

Item D1

Provision of 3 modular buildings, each incorporating two classrooms at The Discovery School, Kings Hill – TM/12/564 (KCC/TM/0037/2012)

A report by Head of Planning Applications Group to Planning Applications Committee on 8 May 2012.

Application by KCC Property & Infrastructure Support for the provision of 3 modular buildings, each incorporating two classrooms, toilets, cloakroom and store room (resubmission) at The Discovery School, Discovery Drive, Kings Hill, West Malling, Kent, ME19 4GJ – TM/12/564 (KCC/TM/0037/2012)

Recommendation: Permission be granted, subject to conditions.

Local Member: Mr R. Long

Classification: Unrestricted

Site

1. The application site falls within the grounds of The Discovery School, Discovery Drive, located on the eastern edge of Kings Hill. The Discovery School is a 2 form-entry (FE) Primary School, one of two primary schools that serve the Kings Hill development. The site includes a large purpose built single storey building oriented north-south across the school grounds. The main site accesses and car parking provisions are laid out fronting the public highway, to the west of the building, with hard play space and playing field to the east. There are at present 453 pupils and 50 (full-time equivalent) members of staff attending the school.
2. The land affected by the application includes a section of the playing field, alongside the main access/ circulation space and car park to the front of the school grounds. The area of playing field consists of land directly adjacent to the hard play space and includes an area that slopes up towards the north-west corner. A small number of recently planted trees and shrubs that border the hard play would be affected by the proposed development.
3. The school benefits from a large car park, which is laid out to provide separate entry and exit points for vehicles, circulation space for both vehicles and pedestrians, and 71 car parking spaces within the school grounds. Under the current arrangements the School only use a single access/ exit point for vehicles with the gates closed throughout the school day and vehicle access control by reception. This general area is also included within the application site.
4. The Discovery School is surrounded by residential properties to the north, south and west. Land to the east consists of wooded area beyond which is land that is currently being developed to provide outdoor sports facilities for the local community (Heath Farm Sports Facilities). It is noted that the housing development immediately to the north of the school is still under construction by Taylor Wimpey, the first phase of which (to the north-east of the school grounds) has recently been occupied. Please see site location plan included.

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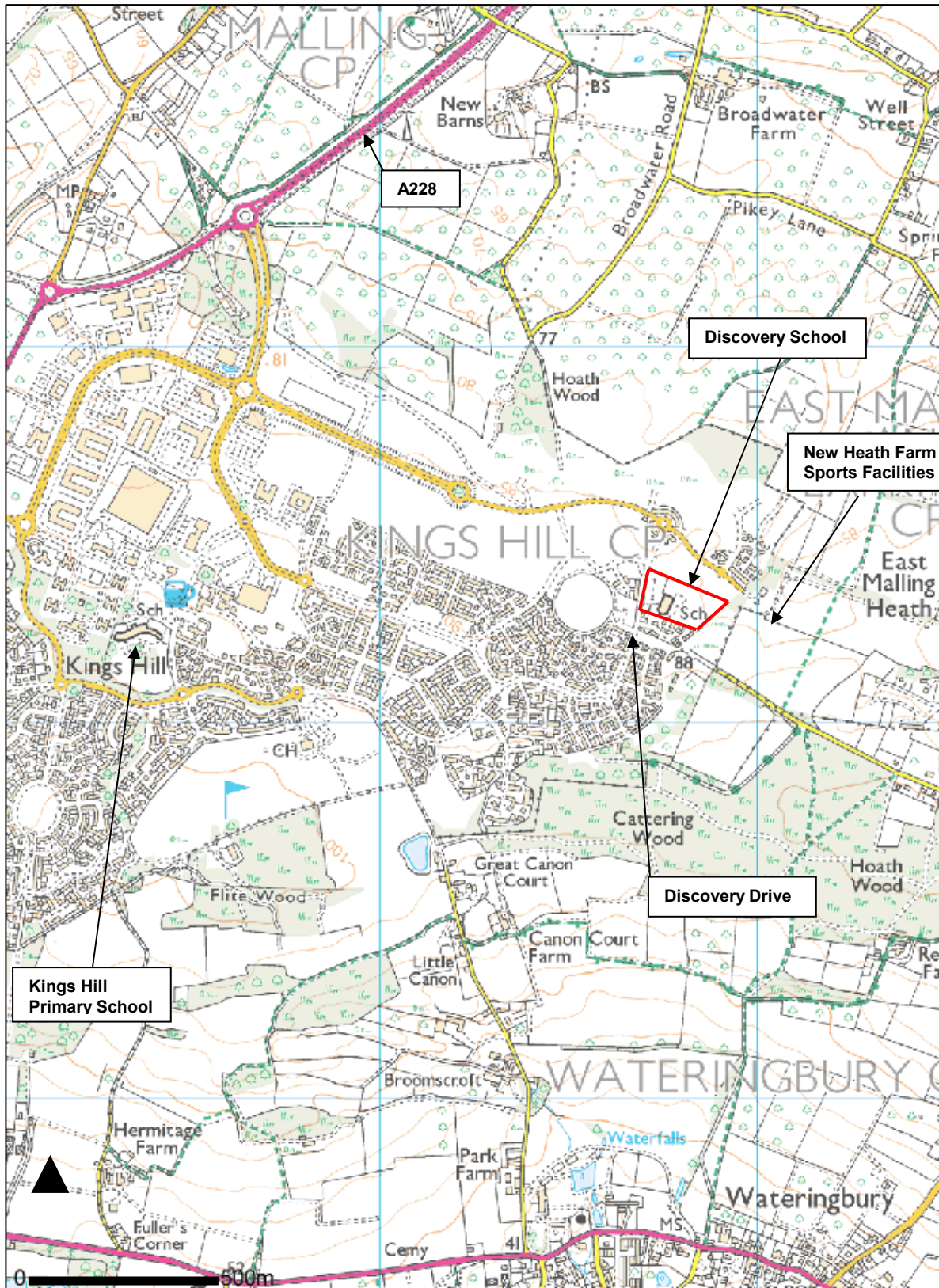
5. The application site lies within land identified in the Tonbridge & Malling Borough Local Plan for the provision and development of the Kings Hill development. The area also falls within a Groundwater Vulnerability Zone overlying a Major Aquifer, as defined by the Environment Agency. There are no other site specific designations, although more general development plan policies are set out in paragraph (20) below.

