

Demolition of mobile classroom and construction of a new single storey classroom block, Leybourne CE Primary School, Leybourne, West Malling – TM/08/2988

A report by Head of Planning Applications Group to Planning Applications Committee on 9 December 2008.

TM/08/2988 - Application by the Governors of Leybourne St. Peter and St. Paul Church of England Primary School and KCC Children, Families and Education for the demolition of a mobile classroom comprising two classrooms and to construct a new single storey classroom block comprising of a music room, an ICT suite and a small multi-purpose teaching area at Leybourne St. Peter and St. Paul Church of England Primary School, Rectory Lane North, Leybourne, West Malling.

Recommendation: Planning permission be granted subject to conditions.

Local Members: Mrs S. Hohler

Classification: Unrestricted

Site

1. Leybourne Primary School is located to the north-west of the village of Leybourne, and is accessed by vehicles from Oxley Shaw Lane which borders the north of the site. The main pedestrian access to the school is located off Rectory Lane North, which borders the southern perimeter of the site. The main road off the A228 leading through Leybourne (Castle Way) borders the western boundary of the site, whilst residential properties border the eastern boundary beyond the playing field. *A site location plan is attached on page D4.2.*
2. The site is shared between both Leybourne Church of England Primary School and Leybourne Cricket Club. The School occupy the buildings and use the playing field as outdoor sports space, whilst the Cricket Club occupies a pavilion building in the south-eastern corner of the site and use a marked-out cricket pitch on the playing field. The site is relatively open in terms of its visual appearance, with the main cluster of buildings located along the western boundary, and open playing space occupying most of the land beyond.
3. The nearest residential properties in this particular case are those located to the south of the site which front Rectory Lane North. These are located some 70 metres from the new classroom block site, and any views of the new development would be obstructed by existing 'built development' within the site. In addition, residential properties overlook the playing field from the east, and would be able to obtain un-interrupted views of the new classroom block. However, it is noted that these properties are located some 100m from the development site.
4. The application site is located within a Flood Zone 3 (as designated by the Environment Agency).

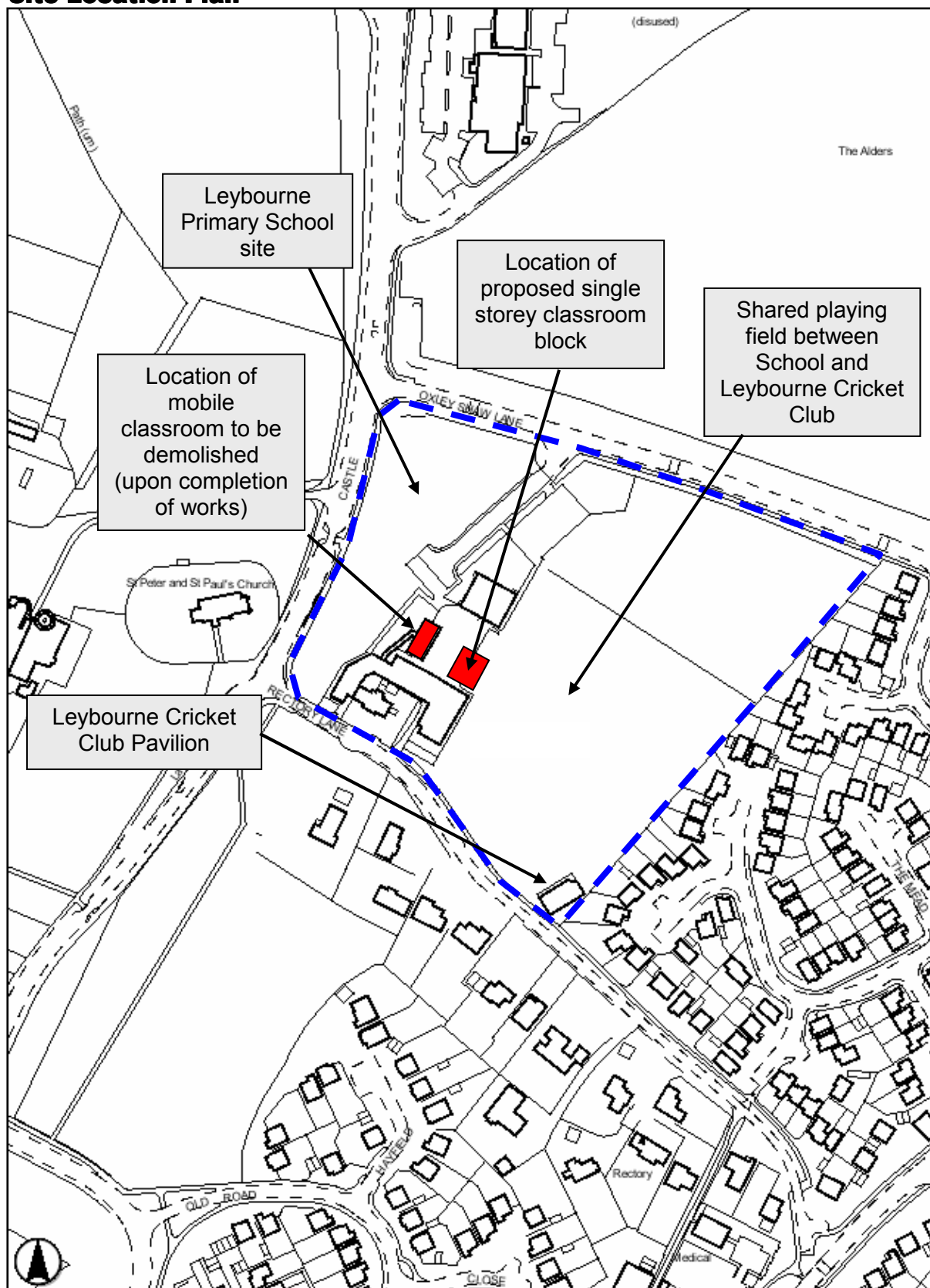
Proposal

5. The application has been submitted on behalf of the Governors of Leybourne Primary School and Kent County Council's Children, Families and Education Directorate and proposes the demolition of an existing 'temporary style' classroom and to construct a

