

Item D3

Replacement 5 classroom Primary School with Nursery at Common Road, Sissinghurst - TW/07/2426

A report by Head of Planning Applications Group to Planning Applications Committee on 12 February 2007.

Application by Kent County Council Children, Families and Education and the Diocesan Board of Education for a replacement 5 classroom Primary School with Nursery, external hard landscaping and car parking for Sissinghurst Primary School at Common Road, Sissinghurst -. (Ref: TW/07/2426)

Recommendation: Recommend that the application be referred to the First Secretary of State as a departure from the Development Plan, and that subject to her decision, planning permission be granted.

Local Member(s): Mr R. Manning

Classification: Unrestricted

Background

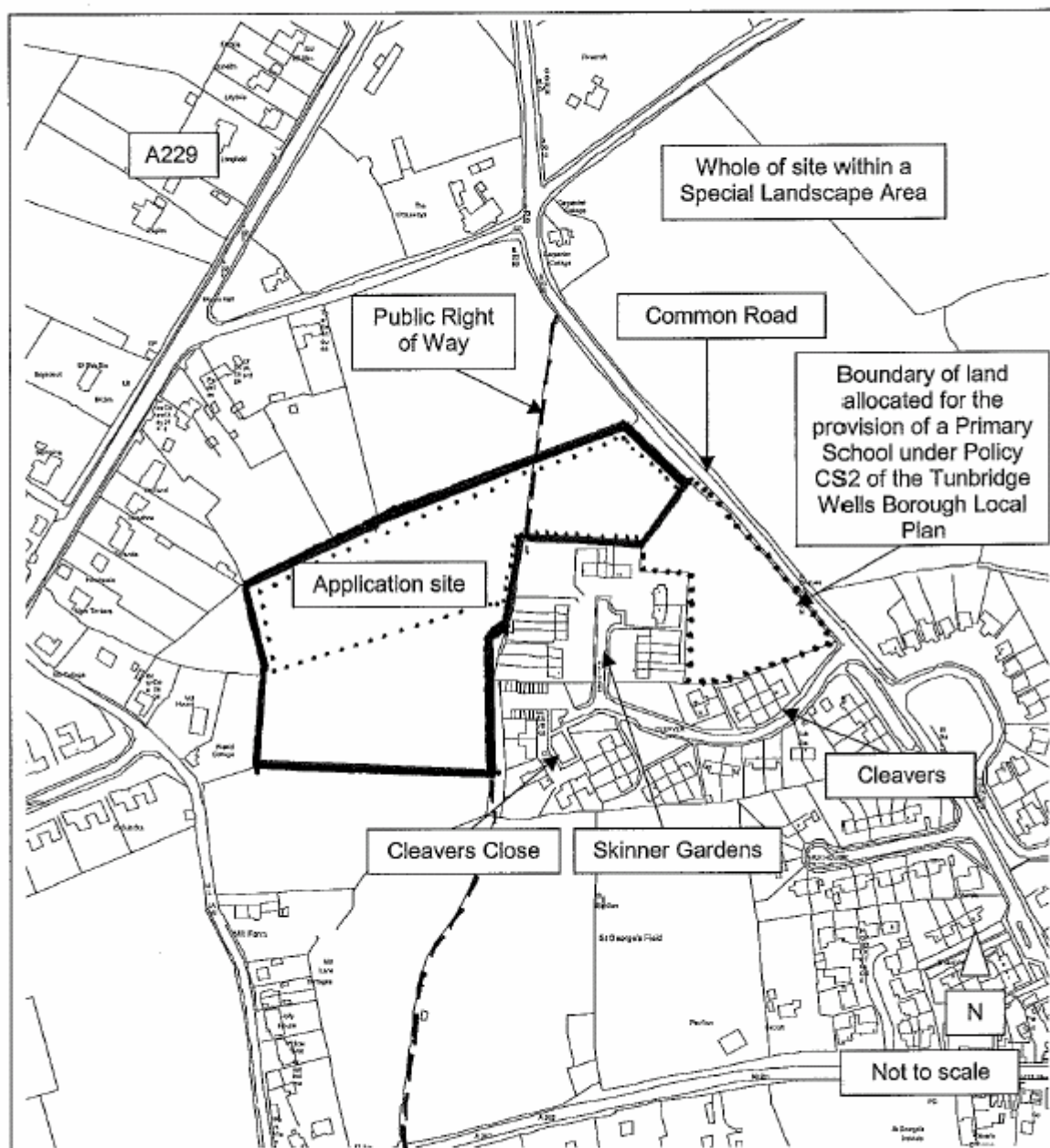
1. Sissinghurst Church of England Voluntary Aided Primary School is currently located in the centre of Sissinghurst village. The original Victorian school building houses a hall, offices, library, toilets, kitchen, Special Educational Needs room and staffroom, all of which are below current standards and areas required for modern teaching. The 5 classes are all housed in temporary mobile accommodation. Pupils therefore have to pass out of the main building to the mobile classrooms throughout the day, compromising health and safety, and security. External hard play areas are well below the standards required for ball games and amenity play. Soft play areas are currently subject to lease agreements and are not within the ownership of the Local Authority or the School, restricting school use of these facilities.
2. Due to the situation illustrated above, the Governors of the School and Kent County Council Children, Families and Education have deemed it appropriate to replace the school with a 5 classroom Primary School in purpose built accommodation on a new site within the village. An application for the replacement school was submitted in July 2006, but was later withdrawn due to design, highway, ecological and arboricultural concerns, and due to objections to the diversion of a Public Right of Way. The latest application was submitted in June 2007, and will be discussed throughout this report.

Site

3. The proposed site for the replacement school is located on the outskirts of Sissinghurst Village, and is a greenfield site. The site would be accessed from Common Road, and lies to the north west of Sissinghurst. The application site is overgrown pasture/meadow with mature trees to the boundary, and many saplings of various ages located throughout the site. The site is bounded by residential properties in parts, especially properties in Cleavers & Skinner Gardens to the south east, and Mill Lane & the A229 to the west. Fields or grassland bound the remainder of the site. The whole of the site is located within a Special Landscape Area, and a Public Right of Way runs across the site. Part of the application site is allocated for the provision of a New Primary School within the Tunbridge Wells Borough Local Plan, adopted 2006. However, the application site omits part of the Local Plan designated area, and includes an area to the south which is not designated within the Local Plan. Therefore, this application has been advertised as a departure to the Development Plan. A site plan is attached.