Background

6. The site was originally permitted for education use in 2002 under permission reference TM/02/2350. This permission granted approval for a new 2 form entry primary school to be built in phases. The first phase of development was completed in 2003 to allow for 1 form of entry. The school was subsequently expanded under phased development to cater for demand within Kings Hill, as more of the housing development was completed. The design of the final phase of the school building was amended under planning permission TM/07/1477 to allow for a more straight forward extension to the original building, this change did not alter the overall capacity of the school permitted under the base permission.
7. The Discovery School is the second primary school identified in the original Kings Hill Master Plan. The school was designed to expand with the Kings Hill community. The Education Authority has confirmed that the developer contributions received for the permitted housing on Kings Hill has been fully discharged through the delivery of existing schools. The Discovery School reached its capacity in 2009/10. Due to an exceptionally high demand for primary school places in the local area additional forms of entry were added in 2010 and 2011, raising the intake from 60 pupils a year (2 FE) to 90 pupils (3 FE). This has resulted in the school intake exceeding the design capacity with the additional classes being taught in all available teaching spaces including the original IT room.
8. In 2009 planning permission was granted for a new single storey Children's Centre to be constructed to the front of the school grounds adjacent to Discovery Drive, under reference TM/09/1983. This development has not been implemented to date and I am not aware of any plans to do so before the permission lapses in October 2012.
9. A similar application to the current proposals, for the construction of three steel framed modular buildings to provide an additional six classrooms, was submitted in October 2011 (under planning reference TM/11/3179). This original application was subsequently withdrawn on the recommendations of officers due to objections received to the proposal on various grounds, including the layout of the development and concerns over the potential highway implications. The current application represents a revision of this earlier submission that amends the original proposals in response to objections previously received, and further to pre-application discussions with officers.

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General Location Plan



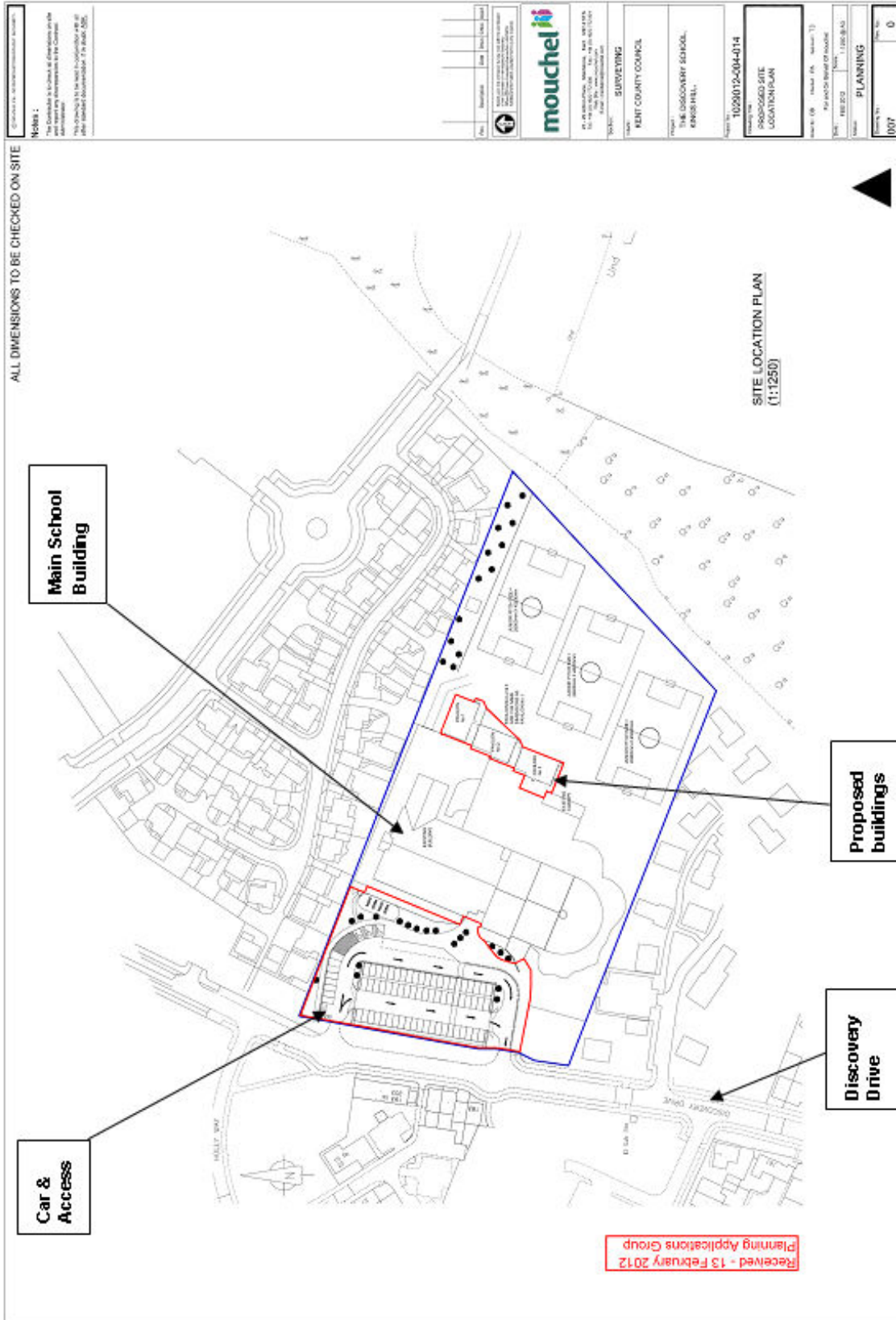
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Existing Site Plan



