

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 proposal dossier for each case and also as might be additionally indicated.

Item D1

**New Primary School for Seabrook C of E Primary School,
at land off Eversley Road, Seabrook, Hythe – SH/06/408**

A report by Head of Planning Applications Group to Planning Applications Committee on 20 June 2006.

Application by Kent County Council Education and Libraries Committee for a new 0.5 FE primary school for Seabrook C of E Primary School, with associated playing field, parking and turning facilities, access road and new level games pitch at Land of Eversley Road, Seabrook, Hythe. (Ref: SH/06/408)

Recommendation: 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, planning permission be granted.

Local Member(s): Mr C. Capon

Classification: Unrestricted

Site

1. The existing Seabrook School is a Church of England 0.5 form entry Primary School located on Seabrook Road in Hythe. Construction of the school was completed in 1897 and the building has since been extended. The existing building sits within a predominately residential area and has a public footpath to its southern boundary, with the Royal Military Canal beyond. The proposed site for the new Seabrook Primary School is located on an open piece of land within Seabrook, accessed from Eversley Road. The site is currently used by the school as a playing field, and is open to the local community. The site shares boundaries with the rear gardens of the residential properties fronting Spring Lane to the north, Bridle Way and Ian's Walk to the South, Quarry Walk to the west and Eversley Road to the east. The site extends to the footway to the south east corner, where Eversley Road joins Ian's Walk.
2. The site has a protected wooded area to the north (Policy LR9 of the Shepway District Local Plan Review), which is distinguished from the remainder of the site which is classified as playing fields under Policy LR12 of the Shepway District Local Plan Review. The wooded area shares its boundary with the rear gardens of properties along Spring Lane. A steep bank lies to the west of the site, adjoining the boundaries of the properties in Quarry Walk, and is densely foliated. The surrounding properties are a mixture of traditional pitched roofed two storey brick and render detached and semi-detached properties. The properties along Quarry Walk are predominately single storey, although the ground level at the top of the bank is approximately 6 metres higher than the ground level at the base of the bank. The site has oblique sea views in a southerly direction. A site plan is attached.

Background

3. The applicant advises that the existing school building has a number of problems, including:

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- The use of mobile classrooms as permanent classrooms;
 - Due to a lack of playing field on the site, staff and pupils must be escorted some distance to the designated playing field situated off Eversley Road;
 - The school is located on the busy A259 Seabrook Road, which is a heavily used road of major importance to the road network between Folkestone and Hythe;
 - The School has restricted external play areas which are in need of repair;
 - The School has no provision for shared or external teaching areas;
 - Steps into and around the school prevent easy access for disabled users and visitors;
 - A lack of storage space;
 - Limited space for IT and Library resources;
 - Staff toilets are inadequate;
 - Teaching staff are currently required to undertake their allocated PPA time at home due to a lack of designated space.
4. In order to generate the required revenue for the new Seabrook School on the Eversley Road site, planning permission is required for the residential development of the Church Hall and the existing Seabrook School site, as well as 8 new houses at the Eversley Road site. The proposals for the above sites have been submitted to Shepway District Council in the form of separate outline planning applications, with additional detail proposed for the housing behind Eversley Road.

Proposal

5. This application has been submitted by Kent County Council and proposes the erection of a new 0.5 form entry Primary School, with associated playing field, parking and turning facilities, access road and new level games pitch. A number of factors have contributed to the design of the school, including Kent County Council's design brief, and the DfES Building Bulletin 82 'Area Guidelines for Schools'. The application is accompanied by a design statement, which identifies the following as the key principles which have informed the development of the design:
- Respect for the natural setting of the site and its surroundings, and retention of a quality area of open space for use by the community and the school.
 - The creation of a school which inspires its pupils and creates an excellent environment for learning.
 - The building should be functional, durable and environmentally friendly.
 - The building should be low impact and respect the privacy and views of surrounding residents.
 - All highway issues to be addressed, including adequate on site parking for staff and visitors and the development of a school travel plan, which includes management strategies for a drop off/pick up zone and a walking bus.
6. The application is also accompanied by supporting reports, including a protected species risk assessment, a school travel plan, a study of potential school trip generation, a traffic noise impact assessment and vehicle tracking data. In addition, the applicant has included a statement of community involvement, which details public meetings and consultations that were held with local residents prior to submitting the planning application. The applicant advises that various concerns arose from these meetings, and that the submitted application aims to address these issues.
7. The location of the new school has been influenced by the natural terrain of the site, and the requirement to provide a secure environment and adjoining play areas. The

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proposed school building is located in the southwest corner of the site to the rear of the houses in Quarry Walk, Ian's Walk and Bridle Way. The purpose built school would provide improved facilities for existing staff and pupils, including an adjoining playing field, games pitch, and secure hard play areas. A new hall would be available for community events, and a self contained nursery would be incorporated into the school building.

