A report by Head of Planning Applications Group to Planning Applications Committee on 21 October 2015.

Application by Kent County Council Property & Infrastructure Support for the creation of a 2 Form Entry Primary School comprising a two storey building, access, car parking and pick up/drop off bays, external play areas including a Multi-Use Games Area, informal play area and grass playing field, and hard and soft landscaping at Land at Finberry Village, Mersham, Ashford – AS/15/648 (KCC/AS/0121/2015)

Recommendation: Permission be granted subject to conditions.

Local Member: Mr M Angell and Mr A Wickham

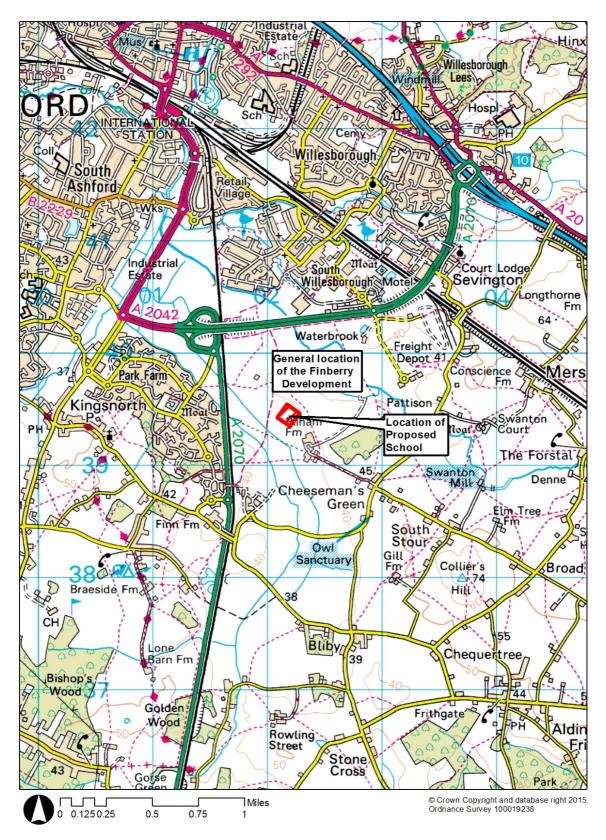
Classification: Unrestricted

Site and Background

- 1. The proposed 2 Form Entry (2FE) Primary School is to be provided as part of a new major residential development at Finberry (also referred to as Cheesemans Green), to the south of the town of Ashford. Outline planning approval for a Primary School has been granted by Ashford Borough Council on the application site as part of the approved principal masterplan and development brief. The approved masterplan also includes the provision of 1100 houses and approximately 70,000 sqm of business floorspace. Members interested in the residential/commercial aspects of the wider development should refer to the Crest Nicholson planning applications submitted to Ashford Borough Council, and in particular 09/01566/AS.
- 2. The Finberry development site is situated approximately 4.5 km (2.8 miles) to the south of Ashford Town Centre. The development is accessed via the dual carriageway section of the A2070, which runs to the north of the site. To the west of the development site lies the single carriageway section of the A2070 which connects Ashford with Brenzett and Romney Marsh beyond. To the south of the overall master-planned site lies the small village of Cheesmans Green, and open countryside, with the east of the development bound by the East Stour River.
- 3. The Primary School application site comprises an area of land approximately 2.05 hectares (5.06 acres) in size, and lies to the west of the overall Finberry development site. The application site is relatively flat, but slopes towards the western boundary, with the western corner of the site falling within floodzones 2 and 3. The land surrounding the application site remains undeveloped, and the relevant reserved matters applications are yet to be submitted to Ashford Borough Council for consideration. However, the land to the north of the application site has been allocated within the overall masterplan for an extra care facility and an area of open space with play facilities, and land to the east is proposed to be developed for the purposes of community, sport and recreation, including the erection of a community building. There are no significant trees within the site, no ecological or landscape designations, and the site in not within a Conservation Area, nor within the setting of any Listed Buildings.

A site location plan is attached.

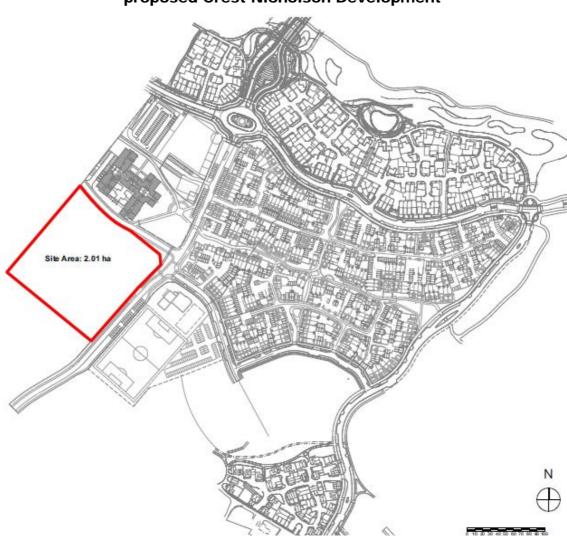
Site Location Plan



- 4. It should be noted that the application as originally submitted met with objection from Ashford Borough Council and the landowners/developers (The Church Commissioners for England and Crest Nicholson), primarily on design grounds. In response to that, the proposed development was subject to a Design Panel Review, and the architect and applicants have amended the scheme in an effort to address the concerns raised. The following summarises the amendments that have been made:
 - the site layout has been redesigned, moving the access points, car parking, location of the school building and associated infrastructure including hard and soft landscaping;
 - changes made to the fenestration;
 - red brick work changed to a buff brick, and minor changes to external materials;

For reference only, please find a site plan and elevation drawing of the original proposals in Appendix 1. However, it is the amended proposal that will be discussed throughout this report.

