

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

Background Documents: the deposited documents; views and representations received as referred to in the reports and included in the development proposals dossier for each case; and other documents as might be additionally indicated.

Item D1

Section 73 application to vary conditions 2, 17 & 18 of planning permission TW/12/1442 for the new Benenden Primary School at - Land south of Rolvenden Road, Benenden TN17 4DN – TW/14/00127

Extension of existing Village Hall Car Park at - Village Hall, The Street, Benenden TN17 4DE – TW/14/00129

A report by Head of Planning Applications Group to Planning Applications Committee on 02 October 2014. Application by KCC Property & Infrastructure Support for:

1. TW/14/00127 (KCC/TW/0368/2013): Section 73 application to vary conditions 2, 17 & 18 of planning permission TW/12/1442 for the new primary school to secure amendments in the form of a reduced car park area and revised access arrangements - at Land south of Rolvenden Road, Benenden TN17 4DN
2. TW/14/00129 (KCC/TW/0370/2013): Extension of existing Village Hall car park including resurfacing, landscaping and relocation of existing equipped play area – at Village Hall, The Street, Benenden TN17 4DE

Recommendation: Permission be granted subject to conditions.

Local Member: Mr. Sean Holden

Classification: Unrestricted

Site

1. This report presents two separate planning applications for consideration which together form a proposed scheme for amended parking arrangements at the new Benenden Primary School. The application sites are central to the village of Benenden, located on the south side of Rolvenden Road (B0268) that runs through the village forming the main route between Cranbrook to the north-west and Tenterden to the east, within the Tunbridge Wells district.
2. The land granted planning permission for the new primary school in January 2013 is an area of 2.12 hectares (ha) (5.24 acres), presently comprised of open green pasture. The adjacent land to the south is open agricultural land, to the west is the Glebe field and recreation ground and to the north is the village sports field, which is to become the new school playing field. The site boundaries are defined by the existing native hedgerow and tree cover. The front of the site, to be located north of the school building and east of the playing field, will be occupied by the school access onto Rolvenden Road and landscaped parking area; this aspect of the approved development is the subject of the Section 73 application. The existing Benenden Village Hall car park is a part loosely stoned, part asphalt surfaced area with no marked bays, situated immediately east of the Village Hall with an existing access onto Rolvenden Road. The Village Hall land is located between the western boundary of the playing field and the Benenden Village

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Green. Within the application area there is also an enclosed, equipped children's play area on the field to the south of the car park. See the *Existing Site Location Plan*.

3. The application sites are entirely within the High Weald Area of Outstanding Natural Beauty (AONB) and a Special Landscape Area (SLA). The Village Hall and land immediately to the south lie within the Benenden Conservation Area, whilst the playing field and Village Hall car park are designated as Recreational Open Space in the Tunbridge Wells Local Plan (2006). There are a substantial number of Listed Buildings within the village, the closest being Tudor Cottage (Grade II), fronting Rolvenden Road on the north side of the playing field. The permitted school site is crossed by three Public Rights of Way (PROW) (WC326, WC327 and WC325), which are to be diverted as part of the approved scheme.

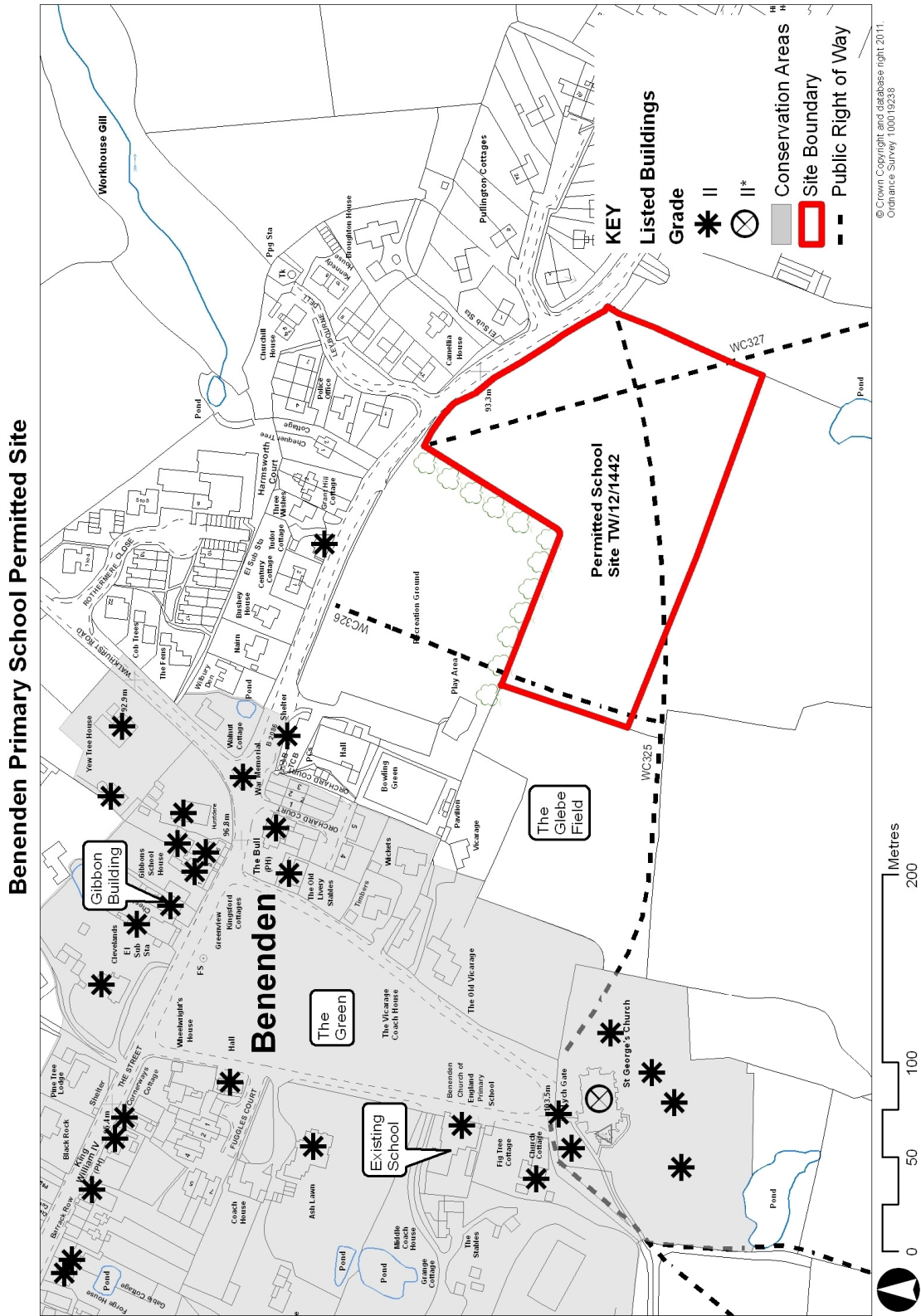
The application is supported by a Planning, Design and Access Statement, Landscape and Visual Impact Assessment Addendum, Transport Statement Addendum and Tree Protection Plan.