8. The proposed school is single storey and low profile, and positioned within a naturally occurring 'dip' in the site. The applicant advises that the siting of the building would minimise the impact of the school, and that the hall, which is the tallest element of the school, remains at a height that would not impede existing sea views from properties in Quarry Walk. In addition, external materials have been chosen on the basis of being durable and low maintenance, and include cedar cladding, self-coloured render, and large areas of glass.
9. When considering the general internal arrangement of the school, it was considered that the classrooms should have views of either the sea or the surrounding natural setting. In order to achieve this, all the classrooms, with the exception of the Foundation class, would be located at the front of the building. The spaces that are less relevant such as stores, toilets, kitchen and hall are proposed to the rear of the building. The main entrance to the school would be centrally located on the front elevation, and the nursery would have its own separate and secure entrance. The nursery would be located next to the Foundation classroom and would have its own office, staff area and facilities. The nursery and adjoining Foundation class would benefit from covered play areas which utilise the overhang of the roof.
10. The hall would be located at the centre of the school, the proportions of which have been carefully considered to create a space which could be used for a variety of functions at different times of the day or evening. The hall can be divided into two separate areas which would enable organised community facilities to occur during the day whilst the school is in operation. The School would have lockable internal doors, which would close off the classrooms and other areas of the school, yet permit community access to the foyer, toilet facilities and the hall.
11. The school's hard play areas would be wrapped around the building, and naturally contained by the existing bank to the west of the site. This location would allow the pupils to have a secure area to play, separated from the games pitch and the vehicular access to the front of the building. A playing field would be located in the north west corner of the site, contained within a secure perimeter fence. This secure fence would extend around the perimeter of the school and its associated hard play areas. The applicant advises that, in response to the design brief, provision has been made for the school to be extended to the north to form a 1FE school if required in the future.
12. The protected wooded area to the north of the proposed school, and the embankment to the rear/west of the site would be subject to a Woodland Management Scheme. The applicant states that as the wooded area is protected under Local Plan Policy LR9, all trees would be maintained and no trees would be felled unless deemed absolutely necessary by a health and stability survey. However, it is proposed that a small proportion of the low level dense foliage be manicured so that access can be gained by members of the public in order to provide a pleasant area for community use. A nature trail/sensory perception area would be created for pupils of the proposed school.
13. The school building, hard play areas and playing field have been located to the rear of the site, to allow car parking, drop off/pick up, access and a level games pitch to be

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located to the front of the proposed school. This would maintain the existing 'green gap' in the street scene, and allow the games pitch to be easily accessed from Ian's Walk/Eversley Road without compromising the security of the school. This games pitch would not be enclosed, and would be fully accessible to the public at all times. Levelling would be undertaken by cut and fill such that the upper end of the slope, nearest the school, would be cut providing a steep embankment between the school and the pitch, whilst the material cut would be deposited at the lower level raising land levels. Ball stop fencing is proposed behind the goal on the Eversley Road end of the pitch in order to prevent balls reaching the highway.

14. The proposed school would be accessed from Eversley Road, which connects to Spring Lane and Horn Street. Vehicular access to the site would run parallel to the north side of the games pitch, alongside a designated footway and cycle path. A bank and planted buffer zone would separate the edge of the pitch from the footway and the vehicular access, which extends into the site to a designated drop-off and parking area. The access road would be constructed to serve both the school and to provide access to the proposed development of 8 houses (application reference Y06/0287/SH, to be determined by Shepway District Council). The drop-off and parking area would be located to the rear of those 8 houses in order to reduce its visual impact.
15. The applicant proposes to provide 15 car-parking spaces for staff and visitors, including 2 disabled parking bays. 3 secure covered cycle parking spaces are proposed. A designated mini-bus drop-off bay would be located close to the main entrance to the school, which would connect to a 1.8 metre wide raised footway leading to the school entrance. A turning head with drop off bays is also proposed. Secure gates are proposed to the entrance of the school, past the turning for the 8 proposed houses, and raised pedestrian crossings would be provided either side of the access road for the 8 houses. A buffer zone is proposed to the north of the access drive, which would separate the access road from the closest residential property. This zone would incorporate a new planting scheme.

Planning Policy

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

- (i) **The Adopted 1996 Kent County Structure Plan:**

Policy S1 - Local Planning Authorities will seek to achieve a sustainable pattern and form of development.

Policy S2 – Seeks to conserve and enhance the quality of the environment.

Policy S9 – In considering development proposals, local authorities will have regard to the need for community facilities, including education.

Policy ENV2 – Kent landscape and wildlife (flora and fauna) habitats will be conserved and enhanced.

Policy ENV7 – It is policy to maintain tree cover and the hedgerow network in the County, and enhance these where compatible with the character of the landscape.

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Policy ENV15 – New development should be well designed and respect its setting.

Policy ENV16 – The need to make the best use of land in built up areas will be balanced against the objective of maintaining, and where possible improving, urban environmental quality.

Policy NR3 – Development will not be permitted which would have an unacceptable effect on the quality or potential yield of groundwater resources.

Policy NR4 – Development which will lead to a material deterioration in the quality of surface water, will not normally be permitted.

Policy T17 - Development will normally be required to provide for vehicle parking on site in accordance with Kent County Council's Vehicle Parking Standards.

Policy T20 – Before proposals for development are permitted, the Planning Authority will need to be satisfied that any necessary transport infrastructure, the need for which arises wholly or substantially from the development in question, are in place or are certain to be provided.