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Site Location Plan

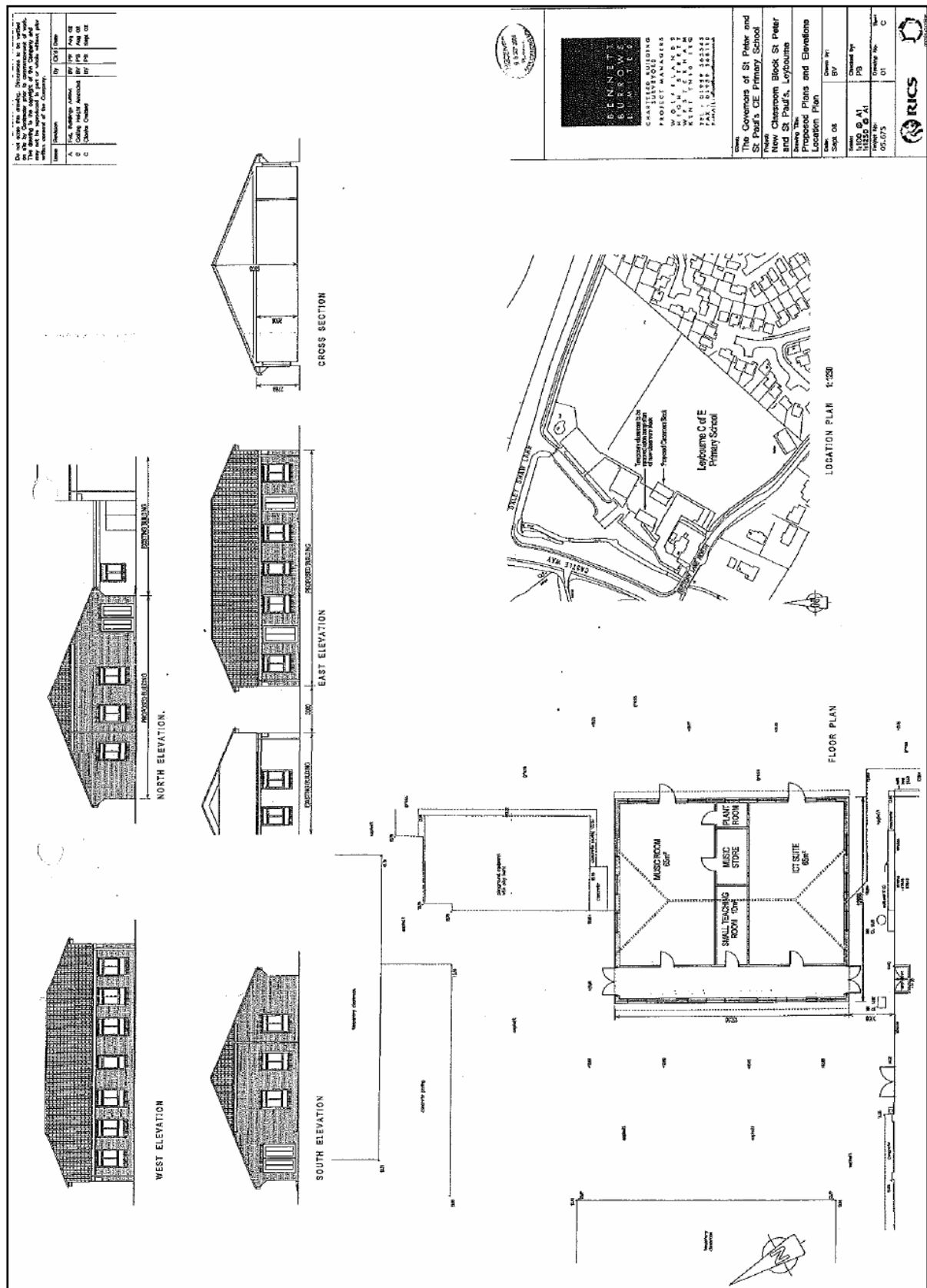


Site Plan – Leybourne CE Primary School

Scale 1:2500

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Proposed New Classroom Block



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new single storey classroom block consisting of a music room, an ICT suite and a small teaching area. It is important to note that the location of the proposed new classroom block would not be situated on the site currently occupied by the mobile classroom. A plan showing both the existing mobile classroom location and the proposed site for a new classroom block is provided on page D4.3.

6. The reason for the application being made is to replace the existing 'mobile' classroom located at the rear of the school with a more suitable permanent structure adjacent to the main school building. Although the proposed classroom block has been designed as a detached building, it is the intention of the applicant to connect the proposed building through a covered walkway to the main school when funding is available in the future. This desire to connect both buildings has formed an important consideration for the applicant when choosing a suitable location for the proposed classroom block.
7. The new classroom building has been designed such that it would reflect the style of the adjacent school buildings, in terms of its proposed structure and materials. As a result of the proposal, there is no change to either the pupil roll or number of staff employed at the site.
8. It is proposed that the removal of the existing temporary classroom (upon completion of the construction works of the new block) would generate an increased amount of hardstanding within the site that is intended to be used by the School as increased outdoor playground space.