Site Location Plan showing the application site in relation to the wider proposed Crest Nicholson Development



Item D2
Proposed 2FE Primary School at Finberry Village, Mersham, Ashford
- AS/15/648 (KCC/AS/0121/2015)



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Proposed Elevations - Phase 1















Proposal

5. This application has been submitted by Kent County Council Property and Infrastructure Support, and proposes the erection of a 2 Form Entry (2FE) Primary School comprising a two storey building, access, car parking and pick up/drop off bays, external play areas including a Multi-Use Games Area, informal play area and grass playing field, and hard and soft landscaping at land at Finberry Village, Ashford. The school would, at full capacity, accommodate 420 students (reception, infants and juniors), 14 spaces of which are to be for pupils with Special Educational Needs (SEN). A nursery for 26 children would also be provided. The school building has been designed to be delivered in two phases in order to accommodate the anticipated pupil demand and intake, with Phase 1 due to be open late 2016.

Accommodation

- 6. This application proposes the erection of a two storey school building which would have a total gross internal area of 2471sqm, with a building footprint of 1452sqm. The school building is set within a 2.01ha (4.9 acres) site, which is over the minimum gross site area of 1.6ha (3.9 acres) specified for a 2FE School by the Education Funding Agency (EFA). 15 classrooms including a nursery, a large main hall, a kitchen, office spaces, toilets, cloakrooms and storage areas are proposed within the two storey building, which has been designed to enable the provision of the ancillary facilities required for a 2FE school to be provided under phase 1, with the 7 additional classrooms for a 2FE intake added when required under phase 2.
- 7. The proposed 2FE school would have a logical internal arrangement, with infant and nursery classrooms on the ground floor, and classrooms for years 3 through to 6 on the first floor. Teaching accommodation is proposed to be contained within approximately two thirds of the building, with the remainder accommodating the reception area and the main hall and kitchen space. The main reception would provide a controlled entry point for visitors, with easy access to the hall for out of hours community events, with services and security zoned for different users/uses of the school building. Note that the design has to readily accommodate its operation as a 1FE school as well as a later phased expansion to a 2 FE school.

Design and Appearance

- 8. The proposed school building is orientated with north and south facing classrooms to mitigate solar heat gain within teaching and learning spaces. The applicant advises that the form and massing of the building is similar to the Education Funding Agency's (EFA) Baseline Design Model, which has been specifically designed to align with the EFAs stringent requirements for cost, floorspace, environmental performance and specification. Although a standardised design, the applicant considers the design approach to be highly appropriate for this site, with the two storey rectangular building set deep into the site behind car parking and a landscaped entrance plaza. The teaching accommodation would be within a flat roofed section of the building, with the hall and school entrance area accentuated in height with a mono-pitched roof creating a 'wedge' shape focal point to the building.
- 9. The 'wedge' shape roof of the hall and entrance area would be constructed using a dark grey metal cladding, with dark grey aluminium fascias and soffits to match. The front and rear façade of the hall are proposed to be finished with varying orange coloured

panels, with tall vertical windows to accentuate the height. The main elevations of the school would be finished with a buff coloured brick, broken up with vertical powder-coated (grey) aluminium curtain walling. On the front elevation, the vertical curtain walling would be set within double height projecting box windows, clad in dark grey powder coated aluminium. The rear elevation incorporates 2 projecting canopies to form a covered play area, which would again be clad in dark grey powder coated aluminium. The wall beneath each canopy would be clad in the same varying orange coloured cladding panels as the hall. The windows to the first floor of the brick facades would take the form of ribbon glazing, with orange panels (to match the hall) incorporated inbetween each window. All windows and doors would be grey powder coated aluminium, as would the louvres and Brise Soleil, and the parapet capping. A Staffordshire blue brick plinth up to damp course level would be provided around the extent of the building.

10. The applicant advises that the external materials proposed are robust and could withstand heavy use and casual vandalism without relying on excessive maintenance, and would weather well, not attract dirt or be easily damaged. The sustainable credentials of the design are outlined in paragraph 20 below.

Access/Parking

- 11. Based on the Crest Nicholson masterplan for the wider development, the school site would be bound to the north and east by roads, the road to the east being a primary street through the development accommodating a bus route linking the development to Ashford Town Centre and beyond. Vehicular and pedestrian access to the school site is proposed via the northern site boundary, with a second pedestrian access and a vehicular access for emergency and refuse vehicles only proposed on the eastern boundary.
- 12. Vehicles and pedestrians would in general approach the school site from the northeast, in the case of pedestrians via the public open space to the north east of the school site. The site layout is such that the northern third of the site would be semi-public, with the school building and associated fencing forming the secure boundary line with safe and secure school accommodation located in the remaining two thirds of the site to the south. Car parking is proposed to the central and western area of the semi-public section of the site, with a pedestrian entrance promenade and open space located to the east. The applicant advises that such a layout would continue the feeling of open space by visually extending the public open space located opposite into the school site. Further information of the landscaping scheme for the site can be found in paragraphs 15-18 below.
- 13. A total of 70 car parking spaces are proposed, and a large drop off point. The applicant advises that parking areas for staff would be located towards the north west of the site, away from the main building entrance. 5 disabled parking spaces would be provided adjacent to the main school entrance, and a 40metre drop off area would be located directly in front of the school building. The parking bays would be formed of block paviers, with the circulation routes having a macadam finish.
- 14. Covered secure cycle parking is proposed, located outside the schoo'ls main entrance, set within the landscaped pedestrian entrance plaza. The cycle parking would be adjacent to administration/office areas, enabling the area to be passively supervised.