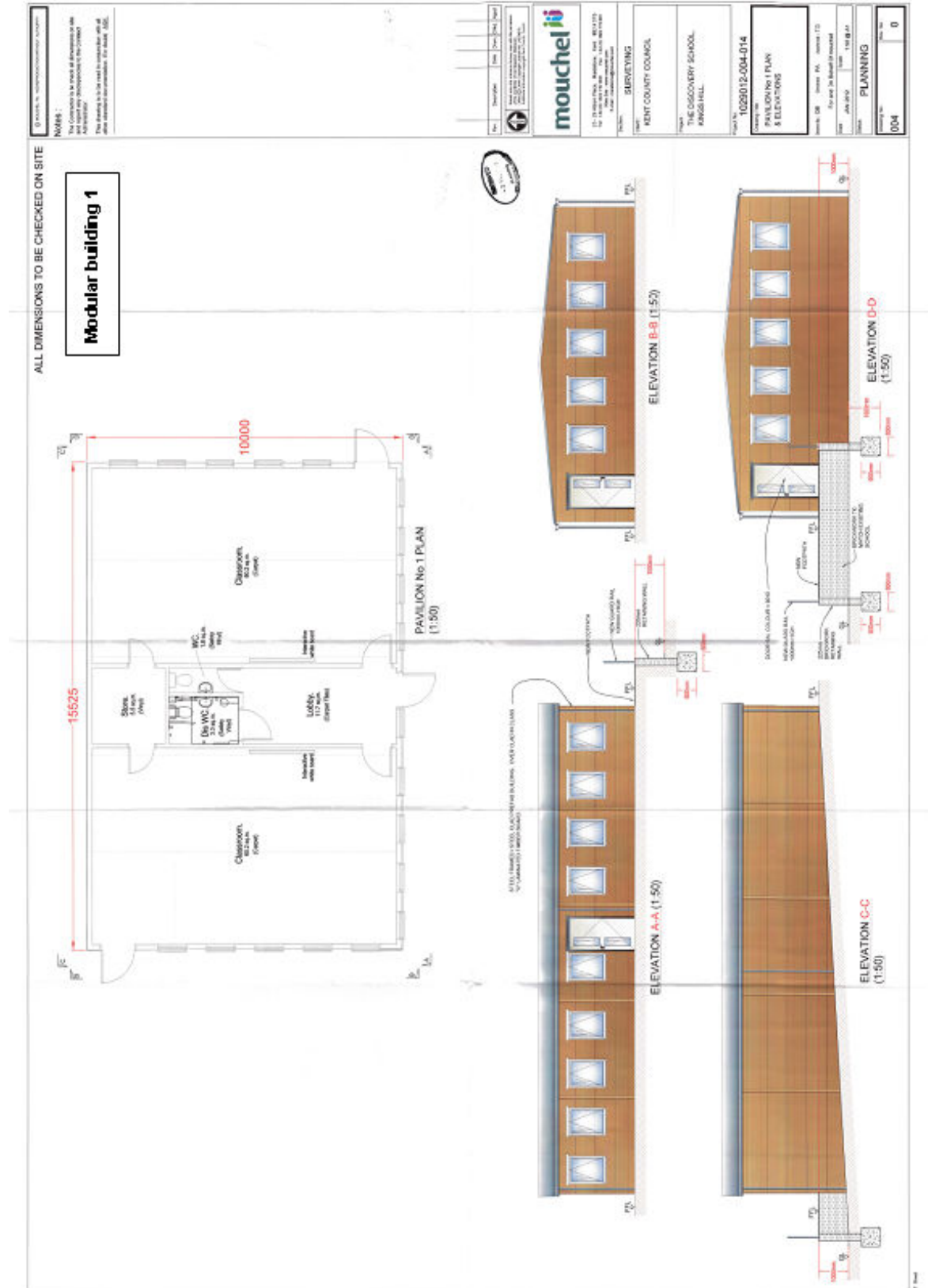
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Proposed Site Plan



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Proposed Elevations



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Proposal

10. The application proposes the construction of 3 (enhanced) modular buildings (pavilions) to provide 6 new classrooms at The Discovery School. The new classrooms are required to enable the school to officially expand to 3 form entry (FE) to cater for high demand for primary school places within the local community. The proposal would allow the School to accept 180 additional pupils over coming years, expanding the theoretical maximum capacity from 450 to 630 pupils, with staff numbers rising from 50 to 64 full-time equivalents.
11. The applicant expects the expansion to be a temporary measure to cover a medium term demand for school places. The application states that it is anticipated that once the existing round of housing development on Kings Hill has been completed the demand for new places within the local primary schools will reduce, enabling some accommodation to be removed over time (up to 1 FE).
12. Each of the modular buildings proposed would include 2 classrooms, associated storage, toilets and entrance lobby. The buildings would be constructed to allow level access with the adjacent playground, with tarpaved footpaths serving the main entrances and fire exit doors. The application confirms that all of the proposed buildings would be fully Disabled Discrimination Act (DDA) compliant.
13. The single storey modular buildings would measure approximately 15.5m by 10m by 2.5m high to the eaves. Building 1 spans a sloped area on site which would result in the need for eastern end of the building to be raised a further metre above ground level to enable the level access. The modular buildings would include enhanced external materials to match with the existing school building. The external finish proposed includes low pitched roofs covered with Eternit slate and walls clad with composite cladding in a pale natural wood finish, to match similar materials already used on this modern school site. The modular buildings would be set level with the ground and the cladding would continue to ground level with no visible void space beneath.
14. The buildings would be sited on a grassed area on the north-western edge of the playing field, part of which slopes towards the east. Due to the change in gradient and proximity to existing hard standing on site, the proposed location does not form part of the existing marked sports pitches within the playing field. The application confirms that the buildings have been sited as close to the main school buildings as possible to reduce the distance pupils have to travel between buildings.
15. In support of the proposed expansion of the school, the application also includes revisions to the access and vehicle parking arrangements on site to allow for the use of a pick-up and drop off area to the front of the school buildings. The car park layout would be altered to include new 1.2m high timber paling fencing and gates to provide a clear separation between vehicle and pedestrian routes into the site. The proposed fencing would also separate staff only car parking from areas that would be available for use by parents at the beginning and end of the school day. These changes would enable safe use of existing vehicle entrance and exit points enabling traffic flow within the site, and the use of drop-off / pick-up facilities fronting the school. The car park layout would incorporate 68 spaces, 3

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disabled parking bays and 5 motorcycle bays, enabling the full use of existing provisions.