Recent Site History and Background

4. The existing Benenden Primary School operates from a collection of buildings located around the Benenden Village Green where the available pupil accommodation falls well below the minimum space standards for Primary Schools set out by Government. Following the established need for a new primary school, a planning application was submitted on 20th April 2012 for a new one Form Entry Primary School (up to 210 pupils), to include the erection of school building with associated hardcourt play areas, a new access onto Rolvenden Road, car park of 52 spaces with landscaping and re-profiling, and landscaping of residual land to return to pasture. The proposal was subsequently granted planning permission with conditions on 21st January 2013 under reference TW/12/1442.
5. During the development of the proposal, the following parking options for the school were originally considered:
 - A single access via the existing Benenden Village Hall entrance, utilising an enlarged and shared car park with some parking on the Glebe.
 - A single new access and car park off the Rolvenden Road, serving the school only.
 - Combination of the two, providing a new access additional to the existing Village Hall access and parking as part of a shared agreement.
6. It was established at the pre-application stage that The Harmsworth Trust, owners of the Village Hall and recreation field, were at that time unwilling to consider a scheme involving the use of the Village Hall car park and access. As such, option 2 for a single new access and car park was selected for the scheme. Although the impacts of the new school and its dedicated access and car park were deemed acceptable, and subsequently approved, it was highlighted during the consultation process by local residents and by Tunbridge Wells Borough Council that the possibility of a shared provision with the Village Hall would be preferable, to both avoid the 'doubling up' of such facilities in close proximity to each other and to reduce further transport and landscape impacts. In recognition of this, an informative was attached to the grant of planning permission encouraging the applicant to initiate discussions to further explore

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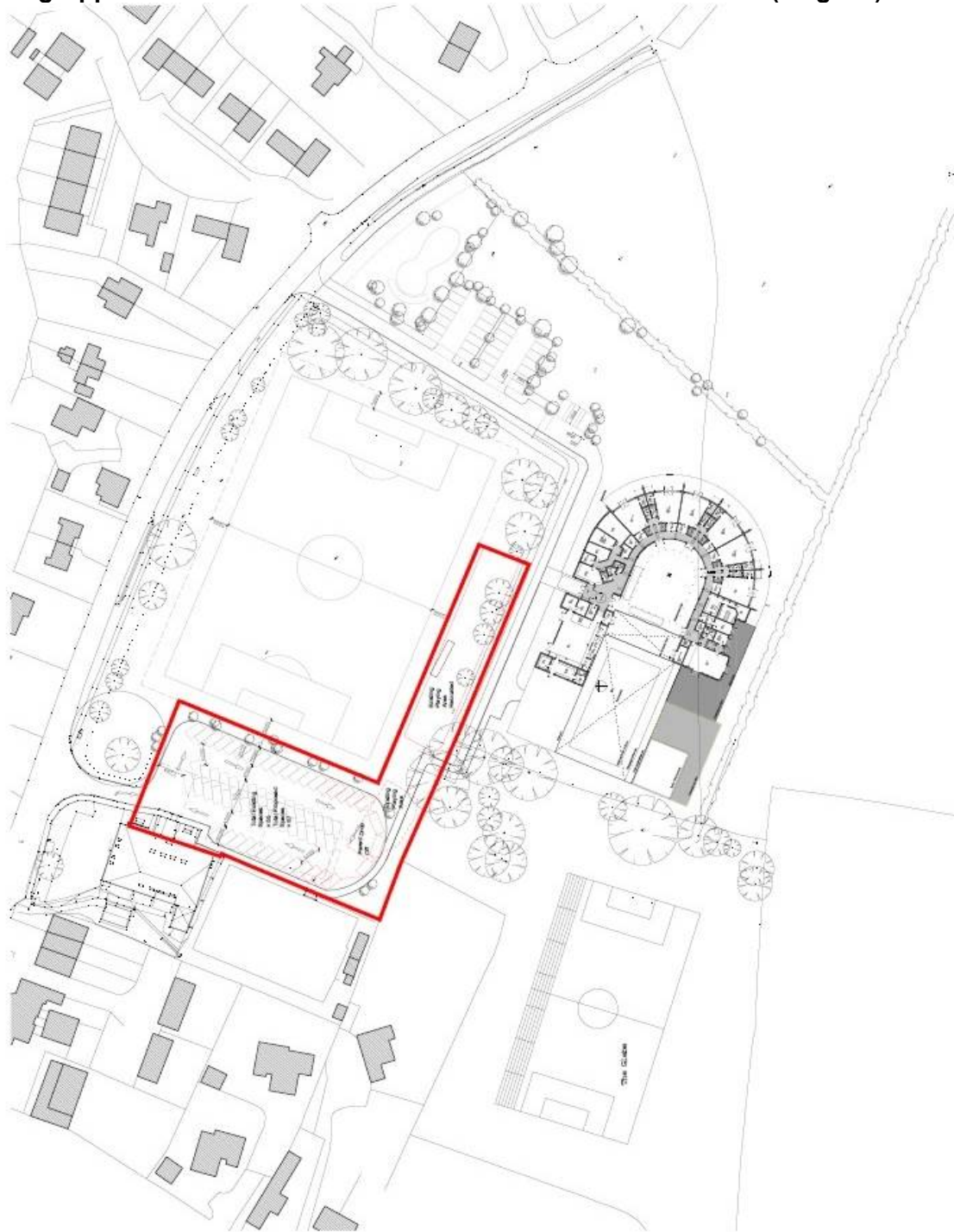
Existing Site Location Plan