Landscaping/External Areas

- 15. The applicant advises that the site has been designed to provide a safe and stimulating environment for young people, with the landscape designed to evolve into a series of spaces that are visually connected. As outlined in paragraph 12, the northern third of the site would accommodate the car parking and entrance plaza, with the southern two thirds accommodating the school building and secure external areas.
- 16. The northern third of the site (the semipublic area) is proposed to read as a visual extension to the public open space located to the north east of the school site. Upon entering the school site, a broad pedestrian plaza would lead to the main school entrance. The pedestrian plaza would contain timber benches and informal seating areas, with specimen trees planted within the paved surface. Feature 'contrasting bands' of paving are proposed to break up the main plaza area, which would extend into a vegetated swale which is proposed to be located to the edge of a lawned and planted area. The lawned area would also contain seating, set within a circular path formed of self-binding gravel. Low level hedges and ornamental grasses are proposed within this area, in addition to tree planting. The car parking area to the west of the entrance plaza would be softened with hedges and trees, with the hedges positioned to screen the cars from view from the classrooms.
- 17. The southern two thirds of the site would accommodate the school building and its associated secure external facilities. A playground and fenced (2.4 metre high ball stop fencing) Multi Use Games Area (MUGA) are proposed to the south west corner of the application site, with the south east of the site accommodating a grass sports pitch for mini-soccer, cricket and a 60 metre running track. External learning spaces are located to the immediate south of the school building, with shade provided by the two projecting canopies incorporated into the design of the building. A habitat area is proposed along the extent of the southern boundary of site, with extensive tree planting and hedging extending along the southern boundary and up the eastern site boundary. Swales are proposed in the habitat area, in addition to wildflower areas, native hedging and native trees. A path would be mown into the meadow area to enable access for educational purposes.
- 18. The whole of the site school site is proposed to be fenced with 1.8metre high vertical bar fencing, with tree planting and hedging proposed to the boundaries to soften the appearance of the fencing.

Lighting

19. The applicant advises that external areas would be lit with LED light sources. The building's approach would provide adequate levels of night time illumination to provide a safe and secure approach to the main building, whilst considering the amenity of local residents. Low level bollard lighting would be used, in addition to time clocks and daylight sensors. The applicant further advises that a detailed lighting scheme would be developed in collaboration with the landscape designer and the School to ensure that it would be suitable for the local environment and fit for purpose.

Sustainability

20. The applicant advises that 'designing for sustainability' has been integral to all aspects of the design. Orientation, construction materials and detail design have all been included within a coordinated strategy contributing to the building's performance,

financial sustainability and environmental impact. The basic building dimensions and orientation have informed the conceptual approach and support maintenance strategies. The applicant advises that natural day-lighting would be used to create an efficient, user friendly and inspiring internal environment. As well as enhanced basic construction technologies, the building is proposed to feature the following:

- Solar PV cells on the flat roof section of the building;
- Highly-insulated building envelope;
- Low air-permeability envelope;
- LED lighting system;
- Use of materials from sustainable sources, preferably locally sourced;
- Solar control glazing;
- Low temperature hot water underfloor heating;
- Waste management for recycling;
- Hybrid natural ventilation to maintain temperatures and CO2 concentration levels;

The application is accompanied by a Design & Access Statement, Planning Statement, Transport Statement, Summary Travel Plan, Desk Based Archaeological Assessment, Ecological Appraisal, Flood Risk Assessment, Phase 1 Desktop Report, Munitions Report, & Topographical Plan.

Planning Policy

- 21. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:
- (i) National Planning Policies 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 guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

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;
- 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;

In addition, Paragraph 72 states that: The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools, and works with schools promoters to identify and resolve key planning issues before applications are submitted

Policy Statement – Planning for Schools Development (15 August 2011) sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.

(ii) Development Plan Policies

The Ashford Borough Local Development Framework Core Strategy 2008:

- **Policy CS1** Sustainable developments and high quality design are at the centre of the approach to deciding planning applications, the key objectives of which include a wider choice of easy to use forms of sustainable transport to serve developments.
- Policy CS2 'The Borough Wide Strategy' Focus' large scale development within the Ashford Growth Area [.....]. Key infrastructure projects to be delivered at the same time as the development that they will serve and funded via financial contributions through the use of a Strategic Tariff.
- Policy CS9 Development proposals must be of high quality design and address issues such as character, distinctiveness, sense of place, permeability, ease of movement, legibility, mixed use and diversity, continuity and enclosure, quality of public spaces, flexibility, adaptability and liveability, richness in detail and efficient use of natural resources.
- **Policy CS10** All major development must incorporate sustainable design features to reduce the consumption of natural resources and to help deliver the aim of zero carbon growth in Ashford.
- **Policy CS11** Seeks protection of biodiversity and provides for maintenance, enhancement, restoration and expansion through creation or restoration of semi-natural habitats and ecological networks to sustain wildlife.
- Policy CS15 Promotes public transport and other non-car based modes of travel including measures to encourage cycling. Amongst other matters also seeks the earliest possible implementation of highway and other schemes that would remove serious impediments to growth and/or secure important environmental benefits.
- **Policy CS18** Public open space, recreation, sports, children's play, leisure, cultural, school and adult education, youth, health, public service and community facilities to be provided to meet the needs generated by new development.
- **Policy CS19** Proposals for new development within the 100 year undefended river floodplain will not be permitted unless a Flood Risk Assessment can

demonstrate that the development would not be at an unacceptable risk of flooding itself, and that the development would not result in increased flooding elsewhere.

Policy CS20 All developments should include appropriate sustainable drainage systems for the disposal of surface water.