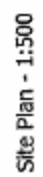
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Site Location Plan



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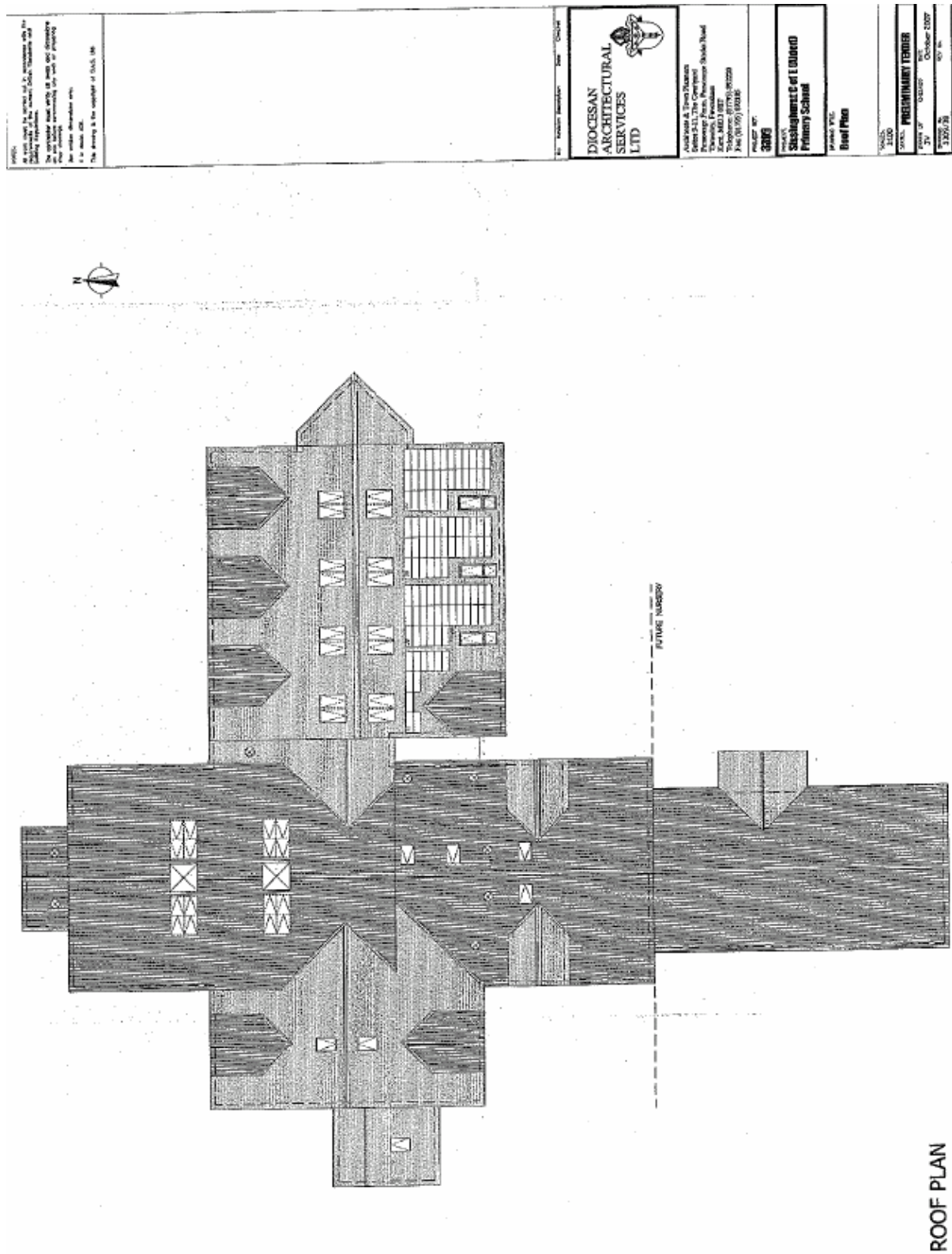
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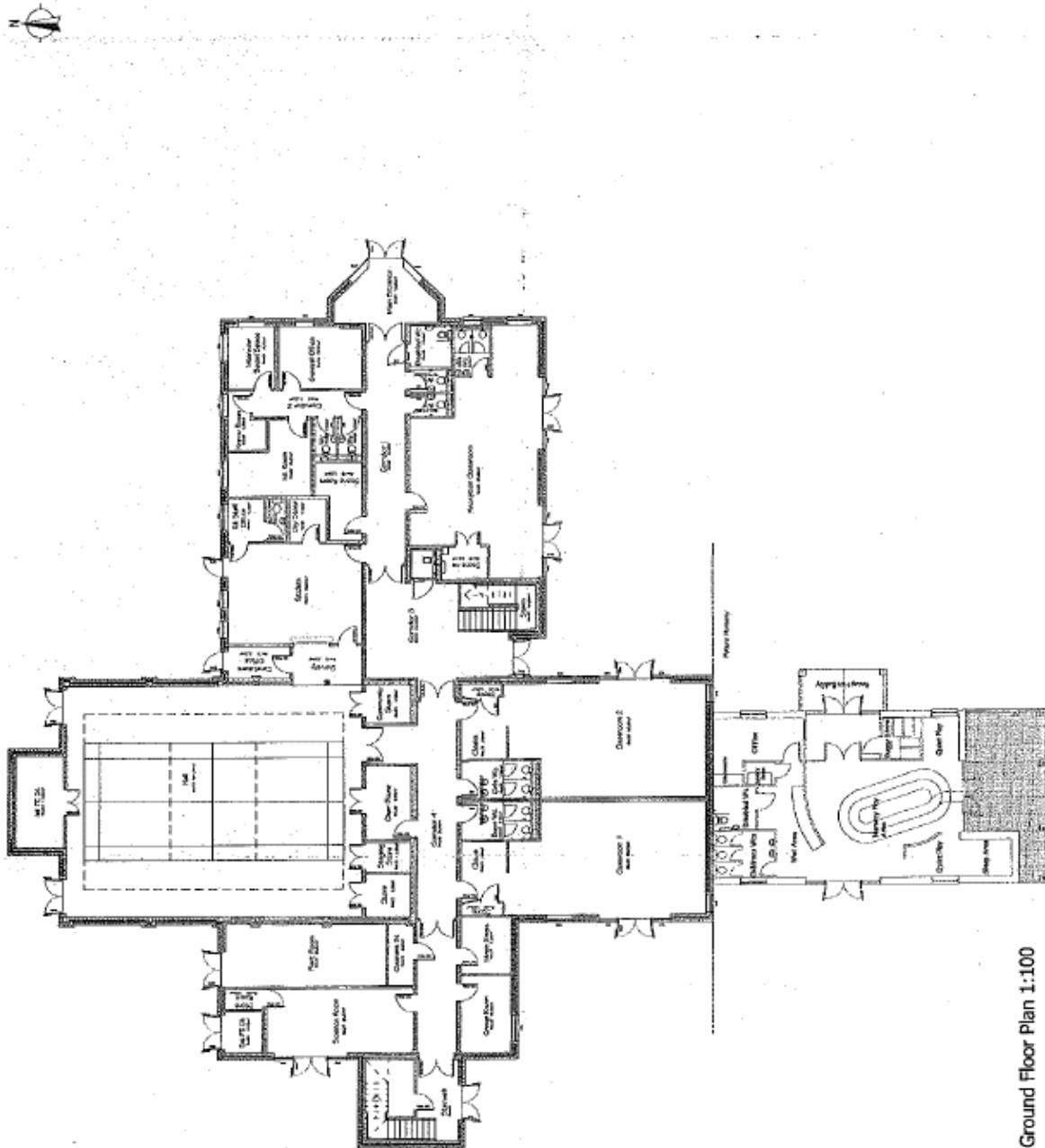
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ROOF PLAN