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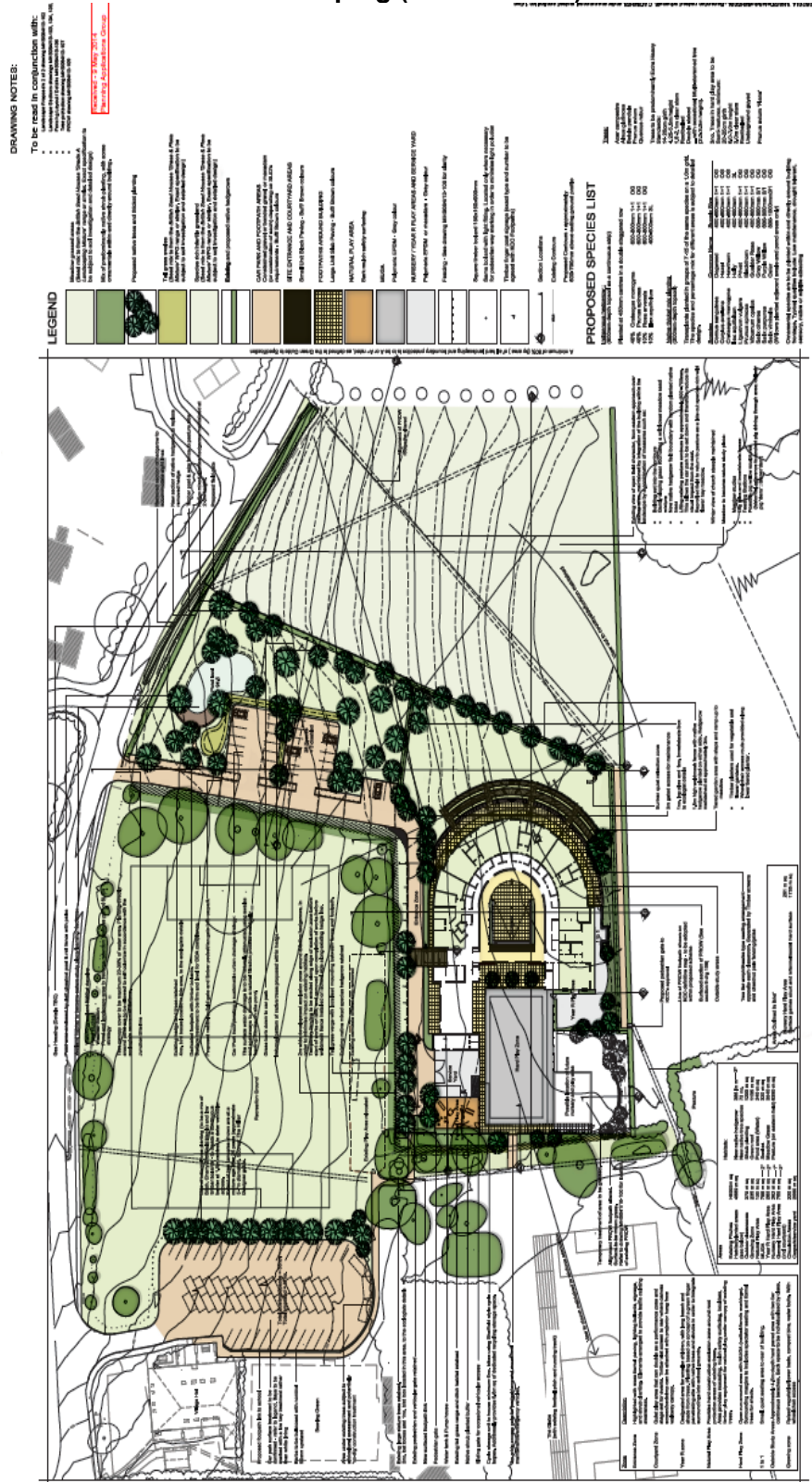
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Planning Applications SH/14/00127 & SH/14/00129: Outline Site Plan (Original)