The adopted Ashford Borough Local Plan 2000:

The development of land at Cheeseman's Green, Ashford, is subject to a Policy S13 site specific policy which states the following:

> "Cheeseman's Green is proposed for a new residential and business community built over a number of years to provide for a substantial part of the development land that is needed in the Borough. In this Plan's timescale (to 2006) 700 houses are proposed with business park development of up to 40 hectares. In the longer term there is scope for substantial additional housing and employment development within the policy area shown on the Proposals Map."

> A number of proposals which the Borough Council would seek to secure for the site are set out within this Policy, including the provision of a Primary School.

Policy CF21 The Council will seek the costs of primary and secondary school facilities that are generated as a direct result of housing proposals and where the need arises for the implementation of that scheme. Such planning obligations will be related in proportion to the scale and nature of the proposed development, taking account of the existing pattern of school provision and the existing pupil capacity at local schools.

Ashford Borough Council Supplementary Planning Guidance

Cheesemans Green Development Brief 2003 (Addendum 2013)

The development brief relates to the proposed development of land known as Cheeseman's Green and was adopted by the Borough Council as Supplementary Planning Guidance to guide the overall development of the site and ensure continuity in design proposals between different phases of the scheme and with neighbouring developments.

Sustainable Design and Construction Supplementary Planning Document

The purpose of this document is to provide guidance on the measures and opportunities available to developers and householders to integrate sustainability into their development. The supplementary planning document sets out guidance on how to meet the required environmental performance standards of policy CS10 of the adopted Core Strategy for all new major developments within the borough.

Landscape Character Supplementary Planning Document

The aim of the Landscape Character Supplementary Planning Document is to promote regard for the landscape and to ensure new development makes a positive contribution to the landscape, including its key characteristics and features in which it is located.

Sustainable Drainage Supplementary Planning Document

The Sustainable Drainage (SuDS) Supplementary Planning Document sets out how developers can meet the requirement of Policy CS20 of the adopted Core Strategy. Guidance is provided on the provision of sustainable drainage systems for the disposal of surface water and rainwater, so that it is retained either on-site or within the immediate area.

Consultations

22. Ashford Borough Council comments as follows on the revised proposal:

"The proposal in its amended form has resulted in a slightly improved scheme for this site compared with the scheme as first deposited. As a result it is considered that the proposed school building would fit in better with its surroundings and provide a suitable learning/play environment for the pupils which is it primary function. A safe and secure environment is now proposed that provides adequate sport provision and car parking in a location that supports a main entrance facing towards the central green in the wider development.

Concern is, however, expressed about the pre-application process: officers were approached late in the day with a worked up scheme that the applicant's design team indicated would be deposited with the County Council only a short while later, giving limited opportunity for real involvement by the Council in helping shape the proposal. Likewise, it would have been preferable for Design Review to take place as part of an iterative pre-application process so that opportunities as to how the school could flex in plan form and best respond to the context of the site could have been built into the project at an early stage before 'scheme fix' (and the difficulties in making subsequent amendments once a fix has been made).

Concern is also expressed in terms of a seeming pre-occupation with costs at the expense of the positive environmental benefits to be gained from a high quality landscaping scheme on sensitive street boundaries helping mitigate the visual impact of fencing. Officer discussions with the applicant design team about improved frontage tree and other planting being viewed as a maintenance 'liability' were disappointing to hear given the nature of the use and the message that will be conveyed to the emerging residential community at Finberry if only minimal landscaping is provided. Whilst the Council is disappointed that the restrictions associated with the baseline design and funding arrangements have not allowed the building to flex in plan form and evolve further elevationally into a truly inspiring, interesting and high quality modern/contemporary design, the Council raise NO OBJECTION and is content for the County Council to reach its own conclusion on the merits of the proposal."

The Borough Council suggests that the following matters should be covered by relevant conditions:

- 1. Implementation of the scheme.
- 2. External materials.
- 3. Details of hard and soft landscaping & standard landscaping.
- 4. SUDs.

- 5. Parking and KCC highways conditions (and informatives).
- 6. Provision of cycle parking (to be retained) including full details of the covered cycle store.
- 7. Full details of the sprinkler tank and bin store to be submitted and approved.
- 8. Full details of external seating and external seating areas to be submitted and approved.
- 9. Full details of all fencing to be submitted and approved.
- 10. Contaminated Land.
- 11. Hours of use.
- 12. Full details of the extraction flue to be submitted and approved including a maintenance schedule.
- 13. Ecological mitigation and biodiversity enhancements.
- 14. Joinery, colour finish and depth of reveals.
- 15. Details of the jointing of the cladding panels.
- 16. 1:50 elevations and cross sections of the full height projection.
- 17. BREEAM.

Kingsnorth Parish Council supports the application.

Mersham with Sevington Parish Council comment as follows:

"This is the most unimaginative school plan. Looks like it would be more at home on a second rate industrial estate. What happened to design and aesthetics when the architects got this brief?

Is there any point in objecting, Ashford Borough Council have already 'agreed' it and the County Council will probably do the same just to be able to say a school is provided."

Kent County Council Highways and Transportation raise <u>no objection</u> to the proposal, subject to the following matters being covered by relevant planning conditions:

- 1. Provision of construction vehicle loading/unloading and turning facilities prior to commencement of work on site and for the duration of construction.
- 2. Provision of parking facilities for site personnel and visitors prior to commencement of work on site and for the duration of construction.
- 3. Provision of measures to prevent the discharge of surface water from the vehicular accesses onto the highway.
- 4. Provision of wheel washing facilities prior to commencement of work on site and for the duration of construction.
- 5. Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the opening of the school hereby permitted. This shall include 24 staff car parking spaces and 42 'park and stride spaces', and a detailed plan showing such provision shall be submitted to and approved in writing by the County Planning Authority.
- 6. Provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the opening of the school hereby permitted.
- 7. Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the opening of the school hereby permitted.
- 8. Completion and maintenance of the access details shown on the submitted plans prior to the opening of the school hereby permitted.