Planning History

9. Planning permission has been granted for the following development at Leybourne St. Peter and St. Paul Primary School:
 - Erection of 1.8m high green powder coated boundary fencing to Rectory Lane North and to Oxley Shaw Road with matching vehicular and pedestrian gates in July 2004, under reference TM/03/3833;
 - Erection of a lean-to canopy to classroom block in February 2006, under reference TM/06/44;
 - Single storey extension at Leybourne School in June 2006, under reference TM/06/925;

Planning Policy

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

(i) Kent and Medway Structure Plan 2006:

- | | |
|------------|---|
| Policy SP1 | Seeks to protect and enhance the environment and achieve a sustainable pattern and form of development. |
| Policy EN1 | Seeks to protect and conserve and enhance the countryside for its own sake. Development that would adversely affect the countryside will not be permitted unless there is an overriding need for it which outweighs the requirement to protect the countryside. |

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Policy QL1 Seeks all development be well designed and of high quality that respond positively to the local character. Development, which would be detrimental to the character of settlements or the countryside, will not be permitted.

Policy QL11 Provision will be made for the development and improvement of local services in existing residential areas and in town and district centres, particularly where services are deficient. Flexibility in the use of buildings for mixed community uses, and the concentration of sports facilities at schools, will be encouraged.

Policy NR10 Development will be planned to avoid the risk of flooding and will not be permitted, amongst others, where it would be subject to an unacceptable risk of flooding or where it would increase the risk of flooding elsewhere.

(ii) The adopted **Tonbridge & Malling Borough Local Plan (Saved Policies) 1998:**

No specific saved policies relevant to the consideration of this application.

(iii) The adopted **Tonbridge & Malling Borough Council Local Development Framework – Core Strategy**

Policy CP1 All proposals for new development must result in a high quality sustainable environment

Policy CP10 Within the floodplain development should first seek to make use of areas at no or low risk to flooding before areas at higher risk

Policy CP24 All development must be 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.

Consultations

11. **Tonbridge & Malling Borough Council:** raises no objections to the proposal, subject to limiting the hours of working (during the construction and demolition phase) to between the hours of 08:00 – 18:00 Monday to Friday, 08:00 to 13:00 on Saturday, and no working on Sundays or Bank Holidays;

A further letter was received from the Borough Council that stated:

“On further consideration of the proposal there appears to be a risk of conflict between the new building and the current use of the cricket field. If such conflict is acknowledged then the Borough Council feel that every effort should be made to resolve the conflict as the retention of the cricket facility is a material planning consideration. In light of this we ask that KCC consider the possible amendment/relocation of the proposed classroom within the site”.

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Leybourne Parish Council: recommends that the application be refused, and make the following comments:

“Whilst we support the replacement of the mobile classroom, albeit that it is a fixed wooden structure and not ‘mobile’ as indicated in the planning application, with a permanent brick building, we cannot support the proposed location.

The planning application is misleading by the fact that it indicates that the mobile classroom will be demolished and replaced by a new single storey classroom block. What isn’t made clear until viewing the site plans is that the replacement classroom block will not be located on the site of the proposed demolished mobile classroom but on the school / cricket club field and playground area [...]

No mention is made of when the mobile classroom will be demolished and what is proposed for this area of land. If the mobile classroom is to be demolished we would wish to see the replacement building located on the same location because of the following:

- *The Cricket Club who were the owners of the land from 1897 and then tenants since 1955 when the cricket outfield was subject to nationalisation under the playing fields act, has continued to enjoy the use of the field in a shared capacity with the School, by way of its 25 year lease agreement. However, in recent years the Cricket Club, which provides an excellent community facility, has gradually seen its outfield eroded away by the building of various school buildings on the school / cricket field.*

The School governing body now proposes to construct this new building in addition to the other encroachments on the cricket outfield which has, and will restrict further, the playing of cricket which has continued uninterrupted in this location since 1897. With recent Lottery funding to build a new cricket clubhouse, and just this year funding from KCC and Tonbridge & Malling Borough Council to install a new artificial cricket wicket and playing surface, it is somewhat contemptuous of the School governing body in the manner in which it has dismissed the fine work of the Cricket Club in encouraging sport in the local community by this attempt to further restrict the playing of cricket at this location”.

Following a recent site meeting, additional views have been received from Leybourne Parish Council. These are detailed in full in the Appendix.

Members will note that further views are awaited from Leybourne Parish Council regarding further justification from the applicant for proposing the classroom building in its current location and the scope for any amended siting. Any further views received prior to the Committee meeting will be reported verbally to Members on 9 December 2008.

Leybourne Cricket Club: raises objection to the current proposal for the following reasons:

“The Cricket Club is a long term tenant currently with a 25 year lease from the County Council for the use of the Leybourne Primary School playing field. Whilst we had been made aware of the plans for the new building by the School Headteacher, we are very disappointed that we have not been notified directly either by the County Council or the Borough Council.

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You will understand that the proposed location for the new building will compromise our use of the outfield for playing cricket as the position of the new building will encroach on the playing field and further erode the cricket playing outfield area by reducing the already very short boundary at the school end of the ground. The building will be in close direct line with the cricket playing wicket and will be very vulnerable to direct hits from cricket balls resulting in potential building damage and repair costs. With buildings located very close to the cricket field boundaries there is a health and safety issue with the possibility of injury to a cricket player when they are going backwards to take a high catch.

In order to address these concerns, we would request that the new building be located on the existing site of the mobile classroom which is to be demolished. If for some good reason it is found that this is not possible then it would be necessary to move it back to the line of the existing grass boundary. At any event, as a minimum the window glass would need to be adequately protected to prevent damage otherwise the Cricket Club would be liable for the cost of the repairs.