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Proposed Site Plan and Landscaping (As Amended)



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 Project: BENEDEN PRIMARY SCHOOL
 Client: HCC / BENEDEN OF SCHOOL
 Date: 15/09/2016
 Scale: 1:200
 Drawing: LANDSCAPE PROPOSALS 1 OF 2

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the possibility of shared school access and parking arrangements with the landowner, and to inform the County Planning Authority of the outcome before any development is commenced.

7. Following the grant of planning permission, discussions were held between Kent County Council Infrastructure and Property and the Harmsworth Memorial Trust; an agreement was reached to develop an amended scheme for shared access and parking, to include to maintenance of a visibility splay over the Trust's land.

Proposal

8. The intention of the submitted planning applications is to enlarge the Village Hall car park to become the main school access, parking and parent drop off point, and to substantially reduce the previously permitted parking area to provide for staff and visitor parking only.
9. Application SH/14/00127 applies to vary conditions 2 (approved details), 17 (on-site vehicle and turning areas) and 18 (landscaping scheme) of planning permission TW/12/1442 by reducing the permitted car park of 52 spaces to 31 spaces (to include three disabled bays). The amended parking layout would set out the parking bays over two rows south of the landscaped frontage pond, which would allow for an enlarged landscaped area.
10. A minor amendment is also proposed to the permitted car park access, relocating the access from the north-east corner of the car park area to the north-west, adjacent to the playing field boundary, approximately 15 metres west of the Leybourne Dell access. An access point closer to the village is now possible due to the agreement with The Harmsworth Memorial Trust regarding the maintenance of the required visibility splay over their land. The location of the pedestrian footpath would also be amended to lie along the eastern edge of the relocated access route into the car park.
11. Application SH/14/00129 proposes the expansion, resurfacing and revised parking layout for the Benenden Village Hall car park, which would become a shared provision between the school and Village Hall users. The car park would be increased from around 55 spaces of informal capacity to 67 marked bays, extending to the west over The Harmsworth Trust land and to the east into the permitted playing field area. To allow for the expanded car park, the existing children's play area would be relocated eastwards onto the playing field, south of the marked out football pitch. A new pedestrian footpath would run along the western edge of the car park and around the southern end, providing a south eastward access into the school building. The proposal would necessitate the removal of 5 young-mature native trees to the south of the existing car park.
12. The Village Hall car park be would be resurfaced in a buff or brown colour. It is proposed to secure the type of surface material for the enlarged car park by planning condition, if permitted, alongside the detailed drainage arrangements for the scheme.

Amendments: the application remains largely as submitted aside from minor amendments to the Village Hall application in response to consultee comments; this includes a slight shift of the car park expansion area, changes to car parking bay layout and the creation of a parent drop-off area. The overall proposed parking provision and

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the details of the submitted Section 73 application remain unaltered.

Planning Policy

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

- (i) **National Planning Policy and Guidance** – the most relevant National Planning Policies are set out in the **National Planning Policy Framework (March 2012)**, and the **National Planning Policy Guidance (March 2014)**, which set out the Government's planning policy guidance for England at the heart of which is a presumption in favour of sustainable development.

The NPPF states that, in determining applications, local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this development proposal, the NPPF guidance and objectives covering the following matters are of particular relevance:

- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- minimising impacts on biodiversity, and protecting and enhancing valued landscapes, contributing to the Government's commitment to halt the overall decline in biodiversity;
- consideration of whether the opportunities for sustainable transport have been taken up and safe and suitable access to the site can be achieved for all people;

- (ii) **Borough/ District Local Plan / Local Development Framework**

Tunbridge Wells Borough Local Plan (2006)

- **Policy EN1:** Seeks all proposals to be compatible in nature and intensity with neighbouring uses and not cause significant harm to character and amenities of the area in terms of daylight, sunlight, privacy, noise or excessive traffic generation. Seeks the design of the proposal to respect the context of the site and not cause significant harm to residential amenities.
- **Policy EN5:** relates to development within or affecting the character of a Conservation Area.
- **Policy EN13:** relates to tree and woodland protection and states that development will not be permitted if it would damage or destroy trees protected by a Tree Preservation Order, identified as Ancient Woodland, or in a Conservation Area.
- **Policy TP5:** Vehicle parking in connection with development proposals will be restricted to the maximum necessary having regard to local highway conditions.

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Kent County Council's Vehicle Parking Standards, adopted by the Council, will be applied to such development proposals.

- **Policy R1** sets out criteria for proposals that would result in the loss of recreation open space.

Tunbridge Wells Core Strategy (June 2010)

- **Core Policy 4:** The Borough's built and natural environments will be conserved and enhanced.
- **Core Policy 5:** The Borough Council will apply and encourage sustainable design and construction principles and best practice. Developments should also be of high quality design, creating safe, accessible, and adaptable environments, whilst conserving and enhancing the public realm.
- **Core Policy 8:** Supports the provision of leisure and community facilities.
- **Core Policy 9:** Development must conserve and enhance the landscape, heritage and biodiversity assets of Royal Tunbridge Wells, to secure its special character in the long term.