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<p>As work progresses, the contractor shall be responsible for the safety of the site and the safety of the public. The contractor shall be responsible for the safety of the site and the safety of the public. The contractor shall be responsible for the safety of the site and the safety of the public.</p>		<p>Diocesan Architectural Services Ltd Architects & Town Planners 100, The Old Rectory, Sissinghurst, Kent, TN20 7JH Tel: 01795 532222 Fax: 01795 532223</p>		<p>Project No: 2009 Sissinghurst C of E (Infant) Primary School</p>		<p>Ground Floor Plan Scale: 1:100 Date: 12/01/2007</p>	
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Proposal

4. This application has been submitted by Kent County Council Children, Families and Education and proposes a replacement 5 classroom Primary School with nursery, external hard landscaping and car parking for Sissinghurst Primary School, at Common Road, Sissinghurst. The development would involve the erection of a traditionally constructed school building, comprising administration areas, a main hall, kitchen, and five classrooms for 137 pupils ranging from 5 to 10 years of age. A second floor would accommodate a staff room, library and IT suite, additional toilets and access to a gallery overlooking the main hall. The nursery is a separate entity to the main school building, and could be built at a later date than the school due to funding restrictions. It is, however, to be determined as a part of this planning application. It is also envisaged that part of the school would be accessible for community use outside of normal school hours.
5. Externally, it is proposed to provide informal play areas, a habitat area, a grass games pitch, hard surfaced games courts and a swimming pool. The games courts/pitches would not be floodlit, but the games courts would be fenced with 3 metre high ball stop fencing. The proposed swimming pool would be an uncovered outdoor pool, with perimeter timber palisade security fencing at 1.2 metres high, with a lockable gate. A pond and habitat area is proposed to the south of the site, which would incorporate biodiversity enhancement measures. In addition, the land in the ownership of the County Council is larger than that of the red line development. A parcel of land to the south of the site would not be developed, and would be outside of the fenced boundary of the school, and would not be used for School activities.
6. Access to the new school, both pedestrian and vehicular, would be via a new access from Common Road. A footpath would be constructed to link the new access with the existing footpath at 'Cleavers'. 34 car parking spaces would be provided, 4 of which would be allocated for disabled parking. The car park is designed to be circulatory in nature, with a one way system, and 7 further car parking spaces would be allocated for pick up and drop off. When not in use by visitors/members of staff, the car park would be locked to prevent unauthorised use and trespass. Low level lighting, approximately 1 metre from ground level, is proposed, which would be under the guidance and management of the School. It is expected that a lighting system that would automatically come on when light levels fade and turn off at a time set by the School would be used. When they are switched off, any movements would activate individual lights thereby increasing site security.
7. The school roll is not expanding at this point in time and the need for the new accommodation is not as a result of increased numbers, moreover it is a result of the substandard existing accommodation.
8. Initially it was proposed to divert the Public Right of Way to follow the site boundary to the east, cross the new school entrance from Common Road and then rejoin the existing alignment to the north of the site. This met with objection and was therefore amended throughout the determination process. As a result, the Public Right of Way would not be diverted as a result of this application and would cross the school site. The Public Right of Way would remain to the east side of the boundary fence, and then cross the car park, where it would be fenced to the east and west. The footpath would essentially cut the site in half, with the school and associated facilities to the west of the path, and car parking to the east. Lockable gates would be incorporated within the fencing to allow access to the school.

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9. The applicant advises that the scale of the development has been dictated by the needs set out within the DfES guidelines, and that the layout of the development in terms of locating car parking, buildings, playgrounds and playing fields, is the most practical. For example, access to the site is only available from Common Road and, therefore, car parking and turning areas need to be adjacent to this access, on the eastern side of the site.
10. The proposed building has been designed to be as environmentally friendly as possible. This includes natural ventilation, natural lighting, solar heat collectors and, where practical, materials which are not harmful to the occupants or the environment in their use or production. A number of sustainability issues have been incorporated into the development, including rainwater harvesting, thermal mass passive heating, sun pipes and photovoltaic cells.
11. The applicant advises that the building has been designed with the 'idiom of the local village and surrounding areas in mind'. Steep pitched roofs, bricks of a local character and other cladding materials have been selected to reflect local architecture. Proposed materials include hand made clay tiles, weatherboarding, black aluminium rainwater goods, hardwood windows and doors and red colour facing brickwork.
12. In terms of the architectural language of the floor plans, the design has been laid out in a sequential manner; entrance, administration area, Reception year, hall, Key Stage 1 and Key Stage 2, based around a linear building design due to site influences. The principal elevations are the South and East. The southern façade, which faces the larger extent of the playing areas, is a key elevation, and in the applicant's opinion, the classrooms to the south elevation are an essential visual link in terms of their connection to the children within the playground. This site dictates the positioning and orientation of the building, thus creating a gabled front to the eastern façade, which welcomes visitors to the building. The two storey, primarily glazed, front entrance to the building is unique to the shape of the rest of the building, projecting it as the principal entrance.
13. By positioning the Head Teacher's office, staffroom, IT suite, library and other spaces in the otherwise unused roof void, the footprint of the building is kept to a minimum.
14. In respect of wider community use, the applicant suggests that it would be very irresponsible to design a school building with facilities such as a hall, kitchen, IT suite, Library etc and to not enable the public to use the facilities out of school hours. In addition, the applicant feels that presence of people on site out of school hours would ensure that vandalism and the like was kept to a minimum.
15. A number of ecological surveys were submitted with the application, which suggest that a number of protected species are present on site. Mitigation and enhancement measures have been submitted where necessary.
16. The applicant states that all trees to be removed are small sapling trees within the centre of the site, which, where possible, would be replanted elsewhere on site. The existing boundary planting is to remain, apart from where site access is required. It is the applicants intention to provide a secure boundary fence, although this is to be installed in a sensitive way and would only be fitted where breaches in the overgrown boundary are likely. The applicant advises that at this time the exact location of fencing is difficult to ascertain as the site itself is very overgrown and these areas cannot be reached. The type of fencing proposed is a 2 metre high weldmesh fence. The front entrance to the school would have black metal railing fencing to either side of the Public Right of Way,

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with gates hung from brick piers with stone copings. This would give the front of the school a formal appearance.

Reduced copies of the submitted drawings showing the site layout, floor plans and elevations are attached.

Planning Policy

17. The Development Plan Policies summarised below are relevant to the consideration of the application:

(i) **The Kent & Medway Structure Plan: Adopted 2006:**

Policy SP1 - Seeks to conserve and enhance Kent's environment and ensure a sustainable pattern of development.

Policy QL1 – Seeks to conserve and enhance the environment through the quality of development and design. Developments, individually or taken together, should respond positively to the scale, layout, pattern and character of their local surroundings.

Policy QL7 - Where important or potentially important archaeological remains may exist, developers will be required to arrange for archaeological assessment and/or field evaluation to be carried out in advance of the determination of planning applications.

