, I would not wish to recommend the application for refusal. All works carried out during the construction period must align with the Marsh Academy Construction Management Plan, previously submitted and approved which takes account of parking and access arrangements for site personnel and plant and wheel washing facilities.”

**Environment Agency** has no objection to the application subject to the imposition of conditions regarding contaminated land and infiltration of surface water into the ground. In addition, advice is provided with regard to flood risk, land contamination, drainage, and the storage of fuel, oil and chemicals.

**The County Council’s Biodiversity Officer** has no objection to the application, subject to the imposition of conditions to ensure that the recommendations set out within the submitted Protected Species Reports/Surveys are implemented and adhered to, the protection of nesting birds, and the submission of a detailed report following the examination of the trees and buildings on site to establish if they have any features suitable for roosting bats. The results of the bat survey and any necessary mitigation and enhancement strategies must be submitted for consideration prior to the commencement of development.

**The County Council’s Landscape Advisor** comments as follows:

“I accept the applicant’s description that the site is generally well contained. This containment is provided by a significant number of existing mature trees on a steep bank/embankment rising up approximately 3m to Dymchurch Road which runs along the west boundary, the existing arts block to the south and the mature trees lining the drainage ditch to the east with the substantial new school buildings under construction beyond to the east. To the north of the site is an existing free standing brick wall running east to west beyond which there is an extensive area of level open land comprising playing fields/sports pitches.

The modern style of the building with its clean horizontal lines complements the new buildings in the broader academy site including those under construction. In particular the height and horizontal roofline tie in well with the arts block to the south and give continuity to building style and mass in relation to Dymchurch Road. This is illustrated by the site sections on drawing AP(0)250. I generally accept the applicant's assertion that the design of the building is of a high quality and will make a positive contribution to the visual amenity of the site and in the limited views to the site from Dymchurch Road and the playing fields/sports pitches to the north.

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A small number of existing trees require removal as a result of the development but adequate new planting is indicated in the proposals to mitigate this loss. The landscape proposals indicated in the Design and Access Statement are appropriate and I note that a number of extra heavy trees are proposed. It would be helpful however if an indication was given regarding the proposed future maintenance/management of the soft landscape with some commitment given to the ongoing replacement of any plant material that fails to establish within an appropriate time period, say 3 to 5 years.”

**The County Council’s Lighting Advisor** states that, whilst the application includes a strategy for external lighting, there is no scheme design yet and, therefore, further comment cannot be made. However, the car park should be lit to an average level of 10lux, with a minimum uniformity of 0.25, with flat glass lanterns to avoid upward spill light and glare.

**The County Archaeologist** raises no objection subject to a condition requiring the implementation of a programme of archaeological work, in accordance with a written specification and timetable which should be submitted to, and approved by, the County Planning Authority.

#### **Local Member**

16. The local County Member, Carol Waters, was notified of the application on the 18 April 2011.

#### **Publicity**

17. The application was publicised by an advertisement in a local newspaper, the posting of site notices and the individual notification of 22 neighbouring residential properties.

#### **Representations**

18. To date, I have received 3 individual letters of representation from 2 local residents. A summary of the main issues raised/points made is set out below:

##### Residential amenity

- Local residents would appreciate a fuller understanding of the functionality of the new centre, and its opening hours;
- The proposed opening hours are too long;
- Residents have had to put up with over a year of building work, and now face a further 12 months;
- Top driven piles should not be used in the construction of the proposed centre, as they have been in the construction of the new block. They cause noise and vibration at unacceptable levels;
- Local properties within the Conservation Area cannot even prune a tree without permission. How can further building work be allowed?

##### Highway/traffic implications

- Concerns over the designated site access from Dymchurch Road;



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- Having an additional potential traffic hold-up between the roundabout and the traffic lights at the junction with Station Road, displays disregard for local residents and users of the Dymchurch Road;
- Access from the site is proposed to be predominantly from Station Road. It is questioned whether this would be the case in practice;
- It is not considered that the Dymchurch Road access would be managed properly, causing highway and security problems.