Consultations

14. **Tunbridge Wells Borough Council (TWBC)** has no objection to the Section 73 application (SH/14/00127), subject to the following conditions:

- Delivery of the Village Hall car park extension prior to operational use of the new school.
- Approved larger school car park shall not be implemented in addition to the Village Hall Car Park extension.
- All conditions attached to the original application (TW/12/01442/KCC).
- Any additional conditions deemed appropriate by KCC Highway Authority.

However, the TWBC objects to the application for the Village Hall car park extension (SH/14/00129) on the grounds of the absence of a legal agreement. The previously approved school car park could therefore be implemented in addition to the proposed Village Hall car park extension. The cumulative impact would result in excessive parking provision and encroachment of built form which would result in unnecessary loss of recreational open space, and would be detrimental to the natural beauty and landscape character of the area. Following these comments, TWBC were consulted on draft conditions that could be attached to any grant of planning permission to prevent overlapping permissions from being implemented. Whilst TWBC agreed that the draft conditions would act as intended, in the absence of a legal agreement their objection to the car park expansion had not been overcome.

Benenden Parish Council fully support the revised parking layout. They note that the proposed car park provision will provide more spaces for the village hall users and for village events, a safe drop-off facility for school children and less traffic congestion in the village at peak times.

Environment Agency has no comment on the car expansion, but advises the applicant

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to contact them to establish whether other consents may be required. No objection to the Section 73 application.

Sport England has no comment on the Section 73 application but initially objected to the proposed extension of the Village Hall car park because the impact on the permitted sports pitch was not considered to accord with any of the exceptions in Sport England's playing fields policy. Their view was that the proposed plans, as originally submitted, would result in an encroachment onto the existing playing field and would require the pitch to be remarked. Whilst the plans indicated that the playing field could be remarked and accommodated within the remaining space to the same dimensions (100 x 64 metres), it was tightly located within the plot with trees overhanging the area of play. Sport England were therefore concerned that the proposed development would prevent the possibility of the site being marked out with a larger pitch in the future or a multiple of smaller pitches. The reduced playing field size would also restrict the ability to laterally move the pitch to rest goal mouth areas, and safe margins between the pitch and extended car park would now be reduced.

In light of these comments, the applicant amended and resubmitted the Outline Site Plan to show a minor re-orientation of the car park in a westerly direction to increase the separation between the proposed car park boundary and the playing field. The Plan shows a marked out 96m pitch, with space to potentially accommodate a larger pitch in future. The proposed mix of tree species and their likely canopy spreads were also confirmed: allowing for an estimated margin of 7m to the south, 6m to the north, 2-3m to the east and 3-4m to the west.

As a result of the amendments made to the scheme, Sport England is now satisfied that the development accords with, if not the exact wording then the intention of, exception Policy E3 of Sport England's playing field policy. As such, Sport England withdraws its earlier objection, subject to a planning condition being imposed that requires that playing field to be marked out with the pitch layout as shown on the amended plan.

KCC Transportation Planning (the Highway Authority) is of the view that through management, including coordination of likely peaks in demand, the extended village hall car park plus the staff car park on the school site should be able to offer a level of parking available for the school peaks use, to a level comparable with that previously approved. The following comments were made on the expansion of the Village Hall car park:

- The perpendicular bays in the centre will require a minimum aisle width of 6.0m.
- Eschelon style bays across the whole site would improve manoeuvrability.
- A greater sense of drop off would be preferable and could be achieved by removing the bays that may result in reversing manoeuvres where children are dropped off and provide improved access to the footpath to school.
- A footpath along the edge of the football pitch would assist pedestrians.

Consequently, the outline site plans were revised to show echelon parking in the central bays with the southern end of the car park rearranged to provide a more functional drop off area in-line with the proposed circulation route for vehicles. The applicant confirmed there would be sufficient space for a connecting footpath and proposed to explore this provision at a later stage by condition, in conjunction with a more detailed assessment of the proposed tree planting. The revised plans are noted and supported the subject to the following conditions:

- Implementation of the proposed visibility splays

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- Implementation parking controls/bus cage within the visibility splays to prevent overspill parking within them.
- Surfacing of the Village Hall car park in a bound material to drain within the curtilages of the site and not onto the public highway
- Village hall car park to be in place before the school opens and available for use by parents in perpetuity.
- The applications are linked in an appropriate manner.

KCC Biodiversity are satisfied that sufficient information has been provided to determine the planning application, following confirmation from the applicant that:

- the proposed car park extension will be carried out on short, regularly mown grassland without directly impacting upon the hegerows and undergrowth to the south.
- the precautionary reptile mitigation agreed as part of the original application will be extended to this area.

High Weald AONB Unit comments that either developments do not appear to directly affect the components of natural beauty identified by the High Weald AONB Mangement Plan, and the reduction in the impact of the staff car park and access is supported. They request that the village hall car parking surface should be finished in a muted and low tone surfacing to reduce the potential impacts of the new surfacing on the rural area to help reduce the sub-urbanisation that this large area of surfacing may have on the local area. The avoidance of the use of white lines is also noted.