(ii) **The Kent & Medway Structure Plan: Deposit 2003:**

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.

Policy QL3 - Local Authorities will establish priorities and programmes for the provision of safe pedestrian and cycle routes to schools.

Policy QL12- Provision will be made for the development of local services, including schools, in existing residential areas. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

Policy QL13- New community services will be located where they are accessible by walking and cycling and public transport from the area they serve. Whenever practical they will be located in town, district or local centres.

Policy TP19 - Development proposals must comply with the respective vehicle parking policies and standards adopted by Kent County Council and Medway Council.

Policy E3 - Kent's landscape and wildlife habitats will be conserved and enhanced.

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Policy E8 - Important wildlife habitats and species will be protected, maintained and enhanced, especially through long term management and habitat creation schemes.

Policy E 9 - Tree cover should be maintained, and where it would improve the landscape, enhanced.

Policy NR7 – Development will not be permitted where it would give rise to an unacceptable impact on the quality or yield of Kent's ground water resources.

(iii) Shepway District Local Plan : to 2001

Policy INT1 - All development proposals should take full account of the need to protect the environment so that present day needs do not compromise the ability of future generations to meet their own needs.

Policy LR8 - The District Planning Authority will seek, where appropriate, the multiple use of School recreational facilities.

Policy LR12 -Areas of open space with recreation or leisure value as identified on the proposals map will be safeguarded. Development proposals which would result in a net loss of such space will be refused unless sufficient alternative open space exists or will be provided, or the proposal is the best means of securing an alternative recreational facility of equivalent community benefit having regard to any deficiencies in the locality.

Policy BE1 – A high standard of layout, design, and choice of materials will be expected for all development in the plan area. Building form, mass, height and elevational details should be considered.

Policy BE14 -The District Planning Authority will require development proposals to retain important existing landscape features and make appropriate provision for new planting.

Policy TR4 - Proposals for new development which would attract vehicle traffic will be required to provide operational vehicle parking off street.

(iii) Shepway District Local Plan Review: Revised Deposit Draft 2002

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.

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Policy BE16 -The District Planning Authority will require development proposals to retain important existing landscape features and make appropriate provision for new planting.

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 LR9 - Areas of open space of recreation, leisure or amenity value or potential as identified on the proposals map will be safeguarded. Development proposals which would result in a net loss of such space will be refused unless sufficient alternative open space exists, the development does not result in an unacceptable loss in local environmental quality, or the proposal is the best means of securing an improved or alternative recreational facility of equivalent community benefit having regard to any deficiencies in the locality.

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 LR13 -The District Planning Authority will seek, where appropriate, the multiple use of School recreational facilities.

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.

Consultations

17. Shepway District Council: raises no objection, but make the following comments:

- 1) Shepway District Council consider that in order to overcome the harmful effects of the development on the occupants of no. 25 Ian's Walk, the cut and fill pitch should be amended such that the finished lower level is much reduced and such that anyone standing on the finished pitch would not be able to look directly into the garden of this property.
- 2) A Landscaping Scheme for the site shall include the embankment to the western boundary of the site, and shall provide dense planting of trees and shrubs along the southern boundary.
- 3) It is suggested that, prior to commencement of development, a written report from a specialist soil consultant is obtained to confirm that the land is suitable for the development proposed, and identifying any works necessary for the stabilisation of the

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land, and adjoining land. Any identified works, including the construction of any retaining walls, should be implemented before occupation of the building.

4) The application site shall be subjected to a detailed scheme for the investigation and recording of site contamination, and a report submitted to and approved by the Planning Authority.....Upon completion of the works a closure report shall be submitted to and approved by the Planning Authority, which shall include details of the works, and certification that the works have been carried out in accordance with the approved methodology.....Any material brought onto the site shall be certified clean.

Hythe Parish Council: wishes to see the application approved

The Divisional Transport Manager: comments as follows:

1. Whilst I accept that the location of the drop off zone gives a greater length of internal access road to reduce the likelihood of vehicles waiting on Eversley Road/Ian's Walk, I still have concerns that parents will be tempted to stop at this point rather than continue round to the drop off zone. However, the provision of 'school keep clear' markings in relation to the crossing point near the school gates would help to resist this temptation.

2. One raised crossing should be provided in the position shown near the school gates with the footway on the north side of the access road continued up to it.

3. I note that the width of the shared footway/cycleway has been reduced from 3m. This is not acceptable as the minimum width necessary is 2.5m plus a 0.5m safety margin adjacent to the carriageway. Bearing in mind the proposal is for a primary school and there are no off road cycleways leading to the site, the applicant may want to consider how many pupils are likely to be allowed to cycle to school and whether or not the provision of a cycleway is appropriate.

4. I note the path gradient of 5 degrees referred to in the letter to the DDA Section. The applicant should note that the gradient for the adoptable access road should be no greater than 4% for a distance of twice the kerb radius from the junction with Eversley Road, and thereafter no steeper than 6% (or up to 10% if unavoidable due to local topography).