As a club, we have worked extremely hard in recent years to continually improve the club facilities and we have just completed a major upgrade of the cricket square, for which we received very significant funding to support this project from both the County Council and Borough Council, which will be of significant benefit to the local community”.

Following a recent site meeting, additional views have been received from Leybourne Cricket Club. These are detailed in full in the Appendix.

Members will note that further views are awaited from Leybourne Cricket Club regarding further justification from the applicant for proposing the classroom building in its current location and the scope for any amended siting. Any further views received prior to the Committee meeting will be reported verbally to Members on 9 December 2008.

The Divisional Transportation Manager: no views received to date.

Environment Agency: Acknowledges that the site falls within a Flood Zone 3, and so the application should have been accompanied by a Flood Risk Assessment. However, given the nature and scale of the development, it has no objection subject to the following condition:

- The development hereby permitted shall not be commenced until such time as a scheme to incorporate flood-proofing measures into the proposed development has been submitted to, and approved in writing by the County Planning Authority [in discussion with the Environment Agency].

Sport England: raises no objections to the proposal, and has commented as follows:
“The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area or any playing pitch or the loss of any other sporting/ancillary facility on site”.

KCC Archaeology: no views received to date.

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Publicity and Representations

12. The application has been publicised by a site notice posted at the main entrance to the school in Rectory Lane North, and the individual notification of 14 neighbouring properties. I have received 2 letters of objection to the proposal, the main points of which are summarised below as follows:

- Support the replacement of the mobile classroom, but cannot support the proposed location;
- Support the views expressed by Leybourne Cricket Club and Leybourne Parish Council regarding intrusion onto the cricket outfield;
- Concerned that many residents have been misled through ambiguous description of proposal (ie. description implies that the replacement building would be situated directly on the site of the mobile classroom);
- Urge the County Council to facilitate a review of the siting for the proposed new classroom, and include appropriate consultation with local stakeholders. As the Cricket Club and School are both vital, successful and highly valued facilities, it must be possible to achieve such a development of the school without detriment to the playing of cricket and to the local environment.

Local Member

13. The Local County Member, Mrs. S. Hohler, was notified of the application on 26 September 2008.

Discussion

14. 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, Government Guidance and other material planning considerations arising from consultation and publicity. In considering this proposal the Development Plan Policies outlined in paragraph (10) above are particularly relevant.

15. In my opinion, the main determining issues relate to the following points:

- siting of proposed building in terms of its potential impact on cricket playing provision;
- design and visual appearance; and
- flooding issues.

Siting

16. Members will note that there has been considerable local opposition voiced against the siting of the proposed classroom building on the basis of an encroachment onto the playing field. The concern has been raised on the basis that any encroachment by the proposed classroom onto the playing field would cause a detrimental harm to the playing of cricket at the site, since the size of the cricket outfield at this point would be reduced

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by several metres. Members will note that as discussed in paragraph (2) above, the playing field use is jointly shared between the educational needs of the School and playing of cricket at club level by Leybourne Cricket Club.

17. It is noted that the siting of the building, as proposed, would encroach onto an area of green space that forms part of the school playing field and the cricket outfield. This area is currently an indented grass area adjacent to the school playground that forms a strip of land behind the building line of the adjacent main school building to the south and the corner of a mobile classroom to the north. The land in question is partly covered by low-level wooden play equipment used by the school, which would need to be removed or relocated.
18. An argument has been put forward by the Cricket Club suggesting that any further encroachment of 'built-development' onto this land would seriously jeopardise the playing of cricket at a competitive club-level at the site. It has also been argued that not only would such development adversely affect the playing of cricket, it would also pose a health and safety risk for cricket players, particularly for players fielding this area as part of the field boundary.
19. In response to requests from the Local Member and the objectors to more thoroughly explore the siting issue, a site meeting was (on 24 November 2008) held between representatives of all interested parties, namely the School and their agent, Leybourne Parish Council, Leybourne Cricket Club, local resident(s), Tonbridge & Malling Borough Council (Planning Officer & Local Members) and the Local County Member, Mrs. Hohler. Discussion took place surrounding the concerns raised to the proposal from the interested parties, and particularly in terms of the building's potential impact on the playing of cricket at the site.
20. Following the site meeting, the School has provided further supporting justification for the proposed development as follows: -
 - *The site of the proposed extension was selected after very careful consideration as the only possible location which would provide an extension to the existing classroom wing (Key Stage 1), offering continuity with the current arrangement and the opportunity to provide improved facilities for ICT as well as a library (which the school currently lacks) and music room, all of which are necessary to support teaching and learning for the 21st Century;*
 - *In order to satisfy the requirements of planned future improvements to the school (which will eventually involve the removal of a 4 classroom mobile block, which is not fit for purpose), the corridors must remain in alignment with the existing building. Part of the future planning for the school might involve expansion, should the need arise as a result of local building development, and the capacity for this must be retained;*
 - *During the construction of the proposed building, the existing ICT suite must remain in place in order to provide continuous ICT facilities for the whole school, without which we cannot teach or operate the school administrative system;*
 - *It would be neither practically possible or affordable to temporarily move the ICT systems (including 17 networked PCs, two servers, the hub and all the cabling for both the Curriculum and administrative servers, which runs between all three of the school's buildings, via the ICT suite and the systems therein) for the duration of the building programme;*
 - *We have listened carefully to the concerns of the Cricket Club and others, and after discussion with the surveyor and architect, it is possible that the alignment of the*

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proposed building could be altered to set it back by a metre from the existing building line to accommodate the Cricket Club's concerns. This is as far as it is possible to change the alignment of the building without compromising the shape and configuration of the rooms making them unfit for purpose;

