

**Temporary 10 space car park, Tunstall Primary School,
Tunstall Road, Tunstall – SW/12/1317**

A report by Head of Planning Applications Group to Planning Applications Committee on 13 March 2013.

Application by Tunstall CE (Aided) Primary School for the temporary change of use of land from agricultural to a 10 space car park for a period of 5 years, Tunstall CE Primary School, Tunstall Road, Tunstall, Sittingbourne (Ref: KCC/SW/0342/2012 and SW/12/1317)

Recommendation: Permission be refused.

Local Member(s): Mr M. Whiting and Mr A. Willicombe

Classification: Unrestricted

Members' Site Visit

1. A group of Planning Application Committee Members visited the application site on the 16 January to acquaint themselves with the proposals and the issues they raise. The Members were joined by the two Local County Members, plus representatives of the Borough Council, Tunstall Parish Council and from the School staff and governors. In addition, several local residents attended to hear the opening of the visit before Members headed off to inspect the site and local circumstances.

Site

2. Tunstall Church of England Primary School is located within the village of Tunstall, on the edge of Sittingbourne, along the main road from the town which leads southwards towards Bredgar. The school site lies wholly within the Tunstall Conservation Area, and is bounded by the main road to the south east, residences to the south west, and agricultural fields and the grounds of the village hall to the north east and west. The main building to the school is Grade II Listed, dating from the 19th Century. The adjacent residence 'The Oast', to the south and west, is also Grade II Listed.
3. The school is a one form entry with approximately 210 pupils and 30 staff members. The school grounds comprise of a number of buildings of varying age and size and the main building is a Grade II Listed Building. Additional teaching accommodation is provided in several temporary single storey mobile classrooms, which occupy playground space. The school grounds are at full capacity and there is little scope for additional development. There is no formal car parking provided within the school grounds for staff or visitors and therefore parking spaces are at a premium around the school site (please see paragraph 4 below). Parking occurs directly outside the school gates and overflows into the lay-by on the opposite side of Tunstall Road. Parents are allowed to park in the Memorial Hall car park, which is located behind the school, during school drop off and collection times

Background

4. A planning application to create a new 6 space car parking area in the front of the school building was submitted in 2005, under planning reference SW/05/254. The application was subsequently refused as a number of objections were received on the grounds of the visual detriment to the Conservation Area and the setting of the Listed Building, together with the County Council's Highways and Transportation Manager, who objected to the application on the grounds of highway safety as visibility splays at the

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access point onto Tunstall Road were extremely limited. Please note that this is the same access point that would be used as part of this latest planning application.

5. Due to constraints on the site, staff have been parking unofficially on the grassed area in the front of the school building, which is within the curtilage of a Listed Building, even though the planning application for 6 parking spaces was refused. Planning permission is not required for this, since no engineering works have been carried out to enable this informal parking area. Under the circumstances, it does not constitute development, and whilst a better parking provision might be preferred, the current parking here is not within the Planning Authority's control. Staff gain access to the front of the school building via the track to the side of the school, which is a Public Right of Way and this is same access point as the current planning application and the refused planning application. The applicant has confirmed that up to 10 vehicles park at the front of the school, although residents have written in saying that it is usually 14 cars that are parked in this area. The current planning application did originally state that the proposed new car park was intended to remove the 10 staff vehicles from the front of the school by moving the vehicles to the new temporary car park, but in subsequent correspondence, it has been confirmed that the School cannot offer a permanent alternative to the parking on the front garden and would allow it to continue.

Proposal

6. A planning application has been submitted which proposes a temporary car park providing space for 10 vehicles and a turning head, for a period of 5 years. It is anticipated that a period of 5 years would be sufficient and would enable the School to put in place a viable and permanent solution to vehicle parking for staff, visitors and parents. The planning application seeks a change of use from agricultural land to car park for ancillary use associated with the school and would result in the loss of 6 existing orchard trees and other established hedgerow vegetation. A reinforced grass system is proposed for the surface of the car park which would allow grass to grow through whilst protecting it from damage or rutting. The application site is a small section of a field that was once used as an orchard but is now used for sheep grazing.
7. The site is located adjacent to the school boundary and is positioned so as not to extend further away into the countryside than the rear (north west) extent of the school grounds. It is on the outside edge of the Tunstall Conservation Area. The parking area would be partly screened along its north east, north west and south east facing boundaries by new trees. The proposed car park would be accessed off an existing track that runs from Tunstall Road along the north east boundary of the school to the Memorial Village Hall, which is located at the back of the school. This track is actually a Public Right of Way (ZR147) although the farmer and owners of properties The Cottage and The Stables drive their vehicles over this PROW to gain access to their properties and fields. This PROW is used regularly by pedestrians going to the village hall and parents walking their children to the school from the village hall car park, where they are allowed to park to drop off and collect their children.

