

**Proposed gate and drop kerb access from Raymer Road, Sandling Primary School, Maidstone MA/12/0385**

A report by Head of Planning Applications Group to Planning Applications Committee on 8<sup>th</sup> May 2012.

Application by Kent County Council Education, Learning and Skills for a proposed gate and drop kerb access from Raymer Road for mower and landscape maintenance to the rear of the main school building at Sandling Primary School, Ashburnham Road, Penenden Heath Maidstone (MA/12/0385).

Recommendation: Permission be granted subject to conditions.

Local Member(s): Mr I Chittenden

Classification: Unrestricted

**Site**

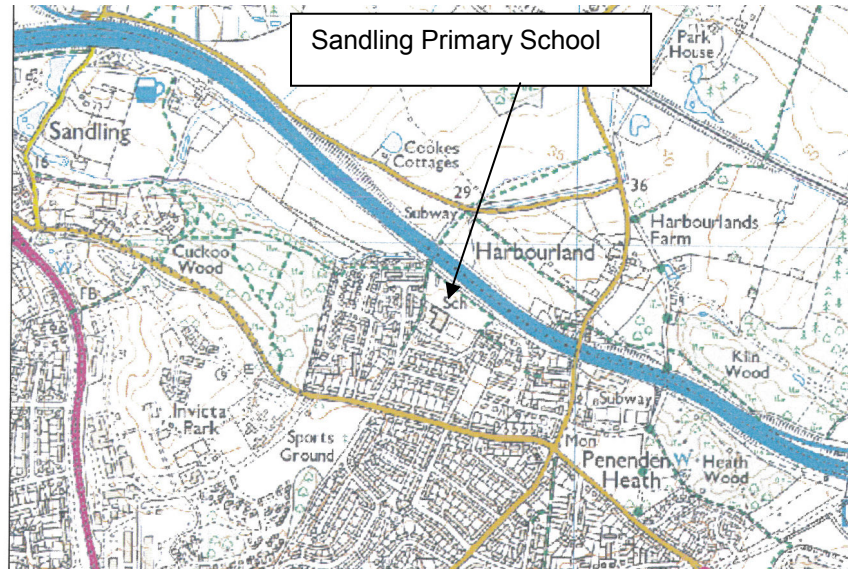
1. Sandling Primary School is located within the Maidstone Urban Area, between Sandling and Penenden Heath and north of Maidstone. A map showing the location of the site in relation to its surroundings is included below.
2. Access to the school site is at the end of Ashburnham Road. However, properties in Downs View Road and Raymer Road back onto the school grounds and in particular the school playing fields to which the school seek a new access point. Raymer Road is a cul-de-sac.

**Proposal**

3. This minor development proposal is for the installation of a new access gates and dropped kerb to the Sandling Primary School field, off Raymer Road. The proposal is for mower and landscape maintenance use only.
4. The proposal would involve the removal of the existing 3 metre width section of green palisade fence and replacement with double swing gates matching the existing fence in height, type and colour. The proposed gates would open onto the school field. A section of existing kerb and pavement is proposed to be removed and replaced with drop kerbs and tarmac to form the kerb line.
5. The proposal would be used only for access to the school field for maintenance of the grounds. The applicant proposes that it would be used infrequently, typically once a week in the growing season. The applicant states that it would not be used as an additional vehicle access to the school site, other than for field maintenance and for the emergency services.
6. Details of the proposal are shown below.

**Proposed gate and drop kerb access for mower and landscape maintenance off Raymer Road to Sandling Primary School field.**

**Location Plans**



Produced using KentView by initials on Thursday, 12 April 2012 at 13:34

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1:14121



**Drawing showing location of application area in relation to Raymer Road and Sandling Primary School**

**Notes:**  
 On Not Scale  
 Report all discrepancies, errors and omissions.  
 Verify all dimensions on site before commencing any work on site or any structural changes.  
 All materials, components and workmanship are to comply with the relevant British Standards. Codes of Practice and inspection manufacturers recommendations not from this list shall apply.  
 For all specialist work, see relevant drawings.  
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**PROJECT TITLE:**  
 12-006  
 Sandling Church of England  
 Primary School  
 Proposed Mower Access