Additional information received from the School

16. The School has confirmed that the pupil drop off / pick up zone would be made available for use by parents. The main vehicle entrance and exit would be open between the hours of 08.40am to 09.05am. During this period the drop off zone would be managed and monitored by school staff to ensure compliance with the scheme and to maintain pupil safety. Between 09.05am and the end of the school day, the gates would be closed with entry to the school controlled via an intercom/ buzzer system. The school gates would be open at the end of the school day with parents that require assistance with pickup able to approach the school on an individual basis.
17. The Chair of Governors has confirmed that both the Head Teacher and the School's Governing Body are committed to operating and managing the new facilities with free access to drop off children in the mornings. He raises some concern about how the arrangements would work in the evenings as this is more complex, however the School are committed to work with stakeholders to find a workable solution.
18. The application is accompanied by a revision to the existing School Travel Plan in support of the proposals. The travel plan's continuing objectives are: to promote greater safety for pedestrians and encourage children to walk to school where possible; to reduce the number of car journeys to school; to reduce conflict between vehicles and pedestrians close to the school; and to promote a good relationship with the local community.
19. In conclusion the Chair of Governors states:

'The Discovery School is an Ofsted Outstanding school. It is in high demand and has a rapidly increasing role. The Governing Body are committed to working with all interested parties to deliver effective services to the community in these challenging circumstances. It is also worth noting that without the additional capacity delivered by this application, the school will not be in a position to provide 30 places already offered to parents in September 2012.'

Planning Policy

20. The most relevant Government Guidance and Development Plan Policies summarised below are appropriate to the consideration of this application:
 - (i) **National Planning Policy Guidance** – the most relevant National Planning policy guidance is set out in:

National Planning Policy Framework (March 2012) sets out the Government's planning policy guidance for England and as guidance is a material consideration for the determination of planning applications. It does not change the statutory status of the development plan which remains the starting point for decision making. The NPPF replaces the majority of the Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs).

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The NPPF contains a presumption in favour of sustainable development. The new Framework also refers to the UK Sustainable Development Strategy Securing the Future which sets out 5 guiding principles for sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society, achieving a sustainable economy; promoting good governance and using sound science responsibly. In terms of the planning system, the NPPF identifies that there are 3 dimensions to sustainable development which create 3 overarching roles in the planning system -- economic, social and environmental. These roles are mutually dependent. Within the over-arching roles there are 12 core principles that planning should achieve. These can be summarised as:

- be genuinely plan-led;
- a creative exercise in finding ways to enhance and improve the places people live their lives;
- proactively drive and support sustainable economic development;
- secure high quality design and a good standard of amenity;
- take account of the different roles and character of different areas, including protecting Green Belts, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities;
- support the transition to a low carbon future, taking account of flood risk and coastal change and encourage the reuse of existing resources and the development of renewable energy;
- contribute to conserving and enhancing the natural environment and reducing pollution
- encourage the effective use of land by reusing brownfield land, providing that it is not of high environmental value;
- promote mixed use developments;
- conserve heritage assets;
- manage patterns of growth to make fullest use of public transport, walking and cycling; and focus significant development in locations which can be made sustainable; and
- take account of strategies to improve health, social and cultural well being, and deliver sufficient community and cultural facilities and services to meet local needs.

In terms of delivering sustainable development in relation to this development proposal, the following NPPF guidance is particularly relevant:

- Chapter 4 (Promoting sustainable transport);
- Chapter 7 (Requiring good design);and
- Chapter 8 (Promoting healthy communities);

The Framework also requires that local planning authorities should look for solutions rather than problems. It states that those determining applications should seek to approve applications for sustainable development where possible. Additionally, it attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight

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should be given to the need to create, expand or alter schools.

Planning for Schools Development Policy Statement (August 2011) sets out that there should be a general presumption in favour of state funded schools, in considering development proposals.

(ii) The South East Plan (2009):

Policy SP3 Seeks to focus development within urban areas to foster access to services and avoid unnecessary travel.

Policy CC1 Seeks to achieve and maintain sustainable development in the region.

Policy CC4 Seeks new development to adopt sustainable construction standards and techniques.

Policy CC6 Seeks sustainable and distinctive communities that respect the character of settlements and landscapes, and achieve a high quality built environment.

Policy BE5 Seeks development that meets local needs of rural communities, is subject to design and sustainability criteria that respects the character of the built form and landscape setting.

Policy NRM1 Seeks to maintain and enhance ground water quality through the avoiding adverse effects of development on the water environment.

Policy S3 Seeks to ensure the adequate provision of pre-school, school, and community learning facilities.

Important note concerning the South East Plan:

Members will already be aware of the relevant South East Plan policy considerations in relation to the proposed development, in that The Plan was revoked and later reinstated pending the enactment of the Localism Bill. Members will also be aware that they have to have regard to the policies in the SEP and the Government's intention to abolish the Regional Spatial Strategies (RSS) as material considerations. However the weight to be accorded is a matter for the decision makers. Members will note that the Localism Bill has now been enacted; however the SEP remains in effect until such time as the Government complete the formal process of revoking the Plan

(iii) Tonbridge and Malling Borough Council: Local Development Framework Core Strategy (2007):

Policy CP1 Seeks all proposals for new development to result in a high quality sustainable environment. The need for development will be balanced against the need to protect and enhance the natural and built environment.