5. I confirm I have no objection to the proposals subject to resolution of the above and suitable conditions to secure the following:

- Provision and retention of car parking, cycle parking & turning areas as indicated
- Provision by the applicant of dropped kerbs and tactile paving at the Naildown Road/Horn Street, Bridle Way/Ian's Walk & Owens Close/Ian's Walk/Eversley Road junctions
- Funding by the applicant to implement 'school keep clear' markings at the third of the above locations and at the crossing point near the school gates
- Provision and retention of 60m (south) x 2m x 70m (north) visibility splays at the new access onto Eversley Road
- The provision of a travel plan, to be agreed and implemented prior to the school opening
- The provision and implementation of traffic management measures for construction traffic, including lorry routing, wheel washing facilities, parking for site personnel, etc.

The Environment Agency: raises no objection, but requests conditions be placed on any subsequent decision in order to protect groundwater quality. In addition, a number of detailed comments regarding surface water drainage, foul drainage, protection of Source Protection Zones, water conservation, contaminated land and storage of fuel, oil and chemicals are made.

Biodiversity Officer: broadly agrees with the risk assessment and states that provided the woodland area, onsite trees and the embankment are not encroached upon by the

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development then direct impacts to biodiversity are unlikely. The proposed precautionary mitigation for reptiles should protect any reptile interest. We would also support the precautionary approach to avoid impacts to breeding birds - if any vegetation has to be removed this should occur outside of the breeding season March–end July. These mitigation issues should be addressed with conditions.

Opportunities for enhancing the biodiversity value of the site and providing a valuable educational resource should be included. We would recommend the inclusion of biodiversity features such as native tree and shrub plantings and the provision of bat and bird boxes within the built and surrounding natural environment. We would also encourage the enhancement of the woodland and embankment area as nature study areas/community areas. Planned active management of the woodland and bank area should be included within a habitat management plan, which should be a condition on any planning permission. This plan must be submitted for approval, prior to commencement of operations. A reptile presence/absence survey of the embankment would be wise to guide its future management.

Sport England: states that whilst the proposal would result in the loss of a significant part of a playing field, the provision of a good quality mini pitch with a Community Use Agreement would be a benefit. That should be a condition of any planning consent. A further condition should be added requiring details of all works to provide the new pitch to be submitted for approval, which must be in accordance with Sport England's guidance.

Local Member

18. The local County Member, Mr C. Capon, was notified of the application on the 17 March 2006.

Publicity

19. The application was publicised by the posting of a site notice, advertisement in a local newspaper, and the individual notification of 60 nearby properties.

Representations

20. To date 13 letters of representation have been received from 9 neighbouring properties. The main comments/points of concern and objection can be summarised as follows:

- The open space at Eversley Road is a recreational area widely used by local residents, both adults and children, and is the only open space available locally.
- Development of this site is contrary to Local Plan Policies, including Policy LR12.
- Ian's Walk and Eversley Road are narrow residential streets, with cars parked on both sides, making them hard to negotiate in a car.
- Local Roads will not be able to accommodate the increased traffic generated by the school, and associated construction works. This will be hazardous to pedestrians and increase the risk of traffic accidents.
- Parents picking up/dropping off children will park in local roads, adding to current parking problems.
- Local road junctions, such as the junction between Nail Down Road and Horn Street will not be able to cope with construction vehicles, and increased use by traffic associated with the school.
- A formal review of the traffic situation should be undertaken annually for three years.

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- A double yellow line should be placed along the frontage of the school site, and 100m either side.
- Suggestion is made that the playing field be used for overspill car parking.
- Any damage to parked cars, road surfaces and/or pavements caused by construction vehicles should be made good at no cost to local residents.
- Construction works will create noise, dust, inconvenience and nuisance to neighbouring residents.
- Searches revealed a presence of Radon Gas at the site as it is hoped that this has been taken into consideration.
- Insufficient on site car parking is proposed.
- If permitted, the whole community should be involved in planning walking buses etc. which encourage less reliance on the car. The Travel Plan should be implemented.
- Sea views from local residential properties must be retained.
- Local residential amenity would be detrimentally affected, with noise generation, loss of privacy and loss of open space.
- The school should be built to the right hand side of the field (i.e. to the north).
- Community use of the school will generate traffic and noise in the evenings, possibly until late.
- A large Oak tree on site could collapse, which would damage the school building.
- The bank at the rear of the site needs to be managed by KCC.
- The development would impact upon the woodland area to the north of the site, which is home to many birds and animals.
- Opening up areas in the woodland may encourage vandalism and security implications.
- Sufficiently high fencing should secure the site, including the playgrounds at the rear, to prevent pupils from climbing the bank which would invade the privacy of local residents, and pose a health and safety risk.
- Objection is raised to the enabling housing developments.
- Have other options been considered, such as other sites for a new school, or redeveloping the existing school.
- KCC purchased this land many years ago with the view to building a school on it, but due to cultural changes over the years, it is felt that this site is no longer suitable for this purpose.