- *The alignment of corridors is a major factor in determining the future development of the school buildings, eliminating the temporary buildings which currently accommodate 4 classes out of the school's 7;*
- *The building proposal is essential to ensure continuing improvement in the educational opportunities offered to children at Leybourne Primary School. The current building is in extremely poor condition and not fit for purpose. As a result, the facilities we are able to offer are compromised. Our school has been judged outstanding by Ofsted – we want to be able to offer our children an outstanding learning environment in every area.*

21. The further information received from the applicant has been shared with those parties who have expressed an interest in the application to date. Unfortunately, the further information was received as this Committee Report was being finalised, and as such no further views received from interested parties have been received in time for inclusion within the Report. Under the circumstances, further views received from interested parties will be reported verbally at the Committee meeting on 9 December 2008.
22. The Parish Council has continued to query why the new building could not be located on the site of the existing temporary building to be removed, since that would not encroach on the green space or affect the existing cricket facility. Moreover, if that involved temporarily displacing the IT provision, could that not be accommodated somewhere within the main school building, and/or the building contract be streamlined so that the work could be completed largely during the school holidays? Having explored these suggestions further, I am aware that the School cannot operate nor deliver the Curriculum without the uninterrupted use of the IT facilities and that there is no feasible space within the existing buildings to temporarily accommodate them, without interrupting other areas of Curriculum delivery. For example, the school hall is already fully used for other activities and the School could not operate without an available hall space.
23. The proposed new building is of traditional masonry construction, and additionally would require piled foundations because of the unstable gravel underlain ground conditions. Under the circumstances, the applicants have assumed a 6 month construction contract, which I have independently queried with our in-house school property specialists. I have been advised that if it was to be a system building, such as a flat-pack, pre-fabricated building, it might well only take 6-8 weeks to complete, but 6 months is more typical for traditional construction, and especially for a school when the contractor needs to take into account Health and Safety aspects of the children and access to the site. It also needs to be borne in mind that the whole aim of the project is to replace existing system built accommodation, so an alternative non-masonry construction would be largely unproductive, as well as less supportable from a planning perspective.
24. Notwithstanding the displacement issues relating to the existing IT accommodation, I can accept that there would be some distinct advantages to the Cricket Club if the proposed new building was re-positioned further westwards into the school playground. Apart from further diminution of an already restricted playground area, it is not possible to address this short term need without seriously compromising longer terms accommodation planning for this school. In particular, I have now been appraised of a

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an overall future building strategy, being considered by the County Council as Education Authority and the School Management Committee. This emerging strategy has yet to be finalised, but it attempts to deal with a future vision for building improvements at the school, bearing in mind both the need to upgrade existing accommodation and the scope for any expanded accommodation to cater for increased pupil numbers in the future. From this it is apparent that any new or replacement accommodation would need to occupy the playground area on the north side of the main buildings, and the use of the playground area in the interim for the currently proposed development would seriously jeopardise the future layout and design of the school buildings. In its currently proposed position, the IT suite would be compatible with the future layout and would not compromise other improvements to the school, such as a potential school hall extension. Under the circumstances, I can accept that siting the building further westwards would be unwise and involve potentially abortive expenditure, but I consider that even some marginal re-positioning of it would be important in addressing the cricket interests.