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- Policy CP2 Seeks new development that is well located relative to public transport, cycle and pedestrian routes, that minimise the need to travel through the implementation of Travel Plans, and is compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated.
- Policy CP11 Seeks that development be concentrated within the confines of the urban areas, including Kings Hill
- Policy CP24 Requires new development that is well designed and of a high quality in terms of detailing and use of appropriate materials, and must through its scale, density, layout, siting, character and appearance be designed to respect the site and its surroundings. Seeks to protect, and wherever possible, enhance, existing open spaces.
- Policy CP26 Seeks to safeguard land required for the provision of services to meet existing and future community needs

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

- Policy CC1 Seeks all proposals for new development to result in a high quality sustainable environment.
- Policy CC3 Seeks to protect the water environment, including surface water and groundwater quality.
- Policy SQ1 All new development should protect, conserve and, where possible, enhance the character and local distinctiveness including its historical and architectural interest and the prevailing level of tranquillity, the biodiversity value of the area.
- Policy SQ8 Development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network. Seeks development to comply with Kent parking standards.
- Policy OS1 Seeks to protect existing open space from development that would result in the loss or reduce the value of the provisions.

(v) Tonbridge and Malling Borough Local Plan (1998) Saved Policies:

- Policy P2/3 All development within the Kings Hill Policy Area shall be designed and located so as to respect the setting of the site in the wider landscape, and to reduce to the greatest extent possible the visual intrusion of any such development in that landscape.

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Consultations

21. **Tonbridge and Malling Borough Council** – no objection, subject to a condition requiring that the proposed drop-off area and revised car parking arrangements are fully implemented and reserved for those purposes thereafter.

Kings Hill Parish Council – no objection to the planning application.

Environment Agency – no objection, subject to a condition restricting the discharge of surface water drainage to the ground, unless otherwise approved, to prevent pollution of groundwater in the underlying principle aquifer.

Sport England – objects to the application, on the grounds that insufficient information has been provided by the applicant to allow an informed assessment of whether the proposal would accord with Sport England's playing fields policy, 'A Sporting Future for the Playing Fields of England' (1997). To allow a full assessment, Sport England is requesting a topographical plan showing the levels of the site areas proposed for development. On receipt of this information Sport England will review its position.

Sport England notes that on the basis of its objection, the provisions of the Town and County Planning Direction (2009) would apply. Consequently, the application would need to be referred to the Secretary of State if the County Council is minded to approve the planning application contrary to the above advice.

It is noted that the applicant has provided further information to Sport England in response to initial comments received and that the above request has been made more recently in addition to the information originally requested. The applicant has agreed to provide the requested topographical survey and on drafting this report is completing the necessary work. Once this information has been received copies will be provided for their formal comment.

Highways and Transportation – no objection to the proposal. The Highway Authority is content that attention has been given to the school pick-up and drop-off arrangements and considers that these provisions would ease disruption and assist traffic movement on Discovery Drive during peak times. Highways and Transportation recommends that the continuing provision of the drop off and pick up area within the school grounds be secured by way of a condition on any planning permission.

In response to concerns raised by nearby residents regarding the potential highway impacts of the development the Highways Development Planner comments as follows:

'Congestion outside schools at school times nationally has become a familiar experience and whilst at a glance this may appear chaotic, dangerous and disruptive, the facts often do not reflect perceptions. It can be argued that the most widespread and effective form of traffic calming is traffic itself and it is often the case that injury crashes do not occur outside schools at school times. The County Council's database of Police reported injury crashes shows that there has been no injury crashes outside Discovery School since its existence.

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The peak activities at school times typically last for 20 to 30 minutes at each end of the day and traffic conditions after these times soon revert to normal patterns of flow. Each arrangement is different but parents usually occupy spaces that are most suitably available at their time of arrival, whether that is in a nearby car park or at the most suitable location along a section of road. It is rare that someone would leave a vehicle in a way that causes an obstruction preventing through movement. The reintroduction of the school's own pick up and drop off area as required by the County's car parking standards is a welcome element of this planning application. The patterns of movement will be different between the morning and afternoon school start/stop times but in each case this will be a benefit and easement to the pressures on Discovery Drive from this proposed increase in pupil numbers.

There is no denying that as mentioned earlier there will be some disruption at school times. Essentially it is considered however, that this disruption will amount to some inconvenience over a limited period of time to other users who may be in the area at these times. A key factor here is that this school is not on a strategic or through route. It is within the settlement of Kings Hill which effectively in transport terms is a network of local roads off the A228 serving this community. This is a modern network where there are opportunities or choices for alternative routes and modes to be undertaken and it is natural that these choices will be taken up according to what is most convenient. I am satisfied that whilst there may be some disruption and inconvenience locally, this will be to an acceptable level'.

Local Member

22. The local County Member for Malling Rural East, Mr R. Long was notified of the application on 17 February 2012.

Publicity

23. The application was publicised by the posting of a site notice, and the individual notification of 33 residential properties.

Representations

24. In response to the publicity, 3 letters of representation have been received. The key points raised can be summarised as follows:

- Objects on the grounds that the main school building was not designed to cater for a 3 form-entry Primary School, as such shared facilities like the assembly hall, dining area, IT Room would not be adequate for the additional pupils;
- Suggests that Kings Hill School should be considered for expansion rather than repeatedly expanding The Discovery School on the basis that Kings Hill Primary School is more centrally located to serve the settlement;
- Objects to the congestion that would be caused by additional traffic on the narrow local road network at peak morning and afternoon school times;
- Objects to the visual impact of the buildings and their potential impact on views from neighbouring properties;

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Liberty Property Trust

- Raises concerns that the application documents as submitted are misleading in relation to the car parking provision on site. Notes that the existing car park contains 71 spaces therefore there is no provision for additional parking spaces within the application, purely a re-configuration of the existing arrangements;
- Requests a condition be imposed on any planning permission ensuring that the car park is kept available at all times when the school is occupied, including after school clubs, etc;
- Notes that the application is not accompanied by a Transport Assessment and hence there is no evidence of what impact the additional classrooms and resultant traffic generation would have on the surrounding infrastructure or car parking arrangements;
- Seeks further clarification as to how the drop off / pick up zone would be operated by the School and whether the facilities would be managed by school staff during am and pm peak times;
- Seeks a further revision to the School Travel Plan to fully reflect the current circumstances.