Planning Policy

8. The most relevant Government Guidance and Development Plan Policies summarised below are appropriate to the consideration of this application:

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- (i) **National Planning Policy and Guidance** – the most relevant National planning policies and policy guidance are 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).

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);

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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.

(ii) Regional Planning Policy**The South East Plan (2009):**

- 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 S3 Seeks to ensure the adequate provision of pre-school, school, and community learning facilities.
- Policy S6 States that local planning authorities, taking into account demographic projections, should work with partners to ensure adequate provision of pre-school, school, and community learning facilities.
- Policy BE1 Seeks new development to help improve the built environment with design solutions relevant to local character, distinctiveness and sense of place.

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 be aware that the Localism Bill was subsequently enacted. At the time of writing I understand that the South East Plan will be revoked on the 25 March 2013.

(iii) Local Planning Policy**The adopted Swale Borough Local Plan (Saved Policies) 2008**

- Policy SP1 Sustainable development:
Proposals should accord with the principals of sustainable development.
- Policy SP7 Community services and facilities:
- To satisfy the social needs of the Borough's communities, planning policies and development proposals will promote safe environments and a sense of community by:

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- Increasing social networks by providing new services and facilities;
- Safeguarding essential and viable services and facilities from harmful changes of use and development proposals.

Policy C1 Existing and new community services and facilities:

- The Borough Council will not permit proposals that involve the loss, or change of use, of a local community facility, where this would be detrimental to the social wellbeing;
- The Borough Council will grant planning permission for new or improved community services and facilities.

Policy E1 General development criteria, proposals should:

- Accord with the development plan unless material considerations indicate otherwise;
- Reflect positively characteristics and features of the site and surroundings;
- Protect and enhance the natural and built environments.

Policy E6 The countryside – Development proposals will only be permitted when:

- Providing a service that enables rural communities to meet their needs locally; or
- It provides for essential community infrastructure.

Policy E10 Trees and hedges:

- Development proposals should protect and retain trees as far as possible and provide new tree planting to maintain and enhance the character of the locality.

Policy RC2 Retaining and enhancing rural services and facilities.

Policy E14 Development involving listed buildings:

- Proposals will only be permitted if the building's special architectural or historic interest, and its setting, is preserved.

Policy E15 Development affecting a Conservation Area:

- Development should preserve or enhance the special character of the conservation area.

Policy E19 Design Criteria:

- Development proposals should be of high quality design and respond positively to design criteria.

Policy T1 Providing safe access to new development:

- Development proposals should not decrease in the safety on the highway network.

Consultations

9. **Swale Borough Council:** raises no objection to the planning application provided conditions to control the following matters are imposed;

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- A five year temporary permission.
- Alternative landscaping of orchard species at appropriate spacing to reinforce the character of the orchard.
- The car park to be constructed in the reinforced grass system proposed, with no hard surfacing or kerbs.
- Re-instatement of the hedge to the side of the farm track upon removal of the car park.
- Not more than 5 cars may be parked on the school's front lawn at any time.

Tunstall Parish Council: The Parish Council raises no objection.

Highways and Transportation Manager: raises objection on highway safety grounds for the following reasons;

'My office commented on a similar planning application at this school in 2005 and recommended refusal based on poor visibility. Since this time the standards for visibility splays have reduced, but I still consider that sight line from the public footpath are poor in both directions. To the north east visibility is restricted by a hedge which is tight to the edge of the carriageway and which would mask a small child walking at the side of the road. To the south west visibility is currently available across the garden of The Cottage, but that land is outside of the control of the applicant. I acknowledge that this public footpath is already used by some vehicles, and that poor visibility features at many rural locations, but I do not consider that further traffic should be encouraged at use it.'