Discussion

21. In considering this proposal regard must be had to the Development Plan policies outlined in paragraph (16) 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 impact upon residential and local amenity, highway and traffic implications, visual impacts and possible effects on the local environment, particularly the loss of open space.
22. Policies S2 and ENV15 of the Adopted Kent Structure Plan, SP1 and QL1 of the Deposit Kent and Medway Structure Plan, INT1 & BE1 of the Shepway District Local Plan: to 2001, and SD1 & BE1 of the Shepway District Local Plan Review: Revised Deposit Draft 2002, 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 the built confines of Seabrook, and bound by residential properties.

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23. As previously mentioned, the application site is within an area designated as open space with recreation or leisure value, as safeguarded in the Shepway District Local Plan: to 2001, under Policy LR12. The Shepway District Local Plan Review: Revised Deposit Draft 2002, splits the site into an area of open space of recreation, leisure or amenity value, as designated under Policy LR9, and playing fields, as designated and protected under Policy LR12. The proposed school and its associated playing fields, games pitch and access road lie within the boundary of Policy LR12, whereas the wooded area to the north of the site is protected under Policy LR9 of the Local Plan Review. All of these policies have a presumption against development and, therefore, this application has been advertised as a departure from the Development Plan and the matter would need to be referred to the Secretary of State for his consideration, should Members be minded to permit. In assessing the proposal the policies detailed above, particularly those concerning the loss of open space and/or playing field, need to be considered more closely to establish whether or not there are special circumstances that would warrant setting aside the general presumption against development.

Loss of open space/playing field

24. Policy LR12 of the Shepway District Local Plan: to 2001, states that development proposals which would result in a net loss of open space will be refused unless sufficient alternative open space exists, or will be provided. In addition, if the development proposal is the best means of securing an alternative recreational facility of equivalent community benefit, permission may not be refused. This is amplified by Policy LR9 of the Shepway District Local Plan Review: Revised Deposit Draft 2002, which applies to the wooded area to the north of the site. The remainder of the site, within which the new school and its associated infrastructure is proposed, is protected under Policy LR12 of the Shepway District Local Plan Review: Revised Deposit Draft 2002. This policy states that 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 set criteria are met. These criteria include the provision of alternative open space, or new sport and recreational facilities, or that the land required is for an alternative educational purpose which cannot reasonably be met in another way. Therefore, the proposed location of new school needs to be considered, in light of the above policies, to ascertain whether the proposal would result in an unacceptable loss of open space and/or playing field.

25. First, I will consider the proposal in relation to Policy LR12 of the adopted Shepway District Local Plan. The policy states that development proposals which would result in a net loss of areas of open space, with recreation or leisure value, will be refused unless sufficient alternative open space exists, or will be provided. Should members be minded to permit, the construction of a school on this site would result in the loss of an area of open grassland, which is currently used by local residents and the existing Seabrook School. The loss of this land has met with local objection. However, the applicant states that the site currently provides approximately 1.24ha of usable space, which slopes steeply from west to east and has no marked pitches or play facilities of any description. The proposed level games pitch, located to the front of the site, would not be secured in any way and would therefore be available for community use at any time. Should members be minded to permit, the games pitch would be subject to a Community Use Agreement, which would be conditioned on any subsequent decision. The applicant states that the games pitch would provide approximately 3260sqm of quality space, compared with the 3000sqm of reasonably level space upon which ball sports can satisfactorily be played. In addition to the games pitch, the applicant is proposing to open up the wooded area to the north of the site to enable public access. As the wooded

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area is protected under Policy LR12 of the Shepway District Local Plan, and Policy LR9 of the Shepway District Local Plan Review, all trees would remain but a small proportion of the low level dense foliage would be removed/manicured. The applicant claims that this would allow members of the public to access the wooded area, which would be a pleasant area for walkers. It is expected that approximately 3140sqm of space would be provided by opening up this wooded section of the site. Therefore, the applicant states that only 0.6ha of open space may be lost should this application be permitted, and that the remaining areas of open space that would be available for public use would be of a higher quality and significantly improved from its current state. Policy LR12 of the Shepway District Local Plan states that development proposals will be refused unless sufficient open space exists, or will be provided, or the proposal is the best means of securing an alternative recreational facility of equivalent community benefit. In the light of this, I would suggest that the applicant has taken all reasonable efforts to provide alternative recreational facilities/open space, which can be argued is of better quality than the existing. Therefore, the proposal would not have a significantly detrimental effect on the open space available, or be contrary to the initial principles of Policy LR12 of the Shepway District Local Plan: to 2001.