KCC Landscape Officer has no additional landscape concerns from the Section 73 application. Reducing the size of the car park will limit the visual impact of the school. Whilst the suggested colour of the hard standing is supported, they recommend the applicants seek advice from the High Weald AONB Unit with regard to the materials used. The Officer has also made a number of recommendations for the indicative landscaping scheme for the new school site, the full details of which are required pursuant to condition 19 of planning permission TW/14/1442. Following the revisions made to the Outline Site Plans, the Landscape Officer confirmed they have no further comments on the scheme.

KCC Public Rights of Way (West Kent PROW Team) confirms that the alterations to the car parking arrangements and landscaping do not appear to have an adverse effect on the proposed public right of way diversions agreed as a part off the original application. If consent is granted, the applicant will need to give at least 6 weeks notice to arrange any temporary closure of the public rights of way that may be required to allow works to proceed. No development should take place that would permanently obstruct the rights of way until a diversion order is confirmed.

KCC Sustainable Drainage supports the Section 73 application. They note that the new proposal reduces the amount of the paved parking area and increases the landscape margins, resulting in a reduction in surface water runoff. They request that information is supplied on the impact of the site re-arrangement on the drainage system and its connection to the surface water system within the vicinity of the site.

The Ramblers Association has no objection to the extension of the Village Hall car park.

Conservation Officer No comments received.

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County Archaeological Officer No comments received.

CPRE Protect Kent No comments received.

Local Member

15. The local County Member, Sean Holden, was notified of the application on 15th January 2013.

Publicity

16. The application was publicised by the posting of three site notices on 28th January 2014 located at the Rolvenden Road entrances to Public Rights of Way WC327 and WC326 and at the entrance to the Village Hall car park. Advertisements were also placed in a local newspaper on 26th January 2014. In view of the level of local interest and number of responses to the original application (228 responses), efforts were made to consult as many of the original respondents local to Benenden as possible, in addition to the notification of the surrounding properties. A total of 176 individual properties were notified by letter as well as a further 32 respondents by email.

Representations

17. The representations received in response to the publicity have been grouped into the categories below. As many of the representations received related to both schemes the total figure of 119 comments does not represent the total number of individual respondents.

Variation of conditions:

- Support: 36 representations
- Object: 12 representations
- General comment: 1 representation

Village Hall car park extension:

- Support: 45 representations
- Object: 24 representations
- General comment: 1 representation

18. Around half of the supporting comments received wished to state their support for the proposed arrangements and/or for the development of the new school, similarly around 75% of the objections received just wished to register their objection (ie. on no specific grounds). The detailed comments received on the proposals for the revised parking arrangements can be summarised as follows:

Supporting:

- Shared facilities are a sound, sensible solution beneficial for both the school, village hall and the village.
- Reduced environmental and visual impacts upon the landscape and reduced loss of greenfield land.

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- Would be an appropriate use of existing hard standing in the village.
- The scheme is an improvement over the permitted arrangements; two larger car parks in the village would have been unnecessary.
- The revised access location of the permitted car park is welcomed and perceived to be in safer location, which addresses some of the previous concerns about the school car park.
- An expanded Village Hall car park would reduce on-street parking during events.
- The peak demands in the use of the Village Hall car park by the School and Village Hall are unlikely to coincide.
- The proposed landscape enhancement of the village hall car parking would be beneficial for the village.

Objecting:

- The new school should have its own sufficient provision without affecting other facilities in the village.
- Village Hall car park expansion is unnecessary as the current car park is rarely at full capacity.
- Expansion of the Village Hall car park would be a loss of green space and visually detrimental to the area.
- Relocation of the existing play area further away from the Village Hall and toilets would be less accessible and inconvenient for users.
- Changing the location of the main school car park would increase of traffic in the centre of the village, in proximity to an existing public house exit (The Bull).
- Fears about traffic congestion or conflicts on Rolvenden Road with other road users and pedestrians, and implications on traffic visibility.
- Conflicts with village hall use of the car park at peak times.
- There is a lack of proposed provision for pedestrians in the expanded car park for safe access to the school.
- Potential for adverse impacts upon the Tree Protection Orders (TPOs) in the vicinity of the Village Hall Car park.
- Realignment of the football pitch would result in insufficient run off area behind the goal mouth at the eastern end of the pitch.

19. Comments were also received from residents on the rights of the Trust to allow car parking for the school on the land. As this is to be shared facility and not solely for use by the School, I am of the opinion that this is not relevant to the progression or consideration of the planning application in this instance.

20 The *Benenden Village Hall Management Committee* did not wish to state an overall view on the applications but raised concern over some of the information that was initially included in the supporting statements in reference to the involvement of the Committee. In response, the applicant advised that pre-consultation was not directly carried out with the Village Hall Committee, who are a sub-committee of the Trust. Pre-consultation was carried out between the applicant and the Harmsworth Trust as the landowner. Minor amendments were subsequently made to the *Planning and Design & Access Statement* to clarify who was involved at the pre-application stage.

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Discussion

21. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 13 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 the 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 my opinion, the key material planning considerations in this particular case can be summarised by the following headings:

The Proposal

22. The proposals were initiated and submitted in accordance with an informative attached to the grant of planning permission TW/12/1442, encouraging the applicant to explore the possibility of shared school access and parking arrangements with the adjacent landowner, The Harmsworth Trust. With the principle of the location, capacity and provisions for the new Benenden Primary School already established, this report only considers planning issues related to the impacts of the proposals for revised parking arrangements

23. The NPPF encourages local authorities to look for positive solutions and to approve applications for sustainable development where possible. In my view, the conflicting comments on how well used the Village Hall car park is at present are irrelevant in this case; an enlarged area would present the opportunity for the facility to be well utilised by either group. As the solution of a shared facility for the school and Village Hall users was endorsed in principle under application TW/12/1442, and is strongly supported by the general thrust of planning policy, I see no objection in principle to the applications.