Policy QL12 -Provision will be made to accommodate additional requirements for local community services. New community services will be located where they are accessible by walking and cycling and by public transport from the area they serve. Wherever practical they will be located in town, district or local centres.

Policy QL17- The Rights of Way network will be protected and enhanced.

Policy EN1 - Kent's countryside will be protected, conserved and enhanced for its own sake. Development in the countryside should seek to maintain or enhance it.

Policy EN5 – The primary objective of designating Special Landscape Areas is the protection, conservation and enhancement of the quality of their landscapes, whilst having regard to the need to facilitate the social and economic well-being of the communities situated within them.

Policy EN8 - Wildlife habitats and species will be protected, conserved and enhanced. Development likely to have an adverse effect, directly, indirectly or cumulatively, on important habitats or species, will not be permitted unless the adverse impact on an important nature conservation resource can be adequately mitigated and/or compensated.

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Policy EN9 - Tree cover and the hedgerow network should be maintained. Additionally, they should be enhanced where this would improve the landscape, biodiversity, or link existing woodland habitats.

Policy TP3 - Local Planning Authorities should ensure that development sites are well served by public transport, walking and cycling, or will be made so as a result of the development. Travel Plans should be established for larger developments that generate significant demand for travel to promote the use of these means of transport.

Policy TP19 - States that development proposals should comply with vehicle parking policies and maximum standards adopted by the County Council.

Policy NR5 – The quality of Kent's environment will be conserved and enhanced. This will include the visual, ecological, geological, historic and water environments, air quality, noise and levels of tranquillity and light intrusion.

(ii) **Tunbridge Wells Borough Local Plan (2006):**

Policy EN1 - Seeks all proposals to be compatible in nature and intensity with neighbouring uses and not cause significant harm to character and amenities of the area in terms of daylight, sunlight, privacy, noise or excessive traffic generation. Seeks the design of the proposal to respect the context of the site and not cause significant harm to residential amenities.

Policy EN10 -Where permission is to be granted for development resulting in the damage or destruction of archaeological remains and the developer has not entered into a planning agreement, or made equivalent arrangements, for the excavation and recording of the remains and the publication of the results, conditions will be attached to the permission to ensure that no development takes place until this work has been carried out.

Policy EN14 - Development proposals that would affect a Site of Special Scientific Interest or the habitat of a protected species will only be permitted where it would have no detrimental effect on the nature conservation or geological interest of the site.

Policy EN27 - Within the High and Low Weald Special Landscape Areas, but outside the boundary of the High Weald Area of Outstanding Natural Beauty, development proposals will only be permitted where they would cause no significant harm to the important landscape character of the area.

Policy TP1 - Proposals for large-scale non-residential development will be required to be accompanied by a Transport Assessment and a Travel Plan to demonstrate the adequacy of transport infrastructure to serve the development. Where adequate

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transport infrastructure is not available to serve the development, the Local Planning Authority will seek the provision of, or contributions towards, appropriate measures which will address the identified inadequacy and which assist walking, cycling, public transport, other highway improvements and/or Park and Ride provision. Transport Assessments and Travel Plans should also accompany development proposals for new or significantly expanded schools.

Policy TP4 - Seeks new development to be located where the road hierarchy has adequate capacity to cater for the traffic which would be generated by the development, and not compromise the safety and free flow of traffic or for other road users. Seeks a safely located access with adequate visibility.

Policy TP5 - Vehicle parking in connection with development proposals will be restricted to the maximum necessary having regard to local highway conditions. Kent County Council's Vehicle Parking Standards, adopted by the Council, will be applied to such development proposals.

Policy CS2 - The Local Planning Authority allocates land for primary school provision at the following locations and will refuse proposals for development which would compromise the implementation of the school proposal:

- 1 Land off Carriers Road, Cranbrook for Cranbrook Primary School (extension of existing school field site); and
- 2 Land off Common Road, Sissinghurst for Sissinghurst Church of England Primary School.

Consultations

18. Tunbridge Wells Borough Council: raises no objection to the proposal subject to the imposition of a number of conditions concerning matters such as external materials, landscaping and fencing, tree protection, hours of working during construction, provision of parking, footway and visibility splays, community use, School Travel Plan and internal and external lighting.

Cranbrook Parish Council: raise's no objection to the application but express concern that no footpath is proposed from the north of the site, i.e. the A229, to enable children to safely walk to school.

The Divisional Transportation Manager: considers that a Grampian style condition be imposed to the effect that the school shall not be brought into use until such time as a revised speed limit has been introduced which extends the 30mph restriction to the north-west of the proposed school entrance. The precise details of how far it needs to be extended and what other measures might need to accompany such a change, can be agreed during the approval process.

It is emphasised that all costs involved in promoting and implementing this change will need to be borne by the applicant. If and when permission is granted for the new school, the applicant would then need to make a formal submission to extend the limit

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and, in so doing, must agree to pay all costs involved in processing/implementing the proposal.

In addition, the following conditions are recommended:-

- The car parking layout is satisfactory and a condition should be applied to ensure its provision and retention for that purpose.
- To ensure that the car park/drop off area is available to parents, a condition should be imposed requiring the School to allow parents, etc. to enter the site for the purposes of picking up and setting down children during school times - this would be to avoid situations that have arisen elsewhere with school staff preventing parents from entering school sites in vehicles. The consequence of not allowing access would be to create unacceptable hazards on the public highway.
- At least 3 secure cycle parking spaces should be provided somewhere within the site, and this provision should be conditioned.
- The visibility splays of 90m x 2.4m x 90m shown at the access should be provided and maintained at a height of 600mm.
- The new access road should be surfaced in a bound material and the surface water drainage shown should be provided and maintained to ensure that surface water does not run off onto the highway from the site.
- There should be no gates erected within 5.5m of the public highway.
- The off site works involving the provision of a footway along Common Road to link to the existing should be completed prior to the school's opening. The footway thus provided should be available for the public to use, preferably being adopted as part of the publicly maintainable highway. This will require approval from and agreement with Kent Highway Services.

In addition, the Divisional Transport Manager raises concern over the spur road within the site, which is designated for refuse collection and deliveries but has a relatively limited area shown for turning. However, the Divisional Transport Manager confirms that this would not be a reason for an objection to be raised since it is an internal safety issue not directly affecting the public highway.

Natural England: has no comments to make at present in relation to this application subject to the inclusion of a number of conditions and recommendations. The recommendations made within the submitted Ecological Scoping Survey, Bat Survey, Botany Report, Ecological Survey Report, Invertebrate Report and Amphibian & Reptile Survey must be adhered to and conditions should specify this.

A detailed mitigation strategy must be submitted pursuant to planning condition prior to commencement of any works which may affect dormice or their habitat. This must also be undertaken for reptiles and their habitat.

The submission of biodiversity enhancement measures, and long term habitat management, is also recommended. A management plan and monitoring programme should be produced for all habitats and species affected by this application.