9. A new School Travel Plan shall be produced including pupil and staff surveys within 6 months of the occupation of the new school. The Travel Plan shall also include modal share targets for both pupils and staff and measures aimed at reducing private car usage and encouraging sustainable transport.

The County Councils School Travel Plan Advisor suggests that the School complete a Travel Plan (via the County Councils Jambusters System) for submission 6 months from the date of occupation.

Environment Agency raises <u>no objection</u> to the proposed development subject to conditions regarding the finished floor levels of the building, no raising of ground levels within the flood plain, and access to the building being above the 100 year plus climate change flood levels of 37.8mAOD. Further informatives are requested regarding the River Stour and the Ruckinge Dyke, and registering with the Environment Agency's Floodline Warnings Direct Service.

The County Council's Biodiversity Officer is satisfied that sufficient Ecological Survey work has been undertaken to demonstrate that protected species would not be affected by the proposed development. However, the applicants must ensure the presence of protected species is addressed within a Toolbox Talk to contractors prior to works starting.

The County Archaeologist is satisfied that sufficient archaeological evaluation and excavation has been undertaken across the site. No further archaeological work is required.

The County Council's Flood Risk Management Team (SuDs) is content that the completed school would be able to discharge to the wider Crest Nicholson network (as agreed). Should permission be granted conditions of consent are required which would ensure that the runoff from the site could be appropriately managed. Conditions would require the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the implementation, maintenance and management of the approved Sustainable Surface Water Drainage Scheme. In addition, further conditions would ensure that there was no infiltration of surface water drainage into the ground other than with the express written consent of the County Planning Authority, and that the runoff from the construction phase would be managed.

Additionally, it is recommended that the requested conditions are not discharged until:

- it can be clearly demonstrated that the required connection to the wider network is available to convey the water away from the site, and
- it can be demonstrated that Crest Nicholson have constructed the down-stream attenuation features and that they are ready to receive the site's discharge.

The Church Commissioners for England (represented by Deloitte) maintains its <u>objection</u> to the planning application for the following principle reasons:

- 1. Absence of a coherent design;
- 2. Failure to future proof the layout design, including an overprovision of land which is not being put to educational use, but being used as an entrance plaza;

A copy of The Church Commissioners for England representation can be found in full in Appendix 2.

Crest Nicholson (represented by Carter Jonas) are of the opinion that there are still a number of issues that need to be addressed in order to deliver a comprehensive scheme that would complement the surrounding built development. A copy of Crest Nicholson's representation can be found in full in Appendix 3 of this report. In summary, the main points raised are as follows:

- 1. The revised site layout appears to be an improvement in terms of access, landscaping and the location of the MUGA;
- 2. The car park could benefit from being widened;
- 3. The landscaping scheme appears to have been fully thought through, and it is hoped that the final scheme is of a high quality and designed to benefit biodiversity;
- 4. Serious concerns are expressed over the security fencing and further details should be provided;
- 5. Disappointingly, the school building itself has not been improved. Concern is expressed over the continuous linear form, the poor design/orientation of the hall, the kitchen and stores being poorly located and a lack of thought for future expansion.

The River Stour Internal Drainage Board has also commented on this application. Their views are as follows:

"The above development proposal has the potential to affect River Stour (Kent) IDB interests. It is believed that the applicant is in close liaison with the Environment Agency and Ashford Borough Council in respect of drainage and flood risk, and I am pleased to see that the outline proposals appear to include for runoff to be restricted to 4l/s/ha by the use of open SuDS. I would however be grateful to be consulted on the detailed drainage proposals in due course."

Local Member

23. The application site lies on the boundary of the Ashford Rural East and Ashford Rural South wards. The local County Members for each ward, Mr A. Wickham, Mr M. Angell, were notified of the application on the 15 May 2015, and further notified of the amended proposal on the 7 August 2015.

Publicity

24. The application was publicised by an advertisement in a local newspaper and the posting of 3 site notices.

Representations

25. At the time of compiling this report, no letters of representation from local residents had been received.

A Local Borough Councillor, Mr Paul Bartlett, has commented on the proposal. His views are as follows:

1. "The site is in the 1 in 100 years floodplain and Policy CS19 permits such development in exceptional circumstances providing there are no alternative sites in a lower risk area. There are alternative sites in the same ownership – all it would require is the applicant to move the site to the north east. That said I dare say it is too

late for such comments to be taken seriously but what I find unacceptable is that rain water harvesting and green roofs are "not within the current budgetary allowance or not considered suitable for a strict primary school maintenance strategy" - in other words the applicant does not want to meet these costs. CS19 requires the applicant (given the site is in the 1 in 100 year flood plain) to show that residual flood risks are adequately mitigated and rain water harvesting and green roofs would do just that. I would like to see a condition that rain water harvesting and green roofs are required.

- 2. On a similar point I am very disappointed that the applicant is not using a SUDS scheme on this site. The applicant says "SUDS solutions within the school boundary are prohibitive and outside budgetary allowance" again we have a financial constraint trying to override good and valid Council Policy (CS20 here). I would like to see a condition that SUDS solutions are used on the school.
- 3. I find that the applicant has not taken into account the concerns of the Design Panel of the "compound like" appearance. The building still has the appearance of a large mass which will not sit well in the open countryside, given the area to the south west can never be developed due to floodplain issues. The applicant should try to address these issues. I would be interested to hear of the Design Panel's view of the changes.
- 4. The transport plan does not make reference to the possibility of the rail halt at Bridgefield. The developer has funded a study to assess the demand for a rail halt and it seems reasonable that this, if built, would have an impact on the transport plan. I would like to see a condition that the travel plan should be revised to incorporate this.
- 5. I note the site has potential for Mesolithic and Neolithic activity and there is high potential for early prehistoric remains to be present. I would like a condition that the findings of further archaeological work are shared with the Trust. Extensive landscaping is intended in this application so I would like to see a condition that further archaeological evaluation is required."