Discussion

25. The application seeks planning permission for the installation of 3 enhanced modular buildings (6 classrooms) to the rear of The Discovery School to enable the site to expand from 2 form-entry to accommodate 3 forms of entry (90 pupils each year). The application is being reported to the Planning Applications Committee as a result of an objection received from Sport England and 3 letters of representation received from residents of Kings Hill and Liberty Property Trust; please see paragraphs (21) and (24) for details of the representations received.
26. In considering this proposal regard must be had to the Development Plan Policies and Government Guidance outlined in paragraph (21) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that applications are 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, National Planning Policy Framework, other Government Guidance and other material planning considerations arising during the consideration of the application.
27. In my opinion, the main determining issues in this particular case can be summarised by the following:
- location and design;
 - highway considerations;
 - the need for the development; and
 - other relevant planning considerations.

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Location and design

28. As previously indicated the proposed application site falls within the curtilage of an existing school site with the use of the proposed buildings incidental to the established educational use. The proposed buildings would enable an increase in the scale of this use. The buildings proposed would be set to the rear of the school grounds on the edge of the school playing field, approximately 15 metres east of the main school building. The school site is surrounded by residential properties to the north, south and west with relatively open boundaries. The modular buildings would be screened from the street-scene by the main school building to the west and from wider views from the east by a wooded area beyond the school grounds. The application site is overlooked by the residential development to the north and south, which in places has been built in close proximity to the school's boundary. The nearest residential properties to the proposed modular buildings are located approximately 26m (elevation to elevation distance) to the north.
29. The proposed development raises material considerations about its siting and design when considered in the context of the character of the local built environment and open space. South East Plan Policies CC1, CC6 and BE5 seek to ensure a sustainable pattern of development ensuring the physical and natural environment is conserved and enhanced. These policies also seek design solutions for new development that respect local character and distinctiveness to create a high quality built environment. Tonbridge and Malling Borough Council: Core Strategy Policies CP1, CP11 and CP24, and Tonbridge and Malling Borough Council: Managing Development and the Environment Development Plan Document Policies CC1, SQ1, OS1 seek new development that results in a high quality sustainable environment, that protects, conserves and, where possible, enhances the character and local distinctiveness, balanced against the need to protect and enhance the natural and built environment and existing open space.
30. Representations received from local residents have commented that the development would affect the visual outlook from neighbouring properties. Members will be aware that the protection of private views across neighbouring property is not a material consideration; however the design of the building in the context of its surroundings and its layout in relation to neighbouring land uses should be considered.
31. The current application represents a revised scheme re-submitted following objections raised to a similar earlier application. This previous application proposed siting the buildings further to the north-east, closer to residential property with potentially a greater impact on the available playing field. The current proposals revise the location of the buildings increasing the level of separation between the development and residential properties and reducing any impact on playing field land.
32. The elevation to elevation distance of 26m (at the closest point) is considered to be sympathetic to surrounding built development and is greater than the level of separation achieved between buildings in the surrounding housing developments. It is noted that the application site is slightly elevated in relation to the closest properties to the north (by approximately 1m). These properties are set back from the school boundary with residential garage blocks and car parking in the intervening space. The proposed modular buildings are shown as single storey with shallow pitched roofs. The height of the standard building

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proposed would be approximately 3m to the ridge line and 2.5m to the eaves. Taking into account the differences in ground levels, from the north and east the northern most modular building would still appear smaller than the eaves height of the surrounding two storey residential properties. The facing elevation of this building would not include windows or doors directed towards residential properties. Despite the open boundary and ground level differences, taking the above into consideration, I am satisfied that the development as proposed would not have a material impact on residential amenities, including from overlooking, proximity or the size of the development.

33. Whilst the buildings proposed would be of a modular design, the application sets out to deliver an enhanced external finish incorporating a shallow pitched roof with materials to match with those used in the main school building, which itself is of a contemporary design including similar modern materials. This would include the provision of composite cladding in a pale natural wood finish which would serve to mitigate for the visual impact of the development and is considered to be sympathetic to the surrounding built environment. On the basis of the enhanced design, I am satisfied that the development would be acceptable in terms of its visual impact for a temporary period. I also note that the buildings are only being proposed as a temporary solution to allow for a predicted short term increase in demand for primary school places on Kings Hill.
34. The proposed buildings would be sited on the edge of the school's playing field; therefore careful consideration needs to be given as to whether the development would have an unacceptable impact on the open space and the available sports provision. Chapter 8 of NPPF (Promoting healthy communities) seeks to protect existing open space, sports and recreation buildings and land. Government policy advice is that this land should not be built on, unless: it is demonstrated that the land is surplus to requirements; the loss would be replaced by equivalent or better provision; or the development is for alternate sports and recreation provision, the needs for which clearly outweigh the loss. The Tonbridge and Malling Borough Council's Core Strategy Policies CP24, CP26 and Managing Development DPD Policies SQ1 and OS1 (amongst other matters) seek to protect against loss open space, sports facilities or a reduction in the value of the provisions.
35. Sport England is at present maintaining an objection to the application on the basis that there was insufficient information received with the original application to allow it to make a substantive comment on the potential impacts of the development on the playing field. The applicant has provided further supporting information in response to Sport England's initial comments and is currently in the process of preparing a topographical survey in answer to Sport England's latest views. Once available, this information will be made available to Sport England along with other consultees. The application is being reported to Members at this stage, before Sport England have received the requested surveys, since the development is time sensitive; if permitted the additional accommodation is needed on site to provide classroom space for 30 places already offered to parents in September 2012.
36. Sport England assesses all applications that affect playing field against its Planning Policy Statement: 'A Sporting Future for the Playing Fields of England'. This document sets out Sport England's policy to oppose any planning application which will result in the loss of playing field land, unless it is satisfied that the application meets with one of five specific exceptions. The five exceptions can be summarised as follows: excess of provision;

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development ancillary to use of the playing field; land incapable of forming part of a pitch; replacement playing field to be provided; or that the development is for a sports facilities.