It is also recommended that an informative is appended to any consent which states that should Great Crested Newts be found within the application site prior to, or during works, then works must stop immediately and Natural England be contacted.

The County Biodiversity Officer: raises no objection to the proposal subject to the imposition of a number of conditions. The area to the south of the site, which is to be excluded from the development site, must be managed, and an enhancement strategy

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must be submitted. Compensation planting (trees and hedgerows) should be provided through the planting of native, local provenance species, designed to maximise connectivity and enhancements throughout the site, and this should form a condition of consent. A condition to create a mitigation, management, monitoring and enhancement plan for the site must be placed on any planning permission.

The recommendations made within the submitted Ecological Scoping Survey, Bat Survey, Botany Report, Ecological Survey Report, Invertebrate Report and Amphibian & Reptile Survey must be adhered to and conditions should specify this.

A protected species licence for dormice is needed, and a mitigation method statement and compensation and enhancement strategy should be required under planning condition.

A mitigation, monitoring and management method statement with regards to Common Lizards and Grass Snakes must be produced and submitted for approval.

No badger setts were found, but badgers have been recorded using the site. Details of mitigation measures, such as mammal ladders, should be submitted under planning condition.

Any work that affects possible bird nesting sites should be undertaken outside of the bird breeding season, and this should be a condition of consent.

It is also recommended that an assessment of trees to be removed to determine their potential to support bats should be undertaken prior to determination.

The County Landscape Advisor: comments as follows:

“Whilst the building layout, fencing, paving proposals and tree protection proposals are generally acceptable in landscape terms, I do still have concerns on the scheme in respect of the impact on the hedgerow and trees caused by the footway provision on Common Road. These could possibly be resolved through the use of a low retaining wall to avoid damaging the root systems, but it is not clear from the drawings how the changes in level will be accommodated. That could be addressed through a condition, but we should definitely ensure that further details are submitted to ensure that the vegetation is retained.

In respect of other issues, such as detailed planting proposals and future management, these could be adequately addressed through the usual conditions.”

The County Conservation & Design Architect: raises no objection to the proposal, and states that following design amendments submitted by the applicant, that the application is an improvement on that originally received. Conditions are requested regarding external materials, including specifying that the roof tiles are made by Keymer. It is also requested that the eastern boundary of the school be treated with an appropriate railing, such as hoop top. Details of fencing types and colour finishes should be submitted pursuant to condition.

It is also noted that there is a discrepancy in the number of solar panels on the site plan when compared to the elevations. It is assumed that the elevations are correct, as the reduced number is more appropriate to the size of the roof.

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The Environment Agency: raises no objection subject to the imposition of conditions and informatives regarding land contamination, drainage, tree felling, storage of fuel, oils and chemicals, and water conservation.

Public Rights of Way Officer: comments as follows:

“If planning consent is granted, it maybe necessary to temporarily close the path to ensure public safety during the development. A temporary closure would be processed by Kent County Council on the basis that:

- The closure is paid for by the developer;
- The duration of the closure is kept to a minimum;
- Alternative routes will be provided for the duration of the closure; and
- Six weeks notice of the requirement of a closure is given by the developer;”

The Ramblers: express concern over the proposed diversion of the Public Right of Way.

The diversion of the Public Right of Way is no longer proposed. The Ramblers have been consulted on the amended plans and no further comments have been received to date.

The County Archaeologist: requests that a condition be placed on any grant of planning permission requiring the securing of the implementation of a programme of archaeological work, in accordance with a written specification and timetable, which shall be submitted for the written approval of the County Planning Authority.

Local Member

19. The local County Member, Mr R. Manning, was notified of the application on the 16 July 2007.

Publicity

21. The application was publicised by the posting of 2 site notices, advertisement in a local newspaper, and the individual notification of 46 nearby properties.

Representations

22. Six letters of representation have been received to date. The main planning comments/points of concern and objection can be summarised as follows:

- Need for the school, and the location of it, are understood. However, the scale of the development is questioned and considered disproportionate to need;
- The need for a new school is questioned;
- The building is likely to be intrusive, being excessively high and located at a high spot in the village;
- The design of the building is questioned;
- The school land and environs seem over extensive, whilst being wasteful of the available site, omitting substantial available frontage and land on common road;
- Provision of further playing fields/sports pitches is questioned as facilities are already available within Sissinghurst;
- The development would have a detrimental effect on protected species and wildlife;

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- The development would necessitate the removal of a number of trees, which have naturally regenerated in the site over a number of years;
- Boundary planting and screening must be retained, and where appropriate enhanced with heavy stock planting, some of which should be evergreen;
- Concerned over the creation of a vehicular/pedestrian access on Common Road, and the safety implications of this;
- School traffic would block Common Road, a county road. Sufficient parking must be provided on site;
- Access roads surrounding the site are not suitable to accommodate additional traffic;
- Mill Lane must not be used as an access point;
- Pedestrian access to the site is unsafe, footpaths must be extended to the north and south of the school access;
- Concern over the diversion of the Public Right of Way (no longer proposed);
- Hours of use, especially community use, of the school and its facilities should be restricted;
- External lighting should be strictly controlled and limited;
- Close boarded fencing should be used to attenuate the noise generated by children at play;
- Hours of working, noise and lighting should be limited throughout the construction phase;
- The land has been abandoned for over 30 years, and local residents use the site to access the village, and for recreation purposes;
- The field is important for local drainage and has many ditches;
- The site selected for the school is questioned, and alternatives suggested;

Discussion

23. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (17) above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity. Issues of particular relevance include site selection, scale of development, design, access, trees, ecology, and local residential amenity.

24. Policies SP1 and QL1 of the Kent and Medway Structure Plan & EN1 of the Tunbridge Wells Borough Local Plan, seek to conserve and enhance the environment and require development to be well designed and respect its setting. This is particularly relevant to this site which is within a Special Landscape Area, both of which are subject to policy designations which intend to protect, preserve and enhance the quality of the landscape. However, under Policy CS2 of the Tunbridge Wells Borough Local Plan part of the proposed site is allocated for the provision of a Primary School. However, the site proposed within this application omits an area of allocated land, and includes an area of lane that is not designated for such use. Therefore, this application has been advertised as a departure from the Development Plan and will be referred to the Secretary of State for determination.

Site Selection

25. As outlined above, the proposed site is, in part, designated in the Tunbridge Wells Borough Local Plan for the provision of a Primary School. The need for the existing Sissinghurst Primary School to be replaced is detailed in paragraph 1 of this report, and

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is accepted. The original Victorian School building accommodates administration and office facilities, with all pupils currently being taught in 5 mobile classrooms, all of which are currently well below the sizes and standards required for modern teaching. Health and safety, and security is currently compromised as a result, and external play areas are well below the modern standards for ball games and amenity play. The soft play areas are currently subject to lease agreements and are not within the ownership of the Local Authority or the School. The applicant advises that even if the school roll were to drop considerably, which is not expected, many of the items listed above would still apply. As the existing site no longer appears fit for purpose, the provision of a replacement new build is considered to be the best solution.