Access and Highway Safety Concerns

24. The applications are accompanied by a Transport Assessment Addendum and the highway and access implications of the applications have been considered and addressed in detail by the Highway Authority, who raise no objection to the development subject to the imposition of conditions. However, the objections raised by the local community must be considered and discussed.

25. There are concerns that changing the Village Hall access and car park into a shared facility would increase traffic activity in a location closer to the village, potentially causing traffic congestion or conflicts and safety issues for pedestrians. The Village Hall entrance is in proximity to a pub car park entrance and to the junction of Walkhurst Road. The Highway Authority advise that visibility at the Village Hall car park access is adequate and there are no recently recorded crashes within the vicinity of the site. However, to take account of the increase in activity in this location, measures could be taken to prevent any overspill parking within the vicinity of the Village Hall Car Park access. The Highways Authority recommend that a condition be attached to any grant of planning permission to introduce parking controls and/or bus cage within the visibility splays, particularly during school start and finish times. Such a scheme must be implemented before the development is commenced. This control would be in addition to the traffic calming measures to be implemented and maintained in accordance with condition 15 of the original planning application (TW/12/1442), ahead of the opening of the new school.

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26. The lack of proposed provision for pedestrian access along the eastern side (adjacent to the playing field) of the expanded Village Hall car park was observed by both residents and the Highways Authority. Whilst no objection is raised on these grounds, the Highway Authority strongly encourages further improvement of the pedestrian linkages to the school for those not arriving by car, and thereby recommend the creation of a path along the edge of the footpath pitch to assist pedestrians. The applicant has confirmed there would be sufficient space for an additional route in this location but requests to add this provision at a later stage, through an appropriate planning condition, in conjunction with a more detailed assessment of the proposed tree planting. Whilst it would be preferable to secure all pedestrian access routes at this stage, the proposed scheme does currently include a pedestrian access route along the western and southern end of the extended car park area. In this instance, I am therefore satisfied that the concerns about pedestrian access and safety could be resolved by an appropriate planning condition, requiring details of the additional pedestrian access.
27. In considering the above, and in light of the views of the Highway Authority, I would consider that subject to the imposition of conditions regarding the bound surfacing, drainage and permanent retention of the area proposed for car parking for dual use, and the implementation of visibility splays and controls to prevent overspill parking, and having regard to all highways conditions attached to the original application, that the development would not have a significantly detrimental impact on the local highway network. I therefore see no overriding justification to refuse the applications on these grounds.

Landscape and Visual Amenity

28. A key issue in the consideration of the earlier application for the new school development was the impact on the local and the wider landscape, given that the site is within the High Weald AONB. Whilst the proposed buildings could be sensitively designed to sit within the landscape and be partly concealed by earth modelling, the previously proposed expanse of car parking was more problematic because of its proximity to Rolvenden Road and the extent of parking proposed to be provided. In addition, the need for a more intensively used access than now proposed, had provoked strong and ongoing objections to the position of the access from adjacent local residents, which these latest proposals collectively now address. The proposed reduction in the size of the permitted school car park reduces the amount of handstanding of the new school development and allows a greater extent of land for planting and landscaping, whilst also reducing the extent of external lighting to be required; this aspect was generally supported by residents and consultees. However, objections have now been received from residents in relation to the potential visual, amenity and environment consequences of increasing the Village Hall car park area.
29. The Village Hall car park expansion would encroach onto land designated as Recreational Open Space. Although Sport England originally objected to the limitations this would place on the playing field, through minor realignment of the Village Hall car park area, they were satisfied that the amended proposal would meet their requirements, including an adequate area for buffer or run off around the pitch. No objections were raised from KCC's Landscape Officer or the High Weald AONB Unit on the expansion of the car park area, subject to use of a colour buff/brown surface material as proposed.

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30. Comments were received on the potential for the car park expansion to adversely affect the Tree Protection Order (TPO) Trees south of the car park. According to the *Landscape and Visual Impact Assessment Addendum* submitted with the application, the extended hardstanding of the car park will potentially extend over the root protection zone of the trees; a 'no dig' construction method is therefore proposed for these works. However, the report notes that the extent of the potential impact will not be known until an Arboricultural Impact Assessment has been undertaken. No objections or comments were received from the Tunbridge Wells Borough Council or the KCC Landscape Officer with regards to the impact upon the TPO trees, or the proposed protection measures. To ensure the protection of these trees is fully appraised, I would consider it appropriate to attach planning conditions requiring an Arboricultural Impact Assessment for the approval of the County Planning Authority, prior to the commencement of the development, with all other works to be carried out in accordance with the tree protection measures set out in the accompanying Tree Protection Plan.
31. In response to the consultation on the schemes, KCC's Landscape Officer made a number of more detailed recommendations regarding the landscaping details of the whole new school site, which would now include the proposed Village Hall car park enlarged area and boundary. To ensure the landscaping and visual impacts of the development are considered as a whole in its wider context within the AONB, I am of the opinion that it would be appropriate to attach these comments as an informative to any grant of planning permission.
32. On balance, I am of the opinion that, subject to conditions, the development would not have a detrimental impact on the local landscape or trees. Any potential visual or environmental impacts of extending the Village Hall car park hardstanding on the Benenden Conservation Area and the High Weald AONB would be compensated for by the benefits of the significant reduction in the permitted car park area. This would be subject to conditions requiring the prior approval of the village hall park car surfacing materials, full details of the landscaping scheme and an Arboricultural Impact Assessment, and all works to be carried out in accordance with the tree protection measures.