37. In my opinion, approximately half of the application site affects land which is incapable of forming a playing pitch due to a change in gradient of approximately 1m towards north-west corner of the playing field. The remainder of the land required to accommodate the proposed buildings forms a 12m wide strip of land that directly adjoins and overlaps with the hard play space on the edge of the playing field. This area does not form part of the existing playing pitches and would not reduce the size of any playing pitch available on site.
38. At present there are two junior sized football pitches marked out on the field to serve the Primary School. Plans submitted by the applicant demonstrate that with the buildings in place the available playing field area could still accommodate three junior football pitches, or the existing running tracks, rounder's and cricket pitches during the summer months. The affected area as a whole is peripheral to the main playing field and would not, in my opinion, compromise the existing quantity or quality of playing pitches available within the school grounds. I note that Tonbridge and Malling Borough Council has not raised an objection to the application.
39. The revised site layout has been designed in an attempt to minimise the impact on playing field by positioning the buildings along the edge of the hard play. This approach also serves to maintain separation between the proposed buildings and the boundary with the residential development to the north. In addition to the above considerations, I am aware that the School are currently in negotiations over the potential use of the new Heath Farm Sports Facilities that are currently being completed to the east of the school to serve the Kings Hill community. If successful the availability of these facilities would supplement the School's existing provision.
40. I am hopeful that with the benefit of the requested topographical survey Sport England will conclude that the application is acceptable. However, Members will note that should Sport England continue to maintain an objection to the application following receipt of the requested topographical survey, under the provisions of the Town and Country Planning (England) Direction 2009, the application would need to be referred to the Secretary of State (via the National Planning Casework Unit) should the County Council be minded to approve the application contrary to Sport England's advice.
41. My recommendation to Members at this stage is that the development as proposed would be acceptable in the context of the Development Plan Policies in place, in terms of its siting, layout, design and its impact on open space / playing field.

Highway considerations

42. On the basis that the application proposes to allow the expansion of the school to a 3FE, careful consideration needs to be given to the potential highway implications from any increase in use of the site and any associated increase in vehicle movements. The school at present accommodates approximately 453 pupils; the intake has increased annually with the growth of the Kings Hill community. The proposed development would allow for the continued expansion of the school roll up to 630 pupils; this potentially represents a

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significant increase in the scale of the use of the site over the permitted provisions. In reality the school has had a 3 FE (90 pupil) intake for the last 2 years, accommodating the additional classes in all available teaching space, including the IT room

43. Members will note that concern has been raised by local residents about the traffic levels generated by the school during peak times as result of the existing use. The concerns follow that an increase in pupil and staff numbers would further exacerbate this problem, with vehicles travelling to site causing congestion and highway safety issues on the local road network.
44. Following pre-application discussions with officers, the applicant has sought to enable appropriate provisions to be made (within the school grounds) for the setting down and picking up of children in a safe environment and in a manner that does not unduly interfere with the operation and use of the public highway. The access and car park originally provided at the school was designed to include a drop off facility; however at present the School does not utilise this as a result of concerns about pedestrian safety on site. The application makes provisions to amend the car parking and access arrangements (through the inclusion of additional fencing) to allow for a clear separation between the internal access roads and pedestrian routes into the site. These changes would help to address the previous health and safety concerns.
45. The Kent Vehicle Parking Standards covering primary schools suggests a maximum provision of 1 space per member of staff plus 10%; this equates to a maximum of 70 spaces for the combined total of 64 full time equivalents members of staff proposed as a result of the development. The application proposes to enable the use of all existing car parking provisions on site, which would allow for 68 spaces plus 3 disabled parking bays and space for 5 motorcycles. The site is therefore considered to be well provided for in terms of on site vehicle parking for a primary school, and would already achieve the maximum provisions considered appropriate, even taking into consideration the proposed expansion of the school to 3 form-entry.
46. Kent Highways and Transportation raises no objection to the application, subject to the provision and continued maintenance of the vehicle drop off and pick up facilities on the school site. The Transportation Planner acknowledges that there is and inevitably would be some disruption to the highway network at peak school travel times. However he does not consider that this would exceed the capacity of the surrounding highway network or result in deterioration in highway safety. In his opinion the provision of a pick up and drop off within the school site would ease congestion on Discovery Drive that would potentially result from the increased use of the site. Kent Highways highlight that the school is not on a strategic or through route and that the modern road network on Kings Hill allows for a choice of alternative routes.
47. The application is accompanied by a School Travel Plan which has been updated and reviewed a number of times over recent years. The plan sets out overall aims and objectives: to promote greater safety for pedestrians and encourage children to walk to school where possible; to reduce the number of car journeys to school; to reduce conflict between vehicles and pedestrians close to the school; and to promote a good relationship with the local community. The County Council's Transport Planner for Schools has

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reviewed the latest version of the Travel Plan (re-drafted in March 2012 in support of the current application) providing constructive comments that the School are taking forward. The Chair of Governors has given reassurances that the School has made, and will continue to make, every effort to reduce traffic congestion by means of the Travel Plan, including regular reviews of the document.

48. Given the clear views expressed by Kent Highways in paragraph (21) above, subject to the on going provision of the pupil drop off and pick up facilities, on balance, I consider that the provision of additional school places to serve the needs of the Kings Hill Community outweighs the potential impacts of any increase in traffic associated with the expansion of the use. Clearly the impacts only affected a limited period of the day during school term times and result from a local need for school places. To provide the required facilities within another school potential off the Kings Hill development would result in further traffic travelling longer distances; this would be considered to be an unsustainable solution. Alongside the provision of the drop off facilities, the School's on going commitment to the School Travel Plan process represents the best way to help to ease the highway impacts of the use.