#### General matters

- Alternative sites for the centre within the school grounds should be considered;
- The proposed location of the building is overdevelopment of the site, unsuitable for the type of development proposed, and would remove the balance between open space and built development on site;
- Normal traffic, lorries, motorbikes and frequent sirens of emergency vehicles using Dymchurch Road are hardly likely to create the sort of atmosphere conducive to calm needed by emotionally disturbed young people;
- Where would external service utilities for this building be picked up from? Works on the new build involved road works whilst 'feeds' were put in, and residents would not want this to happen again;
- It is not considered that the local community would benefit from this building;
- The delineation of use between ground and first floor is difficult to understand, has not been thought through, and would not work in practice;
- Construction would cause inconvenience and disruption, including parking difficulties, noise and dirt/dust.

### **Discussion**

#### Introduction

19. This application seeks planning permission for a new build facility for the Marsh Academy, comprising an Inclusion Centre for its pupils and a Family Centre, providing ongoing support for pupils and their families. In considering this proposal regard must be had to the Development Plan Policies referred to in paragraph (14) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include the principle of siting the building in the location proposed, landscape and visual impacts, access and highway concerns, and general amenity matters.

#### The principle of locating the building to the east of Dymchurch Road

20. Although Shepway District Council, and other statutory consultees, have raised no objection to the application, including the proposed siting of the building, local residents on Dymchurch Road have suggested that alternative sites should be considered. It has been suggested that the proposed location of the building is overdevelopment of the site, unsuitable for the type of development proposed, and would remove the balance between open space and built development on site. General amenity concerns are also raised, as are access and highway concerns, and these matters will be considered and discussed later in this report. First, the suitability of the proposed location must be considered, and judged in principle.

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21. It is important to note that the proposed site is existing school playing field, and has not been nationally or locally designated as an area of important landscape (e.g. Area of Outstanding Natural Beauty or a Special Landscape Area). In addition, the site is not allocated as a 'Green Gap' within the Local Plan. The application site is, therefore, not afforded any national, regional or local landscape protection. However, a Conservation Area lies to the south west of the proposed building (see location plan), and the playing fields are protected under Local Plan Policy LR12. The whole of the school site, regardless of the location proposed for this building, is outside of the Local Plan defined settlement boundary, and within an area classed as high risk from flooding.
22. The applicant advises that the proposals for the new facility have arisen out of months of consultation with clients, partners and stake holders in the project. In addition, the master plan for the entire Marsh Academy site was taken into consideration, including the building currently under construction. I am advised by the applicant that at the very start of the design process, three potential locations for the building were identified. In order to understand how the final location, as now proposed, was chosen over the other two possibilities, it is important to understand how the building is intended to function and what it would provide to the pupils of the Academy.
23. The proposed building is intended primarily as a self-contained education facility for the Academy's more disruptive pupils who are at risk of being excluded, as well as supporting those with complicated personal issues, who require counselling not just for themselves, but for their families. For those students, an alternative curriculum would be provided, which necessitates separate teaching spaces from the rest of the pupils in mainstream education. In tandem with this, further rooms of differing sizes are required to respond to counselling requirements for both students and their families. The facility must be provided in a setting and location that does not further stigmatise these vulnerable students. In addition, the facility must be accessible to local children who are vulnerable or have specific educational needs, who currently have to travel to Ashford or Folkestone for the educational support they require. Outside of school hours, the Academy wishes to make the centre available for rent to other groups who may need the use of the kind of spaces within the building, such as adult education and youth groups.
24. Turning back to the issue of location within the site, the uses outlined above generate a number of constraints which influence the siting of the building. First, the Marsh Academy portion of the building, which in this case is the ground floor, needs to be within the secure confines of the school. Students using the proposed facility would register daily in the same way as the mainstream pupils, and would use the communal facilities within the Academy such as dining areas and sports facilities. Should the facility be located on the Station Road side of the site, as residents suggest, it would lie outside of the secure boundary of the Academy. The applicant advises that this would place further stigma on the pupils using the proposed facility, and minimise their time with friends in mainstream education. In addition, staff would have to escort pupils to and from the proposed building, which would be a logistical problem, and an ineffective use of time. Should the building be located outside of the secure boundary, it would also increase the possibility of pupils absconding. I therefore conclude that a building on the suggested Station Road side of the campus would not be fit for purpose, and would not be appropriate when considering the nature of the development.
25. A further site suggested by local residents, and investigated by the applicant, is close to the existing youth centre and leisure centre, to the south of the Academy site, accessed from Station Road. However, the applicant advises that this is the least suitable option for the proposed building as the land is owned by the County Council, and not the