26. The proposed site, to the north of the village of Sissinghurst, has been designated for the provision of a Primary School for a number of years, and continues to be when the latest Local Plan was adopted in 2006. The decision to provide the replacement school on this site was led by the Local Plan designation. However, the proposed site omits part of the designated area, along the frontage of Common Road, to the rear of properties in Skinner Gardens and Cleavers, and includes an additional area to the south west of the site, to the rear of properties in Skinner Gardens and Cleavers Close which is not allocated. Therefore, this application is considered to be a departure from the Development Plan.
27. Kent County Council did not own this land and, therefore, needed to purchase the land from the relevant land owners. The County Council attempted to purchase the area of land to the frontage of Common Road that is part of the Local Plan allocation, but not included within the application site. However, the vendor was not prepared to sell. That meant that additional land to the south of the application site had to be included within the area of development, and purchased by the County Council, in order that the site was big enough to accommodate the school and its associated facilities and hard and soft landscaping. Given that the area of land acquired is sufficient to accommodate the current and future needs of Sissinghurst, I am advised that the County Council would not be in a position to proceed with a Compulsory Purchase Order of the land on Common Road.
28. The application site has, therefore, been designed as a result of land that the County Council was able to purchase. Although regrettable that the allocated land to the front of the site could not be acquired, the resultant application site allows a more logical and functional site layout to be provided. Should planning permission granted, however, a parcel of land between the school access and Cleavers would remain undeveloped, and concern is expressed that this would then be made available for some other built development. This land is outside of the ownership of the County Council but, should an application for its development be submitted by the land owner to the Borough Council, it would need to be determined with regard to Development Plan Policies and its location within a Special Landscape Area.
29. The additional land to the south of the application site, which is not allocated within the Local Plan, would be 'land locked' should planning permission for the school be granted. The whole of the proposed school site is within a Special Landscape Area, which policy seeks to protect, conserve and enhance, whilst having a regard to the need to facilitate social and economic well being of the communities situated within them. As will be discussed in more detail below, the site layout would mean that the built development on site would be located within the area allocated for Primary School provision. The additional area to the south is proposed to house playing fields and a conservation area. The openness of this area of the site would be maintained, and the conservation area would protect and enhance existing landscape features. The use of

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the site would facilitate the social and economic well being of Sissinghurst, whilst being sensitive to the site's landscape designation, and site allocation within the Local Plan. I therefore consider that the site proposed for the replacement school is acceptable in principle, subject to further matters to be discussed below.

Scale of Development and Site Layout

30. Having accepted the need for the replacement school, and the site upon which it is proposed to locate the new accommodation, the scale of the development and site layout needs to be considered. Local residents have expressed concern over the scale of the development, considering it to be disproportionate to need, and state that the school land and its environs appear over extensive, duplicating facilities already available within Sissinghurst. The height and size of the proposed school is also questioned, and this will be discussed in more detail later in this report.
31. The applicant advises that the amount of accommodation provided on site, in terms of built development and associated external facilities, is dictated by the needs as set out within the DfES guidelines. As outlined in paragraph 4 of this report, the replacement accommodation would replicate the facilities available at the existing School, but would provide them at a scale that conforms to current standards. I therefore do not consider that the scale of the development proposed is disproportionate to need, moreover, it is a replacement of existing sub standard facilities but at a standard that conforms to current guidelines.
32. The layout of the development within the site follows a logical progression from access, car parking, school buildings, playgrounds to playing fields. In addition, the site layout keeps most of the built development and hard landscaping within the area allocated for the provision of a Primary School within the Local Plan, and playing fields, soft landscaping and the conservation area in the land outside of the allocation. This reduces the impact of the school on the Special Landscape Area and the local landscape in general by following the Local Plan designation as far as practicably possible.
33. With regards to the suggestion that the school's environs are excessive in size, and that facilities are being duplicated, the applicant advises that they are required to follow design guidelines on Church Aided Schools, and wherever possible all playing fields and external play areas are to be situated on the same site as the school buildings. That also has security, health and safety advantages. This site has sufficient space to ensure that this approach can be adopted, and I consider this to be a positive feature of the proposal. The comments made in terms of duplication of the existing village facilities are noted, but these facilities are not in the ownership of the School or the Education Authority and would need to be leased from the owner. That scenario would not improve on the situation that the existing Primary School faces, and would maintain health, safety and security concerns by taking pupils off-site on a regular basis.
34. In light of the above, I consider that the scale of the development is acceptable and would provide the accommodation required by the School, and that the layout of the development is logical giving the constraints of the site. I therefore see no reason to refuse the application on this basis.

Design

35. The design of the school has been subject of much debate and criticism, and has been amended and improved throughout the determination of this application. The County

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Council's Conservation and Design Architect has had an input into the design changes, and is now satisfied with the amendments made. However, local residents have questioned the height of the proposed school, in addition to the general design, and this will be discussed below.

36. The school has been designed to keep the footprint of the built development to a minimum. This has many advantages, but also results in the school having two floors. However, the applicant advises that the building has been designed with the 'idiom of the local village and surrounding areas in mind'. Steep pitched roofs, bricks of a local character, clay tiles and weatherboarding are some of the design features adopted by the architect. The steep pitched roof, by its nature, creates a roof void, and it is proposed to use this otherwise unused space by providing the Head Teacher's office, staffroom, ICT suite and library within the void. The height of the building would not be significantly different if all the accommodation was spread over one floor (due to the steep roof pitch), but the footprint would then have been substantially larger. Local properties are two storey residential dwellings, and the proposed school would not be out of character with these. The ground floor accommodation is laid out in a logical manner, as outlined in paragraph 12 of this report, and the orientation of the building is dictated by the features of the site. I therefore consider the height of the building, and the proposed internal layout, to be acceptable.
37. Externally, a two storey, primarily glazed, gabled front entrance to the eastern façade would project as the principal entrance. The east and south elevations are key to the design of the school, the east being the entrance, and the south facing the larger extent of the playing fields. The south elevation would also accommodate solar panels on the roof, further details of which would be required under planning condition. Solar panels are just one of the sustainable measures that that applicant has incorporated into the design. Natural ventilation, natural lighting (including velux windows to the second floor), solar heat collectors, rainwater harvesting, thermal mass passive heating, sun pipes and, where possible, materials which are not harmful to the occupants or the environment in their use or production are proposed. These are all positive features of the design ethos and are aspects which the County Council is keen to promote in new building design through initiatives such as the Kent Design Guide.
38. As stated above, the County Council's Conservation Architect raises no objections to the proposed design, subject to conditions. The applicant has given details of proposed external materials within the application, as outlined in paragraph 11 of this report. However, to ensure that the materials are of a standard and colour that is acceptable given the sites context and location within a Special Landscape Area, details and samples of all external materials would be required to be submitted and approved under planning condition. High quality materials would be expected, including hand made clay tiles, hardwood windows and doors and aluminium rainwater goods.
39. In addition to the design of the school itself, consideration must also be given to the design of the site as a whole, including hard and soft landscaping and means of enclosure. The applicant advises that it is their intention to provide a security perimeter fence. However, this would be installed in a sensitive manner, and would only be fitted where possible breaches in the overgrown boundary is likely. As the site is currently overgrown, it is difficult to ascertain where these areas are. Therefore, details of site fencing would be required under planning condition, to include details of all means of enclosure and gates, specifying exact locations. The applicant proposes to use a 2-metre high weldmesh fence system, the suitability of which would be assessed when details of the siting of the fencing are submitted pursuant to planning condition. I would, however, ensure that the fencing be finished in dark green or black as I do not consider

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a galvanised finished would be acceptable or appropriate given the nature and location of the site. The applicant also proposes to use black metal railings to the front of the site, to either side of the Public Right of Way, with gates hung from brick piers with stone copings. This is acceptable in principle, but further detail of this would be required under planning condition.