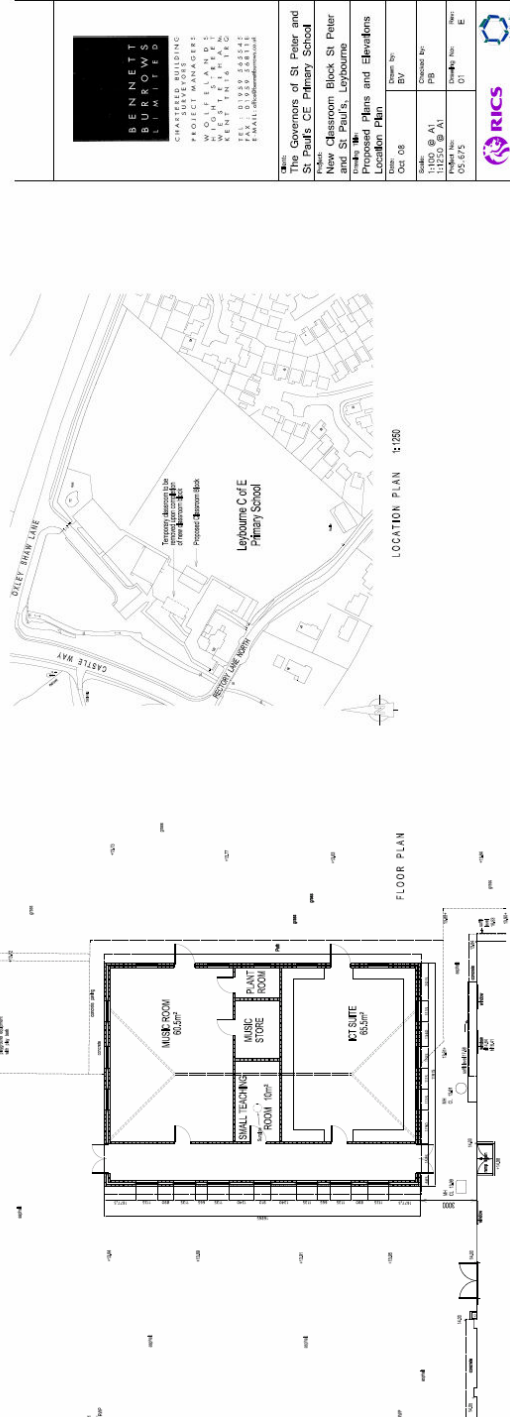
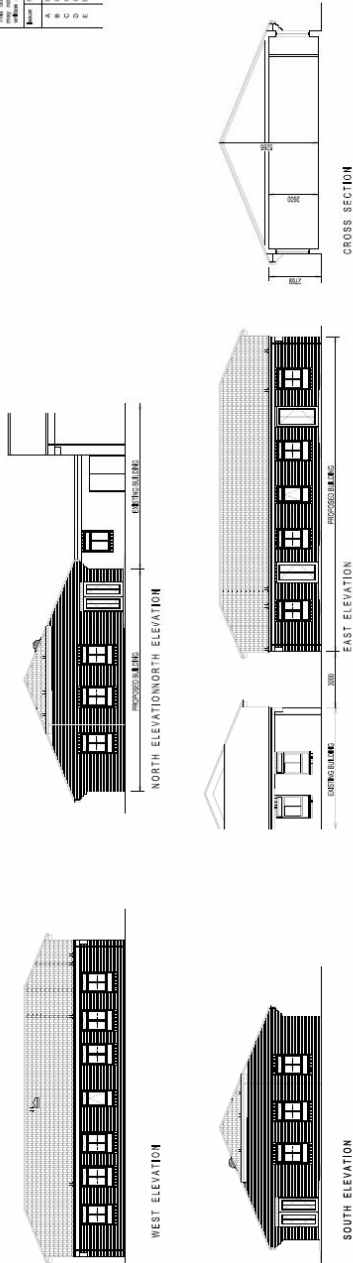
25. Whilst it is not the intention of the applicant to physically connect the proposed building to the main school at this point in time, it is the desire to have this option available as soon as financial means would allow. I am informed that this desire to physically attach the building at a future date has largely led to the location of the building on the site currently proposed, given that the corridor of the new building would then align with the exiting doorway and corridor into the main building. How crucial this aspect is, was queried at the recent site meeting, since a 'dog leg' connection between the buildings might not be unacceptable if it was otherwise unavoidable. I have explored this aspect further since I share the concern that this alone need not dictate the siting of the new building. In response, the applicants have now agreed to amend the positioning by adjusting its dimensions so that the ICT suite and a (slightly smaller) music room can still be provided but in a narrower but longer building. The result is a slightly longer frontage to the cricket field but an extra 1 metre to the distance from the cricket square. In addition, the applicant has demonstrated that an alternative siting of the proposed building, such as on the existing footprint of the mobile unit (to be removed), would not readily allow the building to be connected to the main school building since the connecting access route would then be via the school hall, which would disrupt other activities.
26. An amended plan has been prepared by the agent, which together with the further supporting information supplied by the School, has been circulated to representatives at the site meeting. Since their reactions on this submitted amendment are yet to be received, I shall report their further views to the Committee Meeting verbally. Whilst I have to balance the overall need for the new educational building against the detrimental impact such development may have on any future use of the cricket field, my own view is that the siting as originally submitted was unacceptably close to the cricket field boundary, but this latest marginal adjustment and the further information supplied by the School leads me to conclude that the amended siting would now be acceptable in planning terms. In particular, the encroachment onto green space occupied by the playing field would now be 1 metre less than the current building line of the existing main school building and mobile classroom, avoiding what otherwise would be a squaring off of the arc of the cricket boundary line. I further note that the land in question is largely occupied by low-level play equipment at present, so its use as part of the cricket field is already very limited, other than allowing for an arc of the boundary line to extend into it, which the 1 metre shift of the building would certainly help to redress.

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Proposed Amended Music Room and ICT Suite

On 08/08/18, the design team has been instructed to be aware of the following information. The design team has been instructed to be aware of the following information. The design team has been instructed to be aware of the following information.

Item	Location	By	On
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2	100	100	100
3	100	100	100
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5	100	100	100



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Design, layout and appearance

27. I note that the proposed building has been designed to mirror that of the adjacent school building to the south. The facing bricks and roof tiles have been chosen to match, together with the window and door fenestrations. I support the use of both a matching design approach and external materials, and consider that such solution is appropriate in this particular location. I further note that no concerns have been raised to date with the overall design of the proposed building. Whilst the applicant has now proposed amended siting and dimensions for the proposed building, its overall design, construction and outward appearance remain unaltered. In particular, the only significant design change would be its length being marginally extended metres to compensate for its proposed reduced overall width and encroachment on the green space.
28. I am aware that there is a site management issue between the School and Cricket Club regarding the sufficient safeguarding of school buildings when competitive cricket matches are being held at the site. It has been reported that there are often breakages to window panes and roof tiles of the main school building as a result of cricket balls, for which the Cricket Club is currently responsible for making good any damage caused. It would therefore seem appropriate to ensure that sufficient safeguarding measures be incorporated into any future building design where practical. That could, for example, include the use of window and door shutters when cricket games are being played, given that the windows would be the most vulnerable to damage; protecting the roof is more difficult but the intention is to use more robust tiles.
29. Whilst safeguarding measures are currently not proposed within the building design, discussions with the applicant and Cricket Club at the recently held site meeting have indicated that both parties are in agreement that such measures could reasonably be incorporated. I therefore recommend that, should planning consent be forthcoming, protection measures for the building be controlled by a planning condition requiring details of such methods to be submitted to the County Planning Authority prior to the commencement of any development. In such circumstance, it would be my intention to agree such details between the applicant and the Cricket Club, to ensure that these measures are fit for purpose.