Amenity

33. Objections were received from some residents due to the proposed relocation of the existing, enclosed play facilities; a consequence of enlarging the Village Hall car park. The facilities would be moved eastwards, south of the playing field, a further distance for parents and children to walk and further from the Village Hall and toilet and parking facilities. In response to these concerns, the applicant has agreed to move the relocated play area slightly further westward, closer to the car park. Access would be via the proposed pedestrian link from the western side of the Village Hall car park. According to the applicant, the existing cricket strip on the playing field will be now removed, which provided the opportunity to enlarge the relocated play area as part of the revised plans. Although the relocation is an unfortunate consequence of the car park enlargement, I can see some safety benefits in increasing the distance from the Village Hall car park. The proposed resurfacing of the car park and new pedestrian path would be an improvement on the existing surface and access conditions which would increase the suitability for a wider range of users. Accessibility to the relocated play area would also be enhanced by additional pedestrian route along the eastern side of the car park, as discussed in paragraph 26.

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34. Aside from access to the play facilities, no issues of specific residential amenity have been raised by objectors, and I am satisfied that the proposed development is sufficiently distanced from neighbouring properties to avoid any significant adverse impacts. However, given the location of the proposals within a residential area, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction and demolition in order to protect residential amenity. I would suggest that works should be undertaken only between the hours of 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays.
35. I also consider it appropriate that details of a full Construction Management Strategy be submitted for approval prior to the commencement of development. That should include details of the methods and hours of working, location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid peak times, and details of any construction accesses. Therefore, should permissions be granted, a Construction Management Strategy would be required pursuant to condition and the developments would thereafter have to be undertaken in accordance with the approved strategy.
36. In addition to the above, should permission be granted, conditions of consent would ensure that dust, mud on the local highway network, and other matters associated with construction, would be mitigated as far as reasonably possible so as to minimise disruption to local residents.

Implementation

37. The separate applications for amended parking arrangements at the new Benenden Primary School were submitted with the intention of securing a link between the two. TWBC also highlighted the need prevent the possibility of both the school car park permitted under the original application and the proposed enlargement of the Village Hall car park from being implemented, due to the potential for cumulative impacts on the area. Whilst TWBC have maintained their objection to the Village Hall car park extension due to the absence of a legal agreement to secure this matter, they have no objection to the schemes in principle or on any other basis. They have no objection to Section 73 application, subject to conditions, including a condition that the approved larger school car park shall not be implemented in addition to the Village Hall Car Park extension.
38. Whilst it is extremely unlikely that both the original and the now revised car parking arrangements would be provided, if the implementation of two larger car parks was to occur, all impacts of the previously permitted school car park have anyway been deemed acceptable under TW/12/1442. I therefore see no overriding justification to refuse the application on the grounds of this possibility, and I believe it is possible to prevent the implementation of two larger car parks through appropriately worded planning conditions. To take account of these concerns and to maintain planning control over the developments, I therefore suggest conditions are attached to either grant of planning permission, if approved, stating that the development hereby permitted shall only be implemented in parallel with planning permission SH/14/00127 or SH/14/00129 (as appropriate).

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Conclusion

39. In my view, the developments would not give rise to any significant material harm and are in accordance with the general aims and objectives of the relevant Development Plan Policies. In addition, the proposals significantly improve upon the earlier parking proposals in terms of addressing the previously raised local objections. Furthermore, the developments are in accordance with the principles of the National Planning Policy Framework. I consider that, subject to the imposition of appropriate planning conditions, the proposals would not have a significantly detrimental effect on the local highway network, local amenity or the environment. In my view the developments are sustainable and there are no material planning considerations that indicate that the conclusion should be made otherwise. However, I recommend that various conditions be placed on any planning permissions, including those outlined below.

Recommendation

40. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- The development hereby permitted shall only be implemented in parallel with planning permission SH/14/00127 / SH/14/00129 (as appropriate).
- details of surfacing materials for the Village Hall car park;
- a scheme of landscaping, including hard surfacing, its implementation and maintenance;
- measures to protect trees to be retained;
- playing field to be marked out with the pitch layout as shown on the amended plan (Outline Site Plan 19625A 23 Rev F.);
- Implementation of visibility splays (as shown in drawing T0155/SK015/P1 of Transport Statement addendum);
- Implementation of parking controls/bus cage to prevent any overspill parking taking place within the visibility splays;
- provision and retention of access, the drop-off/pick-up facility, & circulatory routes;
- the submission and approval of details of a surface water drainage scheme;
- hours of working during construction and demolition to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- construction management strategy, including access, lorry routing, parking and circulation within the site for contractor's and other vehicles related to construction and demolition operations;
- measures to prevent mud and debris being taken onto the public highway.

I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informatives:

- The applicant's attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained.

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- The applicant's attention is drawn to the letter from Kent County Council Landscape Officer regarding landscaping details for the new school site.

Case Officer: Rachel Cutler

Tel. no: 03000 413359

Background Documents: see section heading