40. In summary, I consider that subject to conditions requiring the submission and approval of details of all materials to be used externally, and details of all means of enclosure, including gates, that the design of the development would be acceptable. In addition, a substantial landscaping scheme would be required under planning condition (to be discussed in more detail below), which would include details of all hard landscaping in addition to soft landscaping. This would cover issues such as surfacing of the car parking area, pathways and playgrounds, and again a high quality finish would be expected. In light of this I consider that, subject to the imposition of conditions, the development is acceptable in terms of design, and would not have a significantly detrimental effect on the character of the landscape. The development would conform with the general thrust of Development Plan Policies with regard to design, and protecting and conserving the quality of the environment and landscape, in particular the Special Landscape Area.

Access

41. The constraints of the site mean that vehicular and pedestrian access can only be gained from Common Road. The applicant advises that the entrance point on Common Road has been sited through discussions with Kent Highway Services and provides the most suitable point of egress on the land owned by the County Council. 34 car parking spaces would be provided, 4 of which would be allocated for disabled parking. The car park would have a circulatory one way system, with 7 further car parking spaces allocated for pick up and drop off. The divisional Transportation Manager has no objection to the access point, or the car parking, subject to a number of conditions. With regard to the car parking, this should be provided and available for use prior to first occupation of the school, and thereafter be maintained, and the pick up/drop off should be available to parents during school times. At least 3 cycle parking spaces should be provided within the site, and the access should be surfaced in a bound material. Should planning permission be granted, these would be conditions of consent.
42. With regards to the access point on Common Lane itself, local residents have expressed concern over the safety of this, and are concerned that it is an inappropriate place for a school access. The applicant has undertaken a Vehicle Speed/Volume Survey, and has submitted a School Travel Plan. The proposed entrance to the new school is located within a 60mph section of Common Road. The 30mph speed limit within Sissinghurst ends just beyond Cleavers, whereby the speed limit becomes national. Based upon the surveys undertaken, the 85th percentile speed (i.e. for every 100 cars 85 will travel at this speed or below, 15 above) for the southbound carriageway is 47.2mph. It is therefore advised that the sight lines provided at the entrance are based on a speed limit of 50mph. However, it is also recommended that the 30mph speed limit is extended beyond the school entrance, which in-turn would reduce the visibility splay requirements.
43. The applicant intends to apply to extend the 30mph speed limit, and this would be a condition of consent. Ideally, it would be preferable if confirmation that the speed limit was extended could be provided prior to determination. However, I have been advised by the Divisional Transportation Manager that an extension of the 30mph zone is unlikely to be supported without the school having planning permission. Alternatively, if

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the school is granted planning permission then it is very unlikely that an extension of the 30mph speed limit would not be supported. Therefore, in this instance, should planning permission be granted, details of the extension to the 30mph limit, how far it would extend and other traffic calming measures which may accompany such a change, would be required to be submitted, approved and implemented prior to the first occupation of the development. In addition, the applicant must make a formal submission to Kent Highway Services to extend the limit, and in doing so must agree to pay all costs involved in processing/implementing the proposal.

44. The Divisional Transportation Manager also requires a condition to ensure that the visibility splays of 90m x 2.4m x 90m, shown on the submitted drawings, be provided and maintained, again prior to first occupation of the development. I am advised that these visibility splays would be achievable, and would allow safe access and egress to the site, even in the unlikely instance that an extension to the 30mph was not extended.
45. The planning application does propose to provide a public footpath from the school entrance on Common Road, to Cleavers, where it would join the existing footpath. Again, a condition would be imposed on any consent to ensure that the path be completed and fully operational prior to first occupation of the school. Cranbrook Parish Council, amongst others, have questioned why a footpath cannot be provided to run to the north of the site, linking up with the A229. The applicant advises that they have no funding or jurisdiction to provide a footpath to the north as it was not part of the original highways consultation. The Divisional Transportation Manager has not recommended that a footpath be provided to the north and, therefore, I am satisfied that it does not have to be provided. In addition, the Public Right of Way, which runs through the site, extends to the north of the school and rejoins Common Road at a crossroads. Access to the school, during school hours, could be gained from the Public Right of Way and, therefore, access from the north of the site could be gained without having to walk the extent of Common Road.
46. Therefore, I consider that subject to the imposition of the conditions outlined above, the creation of a vehicular and pedestrian access point on Common Road is acceptable and would not have a significant affect on highway safety.

Public Right of Way

47. Initially it was proposed by the applicant to divert the Public Right of Way. This met with objection from the County's Public Rights of Way Officer, The Ramblers and local residents. Therefore, the original alignment of the Public Right of Way is now proposed to be retained, and subsequently objections have been withdrawn. The Public Right of Way would remain unchanged, apart from being upgraded to a tarmac surface in front of the school, and type one stone thereafter. The Public Right of Way would remain to the east side of the boundary fence, and then cross the car park, where it would be fenced to the east and west. Lockable gates would be incorporated within the fencing to allow access from the car parking to the east, to the school site on the west. Exact details of the surfacing would be required to be included within the hard landscaping scheme, and details of the fencing would need to be submitted for approval. Therefore, I cannot see any reason why this application should be refused on the basis of the Public Right of Way.
48. It may be necessary to temporarily close the Public Right of Way to ensure public safety whilst construction of the school was underway. A temporary closure would need to be agreed between the applicant and the County Public Rights of Way Officer.

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Trees

49. The applicant has submitted a Tree Survey Report with this application, which surveyed individual trees, or groups of trees, of significant importance with a diameter of 75mm or more. The proposed site for the main school building and games pitches would result in the loss of numerous young Oak Trees. These trees were not surveyed in detail, but are in good condition and would provide significant amenity value in the future. Transplanting or replanting is recommended as a means of mitigating the loss of any of these young trees. A number of mature trees could also be affected by the proposed development, and it is therefore imperative that details of tree protection measures are submitted and approved prior to commencement of development. Local residents have expressed concern over the loss of boundary planting and screening and, as a result, the applicant has confirmed that all boundary planting would remain, and would be added to where appropriate.
50. Should planning permission be granted, a detailed and robust landscaping scheme would be required under planning condition. This must clearly identify all trees proposed to be removed, all trees to be retained, and measures to protect those trees during construction, details of hard landscaping, including surfacing of the Public Right of Way and car parking area, and a substantial scheme of soft landscaping, to include the transplanting of the young Oak Trees to be removed. A scheme of maintenance would also be required. In addition, all trees to be retained must be protected in accordance with BS 5837:2005 'Trees in Relation to Construction'.
51. The County Council's Landscape Advisor has no objection to the proposed development, subject to the imposition of conditions. I therefore cannot see any reason to refuse the application on these grounds. In addition to the conditions outlined above, details regarding the construction of the footpath between the school and Cleavers would be required with regards to its impact on the hedgerow and trees, and how the change in level would be accommodated. Subject to conditions, I am satisfied that the proposed development would not have an unacceptable impact on trees, and that any negative impacts could be mitigated by replacement planting and landscaping.