Discussion

Introduction

- 26. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 21 above. Section 38(6) of the 2004 Planning and Compulsory Purchase Act 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 new National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity.
- 27. In this case the key determining factors, in my view, are the principle of the development, design, massing and siting including landscaping of the site, sustainable design and construction, access and highways matters, drainage, and the policy support for the development of schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on amenity and other material considerations. In the Government's view the creation and development of schools is strongly in the national interest and planning authorities should support this objective, in a manner consistent with their statutory obligations. In considering proposals for the creation, expansion and alteration of schools, the Government considers that there is a strong presumption in favour of state funded schools, as expressed in the National Planning Policy Framework and reflected

in the Policy Statement for Schools. Planning Authorities should give full and thorough consideration to the importance of enabling such development, attaching significant weight to the need to establish and develop state funded schools, and making full use of their planning powers to support such development, only imposing conditions that are absolutely necessary and that meet the tests set out in Circular 11/95.

Principle of the Development

28. As outlined in paragraph 1 of this report, the proposed 2 Form Entry (FE) Primary School is to be provided as part of a new major residential development at Finberry (also referred to as Cheesemans Green). Outline planning approval for a Primary School has already been granted by Ashford Borough Council as part of the approved overall site masterplan and development brief, which also includes the provision of 1100 homes and approximately 70,000sqm of business floorspace. I am therefore of the opinion that the principle of the development has been assessed by the Borough Council and accepted in the granting of outline approval. It is the detail of the proposal before us that must now be assessed.

Design, Massing and Siting including Landscaping of the Site

- 29. The design of the development, including the site layout and landscaping, has been amended following the original submission of the application to address initial concerns raised by Ashford Borough Council, Crest Nicholson and the Church Commissioners for England. The application was subject to Design Panel Review which, in conjunction with consultee comments, resulted in the applicant amending the site layout, the building fenestration and external materials in an effort to address the key points of concern/objection raised. For the avoidance of doubt, it is the amended proposal that is discussed and considered within this report.
- 30. Ashford Borough Council considers that the proposed school building would fit in better with its surroundings as a result of the amended site layout, and that the development would provide a suitable learning/play environment for the pupils which is its primary function. The Borough Council further considers that a safe and secure environment is now proposed, that provides adequate sport provision and car parking in a location that supports a main entrance facing towards the central green in the wider development. However, the Borough Council remain disappointed that the restrictions associated with the 'baseline design and funding arrangements' have not allowed the building to 'flex in plan form and evolve further elevationally into a truly inspiring, interesting and high quality modern/contemporary design'. However, no objection is raised by the Borough Council, subject to the imposition of planning conditions to cover various matters including the submission and approval of details of all materials to be used externally, details of hard and soft landscaping, details of joinery and jointing including the submission of 1:50 elevations and cross sections of various elements of the scheme, and details of seating areas and fencing.
- 31. The Church Commisioners for England (represented by Deloitte) continue to object to the planning application on the basis that they consider there to be a lack of coherent design and a failure to future proof the site layout. Further, the Church Commisioners for England consider that the site layout includes an overprovision of land which is not being put to educational use but being used as an entrance plaza (this will be discussed later in this report). Crest Nicholson (represented by Carter Jonas) consider the revised site layout to be an improvement over that originally proposed, but express disappointment that the school building itself is still of a continuous linear form, with a 'poor

design/orientation of the hall and the kitchen and stores being poorly located, with a lack of thought for future expansion'. Mersham with Sevington Parish Council also raises concern over the design of the school, which they consider to be unimaginative. Local Borough Councillor, Paul Bartlett, also expressed concern about the large mass of the building and its appearance. In considering the views of consultees/interested parties as summarised above, it is clear that the site layout, design and massing of the building, and landscaping of the site is a key issue to be discussed and considered in the determination of this application.

- 32. First, with regard to the site layout as now proposed, the Borough Council and Crest Nicholson consider the amendments made to be an improvement over that originally proposed (see Appendix 1 for original site plan and elevations). However, the Church Commissioners for England consider that the site layout includes an overprovision of land which is not being put to educational use but being used as an entrance plaza. As detailed in paragraphs 12 to 17 of this report, the development site is essential split into two areas, with the northern third of the site being semi-public and accommodating the entrance plaza, landscaping and car parking, and the southern two thirds accommodating the school building and its associated secure external facilities. The site layout, in my view, is logical and purposefully designed to achieve a more pleasing and amenable foreground to the school building than is usually possible on other school sites. Pedestrian and vehicular access to the site would be via the northern site boundary, which links with the wider housing development to the north. The building would sit well within the site, reducing its massing when viewed from the street scene, and also minimising any overlooking/amenity issues with future development around the site. The southern extent of the site would accommodate sports pitches, amenity space, a habitat area and landscaping/tree planting. In my view, the open landscaped southern area of the school site would visually link and read as one with the wider undeveloped landscape beyond the southern boundary of the school site.
- 33. The site layout also enables landscaping of the northern entrance plaza to visually link this area of the school site with the public open space to be provided as part of the wider development. The Church Commissioners for England express concern over the provision of the entrance plaza, as they do not consider that this area of the site is being put to educational use. The application site is 2.01ha (4.9 acres) which is over the minimum gross site area of 1.6 ha (3.9 acres) specified for a 2FE School by the Education Funding Agency. The Church Commissioners concern regarding the overprovision of land is noted, however the land transfer is not a matter for the Planning Applications Committee to consider, Moreover, the Borough Council, the Design Panel and Crest Nicholson all consider the landscaping of this northern section of the site to be an essential part of the school development, enabling it to be visually linked to the public open space to the north/north east, and providing a degree of separation between the school building and associated facilities and future development around the site, specifically a care home to the north west. The entrance plaza forms an integral part of school development, providing an attractive entrance area whilst also accommodating swales (part of the SuDs scheme to be discussed later in this report), soft landscaping and tree planting, all of which are also an educational resource. In addition, concern is raised regarding a lack of thought for future expansion. However, the scheme is designed to provide a 1FE school, with a phased expansion to 2FE as and when required, which the applicant advises is more than sufficient to meet local needs and projected demand. Under the circumstances I cannot concur with these criticisms.