Flooding

30. Members will note the advice received from the Environment Agency in paragraph (14) above, whereby it requested that further details of flood-proofing measures be submitted to the County Planning Authority prior to the commencement of the development. I note that the Environment Agency is a statutory consultee on planning applications concerning flooding issues, and accordingly would recommend that their advice be embodied in any planning consent granted for this development. Accordingly, I would not seek to raise an objection to the proposed development on the basis of flood risk issues, and consider that it meets the objectives of both Policy NR10 of the Kent and Medway Structure Plan and Policy CP10 of the Tonbridge & Malling Borough Council Local Development Framework Core Strategy.

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Conclusion

31. Notwithstanding the objections received in this particular case, I consider that the proposed development is acceptable in the context of the relevant Development Plan policies, and also in terms of the building design, visual appearance and flood risk aspects. The impact on the cricket field is more difficult to resolve and I consider that a degree of balance is called for in weighing up the needs of the School and the impacts on the playing of cricket. In the light of further investigations, I have to conclude that it is not practicable to fully meet the aspirations of both parties and that the proposed amendment represents an acceptable compromise in planning land use terms.

Recommendation

32. SUBJECT TO the receipt of further consultee views and representations by the date of the Committee Meeting, I RECOMMEND that PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions, amongst others, including conditions covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- before the commencement of the development hereby permitted, flood-proofing measures shall be submitted to, and approved by the County Planning Authority (in consultation with the Environment Agency);
- before the commencement of the development hereby permitted, safeguarding measures to protect the building from cricket balls shall be submitted to, and approved by the County Planning Authority (in consultation with Leybourne Cricket Club).

Case officer – Julian Moat	01622 696978
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Background documents - See Section heading
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Appendix

Letter from Leybourne Parish Council following Site Meeting

Jeremy Crossley
Principal Planning Officer
Kent County Council
Invicta House
County Hall
Maidstone
ME14 1XX

Leybourne Parish Council
Leybourne Village Hall
Little Market Row
Leybourne, Kent. ME19 5QL

25 November 2008

Planning Application TM/08/2988

Dear Jeremy,

Following yesterday's onsite meeting to review the above planning application the Parish Council would wish to make the following observations for review and consideration.

The Parish Council as you were aware had expressed concern that the planning application was misleading in that it gave the impression that the mobile classroom would be demolished and replaced with a permanent structure, however that it was only on viewing the site drawings that for both Councillors and Parishioners that this was found not to be the case.

Representations made to the Parish Council and indeed supported by the Council requested that the new structure be built on the site of the demolished building to ensure that the cricket club which had been onsite since 1897 did not have any further outfield eroded as has been the ongoing issue and problem that they have encountered in recent years, albeit by structures which did not go before planning.

Feedback received from the school governors was that this was not possible because of the displacement of the children during the rebuild process. This was later found to be incorrect as the proposed building to be demolished was only used for storage along with the teaching of ICT and was not in fact a year group classroom.

At yesterday's meeting the question was raised as to why the ICT equipment could not be relocated to another location within the school, if the new building was to be built on the site of the mobile classrooms. The Parish Council on reflection of the responses received are not satisfied that sufficient consideration had been given to this proposal

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by the governing body and that they were unable to satisfactory answer questions raised pertaining to this matter.

The Parish Council would request that the following questions being tabled with the school governing body and agent for considered detailed response:

- The chairman of the schools building committee indicated that the new structure would take 6 months to build and commission. The Parish Council believe that this would appear to be excessive in consideration of the simple design and type of structure and would ask for a detailed project schedule from the preferred builders which confirms this estimated timescale
- The Parish Council asked how many PC's were located in the current ICT suite to understand the complexity of the problem of relocating this equipment on a temporary basis to another location within the school complex. This if the new structure was to be built on the site of the demolished classroom. This information was not provided and so the Parish Council would wish to see this question answered with a detailed explanation as to why this would not be a feasible proposal? Whilst the Parish Council fully accepts that some disruption may occur because of this, the Parish Council firmly believe that this would not out way the long-term disruption and future viability to the cricket club if the current proposed planning application was to be approved.
- The Headteacher spoke of the complexity of networks if the ICT equipment was relocated on a temporary basis within the school complex, again the Parish Council would wish to have a more detailed explanation as to the complexity of this matter
- The Parish Council again suggests that if the new building was to be located on the site of the demolished classroom and work commenced at the end of the summer term great progress could be made by the start of the autumn term, with what it considers would be a minimal period of disruption and inconvenience if the new building was not ready for occupation at the start of the autumn term.

If after measured review of the alternative proposed location, that the learned deliberation is that this is not a viable proposal; the Parish Council would request that the following recommendations are given credence to ensure that the viability of the cricket club is not compromised:

- That the new proposed building is built **no further forward than the current boundary of the school playground.** This then would allow a sufficient area to the front side of the building abutting to the school field to have a metre width tarmac path and while additionally allowing sufficient space between the cricket

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club outfield boundary and the new building for a mobile sight screen to be erected during matches.

- This would of course necessitate the removal of the play equipment and wooden seating structure both which we understand were to be relocated for the proposed new building
- While the school governors may raise issue that the school playground would be reduced in size by this proposal, the Parish Council have noted that with the proposed demolition of the mobile class room additional space is located behind this building abutting up to the fenced footpath which could additionally be used for the new playground extension, which would negate any loss of play ground area. It should also be noted that the Parish Council provided at no cost to the school in 2007 access and the use of the new purpose built play area (MUGA) in the school grounds which increased their overall play space at the school by more than a third.
- While the schools building committee chairman spoke of covered access and joining the new building to the current buildings this was noted to be a future planning aspiration and indeed was not part of this application for consideration. The Parish Council however have noted that even with the proposed new building being moved back to within the boundary of the school playground that future connection of the building would not be a predicament.