Ecology

52. As detailed in the consultee responses from Natural England and the County Council's Biodiversity Officer, the site is home to protected species and has is an important habitat for flora and fauna. The applicant has submitted a number of surveys with this application, and the recommendations made in each of these reports must be adhered to. Should planning permission be granted, conditions would be imposed to ensure that the recommendations of each survey were strictly adhered to.
53. Natural England and the County Council's Biodiversity Officer raise no objection to the application, subject to the imposition of conditions. In addition to those outlined above, conditions covering the following would be imposed:- detailed mitigation strategies must be submitted with regards to dormice and reptiles, details of mitigation measures for badgers must be submitted, works affecting bird nesting sites must be undertaken outside of the bird breeding season and trees to be felled must first be checked for their potential to support bats. In addition, the submission of biodiversity enhancement measures, a management plan and monitoring programme should be produced for the site, to include compensation planting of native, local provenance species, designed to maximise connectivity and enhancements throughout the site. It is also recommended that an informative be appended to any decision which states that should Great Crested

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Newts be found within the application site prior to, or during works, then works must stop immediately and Natural England be contacted.

54. Subject to the imposition of the conditions outlined above, I am of the opinion that the development would not have a significantly adverse effect on biodiversity interests, and that any loss of habitat could be adequately compensated for by the mitigation required by the planning conditions.

Residential Amenity

55. In addition to the matters discussed above, local residents have expressed concern over this application with regards to noise and light pollution, in addition to loss of access to the field and drainage concerns. Kent and Medway Structure Plan Policy NR5 seeks to conserve and enhance the quality of Kent's environment, including noise and levels of tranquillity, and light intrusion. Therefore, development proposals must seek to minimise levels of pollution, and be deemed to be acceptable in terms of impact upon local and residential amenity.
56. The applicant is proposing that the school building would be available for wider community use out of school hours. Although the applicant feels that a presence of people on site out of school hours would ensure that vandalism and the like was kept to a minimum, residents express concern over the disturbance that this additional use could generate, over and above that generated by the school. The applicant is not in a position to confirm the extent and type of community use proposed at this time, and therefore I suggest that this be subject to planning condition. Prior to first occupation of the school, the School Governing body shall submit a written statement setting out the expected community use of the new facilities, which would then be sent to consultation with relevant parties. This would allow the County Planning Authority to assess the proposed uses, and consider whether they are acceptable given the school's rural location, adjacent to residential properties.
56. In addition to noise out of school hours, hard play areas that surround the school would generate noise at break times, and the car parking area, with pick-up and drop-off, has the potential to generate noise, especially at peak times. Those noise sources would, however, be for limited periods during term time only. The existing and proposed planting would provide screening which would act as a natural barrier between local properties and the school reducing the noise impact. I consider that the greatest impact upon local residential amenity, with regards to noise, would be the construction of the school and its associated facilities. Unfortunately this is a negative feature of any development, but can be mitigated as far as practicably possible by the imposition of a condition to control construction hours. Should planning permission be granted construction hours would be limited to 0800 and 1800 Monday to Fridays, and 0900 and 1300 on Saturdays, with no works on Sundays or Bank Holidays. Conditions would also require best practice measures to be taken to minimise dust and to ensure mud and other debris is not deposited on the local highway network.
57. The applicant confirms that the School has no plans to install permanent floodlighting, but should that change in the future that would be subject to a separate application. However, there will be a need for lighting for pedestrian access, car parking and also for security, and details of this lighting would be required under condition. When these details are submitted they would be sent to consultation with the County Council's Lighting Consultant, who would ensure that the lighting proposed would not have an unacceptable impact on local residential amenity.

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55. A local resident states that the field is important for local drainage. This matter was referred back to the applicant who states that the land surrounding any integral ditches within the school site would be assessed by their civil engineer in respect of surface water drainage on the site and, at this stage, integral ditches are to remain wherever feasible. In any event, the surface water drainage would be designed in compliance with Environment Agency directives and/or guidelines.
56. This development would inevitably have some impacts upon local residential amenity, as nearly all developments would. However, I am satisfied that any negative impacts can be mitigated as far as practicably possible by the imposition of planning conditions. Therefore, subject to the imposition of conditions, I do not consider that this development would have a significantly detrimental effect on local residential amenity.

Conclusion

57. In summary, I consider that there are special circumstances to justify the proposed development within a Special Landscape Area. I consider that the siting and design of the replacement school would not have a detrimental effect on the amenity of local residents or the character and appearance of the Special Landscape Area. Overall, I consider that the design solution proposed is a sensitive approach to the landscape aspects relevant to this particular location. Subject to the imposition of conditions, I am of the opinion that the proposed development would not give rise to any material harm and is otherwise in accordance with the general principles of the relevant Development Plan Policies. Therefore, I recommend that the application be referred to the First Secretary of State as a departure from the Development Plan, and that subject to his decision, permission be granted subject to appropriate conditions.

Recommendation

47. I RECOMMEND that SUBJECT to no direction to the contrary by the First Secretary of State, 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;
 - external materials to be submitted, including solar panels;
 - details of external lighting;
 - community use;
 - details of all fencing, means of enclosure and gates, including exact positioning;
 - a scheme of hard and soft landscaping, its implementation and maintenance, to include details of the transplanting of trees and the surfacing of the Public Right of Way;
 - tree protection;
 - details of the footpath between the school and Cleavers with regards to levels and tree protection;
 - protection of nesting birds;
 - protection of bats during tree removal;
 - mitigation for badgers;
 - detailed mitigation for dormice;
 - detailed mitigation for reptiles;
 - recommendations of ecological Surveys/Reports;
 - biodiversity enhancement measures, management plan and monitoring programme;
 - programme of archaeological work;
 - provision and retention of car parking;
 - provision and retention of pathway;

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- availability of the pick up/drop off facility;
- bound surfacing of the access/car park;
- provision of cycle parking;
- extension of 30mph speed limit and traffic calming methods;
- the provision and retention of visibility splays;
- no gates erected within 5.5m of the highway;
- the provision of 'school keep clear' markings,
- details of parking for site personnel,
- preparation, implementation and ongoing review of a Revised School Travel Plan,
- hours of working during construction,
- measures to prevent dust;
- measures to prevent mud and debris on the highway;

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