Public Rights of Way Manager: raises objection for the following reasons;

'I was very disappointed that there is no mention of the public footpath ZR147 in the application. The public footpath runs along the farm access track. The right of way will clearly be affected by more vehicles using and turning on this public right of way therefore I must object to the proposal in its current form. I am not happy that the proposal intends to install a reinforced grass system on the public footpath. I am not convinced that this is a suitable surface material as the proposed parked vehicles will be turning on it on a daily basis causing the infill to be removed leaving the reinforcing material exposed to pedestrian users. Should permission be granted, I would suggest a condition be applied that requires maintenance of the reinforced grass system to be maintained to the same standard as when first installed.'

Conservation Officer: raises the following comments:

'The applicant needs to confirm whether or not the proposal will enable the removal of cars from parking in the area at the front of the school. If this were the case then I would be in favour of the proposal. If however it were for additional off street parking then I would ask if the proposed number of spaces can be increased to allow removal of cars from the front area of the school.'

Landscape Officer: raises concerns for the following reasons:

'Whilst the 6 trees and a section of shrubs to be removed have been identified as being of low quality and value, this vegetation forms part of the wider orchard landscape which is a key characteristic of the landscape setting to Tunstall Conservation Area. Although localised, the proposal would adversely affect the landscape and rural setting

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of the Tunstall Conservation Area. Whilst views of the proposal would be limited, visual receptors are highly sensitive and I consider that the visual impacts would be significantly adverse given the inappropriateness of a car park within a rural setting. I do not consider that the proposal would be appropriate in terms of landscape and visual impact and suggest that an alternative solution, if possible, might be less detrimental.'

Ecological Officer: has noted that there were no bats recorded during the surveys and recommended that an ecologist is present if and when the trees are removed. The site has suitable habitat for breeding birds and that a survey for nesting birds is undertaken prior to works being carried out if the trees are to be removed during March and August.

Tunstall Village Memorial Hall Management Committee: raises no objection in principle, subject to the following conditions:

- The temporary permission be strictly time limited to 5 years with no extension.
- The parking spaces be locked and secured outside core school hours.
- The parking spaces be actively managed by the School during core school hours.
- The School incorporates an agreed methodology for dealing with the above mentioned items in an update of its Travel Plan.

Local Member

10. The Local County Members, Mr M. Whiting and Mr A Willicombe were notified of the application on 10 October 2012.

Publicity

11. The application was publicised by the posting of a site notice, the notification of 14 neighbouring properties and an advert was placed in the Kent on Sunday on 21 October 2012.

Representations

12. 43 letters of representation have been received. 10 of these representations were objecting to the application and 33 were in support of the application, although many of these letters of support were from parents and carers of the pupils at the school. The main points raised can be summarised as follows:

Objection

- On grounds of health and safety with the decrease in the safety on the highway network due to lack of visibility at the access onto the public highway and there could be reversing back out on the public highway.
- The previous application for 6 vehicle car park in front of the school was refused in 1995 using this same access.
- The track is actually a Public Right of Way (ZR147) and vehicles would need to drive along this footpath to gain access to the spaces and there is a need to consider the safety of pedestrians walking along this footpath.
- Is it not illegal to drive up and down a designated footpath?
- This footpath is used by the primary school who walk to and from the school as well as the sports field, and by many pedestrians going to the village hall, which is behind the school.

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- The track is narrow and only one car width.
- School's own School Travel Plan shows that they have 18 staff cars, so where are the other 8 cars going to park?
- The site is agricultural land and policy statements says that development will only be permitted if there is an overriding need that cannot be met firstly on land within the built up area boundaries.
- No management or control over the parking spaces out of school hours is proposed, which could result in vehicle movements at any time of the day or night.
- The owner of the Cottage has no turning point so reverses his car out onto the track.
- Too much loss of agricultural land over recent years due to the granting of planning permission for the new village hall and car park, overflow car park and school sports ground.
- Unnecessary application because adjoining the school there is a village hall which has over 53 vacant parking spaces.
- If the strained relationship between the School and Village Hall Trust could be resolved, the hall overflow car park, which is fenced and gated, would be the ideal solution.
- Creates a dangerous precedent for later possible applications which might involve the use of agricultural land to meet the perceived needs of Tunstall School.
- Will result in increased hazards between vehicles and pedestrians if cars allowed to move during the day and staff/visitors/parents will be driving up to see if there are any free spaces and down again if the area is full.
- Application for 10 cars seems insufficient at the outset as 14 cars are regularly parked on the front garden of the school, in addition to between 6-8 in the lay-by and at least 2 in front of the school on the road and more when the meal time staff arrive.
- Concerns about impact on the wildlife that this development would cause by the removal of vegetation and loss of tree canopy along the footpath.
- Concern about visual impact of 10 cars parked in a field upon the countryside and the setting of Listed Buildings.
- Contrary to various policies in the Swale Borough Council Local Plan.
- Removal of established tree canopy and other foliage along one side of this footpath would have a detrimental effect visually in the Conservation Area.