26. In addition to this, the Shepway District Local Plan Review: Revised Deposit Draft 2002, splits the site into two areas, which are under separate designation on the proposals map. The wooded area to the north of the site is protected under Policy LR9, which amplifies Policy LR12 of the Adopted Local Plan, discussed above. As the wooded area is not impacted upon by construction activities, moreover it will be enhanced and managed within a Habitat Management Plan (to be submitted under condition), and the woodland would be opened up to make it a usable open space, there would be no net loss of open space, rather an increase. Therefore, this proposal is in accordance with the general principles of Policy LR9 of the Shepway District Local Plan Review: Revised Deposit Draft 2002.
27. However, the remainder of the site is designated as playing field under Policy LR12 of the Shepway District Local Plan Review: Revised Deposit Draft 2002. This Policy states that 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 accords with certain criteria. As the proposed school would be located on the playing fields currently used by the existing Seabrook School, these criteria need to be discussed. First, it is stated within Policy LR12 that development will be permitted if sufficient alternative open space provision exists, or new sport and recreational facilities would be provided. As discussed in paragraph 24 above, the applicant has demonstrated that alternative open space would be provided, including a new level games pitch which would be available for public use and subject to a Community Use Agreement. In addition to this, the proposed school would have a secured playing field and hard play areas, which would aid in maintaining an open feel to the site, and provide further sports and recreational facilities for the school. Therefore, I consider that this proposal accords with this criterion of Policy LR12 of the Shepway District Local Plan Review.
28. The second applicable criteria states that development proposal will only be permitted where the land is required for an alternative educational purpose which cannot reasonably be met in another way. As listed in paragraph 2 of this report, there are a number of problems associated with the existing school building, and the applicant states that through refurbishment it would not be possible to bring the school up to current standards, whilst providing sufficient external space. Prior to design competition stage, Kent County Council assessed the availability of local land, and the most appropriate site to allocate for development. The site has been allocated by Kent County

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Council for educational purposes for some time, and the applicant suggests that there are no other suitable alternative sites. In addition, the site is centrally located for the current pupils and is close to the existing school on Seabrook Road. Therefore, the land is required for an alternative educational purpose, which cannot reasonably be met in another way, and subsequently the development accords with the general principles of this criterion to Policy LR12 of the Shepway District Local Plan Review.

29. I consider that this proposal accords with both the relevant criteria of Policy LR12. However, the policy also states that proposals will only be permitted where they would not cause an unacceptable loss in local environmental quality. The following sections of this report will discuss the design and siting of the development, impacts upon residential amenity and the possible highway implications of the proposal. All these issues need to be taken into account when assessing whether or not the proposal would result in an unacceptable loss of environmental quality.

Siting and Design

30. The design of the proposed Seabrook School was won by a private architectural practice in a Kent County Council arranged design competition. A number of factors contributed to the design of the school, including Kent County Council's design brief and the DfES Building Bulletin 82 'Area Guidelines for Schools'. Every effort has been made to design a sensitive low-impact building appropriate to its natural setting. External materials such as self coloured render and timber cedar boarding have been proposed on the basis of being durable and low in maintenance. The building would also use large areas of glass to provide internal spaces with good levels of daylight, and in most cases, sea views. The design of the school building has not been objected to or commented upon by local residents. The high quality design conforms with the principles of the Kent Design Guide and relevant design policies, such as Policies S2 & S9 of the Kent Structure Plan, and SD1 & BE1 of the Shepway District Local Plan Review: Revised Deposit Draft 2002, and therefore I consider that this should be enthusiastically received.
31. The siting of the development within an existing area of open space/playing field has been objected to, but this issue has been discussed above and it has been established that development is acceptable in principle in terms of conforming with the Development Plan Policies which protect the site. The siting of the proposed school within this site now needs to be considered. The applicant states that the siting of the development has been carefully considered to allow the school building, hard play areas and playing field to be located to the rear of the site, and allow car parking, drop off/pick up, access and a level games pitch to be located to the front of the proposed school. This would maintain the existing 'green gap' in the street scene, and allow the games pitch to be easily accessed from Ian's Walk/Eversley Road without compromising the security of the school. However, concern has been expressed that sea views would be lost, and it has been suggested that the school be built to the right hand side of the site in order to maintain the sea views of local residents. The applicant states that the building is low lying and would be located within a naturally occurring dip in the site. The building has been located in such a way that the hall, which is the tallest element of the school, remains at a height that permits views from the existing properties along Quarry Walk. The applicant has demonstrated, through drawing no. 05.53.06, that no existing sea views from properties in Quarry Walk would be lost due to the construction of the school. Therefore the siting of the school building, and its associated facilities are considered to be the most appropriate for the site. In addition, I consider that the design and siting of the development respects its setting, and would not have a detrimental impact on the character of the local environment.