The Parish Council as we have previously indicated **fully** support the school's proposal to replace the mobile classroom with a new brick built structure, however we must ensure that we give equal support to all parties and firmly believe that the rights of the cricket club should have equal consideration and that unless a compromise is agreed the current planning application will seriously effect the viability of the cricket club to play cricket at a reasonable standard and will detract from this fine community facility and part of our local heritage.

The Parish Council now trusts that this emotive matter is given proper and fair consideration.

Yours Sincerely

Bob Ulph

Bob Ulph, Chairman Leybourne Parish Council

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Letter from Leybourne Cricket Club following Site Meeting

Dear Mr. Crossley

We were delighted to be invited to what was a very fair and reasonable meeting yesterday on site at Leybourne School to review the above planning application. You will have seen that over the past few years there has been a gradual erosion of the school playing field area because of various school additions including a classroom block, play equipment and the planting of trees and the planned construction of the new building in its proposed location would reduce the boundary distance even more to only some 35 yards from the end of the wicket to the edge of the outfield (allowing for the necessary sightscreen). To demonstrate what this means this compares with the minimum boundary length at the straight ends for professional cricket of 70 yards! For amateur games there is no minimum distance but you will appreciate that the smaller the playing area the less authentic and enjoyable the game becomes for the participants. The position of the new building which will be in a direct line with the wicket also makes this very short distance even more critical.

Since receiving major lottery and local authority funding for our new Clubhouse in 1999 the Cricket Club has developed its colts coaching strategy and as a result has gone from strength to strength and the club now plays league cricket at its highest ever level. However should the application go ahead as proposed this could well compromise the viability of our club continuing to maintain and indeed improve our playing standard and facing the real possibility of losing both senior and junior club members moving to other clubs because of the effect the new building will have on the quality of the cricket played.

As we made clear at the meeting we have no objection to the building of the new block and you have asked the school to investigate the viability of relocation. We are of the opinion that if the will was there logistical problems could indeed be overcome and the new building could still be located on the site of the demolished mobile classroom. On reflection and as a separate issue the current proposal would close off the playground which would be detrimental to the wellbeing of the children and the current playground area is full of light and openness as it is adjacent to the playing field providing direct access to a much more open playing area.

However if after the proper deliberation this is not found to be a viable option then may we request that the building is moved back preferably to the current boundary of the school playground. As this proposed building application shows no link to the existing block we fail to understand why this would not be possible and also not unduly jeopardise any future plans for a covered access between the two buildings.

To summarise our playing membership understandably feel very strongly about this issue and I am sure that having seen the site yesterday you will fully appreciate their concerns and sincerely trust that a suitable compromise agreement can be reached. Would you be kind enough to keep us fully informed of the deliberations of the building planners and their proposals for an alternative location.

Regards
David Hopper

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Chris Jones

Leybourne Cricket Club

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Mr Jeremy Crossley
Principal Planning Officer
Kent County Council
Invicta House, County Hall,
MAISONIA, MK14 1XX
Dear Mr Crossley,

83 Rectory Lane North,
Leybourne,
WEST MALLING
Kent, MK19 5HD
Tel 01732 844206
26th November 2008



TOWN AND COUNTRY PLANNING ACT - APPLICATION TM/08/TEMP/0061
HOME APPLICATION TM/08/2988

Thank you for arranging the meeting at Leybourne School on 24th November 2008. I would also thank you for the way you conducted the meeting and your determination to secure understanding of the needs and options of both the school and the Leybourne Cricket Club and in particular requiring the school to consider and to present options for the siting of the proposed classroom block to permit further consultation with the parties present at the meeting in order to facilitate the subsequent determination of the Application.

My main purpose in writing again at this stage is to offer some reflections on the situation which as "played out" at the meeting seemed somewhat stereotypical.

On the one hand the representatives of the school were rightly very positive about the school but seemed to have a mindset which allowed them very little inclination (possibly there is even some antipathy to the cricket club) to consider the points of view of others & to start determining on a position that future secret plans for the school meant that the presently proposed location was the only one possible.

On the other hand the cricket club's representatives, while looking for cooperative resolution of the difficulties with the school, did not put as strong a case as warranted which is so often the case with small & voluntary organisations. Indeed the cricket club had not appreciated fully the impossibility of having such a large building in the site and so close to the cricket.

Continued...

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The K.C.C. & Leybourne Parish Council both seemed to be coming from the desire to find a solution that enabled both the school and the cricket club, an important and successful organisation, to continue to achieve such valuable and improving contributions in the context of the needs of the wider community.

On more specific matters I would suggest that surely can "secret" plan be an adequate reason for not being able to consider options more widely and not least because intentions change so rapidly/permanently. Hence any future development of the school is likely to be different from that contemplated "today" and it would be extremely surprising if such development could not be successfully achieved at the time. While the school has "advised" the cricket club leaders of its intention that did not seem to amount to "engagement" which is so important for effective & proper consultation - you have most helpfully quoted that process. While alternative locations may well be less convenient and appropriate for the school the associated additional works and/or temporary facilities that could result did not seem to be particularly insurmountable under the circumstances.

Looking at the site reinforced my view that ideally the building would not be positioned in line with the cricket but appreciate that might emerge as a "step too far". However that should not preclude very serious consideration being given to locating the building in the position occupied by the building which is to be demolished. In the event I would urge that the building is set back from the present building line to avoid the cricket club needing to alter the position of the pitch in mitigation - as would that would result in a serious degradation of both the practicality & ambience of playing cricket in this community for the future.

I look forward to receiving the further information as above and would note that in the light of the above my original letter of 15th October 2008 stands.

Claire:

County Councils Social Affairs
Planning & Development Policy Branch

Yours sincerely, J. Davies
(MR. J. DAVIES)