In support

- Parking on the grass at the front of the school is not ideal especially during the winter months when it is wet.
- The parking in front of the school does not look good from a village point of view and would be better relocated away from sight.
- New car park would take staff parking away from the front of the school grounds and away from the lay-by and make a much more pleasant outlook for the houses surrounding the school.
- Moving staff vehicles away from the front of the school and the lay-by opposite would not only benefit the visual impact of the area, but would also make life that little bit easier for the staff and the residents that live close to the school.
- The proposal would keep the lay-by opposite the school clear for longer periods of time and enable the School to return the front of the school back to a grassed area.
- Seems a suitable temporary solution to a long standing problem and one that should be welcomed since it should alleviate the concerns of some local residents.
- Cars already exit onto Tunstall Road from this entrance to the lane where the car park is proposed.

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- Would allow staff and visitors access to a car park that is away from the school grounds and which would also allow travelling along Tunstall Road to be much easier.
- Traffic is a real problem during school hours so this should make travelling along Tunstall Road easier and hopefully clear the lay-by for neighbours.
- The use of the field to park cars would have no impact on local residents and would only benefit them.
- The teachers deserve a decent parking area, where they do not end up 'knee deep' in mud or miles away.
- There would be very little impact on the footpath to the proposed parking area which already has solid foundations and is accessed by farm and business vehicles.
- Would provide a safer access for staff leaving the school during the school day to attend meetings and courses without having to cut across muddy fields posing health and safety hazards.

Discussion

13. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph (8) above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, including the National Planning Policy Framework (NPPF) and other material planning considerations arising from consultation and publicity.
14. This application has been reported for determination by the Planning Applications Committee following the receipt of objections from Kent Highways and Transportation Manager and the Public Rights of Way team, as well as ten local residents. Concerns have also been raised by the County Council's Landscape Adviser. The main issues relating to this application include siting; appearance and landscaping; access and sight lines; the impact on the Public Right of Way and the impacts on the Conservation Area. Whilst the National Planning Policy Framework generally presumes in favour of development by Schools, there is also a general presumption against development in the open countryside and outside the built confines of established rural settlements. Accordingly, it is necessary to balance the various issues in order to test whether the presumption in favour of school development would be outweighed by the issues relating to development in the countryside and this particular application site.

Siting, appearance and landscaping.

15. The proposed site of the temporary 10 space car park is located adjacent to the school boundary and is positioned so as not to extend further into the countryside than the rear (north west) extent of the school grounds. It is on the outside edge of the Tunstall Conservation Area and is currently used as agricultural land. The parking area would be partly screened along its north east, north west and south east facing boundaries by new trees. The proposed car park would be accessed off an existing track that runs from Tunstall Road along the north east boundary of the school to the Memorial Village Hall, which is located at the back of the school. This track is actually a Public Right of Way (ZR147) although the farmer and owners of properties, The Cottage and The Stables, drive their vehicles over this PROW, to gain access to their properties and fields. This PROW is also used regularly by pedestrians going to the village hall and parents walking their children to the school from the village hall car park, where they are

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allowed to park to drop off and collect their children (please refer to paragraph 24 for issues regarding the PROW).

16. Whilst this proposed location is close to the school, it would require the removal of some existing established vegetation that forms part of the wider orchard landscape which is a key characteristic of the landscape setting of this part of the Tunstall Conservation Area. The County Council's Landscape Adviser has stated that 'whilst this vegetation is localised and although of low quality and value, its removal would adversely affect the landscape and rural setting of the Conservation Area'. Furthermore, whilst views of the proposed car park from the main road would be limited, visual receptors are highly sensitive and the Landscape Adviser considers that the visual impacts would be significantly adverse given the inappropriateness of a car park within a rural setting. It is therefore considered by the Landscape Officer that the proposal is not appropriate in terms of landscape and visual impact.
17. It has been noted that the applicant does propose to carry out some tree planting to compensate the loss of existing vegetation and to restore the site after the 5 years temporary planning permission has expired. However whilst the loss of trees in this location is not ideal, the existing landscape in my view is not of significant landscape importance to refuse the application solely on these grounds. The area of the proposed temporary car park encroaches marginally onto neighbouring agricultural land, and therefore has an impact on the local landscape. However, the loss of farmland is almost negligible because it would not affect the overall viability of the field within which it sits, and would also only be temporary, pending the possible relocation of the school to a new site. Moreover, the impact on the local landscape is also very limited because of the existing tree and hedge cover, whereas the visual impact on the wider landscape is also negligible because of the general fold of the land and the limited views in this particular part of the landscape. The area of the proposed temporary car park is largely screened from the main road and so there would be only limited views of the car park. Nevertheless, the application is proposed for a temporary period of 5 years, so again the landscape impacts would also be restricted by time. Therefore I do not consider that there are sufficient grounds to justify refusal of planning permission solely on landscape grounds or the loss of agricultural land.