**DRAWING INFORMATION:**  
 Site Location Plan

**SCALE:** 1:1250 @ A4  
**DATE:** FEB 2012

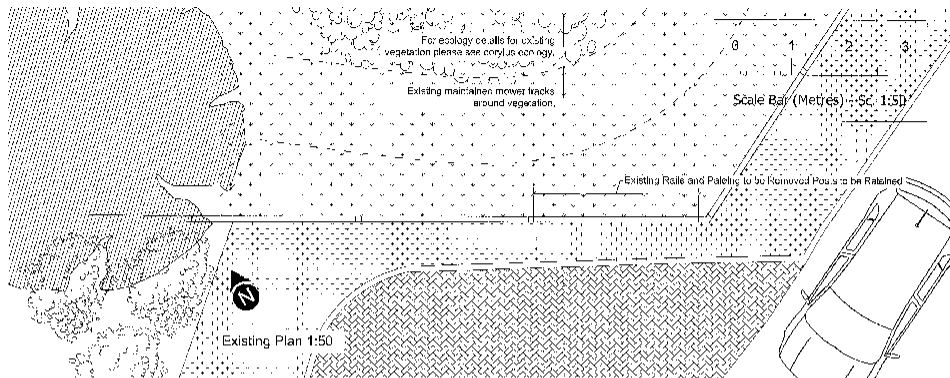
**STATUS:** PLANNING

**DRAWING NUMBER:** 12-006/00  
**REVISION:**

# Item D2

## Proposed gate and drop kerb access for mower and landscape maintenance off Raymer Road to Sandling Primary School field.

### Proposal details



Notes:

To: 12/03/12

Scale: 1:50

Site: 12/03/12

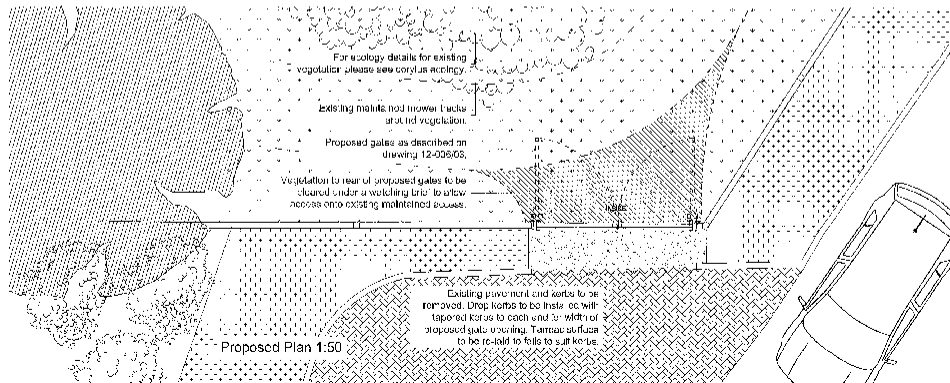
Project: 12/03/12

Client: 12/03/12

Drawn: 12/03/12

Checked: 12/03/12

By: 12/03/12



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12/03/12

12-006/05

Sandling Church of England Primary School

Proposed Mower Access

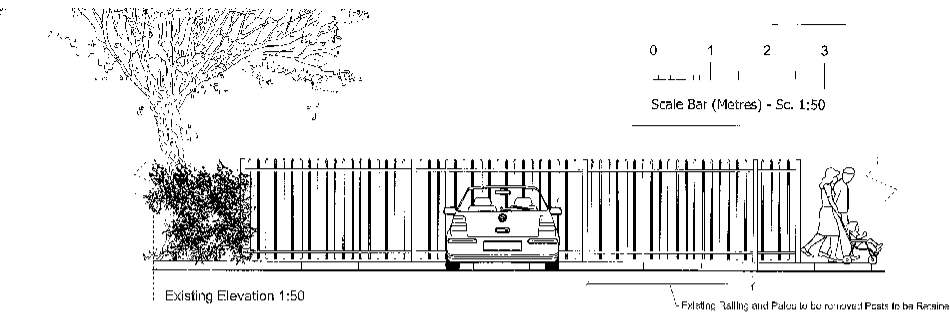
Proposed & Existing Fencing and Pavement Plans

Scale: 1:50

Date: 12/03/12

PLANNING

12-006/05



Notes:

To: 12/03/12

Scale: 1:50

Site: 12/03/12

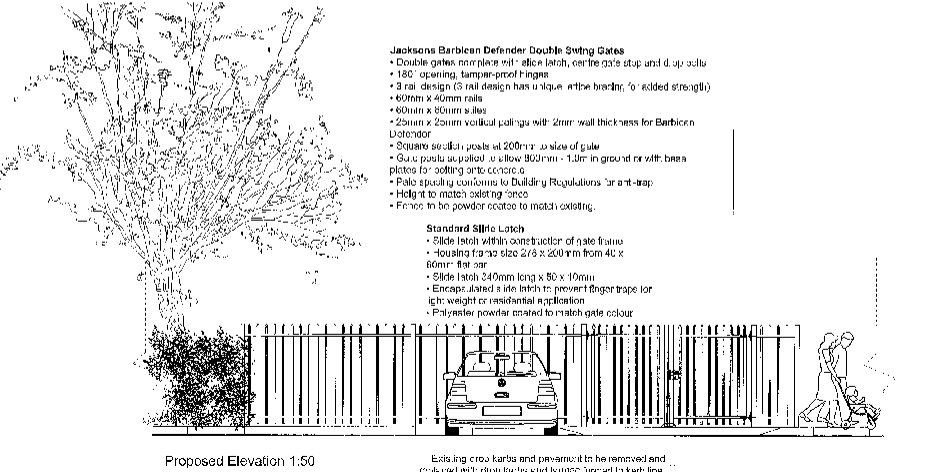
Project: 12/03/12

Client: 12/03/12

Drawn: 12/03/12

Checked: 12/03/12

By: 12/03/12



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12/03/12

12-006/05

Sandling Church of England Primary School

Proposed Mower Access

Proposed & Existing Fence Elevations

Scale: 1:50

Date: 12/03/12

PLANNING

12-006/05

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#### View looking towards the location of proposed access gates in the existing fence line.



#### Background

7. A number of other planning applications have recently been granted in relation to the school site. Most recently MA/12/0386 for the construction of a new staffroom area and a new tension fabric canopy to the front of the existing school building and MA/11/2036 which was for the construction of a single classroom extension with wet room, cloak and storage facility to the west of the existing school buildings. Construction has not yet commenced.
8. To the west of the proposed single classroom extension and the main school buildings, permission has also been granted for the retention of the three mobile classrooms. Permission references MA/09/1172 allows retention of one of the mobile classroom units until 31<sup>st</sup> August 2014 and MA/09/190 allows retention of two mobile units, until 31<sup>st</sup> March 2014.
9. The current perimeter fencing at the site was the subject of planning permission reference MA/08/99.

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#### **Planning Policy**

10. The application needs to be considered in the context of the development plan, planning policy, and other material planning considerations.
11. National policy guidance relevant to consideration of this application is contained in the National Planning Policy Framework (NPPF) which presumes in favour of sustainable development ie development which seeks to ensure that development meets the needs of the present without compromising the ability of future generations to meet their own needs. In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance on sustainable transport, good design and promoting healthy communities is particularly relevant.
12. In terms of requiring good design, the NPPF guidance seeks to ensure that developments will function well and add to the overall quality of the area not just for the short term but over the lifetime of the development and to create attractive and comfortable places to live, work and visit and creating safe and accessible environments. In terms of promoting healthy communities, NPPF guidance seeks to achieve active street frontages which bring together those that work, live and play in the vicinity; safe and accessible environments where crime and disorder and the fear of crime does not undermine the quality of life or community cohesion and safe and accessible developments containing clear and legible pedestrian routes, high quality public space which encourages the active and continual use of public areas. In terms of meeting the need for sufficient school places for communities, NPPF guidance to Local Planning Authorities is to give great weight to the need to expand and alter schools. In terms of sustainable transport the NPPF seeks to ensure decisions which take account of safe and suitable access to sites and that create safe and secure layouts which minimise conflict between traffic and pedestrians.
13. For decision-taking the NPPF defines the presumption in favour of sustainable development as meaning approving development proposals that accord with the development plan without delay unless material considerations indicate otherwise and where the development plan is absent, silent or relevant policies out of date granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policy guidance in the NPPF or specific guidance (eg land designations or heritage) in the NPPF indicate that development should be restricted.
14. Regional policy is contained within the South East Plan 2010. This policy document is due to be revoked as set out in the Localism Act 2011 but remains in place until it is deleted by secondary legislation. The relevant policies to this application are:

|            |  |
|------------|--|
| Policy CC1 | Seeks to achieve sustainable development.                                  |
| Policy CC4 | Seeks to achieve sustainable design and construction.                      |
| Policy CC6 | Seeks to promote sustainable communities and character of the environment. |
| Policy BE1 | Relates to the built environment.  |
| Policy S1  | Concerns supporting healthy communities via the planning system            |
| Policy S3  | Concerns adequate provision of education facilities.                       |

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15. Local Development Plan policies are contained in the Maidstone Borough-Wide Local Plan (2000) (Saved Policies) and the Maidstone Local Development Framework: Core Strategy (2011). The policies summarised below are relevant to consideration of the application.