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Amenity

32. The proposed school would have an impact on residential and local amenity, and the significance of this impact needs to be discussed. Much concern has been expressed over the highways implications of this proposal, both during construction and when operational. These issues will be discussed later in this report.
33. First, concern is raised that local residential amenity would be detrimentally affected, with noise generation, loss of privacy and loss of open space. The applicant has demonstrated that sufficient alternative open space would be provided, and although regrettable that an area of open grassland be lost to development, a case of need has been given which confirms that the land is required for an alternative educational purpose which cannot reasonably be met in another way. However, the issues of noise generation and loss of privacy need to be addressed. The school building itself would be located within a naturally occurring dip in the site and, therefore, would be screened from residential properties by a steep embankment and both existing and proposed planting. In addition, the proposed school building would be over 30m away from the closest residential dwelling, and at least 15m from the closest rear boundary. Therefore, I do not consider that the school building itself would have a detrimental impact upon the amenity of local residents. Hard play areas that surround the school would generate noise at break times, but this would be for limited periods during term time only. The embankment and planting would provide screening which would act as a natural barrier between local properties and the hard play areas, 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 practicable by the imposition of a condition to control construction hours.
34. Although the school building itself would not have a detrimental impact upon local residential amenity, other elements of this application could and therefore need to be discussed. First, Shepway District Council have expressed concern over the level games pitch, and consider that it would have a harmful effect on the occupants of number 25 lan's Walk. Although a letter of representation has not been received from this property, this issue does need to be addressed. Due to the gradient of the site the land would need to be cut and filled to enable the creation of a level games pitch. That would raise the level of the land as you near Eversley Road, resulting in the ground level of the games pitch being higher than that of the neighbouring garden. Therefore, users of this pitch, which would include members of the public, would be able to clearly see into this garden, having a detrimental impact upon residential amenity and privacy. The applicant has introduced planting to the south eastern side of the games pitch in an effort to provide a screen between the pitch and the property, but this is not considered entirely acceptable in this case. The cut and fill pitch should be amended such that the finished lower level is much reduced, meaning that users of the pitch would not be able to look directly into the garden of number 25 lan's Walk. The applicant has advised that they would be willing to lower the pitch further as and when such information and investigations have been undertaken with regard to geotechnical and structural issues. This would ensure that such lowering can be satisfactorily achieved without causing undue damage to the properties along this boundary, and as such should be a condition of any consent given. Therefore, I consider that should Members be minded to permit, details of the levels of the games pitch should be submitted for approval prior to commencement of any development at the site under planning condition. This would

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ensure that the level of the finished pitch was low enough that its use would not have a significantly detrimental impact upon neighbouring properties.

35. Secondly, concern is expressed over the proposed opening up of the woodland and the subsequent impact upon wildlife, and security/privacy of neighbouring properties. Both the woodland area, and the bank at the rear of the site, would be subject to a Habitat Management Plan, which would require the planned active management of these areas. Should Members be minded to permit, the Habitat Management Plan would be a condition on any subsequent decision, and would enhance the woodland and embankment areas in terms of biodiversity, nature study areas and public space. The Biodiversity Officer states that impacts upon biodiversity are unlikely, and suggests that conditions are placed on any subsequent decision in order to protect breeding birds, etc. Therefore, subject to the imposition of planning conditions and the submission of a Habitat Management Plan prior to any development at the site, I consider that this proposal would not have a detrimental effect on local wildlife, or indeed the woodland area or embankment.
36. However, clearing the undergrowth and opening up the woodland could impact upon the privacy and security of neighbouring properties. The woodland is currently available for public use and, therefore, it can be argued that this proposal would not have any impact upon neighbouring properties. However, the woodland is overgrown and hard to access at present, with dense undergrowth acting as a natural deterrent. By removing the undergrowth and clearing paths through the site, encouraging use by members of the public and pupils of the school, the rear gardens of properties backing onto this area of the site may become vulnerable. However, I consider that providing the applicant leaves a sufficient boundary around the woodland perimeter that faces residential properties, which is left in its current state and not cleared, then the privacy and security of neighbouring properties would not be compromised. Details of how the woodland would be cleared, managed, and maintained need to be included within the Habitat Management Plan, and I would expect the perimeter of the woodland to remain as existing in order to maintain and enhance local environmental quality, and ensure residential amenity is not detrimentally effected.
37. As stated above, the embankment at the rear of the proposed playground would be included within the Habitat Management Plan. Concern is expressed that this boundary of the school would not be fenced and, therefore, pupils could climb this bank and look into neighbouring gardens/properties. The applicant advises that this area of the site would be secured by the inherent natural protection and surveillance offered by existing surrounding properties, and the substantial embankment. The applicant states that the embankment is very steep and would not be easy to climb. In addition, a member of staff would always supervise the pupils when using hard play areas, and pupils would not be allowed to climb the bank. This would not only ensure the privacy of neighbouring residents, but also the safety of pupils.
38. The applicant proposes that the school facilities would also be used by the local community. One of the enabling housing developments proposes the demolition of the existing Seabrook Mission Hall, which would result in the loss of a community facility. Shepway District Council discourages the loss of community facilities, and therefore the community activities currently held in the Mission Hall would be held in the proposed school. These activities include Women's Institute, Women's Fellowship, Craft Group, Bridge Club and Karate Group, which would be held in additional spaces during school hours, and quiz nights and occasional children's parties in the evenings. These uses would not involve excessive noise generation, and would be relatively low key in terms of hours of use and numbers of attendees. In light of the above, I consider that the

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proposed school building is a sufficient distance from neighbouring properties to ensure that any community use would not have a significantly adverse impact upon residential amenity.