Access and sight lines

18. The application for a temporary 10 space car park is proposed to be accessed off an existing track that runs from Tunstall Road along the north east boundary of the school to the Memorial Village hall, which is located at the back of the school. This track is actually a Public Right of Way (Public Footpath ZR147), although the farmer and owners of The Cottage and The Stables drive their vehicles over part of this PROW to gain access to their properties and fields, presumably under private access rights. This PROW is used regularly by pedestrians going to the village hall and parents walking their children to the school from the village hall car park, where they are allowed to park to drop off and collect their children. This track and access is also currently used by staff who park in the front garden of the school.
19. As mentioned previously, a planning application to create a 6 space car parking area in the front of the school building was submitted in 2005 and was subsequently refused due to various objections, which included one from the County Council's Highways and Transportation Manager on grounds of highway safety and poor visibility splays, and the Conservation Officer's concerns at the visual detriment to the Listed Building. Please

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note that this is the same access point that would be used as part of this planning application.

20. The Highways and Transportation Manager has commented on this application and drew reference to this previous planning application for 6 car parking spaces within the school grounds. Whilst the location for this proposed temporary 10 space car park is different to the previous planning application, it does propose to use the same access point onto Tunstall Road, where the previous application was recommended for refusal on issues including on poor visibility splays. Since the previous planning application in 2005, standards for visibility splays have been reduced, but it is still considered that the sight lines from this track are still poor and therefore a recommendation of refusal could still be upheld on highway safety grounds. In particular, visibility is restricted to one side by a hedge which is tight to the carriageway, and which could conceal persons walking at the side of the road. To the other side, visibility is across the garden to The Cottage and is therefore across land outside the applicant's ownership.
21. Whilst this application proposes a temporary 10 space car park, it has to be noted that although the previous application for a 6 space car park at the front of the school was refused, the School has continued to allow members of staff to park informally within the school's former front garden without formally constructing a parking area or having permission to do so. The school is a Listed Building and so the parking is within the curtilage of a Listed Building. The applicant has confirmed that up to 10 vehicles a day park at the front of the school, but residents have written in advising that usually more vehicles are parked in this area. The current planning application did originally state that the proposed new car park was intended to remove the 10 staff vehicles from the front garden of the school and move them to the new temporary car park. However in subsequent correspondence it has been confirmed that the School cannot offer a permanent alternative to the parking on the front garden and would allow it to continue. Thus the number of vehicles travelling along the track and turning into and out of the junction onto Tunstall Road would increase rather than remain the same. As there is already concern about the number of vehicles using this junction, coupled with the potential for even more vehicles using this access, the intensification of traffic movements is deemed unacceptable and potentially unsafe to both motorists and pedestrians.
22. Members will note that as part of the consultation, Swale Borough Council raised no objection to the application and recommended that a condition be issued that allowed not more than 5 vehicles to be parked on the school's front lawn at any time. Whilst the option of allowing a certain number of vehicles to continue to park at the front of the school was not an option put forward by the applicant, this recommendation is solely from the outcome of the committee meeting at Swale Borough Council. To my mind, to allow a certain number of vehicles to continue to park at the front of the school is not workable or desirable, as there is no way of guaranteeing that the School would only allow up to 5 vehicles to park within the grounds of the Listed Building. I consider that this is an unenforceable recommendation, with no practical way of controlling adherence to the specified number on a day to day basis. Therefore this option has little merit as a solution to my mind.
23. Whilst they may not be sufficient reasons on their own to justify refusal of planning permission, the proposed intensification of use of the access route and the poor visibility splays onto Tunstall Road, do otherwise presume against planning consent.