#### Local Plan Saved Policies

Policy ENV6 This policy relates to appropriate boundary treatment in development schemes.

Policy T23 Seeks to ensure that development proposals are adequately serviced by the transport network.

#### Core Strategy Policies

Policy CS3 Seeks to create a good place to work and live.

Policy CS6 Seeks to achieve sustainable design and development with development that responds to the local context in a positive, forward looking manner and which maintains local distinctiveness while remaining appropriate for purpose.

### **Consultations**

16. Maidstone Borough Council raises no objections to the proposal.

Public Rights of Way raises no objections to the proposal.

Kent County Council Highways and Transportation raises no objections to the proposal, subject to conditions requiring that the access be used for maintenance purposes only and advises that a licence would need to be obtained for any vehicular crossing or any other works within the highway.

### **Local Member(s)**

17. The local County Member Mr Ian Chittenden was notified of the application on the 16<sup>th</sup> March 2012.

### **Publicity**

18. The application has been advertised by the posting of site notices at two locations and by the individual notification of a number of neighbouring properties.

### **Representations**

19. Twenty neighbour representations, have been received regarding the proposal with concerns about:

- retention of the use of the layby/turnaround area where the entrance is proposed, and removal of the parking amenity as a result of the proposal for several cars.
- that parents picking up and dropping off at school would as a result of the proposal have to park further down Raymer Road causing more access and congestion issues (for local residents and school users) at morning and

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evening peak times. One of the concerns is that Raymer Road is a cul-de-sac where there are no pathways or kerbs and that this would cause safety issues to children that play in that area.

- that the proposed access is on a bend and on a turning circle that would impinge on anyone wanting to turn and on the people living in the cul-de-sac as parents would use the cul-de-sac as a turning point.
- disadvantage to residents and visitors to neighbouring property as there might be loss of parking space and congestion. That parking would be restricted for 365 days of the year when the proposed access would be used only about 8 times a year.
- that the proposal would lead onto a general through access via the proposal to the school itself.
- that the turning circle be kept clear and that mower/grounds equipment are not parked there.
- there may be mud on the road and wear and tear to the road.
- congestion caused as a result of the proposal would impede access for emergency services.
- that the proposed access is unnecessary and not needed as there is no current nor historic difficulty in accessing the site either to the west of the school buildings or via the school car park and large vehicles can already easily reach the field. That grounds maintenance activities could be carried out outside of the school hours or in holidays so as to prevent the health and safety issues which are given as the main reason for the application, i.e. machinery and children and congestion on site. That the expenditure is unnecessary and unjustified and would result in disadvantage to residents of Raymer Road with no sound reason.
- a concern for security and that the proposal would result in easier rear access to neighbouring property - that the proposed padlocked gate could be opened easily and that the proposal would make the boundary less secure.
- a general concern is that once access to the school field is allowed there is a perception that this would open the gates for development on and around the playing fields. That there might be further applications for additional development on the playing fields.
- a concern for security for the children should the proposed gates be left open.
- a query in relation to whether a grit/salt bin would be placed at the top of the hill for use during periods of snow and ice so that access to the school grounds may be safely maintained so that no school vehicle may make the road unusable for local residents around the entrance area.

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20. The applicant has responded to these concerns and clarified aspects of the proposal relating to these representations. This is discussed below. In addition, the Borough Councillor for the Maidstone North Ward has made representations with regard to the proposal. In particular the location of the proposal in relation to that part of the highway used by residents and other road users as a turning circle and as additional parking space; that Raymer Road has limited visitor parking and restricted vehicular movement space and accordingly has requested refusal of the planning application because of detriment to and loss of amenity enjoyed by the local residents.

#### **Discussion**

21. This application is being reported to the Planning Applications Committee because of the neighbour representations received which are summarised above. The main concerns relate to the need for a new access to the field; the impact of the proposal on the public highway and on residential amenity.
22. Decisions on planning proposals are required to be in accordance with the Development Plan unless material considerations indicate otherwise. The planning system is designed to regulate the development and use of land in the public interest. The development plan together with planning policy guidance (contained in the NPPF) and other material planning considerations provides the framework for making decisions.
23. The relevant development plan policies are set out above and require proposals to be acceptable in terms of the site, context, design and impacts.
24. In my opinion, the main determining issues for this application relate to the potential for impacts on the highway network and the impacts in terms of healthy communities, visual and residential amenity.