Highways

39. Traffic generation and impact upon the local highway network are further concerns expressed by local residents. First, local residents are concerned that Eversley Road and Ian's Walk cannot accommodate construction vehicles, as the roads are narrow residential streets, which are often double-parked. In addition, it is suggested that local road junctions such as the junction between Nail Down Road and Horn Street could not cope with construction vehicles. It is also suggested that any damage to parked cars, road surfaces and/or pavements caused by construction vehicles should be made good at no cost to local residents. These concerns were passed to both the applicant and Kent Highways, and the following information was provided in response.
40. Kent Highways state that Eversley Road and Ian's Walk are wide enough for two cars to pass each other, and therefore construction vehicles would be able to access the site. However, it is suggested that there would need to be suitable traffic management measures in place to ensure that construction traffic can safely access/egress the site. Details of these measures would be required under condition should members be minded to permit. In addition, the applicant states that any damage to the surrounding context caused by construction activities would be made good at the cost of the contractor. That would constitute part of the tender document. Unfortunately, the construction of any development does have short-term impacts upon the local highway and this cannot be avoided. However, the impact can be minimised through the imposition of conditions. Should this application be permitted details of a parking area for site personnel would be required to ensure that local roads were not used as a car park. In addition, conditions would be imposed to ensure that construction traffic does not enter/egress the site at peak 'rush hour' times and that mud and debris is not deposited on the local highway.
41. In addition to concerns over construction traffic, local residents have expressed concern over the highways implications of the school in the longer term. First, it must be noted that Kent Highways have raised no objection to this application, subject to the imposition of conditions and the resolution of 4 issues, listed in paragraph 17 of this report. The applicant has confirmed that they can fulfil all of these requests and will comply with the requirements of the suggested conditions.
42. However, concern is expressed that there is insufficient car parking proposed on site, and parents would park in local roads to drop off/pick up their children. In addition, it is suggested that local roads and associated junctions could not accommodate the increased level of traffic that would be associated with the school. Kent Highways have confirmed that the maximum car parking requirement is 1 space per member of staff, plus 10%, and that the level of on site car parking proposed is at this maximum level. Therefore the application is accordance with Kent Structure Plan Policy T17, Kent and Medway Structure Plan Policy TP19, Shepway District Local Plan Policy TR4 and Shepway District Local Plan Review Policy TR12.
43. In addition, Kent Highways state that they understand the concern over on street parking, although they do not consider that it will be a cause for concern in this case. Most parents of Primary School children want to park as close to a school building entrance as possible, and Kent Highways suggest that most parents will therefore drive into the school grounds and use the pick up/drop off point as the entrance is a

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considerable distance from Ian's Walk/Eversley Road. In addition, a School Travel Plan would increase the number of parents and pupils walking to school, and would be required under condition should Members be minded to permit. Local roads and junctions are already used by parents travelling to the existing school, and Kent Highways do not anticipate this situation changing significantly with the relocation of the school. The provision of 'school keep clear' markings at the Owens Close, Ian's Walk and Eversley Road junction would also discourage parents from parking in local roads. Therefore, subject to the imposition of conditions, I do not consider that this proposal would have a detrimental impact upon the local highway network.

Need

44. The applicant has demonstrated a case of need for the facility, as outlined in paragraphs 3 & 28 of this report. The new school facilities would not only meet the urgent needs of Seabrook School, it would provide a facility that could be used by other community groups, and members of the public. Therefore, I consider that the provision of the new school facilities would meet the needs of many local people and the pupils of Seabrook School.

Conclusion

45. As discussed in paragraphs 24 to 29 of this report, this proposal would not result in a net loss of open space, as sufficient alternative open space would be provided, which is argued to be of better quality. Therefore, the proposal is not contrary to the principles of Policy LR12 of the Shepway District Local Plan: to 2001, as amplified by Policy LR9 of the Shepway District Local Plan Review: Revised Deposit Draft 2002, which applies to the wooded area to the north of the site. The remainder of the site, within which the new school and its associated infrastructure is proposed, is protected under Policy LR12 of the Shepway District Local Plan Review: Revised Deposit Draft 2002. This policy states that 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 set criteria are met. As discussed in paragraphs 27, 28 & 29 of this report, I consider that these criteria are met by this application. However, the development must not cause an unacceptable loss in local environmental quality. I consider that the proposed design of the school could enhance the local environment, which in conjunction with a Habitat Management Plan for the woodland and embankment, would enhance the biodiversity and environmental value of the site. Therefore, I consider that subject to the imposition of conditions, that the proposed development would not have a detrimental effect on local environmental quality. Therefore, this proposal is in accordance with the general principles of Policy LR12 of the Shepway District Local Plan Review: Deposit Draft 2002.
46. In summary, I consider that there are special circumstances to justify the proposed development within a designated area of open space/playing field. 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

Item D1

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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,
 - details of external lighting,
 - details of levels of the sports pitch,
 - Community Use Agreement for the level games pitch,
 - a soil survey to include stabilisation of land,
 - a scheme for the investigation and recording of contaminated land,
 - protection of ground water,
 - a scheme of landscaping, its implementation and maintenance,
 - a Habitat Management Plan,
 - protection of nesting birds,
 - traffic management measures for construction traffic,
 - details of parking for site personnel,
 - the provision and retention of visibility splays,
 - the provision of school keep clear markings,
 - provision of dropped kerbs and tactile paving,
 - provision and retention of car parking, cycle parking and turning area as indicated,
 - widening of the footway/cycle way and changes to the gradient of the access road,
 - preparation, implementation and ongoing review of a Revised School Travel Plan,
 - hours of working during construction,

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