Need for the development

49. Chapter 8 of NPPF (Promoting healthy communities) attaches great importance to ensuring that sufficient choice of school places is available to meet the needs of communities. South East Plan Policies BE5 and S3, and TMBC Core Strategy Policy CP26, seek to ensure adequate provision of school and community learning facilities to meet existing and future community needs.
50. The applicant's case of need confirms that, historically, the Kings Hill housing development has seen a proportionately high rate of families moving in with pre-school aged children, or residents starting families once they arrive. That has seen demand for local primary school places far exceed the County average. 176 applications have been received so far for primary school places in Kings Hill starting September 2012. The high demand has outstripped the available facilities originally predicted to be needed to meet the needs of the Kings Hill community. The developer contributions secured from the permitted housing has now all been fully discharged through the delivery of the existing Kings Hill Primary and The Discovery School. The combined permitted intake for the two schools is 120 pupils (4 FE), albeit that over the last 2 years The Discovery School intake has risen from 60 pupils to 90 pupils, an additional class of 30 pupils. These two extra classes are currently accommodated internally within the main building within spaces not originally dedicated to classroom space that have subsequently been converted, including the IT room. The Education Authority has confirmed that in order to accommodate the existing pupils with the 2012 intake two new classrooms would be required by September. The Authority has indicated that the high demand for places shows no immediate sign of abating and is unlikely to do so until the existing phases of housing development are completed and occupied. The six classrooms applied for would enable the school to admit an additional class each year over the next five years up to an additional 180 pupils over the existing school role. One of the proposed classrooms would accommodate an existing additional class currently housed temporarily in other accommodation within the main school building.

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51. The Educational Authority has confirmed on the basis that there has been no new housing developments permitted on Kings Hill that there are no developer contributions to finance a third primary school at this time. The Education Authority does not have a site available, nor is there the capital available to buy a site or build a new school at present. A Free School application was made to the Department for Education; however this failed to get past the first stage.
52. In my opinion the circumstances above establish a clear case of need for school places to serve the local community; if they are not provided within Kings Hill then they would need to be provided on an alternative school site. Given that the pressures for places are being generated from children living within Kings Hill, providing places away from the settlement would be considered to be unsustainable. Even with the additional classrooms proposed by this application there is still likely to be a shortfall in places available. I am satisfied that the provision of 'temporary' classrooms represents the best option to cope with the forecast peak in demand for primary school places over the coming 5 years. On this basis, it is my opinion that there is a demonstrated need for the development which is supported by the above development plan policies.

Other relevant planning considerations

53. The application site overlies a principle aquifer, which means groundwater would be at risk from activities on site. Subject to appropriate precautionary measures and there being no surface water drainage into the ground other than as permitted, the Environment Agency raises no objection to the proposals.
54. The land affected by the development includes a small number of juvenile trees and shrub planting that will have been planted as part of the original landscaping of the school grounds. On the basis that this planting has yet to mature its loss would have no great impact on visual amenities. The plants are of a size that could be transplanted or replaced elsewhere on the site.
55. An objection received from a nearby resident raises concern that the shared facilities within the main school building, like the assembly hall, dining area, IT Room, would not be adequate for the additional pupils that would attend the site if the application were to be permitted. Whilst this clearly is a practical consideration, I do not consider it to be a material consideration from a land use planning perspective or grounds to consider refusing the application; it is more a site management issue for the Education Authority and the School's Governing Body to reassure themselves on.
56. One representation received from a neighbouring resident questioned why consideration was not given to expansion of Kings Hill Primary School in place of further development at the Discovery School, especially on the basis of Kings Hill Primary's more central location within the settlement. The supporting documents received with the application confirm that the Education Authority took the decision to enlarge The Discovery School over Kings Hill Primary on the basis that the terrain of Kings Hill meant that the modular units could not be accommodated together and would have had to be placed at a considerable distance from the main school building creating health and safety concerns. Moreover, with the ongoing expansion of development eastwards at Kings Hill, it is no longer the case that the Kings Hill

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Primary School is more central to the development. In my opinion, in this instance, only in the event that it is considered that there are overriding material considerations sufficient to justify refusing the current application, would it warrant an assessment of alternative locations to this site.

Conclusion

57. In conclusion, I consider that the modular buildings proposed would not have a detrimental impact on the character and/or appearance of the surrounding built environment or landscape for a temporary period. I am satisfied that the layout of the development would not compromise the existing quantity or quality of playing pitches available within the school playing field. In my opinion the applicant has been able to demonstrate a case of need for the buildings to be temporarily provided on site in order to support the local demand for primary school places. The provision of the accommodation within Kings Hill represents the most sustainable pattern of development in that it would locate the provision within the community it is proposed to serve.
58. Whilst the application would inevitably result in an increase in disruption on the public highway as a result of the increased use of the site, on balance, I consider that the benefits of providing sufficient school places to meet the needs of the local communities outweighs the limited disruption to the highway network that would result from the expanded school. It is noted that Kent Highways and Transportation raises no objection to the application, subject to the provision and maintenance of drop off facilities within the school grounds. The site is well provided for in terms of on site vehicle parking (equivalent to the maximum standards for a 3FE Primary School), the provision of drop off and pick up facilities within the site would serve to ease pressure on Discovery Drive during peak times, and the School's continuing commitment to the Travel Plan process would seek to address travel issues moving forward.
59. Taking into account the provisions of the Development Plan and material considerations raised during the processing of this application, I recommend that planning permission for the modular buildings be granted for a temporary period of 5 years at which point the situation could be reviewed in light of local demand for school places.
60. Given Sport England's current objection to the potential impact on the playing field, should Members be minded to support my recommendation and seek to permit this proposal, the County Planning Authority is required to refer the application to the Secretary of State for Communities and Local Government at the National Planning Casework Unit. The Town and Country Planning (Consultation) (England) Direction 2009, requires that the Authority may only proceed to determine an application once the Secretary of State has had an opportunity to consider whether or not to call in the application for his own determination.

Recommendation

61. I RECOMMEND that subject to Sport England's final views the application BE REFERRED to the Secretary of State for Communities and Local Government, and SUBJECT TO his decision, PLANNING PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

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- temporary consent for a period of 5 years from date of permission;
- removal of classroom units at expiration of 5 year period and the subsequent restoration of the site thereafter;
- the development be carried out in accordance with the permitted details;
- the drop off and pick facilities to be provided and kept available for use by parents at the beginning and end of the school day, as well as for after school clubs and other activities outside of the main school day.

I FURTHER RECOMMEND THAT AN INFORMATIVE be added to the decision notice highlighting the importance of continued commitment to the School Travel Plan process in seeking to reduce congestion and increase highway safety around the school.

Case Officer: James Bickle

Tel. no: 01622 221068

Background Documents: see section heading