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Academy, and could be sold off by the County Council at some point in the future. The applicant advises that it would be too great a risk to the Academy, and the funding organisation, to place the building in this location only to have it potentially sold off in the future, requiring the demolition of the building and its relocation elsewhere on site. I am satisfied with this argument, and do not consider that building in this area of the site would be appropriate. Other areas within the Academy boundary are precluded as they are approved under the site masterplan to be used for access, car parking, circulation, buildings or sports facilities. Building to the north of the New Romney Open Sewer would also meet with objection as, apart from poor access, a building here would affect playing field provision (protected under Local Plan Policy LR12) and would extend built development on site into the open countryside.

26. In addition to the above, the applicant also considers that the proposed location would provide the most secluded and quiet site within the Academy grounds, which is of great benefit to disruptive and/or vulnerable people. Although the site proposed does not have direct vehicular access from Station Road, a matter which will be discussed later in this report, for the reasons outlined above, I consider that the applicant has considered alternatives within the Academy site, and that the site proposed is the most suitable and fit for purpose. However, the landscape, highway and access, and general amenity matters with regard to the proposed site need to be considered and discussed in detail.

Landscape and Visual Impacts, including the adjacent Conservation Area

27. Having concluded that building to the east of Dymchurch Road is acceptable in principle, the landscape and visual impacts of the development as proposed must be considered and addressed. Although no objections have been raised on these grounds from statutory consultees or local residents, I consider it necessary to briefly consider these matters. With regard to the impact upon the wider landscape and the adjacent Conservation Area, the site is well screened by existing mature vegetation to the west site boundary with Dymchurch Road, aided by a significant level change, and screened by both existing buildings and those currently under construction from the south and east. Only one existing tree is proposed to be removed, and additional planting would be provided as part of the development proposals, further details of which would be provided pursuant to planning condition, should permission be granted. The County Council's Landscape Advisor is satisfied with the indicative landscaping details proposed, including the provision of a number of heavy standard trees, but considers more detail should be provided with regard to ongoing maintenance of the planting. Therefore, should permission be granted, details of a scheme of maintenance for 5 years would be required as part of the detailed landscaping proposals required pursuant to condition.
28. Although the site is well screened, the design of the building needs to be of a high quality and appropriate to the setting. Paragraph 9 of this report outlines the design of the building and the materials proposed, which include render, glazing panels and flint panels. Shepway District Council considers the design to be commendable, and states that the building would sit comfortably in this setting. The County Council's Landscape Advisor considers that the modern style of the building, with its clean horizontal lines, complements the new buildings in the Academy site, including those under construction. In particular, the height and horizontal roof line tie in well with the Arts Block to the south, and give continuity in building style and mass. I consider that the design of the building is of a high quality, reflecting the design of other buildings on site without simply copying them. Although final details of external materials would be required pursuant to condition, should permission be granted, I consider the materials

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proposed at this stage to be of high quality and appropriate for the setting. I consider that the building would have a positive impact on the local landscape in terms of high quality materials and design. Furthermore, I do not consider that the building would have a detrimental impact on the character or appearance of the adjacent Conservation Area and, if anything, would enhance views from Dymchurch Road.

29. However, the proposed vehicular access to the building would be via Dymchurch Road, and although the amenity and highway implications of this will be discussed later in this report, the visual impacts of this access on the character and appearance of the neighbouring Conservation Area need to be assessed. First, it is important to note that the proposed vehicular access would use the route of an existing service vehicle access, which would be upgraded. Visibility splays would be adjusted to comply with current standards, and a new secure gate would be installed. However, the access is already gated, and the gate on the new access would be located further into the site for highway safety reasons. Subject to the imposition of a condition requiring details of the gate to be submitted for approval, including the colour finish, I do not consider that the access improvements would have a significantly detrimental impact on the character and appearance of the neighbouring Conservation Area, or the local landscape in general terms.
30. Subject to the imposition of conditions requiring the submission of a detailed scheme of landscaping, details of fencing, gates and means of enclosure, including the vehicular access gate on Dymchurch Road, and final details of all materials to be used externally, I do not consider that the siting, scale, design or massing of the development would have an adverse impact on the character of the area, including the Conservation Area. I therefore see no reason to refuse the application on these grounds.