#### **Need considerations**

25. There is already an access to the school field for maintenance purposes via the main school playground and staff car park which is off the main school access from Ashburnham Road. This proposal would create a separate access to the school field off Raymer Road. Neighbour representations query whether the proposal is necessary and needed given the existing access and given that the current arrangements are perceived to work well. The applicants state that the existing access causes operational issues and that the proposal would avoid the need for a maintenance team to cross the school playground during the school day. In response to the neighbour representations the applicants also state that the access is required as the new classroom development (planning permission reference MA/11/2036 dated 12<sup>th</sup> January 2012) would block the current maintenance access route to the field.
26. The new classroom development has not yet been constructed. However, it would be located west of the main school building and to the east of the three mobile classrooms. Based on this information, I am satisfied that there is a need for an alternative access to allow maintenance of the school field should the planning permission MA/11/2036 be implemented.

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Impacts on the highway network

27. The proposal would require an access gate off Raymer Road and would result in only infrequent use by grounds maintenance vehicles via the proposed access gates off Raymer Road, rather than via the main school access in Ashburnham Road. The applicant has stated that this would only be weekly during the growing season and also for the emergency services should it ever be required.
28. Neighbour representations indicate that there is already congestion and tension arising at the school drop off and pick up times and a perception that this will be made worse as a result of this proposal. However, the proposal does not involve any increase to the existing vehicle movements to or from the school site as there is no change in the school roll. There is already a School Travel Plan in place, which has recently been reviewed. Nor would the proposed gate be used by school parents, so it has no bearing on the current traffic situation referred to.
29. Neighbour representations also indicate that there is concern that the proposal would impact on the use of the highway area adjacent to the proposed gates. It is apparent from the neighbour representations received that the area is used for parking as well as turning; although the Development Planning Manager (Highways and Transportation) advises that the section of road in front of the proposed gates and drop kerb is publicly maintainable highway and is not designated as a parking area or a turning area. The proposal would not therefore impact on any designated parking or designated turning areas.
30. Neighbour representations indicate that there is concern that the proposal would either lead to a loss of parking space or a loss of turning space or both and it is perceived that this would have a consequent effect on the parking and congestion in Raymer Road, which is a cul-de-sac, at school drop off and pick up times. There are concerns too that the proposal would reduce the available parking for parents of the children at the school as well as for neighbouring residents and their visitors and also about the location of the proposal near to a bend.
31. The proposed access gate is 3m wide, and at most it would displace parking for one car in an area apparently used for either turning or parking or both, on the public highway on an infrequent basis.
32. The Development Planning Manager (Highways and Transportation) has no objections to the proposal subject to the proposed access being used only for field maintenance purposes. He does not consider that it would affect the parking or turning on Raymer Road and has taken into consideration the location of the proposal. The introduction of a drop kerb would also require a separate permission from the Highway Authority.
33. NPPF guidance on sustainable transport seeks to ensure decisions take account of safe and suitable access to sites and the creation of safe and secure layouts which minimise conflict between traffic and pedestrians. Local Development Plan Policy T23 requires consideration of the impact of development proposals on the function of the highway. In considering the impact of this development proposal on the highway and given the technical advice from the Development Planning Manager (Highways

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and Transportation) and the scale of the proposal in this location, I am satisfied that the proposal is in accordance with Development Plan policy and that neighbour representations regarding the impact of the proposal on parking and turning in Raymer Road are not sufficient to justify refusal of the proposal in the balance of material planning considerations in relation to the highway impacts of the proposal.

34. I am also satisfied that neighbour concerns about mud on the road can be adequately controlled by planning conditions.