- 34. In summary, I consider the site layout as proposed to be logical and well thought through. The semi-public area to the north would accommodate car parking and access to the site, including a well-designed entrance plaza which would lead to the school entrance. The school building would then delineate the secure boundary line of the site. with school accommodation to the south, including amenity space and sports facilities. The site layout would not, in my view, conflict with future development around the site and would visually read well with the public open space proposed to the north of the site boundary. However, the provision of a quality landscaping scheme and appropriate fencing is key to ensuring that the school site sits within the wider development beyond. Therefore, should permission be granted I consider that further details of all hard and soft landscaping should be submitted for the written approval of the County Planning Authority. In addition, as required by the Borough Council, full details of all fencing and external seating/seating areas should also be submitted for approval. The imposition of such conditions would satisfy the requirements of the Borough Council and other interested parties and, in my view, would ensure that the site is appropriately landscaped to visually link it with surrounding development and/or the wider landscape. I consider the site layout as proposed to be logical and, given the competing aspirations and requirements involved, working well operationally for the School whilst also considering its relationship with future development. I therefore see no reason to refuse this application on the grounds of site layout, and further consider that conditions of consent regarding landscaping and other matters would further improve the visual linkage of the site with the wider development. However, having accepted the site layout, the proposed design and massing of the school building itself needs to be discussed and considered.
- 35. As outlined throughout this report, the design of the school has met with concern and objection, both prior to and following the amendments made by the applicant in response to initial concerns. Although the Borough Council raises no objection to the development as now proposed, they remain disappointed with the 'restrictions associated with the baseline design and funding arrangements'. The Church Commissioners, Crest Nicholson, Mersham with Sevington Parish Council and a Local Borough Councillor also continue to express concern/objection over the design of the building.
- 36. The proposed school building is oriented with north and south facing classrooms to mitigate solar heat gain within teaching and learning spaces, and would extend across the width of the application site. The applicant advises that the form and massing of the building is similar to the Education Funding Agencies (EFA) Baseline Design Model, which has been specifically designed to align with the EFAs stringent requirements for cost, floorspace, environmental performance and specification. This standardised design approach has met with concern from consultees including the Borough Council. It should be noted that there is very little opportunity now to depart from the Government imposed design templates for new schools if Government funding is to be achieved, and that earlier examples of more individual or iconic Kent school building designs are no longer possible under the current Government's funding restrictions. The current design templates may be less striking in their visual appearance to some commentators, but they have the advantages of being functionally compact and ergonomically cost effective to construct, run and maintain, as well as achieving sound environmental performance standards. The applicant has however, made a number of changes to the fenestration and materials palette following the initial submission of the application which, together with the varied roof form, in my view moves away from the standard design approach and adds to the individuality of this school whilst maintaining its functionality and deliverability.

- 37. The two storey school building would accommodate 15 classrooms including a nursery, a large main hall, a kitchen, office spaces, toilets, cloakrooms and storage areas. The building has been designed to enable the provision of the ancillary facilities required for a 2FE school to be provided under phase 1, with the 7 additional classrooms for a 2FE intake added when required under phase 2. The linear arrangement of the school allows for a two phase construction programme, with the second phase being able to be built without undue disruption to the school. The internal layout, under both phases, is logical, with teaching accommodation proposed to be contained within approximately two thirds of the building, with the remainder accommodating the reception area and the main hall and kitchen space. The main reception would provide a controlled entry point for visitors, with easy access to the hall for out of hours community events, with services and security zoned for different users/uses of the school building.
- 38. The teaching accommodation would be within the flat roofed section of the building, with the hall and school entrance area accentuated in height with a mono-pitched roof creating a 'wedge' shape focal point to the building. The design and location of this 'focal point' is questioned by consultees. However, in my view the arrangement of the internal accommodation is logical, with the hall, kitchen, entrance area and associated offices/storage all located to the eastern end of the building, accessed by the landscaped pedestrian entrance plaza. Internal security doors would enable these spaces to be secured from the teaching accommodation to facilitate its use out of school hours. The kitchen and hall also need to be co-located for practical purposes. Upon construction of the second phase of teaching accommodation, the ancillary facilities required for the 2 FE School would already be in-situ and, more importantly, would be accessible and operational during the second construction phase. The kitchen would also be easily accessible from the service access on the eastern site boundary. I consider the internal layout of the school to be logical and purposefully thought through, and further consider the location of the 'focal point' of the building to be the most appropriate given the site layout, the future development of the surrounding area and the competing aspirations for this site's development.
- 39. The design of the focal point of the building would, in my view, also add to the school's public presence within the wider development, creating a clear and visible entrance point to the school. The 'wedge' shape roof of the hall and entrance area would be constructed using a dark grey metal cladding, with dark grey aluminium fascia's and soffits to match. The front and rear façade of the hall are proposed to be finished with varying orange coloured panels, with tall vertical windows to accentuate the height. In contrast, the main elevations of the school would be finished with a buff coloured brick, broken up with vertical powder-coated (grey) aluminium curtain walling. On the front elevation, the vertical curtain walling would be set within double height projecting box windows, clad in dark grey powder coated aluminium. The rear elevation incorporates two projecting canopies to form a covered play area, which would again be clad in dark grey powder coated aluminium. The wall beneath each canopy would be clad in the same varying orange coloured cladding panels as the hall, visually linking the two elements of the building together. The windows to the first floor of the brick facades would take the form of ribbon glazing, with orange spandral panels (to match the hall) incorporated in-between each window. All windows and doors would be grey powder coated aluminium, as would the louvres and Brise Soleil, and the parapet capping.
- 40. The design of the school building is, in my view, above and beyond that of the initial standardised EFA Baseline Model from which this school derives. The addition of coloured panels, projecting window 'boxes', projecting canopies and the main roofscape