#### Highway and Access

31. Local residents have objected to this application on the grounds of access, with the primary concern being use of the access on Dymchurch Road. Residents are concerned that the access would not be managed properly, and that in practice the Dymchurch Road access would be used on a regular basis. As outlined in paragraphs 10 and 11 of this report, the existing service road access point from Dymchurch Road would be upgraded to facilitate access for vehicles carrying disabled passengers and emergency vehicles only. A new pedestrian access point is proposed from Station Road, which would be used by members of the public to access the facility out of school hours. During the school day, vehicles and pedestrians would access the centre via the main Academy site entrance on Station Road, using the Academy car park if arriving by car.
32. It is important to note that the main users of the building during school hours would be Marsh Academy's own pupils and staff for the ground floor element of the building, and Sixth Form pupils from two local Special Schools for the first floor element of the building. Marsh Academy's pupils would enter the facility via the Academy grounds from Station Road, as usual, and could not access the proposed building from Dymchurch Road due to the physical separation of the Academy and community uses of the building by secure fencing, and the internal layout of the building. The Special School users of the public portion of the building on the first floor would be disabled young people and their support staff, who would be transported to the facility by minibus. Only these minibuses would be able to use the Dymchurch Road access during the school day to access the facility. The improved access would lead to a car park, which has space for 2 minibuses and 2 cars (for operational use) only, and from here users can access the building via DDA compliant access paths. There would be no direct

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pedestrian or wheelchair access from Dymchurch Road, only Station Road. The gates on Dymchurch Road would remain closed at all times, and only be opened to allow access for disabled minibuses at prearranged times, and for emergency vehicles when necessary. Out of school hours, any users of the facility would access the building via the pedestrian access on Station Road, parking within the main Academy car park.

33. Shepway District Council raises no objection to this application subject to Kent Highway Services 'approving' the access arrangements. In addition, New Romney Town Council raises no objection subject to the access/egress arrangements being rigorously applied. Kent Highway Services have confirmed that they have no objection to this application, subject to limited access off Dymchurch Road for 2 minibuses and emergency services only, and all pedestrian access being via Station Road. I consider that the applicant has demonstrated that Academy pupils could not access the facility on foot from Dymchurch Road, and community users have a dedicated pedestrian access point from Station Road. I am satisfied that the arrangements proposed would ensure that pedestrians would not use the Dymchurch Road access. In addition, the gates on the Dymchurch Road access would only be opened at prearranged times to allow access to minibuses. All other users of the facility arriving by car would use the main Marsh Academy car park. I consider that, should permission be granted, a condition of consent should be imposed to ensure that the gates on the Dymchurch Road access are locked at all times, unless to allow access to minibuses carrying disabled users to the facility, or emergency vehicles. Subject to this condition, and conditions to ensure that the visibility splays are provided in accordance with the submitted details and access and car parking are provided prior to the first use of the building, that the development would not have an unacceptable impact on the local highway network. I therefore see no reason to refuse the application on these grounds.

#### General Amenity Matters

34. In addition to highway concerns, local residents have also raised concern and objection over general amenity matters such as hours of use, extent of community use, provision of services and disruption during construction activities. These matters will be discussed below.

#### Hours of Use and Community Use

35. As outlined in paragraphs 5-7 of this report, the proposed building has two distinct and separate uses. The ground floor would be used by the Academy and the upper floor by local Special Schools, with use being primarily during the school day between the hours of 0800 and 1500. However, the applicant is proposing use of the facility until 2100 Monday to Friday, and between 0930 and 1800 on Saturdays, Sundays and Bank Holidays. The applicant does, however, state that these hours have been estimated as the amount of use would depend on the number of external organisations or individuals intending to use the facility. It is not intended that the building would be open during all of the hours proposed if there is no need for it. The use of the building would be controlled and scheduled by the Academy, and the facility would not be hired out for parties or social functions. Community use would consist of renting the building to other groups who may need to use the kind of facilities the building would provide, including adult education groups and local youth groups.
36. The applicant advises that the primary purpose of the building is the education of young people and their families. It is not intended as a full time Community Centre, but the building would have facilities that could support the needs of the local community when required. As discussed earlier in this report, the building is well screened from

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Dymchurch Road by existing and proposed planting, is at a lower level than Dymchurch Road which further mitigates any visual impact, and access arrangements are considered acceptable. Subject to the imposition of the conditions outlined above regarding these matters, I consider the hours of use and level of use to be appropriate and acceptable. Therefore, should permission be granted, a condition of consent would limit hours of use to 0800 – 2100 Monday to Friday and 0930 – 1800 on Saturdays, Sundays and Bank Holidays.