**Impacts in terms of good design, healthy communities, visual and residential amenity**

35. National Planning policy guidance seeks to ensure that developments will function well and add to the overall quality of the area not just for the short term but over the lifetime of the development and to create attractive and comfortable places to live, work and visit; creating safe and accessible environments. In terms of promoting healthy communities, planning policy guidance also seeks to achieve active street frontages which bring together those that work, live and play in the vicinity; safe and accessible environments where crime and disorder and the fear of crime does not undermine the quality of life or community cohesion and safe and accessible developments containing clear and legible pedestrian routes, high quality public space which encourages the active and continual use of public areas. Local Development Plan Policies ENV6, CS3 and CS6 also seek similar objectives.
36. The location of the access on the highway has been considered above in terms of the highway impacts. The design and security aspects of the proposal and the impacts on the amenity currently enjoyed by residents also need to be considered.
37. The proposed gates would match the existing fence design in terms of colour and type, the design and amenity impacts of which have already been considered and established as acceptable in relation to the application MA/08/99. Given that the proposal would match the existing fence line, I do not consider there to be detrimental visual amenity impacts from the proposal.
38. The applicants state that the proposal is needed to improve safety and to segregate grounds maintenance from the movement of children within the school site. However, the proposal would require that the grounds maintenance vehicles access the school site from Raymer Road and neighbours have raised concerns regarding the security aspects of this.
39. Security at the school site has been improved in recent years by changes to fencing allowed by MA/08/99. Whilst the proposal would create a new access point the gates would be locked when not in use in order to provide a secure boundary for the primary school. In my opinion neighbour concerns about the impact of the proposal on residential security and the fear and possibility of crime need to be considered and balanced against the context of the scale, location and purpose of the development, and whether these concerns would be sufficient to be a material planning consideration which would justify withholding permission. In response to neighbour representations the applicants state that the gates would be locked at all times and only opened to allow access.
40. Neighbours representations show concern regarding the potential for loss of residential and visitor parking and turning space and additional congestion in Raymer

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Road and that this would have a detrimental impact on residential amenity. These impacts have been considered above in relation to the highway impacts and given the infrequent usage proposed and the nature of the use together with the technical advice on the impact of the proposal on the public highway, I do not consider there to be significant detriment or loss of amenity as a result of the proposal sufficient to justify refusal of the proposal. It does not result in the loss of any designated parking areas or designated turning areas, and the width of highway affected is minimal. In response to the neighbour representations, the applicants state that there would be no scheduled use of the gate during the peak drop off and pick up times and I am satisfied that this can be controlled by planning condition.

41. Access to the school field for grounds maintenance purposes is an ongoing requirement. The applicant states that this proposal is necessary as the newly permitted classroom extension (MA/11/2036) would block the current access to the field. In terms of meeting the need for sufficient school places for communities, NPPF policy guidance to Local Planning Authorities is to give great weight to the need to expand and alter schools.
42. I am satisfied that the proposal accords with Development Plan Policies and National Planning policy guidance in relation to design, promoting healthy communities and protecting visual and residential amenity, and that there are no material planning considerations in relation to these matters which indicate that the proposal should be refused.

#### Other issues

43. Provision of a salt bin has been suggested to ensure that access to the school grounds can be safely maintained in periods of ice and snow and that school vehicles do not make the roads unusable for local residents around the entrance area. The proposal is for use of the access gates during the growing season only, when winter maintenance will not be an issue. The applicant does not therefore propose to place a salt bin in the area and I do not regard this as a material planning consideration in this case.
44. Concerns that the proposal might lead to further development of the school playing field are in my view also not a material planning consideration in relation to this proposal. However, notwithstanding this, the applicant has confirmed that no development is intended on the school playing field. Neighbours concerns about other development proposals would need to be addressed via the planning process at the appropriate time should any such proposal(s) materialise and any future planning applications should they arise would need to be considered on their own merits. Members will also be aware that playing fields also enjoy additional policy protection generally presuming against their permanent loss or redevelopment. In the same way, concerns that the proposal might open up a new general access for the school would need to be addressed at the appropriate time should any such development proposals come forward. To my knowledge none are currently proposed.

#### **Conclusion**

45. Having considered the scale of the proposal, its context and purpose, the proposed design and the likely impacts, together with the neighbour notifications received and

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responses from the statutory consultees, I conclude that the proposal is in accordance with the development plan and that there are no material considerations that indicate that the decision should be other than to grant permission.

#### **Recommendation**

46. I RECOMMEND that the application BE PERMITTED, SUBJECT TO conditions covering the following aspects:

- the standard time condition that the development be commenced within 5 years;
- that the access only be used for grounds maintenance and that there be no other general access to the school via the proposal.
- the development be carried out in accordance with the submitted details and plans;
- precautions on site to guard against transfer of mud and similar substances onto the public highway;
- that there would be no scheduled use of the proposed gate during the morning peak drop off time between 8.20 am and 8.45am and the afternoon peak time between 3.10pm and 3.40pm.

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|--------------------------|--------------|
| Case officer – H Mallett | 01622 221075 |
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| Background documents - See section heading |
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