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Public Right of Way

24. The proposed access road to the new temporary car park is actually along a track that is a Public Right of Way as a Public Footpath, which 2 local residents and a farmer travel over to gain access to their properties and farming land. Unfortunately the applicant had not referred to the fact that this track was a Public Right of Way in the supporting planning documents. The Public Rights of Way Officer has raised objection as the track would be affected by more vehicles using and turning into and out of it. The intensification of use of this track could also introduce increased potential conflict between pedestrians and motorists as the proposed car park is located further along the Public Right of Way than the side entrance to the school and could be accessed at any point during the school day. There is also added potential for this parking area to be used out of school hours, unless it is somehow securely managed with some form of a barrier. The Public Rights of Way Officer also had concerns about the proposed type of material for the car park and the general wear and tear upon the fabric of the track.
25. The track is only wide enough for one vehicle and so there is a potential conflict if two vehicles were to meet along this track. Pedestrians use this track to gain access to the Memorial Village Hall, which is located behind the school, as well as it being used for recreational purposes as a Public Right of Way. Given the road safety implications for pedestrians, especially school children, and vehicles travelling along this track, there is a concern about the increased number of vehicle movements along this track and at the access point. However, I could not justify refusal of planning permission purely on the intensification of use of the Public Right of Way by vehicles, since it is not uncommon for Public Rights of Way to share their route with routes also used by vehicles, and it is always possible to introduce some form of pedestrian segregation

Conservation Area impacts

26. The proposed new car park is immediately outside the Conservation Area, and not directly visible from it other than flanking one of the pedestrian approaches into it from the surrounding fields. Additionally, the site is well screened by existing mature hedging and orchard trees, so the visual detriment to the Conservation Area is extremely limited. However, the School has confirmed that they intend to retain the current parking at the front of the school building, which is within the Conservation Area, and which was previously hoped could be removed in favour of the proposed new parking area. The previous planning application raised concerns about the visual impact of the vehicles on the Conservation Area and its impact on the setting of the Listed Building. Hence the application was refused and one of the reasons for refusal was that it would be 'detrimental to the setting of a Listed Building and that it would not serve to preserve, protect or enhance its architectural and historic integrity and the character of its setting'. Whilst it is noted that this latest planning application site is not located within the curtilage of the Listed Building, it had originally intended to remove the parking from the front of the school site, thereby bringing about a visual benefit to the setting of the Listed Building. This benefit would have been balanced against the introduction of further development outside the built confines of the village, were it not now proposed to keep using the front garden of the school for parking. Whilst this use is not a component of the latest planning application, it is indirectly linked and therefore needs to be borne in mind as part of the assessment.

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Conclusion

27 In summary, none of the above issues in isolation are necessarily of sufficient weight to outweigh the National Planning Policy Framework's general support for school developments, and are mostly aspects where some detriment could be accepted if there was to be an overall gain with respect to the complete removal of the parking in the Conservation Area and to the front of the school building. However, if that parking is to remain, then I consider that when viewed cumulatively, the various issues discussed above warrant a recommendation of refusal of this planning permission. These reasons are the intensification of use of a junction with poor visibility splays at the entry point into Tunstall Road, that is also a Public Right of Way with some vehicles having a right to travel along it, the inconvenience and potential danger to users of the Public Right of Way, the impacts on the wider landscape and open countryside, including loss of trees and the continued intrusion into the Conservation Area of the unauthorised use of the front garden of a Listed Building for car parking. Whilst these are not sufficient grounds to warrant refusal of planning permission on their own, when taken together and in the light of the proposed continued use of the car park in front of the school building I consider that they tip the balance in favour of refusing the planning application.

Recommendation

28. I RECOMMEND that PERMISSION BE REFUSED on the following grounds:

- The proposal would result in the decrease in safety in the highway network due to a lack of visibility at the access onto the public highway, contrary to Policy E1 and T1 of the Swale Borough Council Local Plan (Saved Policies) 2008;
- The proposal would be detrimental to existing trees and produce unacceptable landscape and visual impacts, contrary to Policy E6 and E10 of the Swale Borough Council Local Plan (Saved Policies) 2008;
- The indirect visual detriment to the Conservation Area and the setting of the Listed Building, by the retention of vehicle parking to the front of the school site, contrary to Policy E14 and E15 of the Swale Borough Council Local Plan (Saved Policies) 2008.

Case officer – Lidia Cook	01622 221063
Background documents - See section heading	