External lighting

37. Limited details have been provided with regard to external/security lighting for the development. If permission is granted, it would therefore be appropriate to reserve details by condition so that the type and position of any external lighting can be controlled to ensure any potential nuisance from light pollution can be minimised. Subject to the imposition of that condition, I do not consider that external lighting at the site would have a significantly detrimental impact on the wider landscape and/or residential amenity and, therefore, see no reason to refuse the application on these grounds.

Services

38. Local residents have asked where external services for the building would be picked up from as works on the new build currently under construction resulted in 'road works' whilst feeds were put in. Residents would not wish to endure further road works and disruption. Although this matter is not strictly material in the determination of this application, the applicant has confirmed that electrical supply would be derived from an existing substation located within the grounds of the Academy and that an existing gas meter, terminating on the grassed area adjacent to the proposed car park, would be where the gas supply would be picked up. With regard to the water supply, the applicant has confirmed that a connection maybe required to the street. However, it may be possible for this to be avoided subject to it being possible to connect downstream of the existing meters. However, this cannot be confirmed until further investigations are carried out. I am satisfied, however, that this matter is not material to the determination of this application, and there are no reasons to refuse the application on these grounds.

Disruption from Construction

39. Local residents are experiencing disruption due to the construction activities currently being undertaken on site, and object to further construction activity. Unfortunately, construction activity is an unavoidable negative feature of any development but is necessary for improvements and progress to be made. However, a primary concern is that of piling, as the building currently under construction required over 400 piles which were conventional top driven piles. However, this newly proposed building would only require 75 piles, and the applicant has confirmed that it is proposed to use CFA (Continuous Flight Auger) or similar bore hole piles, which produce very little ground vibration. The piling work could also be completed within a week or so to keep any noise nuisance to the minimum. The applicant advises that the Academy would have direct control with the legal contract with any proposed contractor, and thus could insist on the use of CFA or similar piles. I can confirm that CFA piles have been included within the current cost proposals being developed by the applicant's Quantity Surveyor. In light of this, I consider that the applicant has undertaken all reasonable methods to minimise disruption to local residents whilst piling on site.

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40. Given that there are neighbouring residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction in order to protect residential amenity. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays. It is also good practice on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.
41. In addition, I consider it appropriate that details of a Construction Management Strategy be submitted for approval prior to the commencement of development. The Strategy submitted and approved for the building works currently being undertaken on site would not be applicable to this development as the proposed Inclusion and Family Centre would be constructed upon the Academy's Construction Compound, and a different contractor could be used. I therefore consider that a new document should be submitted. The strategy should include details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures and details of any construction accesses. The provision of such a strategy would also address the conditions required by Kent Highway Services with regards to construction activities. Should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy.
42. In addition to the above, should permission be granted, conditions of consent would ensure that dust, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Pumping station

43. New Romney Town Council raises no objection to this application subject to the provision of a small contribution towards the long term costs of running and maintaining a new pumping station which is proposed in the area. The applicant has advised that the Inclusion and Family Centre's surface water drainage would link into the Littlestone Sewer, which would feed directly to the proposed pumping station on the coast (Shepway District Council planning reference Y10/1121/SH). The applicant has submitted a statement which reads as follows:

"The Marsh Academy ("the Academy") agree, in principle, to make a single one-off payment of £1000.00 (one thousand pounds only) ("the Payment") towards the long term maintenance of the Proposed New Pumping Station at Littlestone Outfall which is the subject of a planning application (Shepway District Council Planning Reference Y10/1121/SH) ("the Pumping Station") subject to the following conditions:

- a) the Payment will be made direct to the Internal Drainage Board or other licensed or approved maintenance body ("the Approved Maintenance Body"), and
- b) the Academy will release the Payment upon receiving written confirmation from the Approved Maintenance Body that the Pumping Station is built, fully commissioned and operational."
44. The County Council cannot enter into a legal agreement with itself, and payments of money cannot be required by planning condition. However, as the applicant has

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submitted this statement, I consider that a condition of consent could ensure that the applicant follows the terms of the statement and, therefore, the payment would be provided if the terms of the agreement are met. Should planning permission be granted, this would form a condition of consent.

Ecology

45. An Ecological Scoping Survey, Protected Species Surveys and a Tree Survey have been submitted in support of this application. The Ecology Surveys conclude that no further survey work is required, but make a number of recommendations which should be followed prior to and during construction works, such as the protection of nesting birds. In addition, a further bat survey, and details of any necessary mitigation and compensation works should be submitted for approval prior to the commencement of development. The applicant is in the process of preparing this document and will submit the required survey in the near future. Subject to the imposition of conditions requiring that the recommendations detailed within the Protected Species Surveys be followed, and the submission of the bat survey and details of any necessary mitigation and enhancement strategies, I do not consider that the development would have an adverse impact upon protected species.

Archaeology

46. The County Archaeologist has concluded that in order to secure the appropriate level of evaluation and mitigation of archaeological potential at the site, a condition of consent be imposed. It is requested that no development takes place until the applicant has secured and implemented a programme of archaeological work, to be undertaken in accordance with a written specification and timetable to be submitted and approved by the County Planning Authority. Therefore, subject to the imposition of the required condition, I do not consider that this proposal would have a detrimental impact on archaeological remains.

Flooding, Drainage and Land Contamination

47. Although the site is classed as an area at high risk of flooding, the Environment Agency raises no objection to this application subject to the imposition of conditions regarding the control of surface water drainage and land contamination. In addition, advice is provided with regard to flood risk, land contamination, drainage, and the storage of fuel, oil and chemicals, and I consider it appropriate to draw the applicant's attention to this advice, should permission be granted. Therefore, I consider that subject to the imposition of the conditions specified by the Environment Agency, and an informative drawing the applicant's attention to the advice provided, the development could be controlled to ensure that it would not result in unacceptable pollution levels, in accordance with the principles of Development Plan Policy.

Sustainable construction

48. The applicant advises that the project would achieve a 'Very Good' rating under BREEAM for schools. The building would include a number of sustainable features and I consider that the applicant has given sufficient information within the planning application to demonstrate how the rating of 'Very Good' would be achieved. I therefore consider it sufficient and acceptable to condition that the development achieve at least a 'Very Good' rating.



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**Conclusion**

49. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies. I consider that, subject to the imposition of appropriate planning conditions, this proposal would not have a significantly detrimental effect on residential or local amenity, the character of the area, the local or wider landscape, or the local highway network. There are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that various conditions be placed on any planning permission, including those outlined below.

**Recommendation**

50. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the applicant to follow the terms of the statement regarding a one off payment to the Internal Drainage Board, or other licensed or approved maintenance body regarding 'the pumping station';
- the submission of details of all materials to be used externally;
- details of all external lighting;
- a scheme of landscaping, including hard surfacing, its implementation and maintenance;
- measures to protect trees to be retained;
- details of fencing, gates and means of enclosure, including colour finishes. This is to include the vehicular access gate on Dymchurch Road;
- no tree removal during the bird breeding season;
- development to accord with the recommendations of the ecological surveys;
- submission of a bat survey, a details of any required mitigation and enhancement;
- implementation of a programme of archaeological work;
- a BREEAM rating of 'Very Good' to be achieved;
- the provision of vehicular visibility splays;
- provision of access, car parking, and circulatory space, prior to first occupation, and subsequent retention;
- the gated access on Dymchurch Road to be locked at all times, and only opened to allow access to minibuses and emergency vehicles;
- car parking on the main Academy site to be available out of school hours to accommodate evening and weekend use;
- hours of use of the facility restricted to 0800-2100 Monday to Friday, 0930-1800 on Saturdays, Sundays and Bank Holidays;
- control of surface water drainage;
- control of contaminated land;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- construction management plan, including access, parking and circulation within the site for contractors and other vehicles related to construction and demolition operations;
- measures to prevent mud and debris being taken onto the public highway.

## Item D1

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

- Account should be taken of Environment Agency's advice relating to flood risk, land contamination, drainage, and the storage of fuel, oil and chemicals.

Case officer – Mary Green	01622 221066
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Background documents - See section heading
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