to the hall all add to the individuality of the design. In addition, the massing is typical of that of a two storey primary school, further broken down by the careful choice of materials and fenestration. The linear form of the building is also broken up with vertical windows, vertical curtain walling, and ribbon glazing. The location of the building within the site, viewed through landscaped external areas, would also set the building back from the site frontage reducing the perception of the massing further.

- 41. Under the circumstances, I do not have concerns over the general design as proposed, which is appropriate for the layout and uses of the internal space and would facilitate the phased construction programme proposed. The school building would, in my view, have clear individual characteristics giving the school a sense of identity within the wider housing and commercial development. The applicant has provided indicative details of external materials, however, in my view, it would be appropriate to seek further and final details of all materials to be used externally pursuant to condition, should permission be granted. In addition, to satisfy the requirements of the Borough Council, further conditions of consent would require details of external storage areas and the sprinkler tank enclosure, details of the kitchen extraction flue, and detailed joinery/jointing details, including the submission of 1:50 elevations and cross sections.
- 42. In my view, the school building would respect the character of the site, and would not detract from the overall quality of the surrounding area and its future development. I consider that the proposed school development is in accordance with the principles of Development Plan Policy and would respect the character and appearance of the surrounding development in terms of scale, massing, design and appearance. Subject to the imposition of the conditions outlined above, I do not consider that the design, massing, or scale of the building would have a significantly detrimental impact upon the appearance or amenity of the locality and, therefore, would be acceptable.

Access, Parking and Highway Issues

- 43. Although no objections have been raised by consultees and/or the local community with regard to access and highway matters, it is important to discuss the access arrangements proposed. As detailed in paragraphs 11 to 14 of this report, vehicular and pedestrian access to the school site is proposed via the northern site boundary, with a second pedestrian access and a vehicular access for emergency and refuse vehicles only proposed on the eastern boundary. Vehicles and pedestrians would in general approach the school site from the northeast, in the case of pedestrians via the public open space to the north east of the school site. These access arrangements would link with the wider development and the transport links that would run through it.
- 44. A total of 70 car parking spaces are proposed, and a large drop off point. The applicant advises that parking areas for staff (24 spaces) would be located towards the north west of the site, away from the main building entrance. 5 disabled parking spaces would be provided adjacent to the main school entrance, and a 40metre drop off area would be located directly in front of the school building. Covered secure cycle parking is also proposed, located outside the schools main entrance, set within the landscaped pedestrian entrance plaza. The cycle parking would be adjacent to administration/office areas, enabling the area to be passively supervised. The layout of the car parking and access arrangements appears to be logical and fit for purpose and I have no concerns regarding this.

- 45. Kent County Council Highways and Transportation raises no objection to the application, subject to various matters being covered by relevant conditions of consent, should permission be granted. Some of the required conditions relate to construction activities and will be discussed later in this report. However, a detailed plan of the car parking layout, clearly identifying staff parking spaces, 'park and stride' spaces and the drop off area, must be submitted to and approved by the County Planning Authority in consultation with Highways and Transportation. A further condition of consent would thereafter require the provision of the vehicle parking spaces, vehicle loading/unloading areas, and turning areas prior to occupation of the development, and subsequent permanent retention. Completion and maintenance of the access points as shown on the submitted plans would also be controlled by condition to ensure completion prior to occupation. Highways and Transportation and the Borough Council also require the submission of further details of the covered cycle storage, and the subsequent provision and permanent retention of the facility. Should permission be granted, a condition of consent would cover this matter. Subject to the imposition of the conditions required by Kent County Council Highways and Transportation as outlined above, I consider that the development would not have a significantly detrimental impact upon the local highway network and, therefore, see no reason to refuse the application on these grounds.
- 46. In addition, a further condition of consent would require a School Travel Plan to be produced including pupil and staff surveys within 6 months of the occupation of the new school. The Travel Plan shall also include modal share targets for both pupils and staff and measures aimed at reducing private car usage and encouraging sustainable transport. This also accords with the requirements of the County Council's School Travel Planner. In addition, as requested by Local Borough Councillor Paul Bartlett, should the possible rail halt at Bridgefield become operational, this could be reflected within future updated Travel Plans.

Sustainable Design and Construction

- 47. Development Plan Policies require developments to be sustainable and to address issues of climate change. In particular, Policy CS10 of the Ashford Borough LDF Core Strategy requires that all major developments incorporate sustainable design features to reduce the consumption of natural resources and to help deliver the aim of zero carbon growth in Ashford. The Borough Council's adopted Supplementary Planning Document (SPD) on Sustainable Design and Construction sets out in more detail how they will apply this policy. Under the policy, unless it can be demonstrated that doing so is not technologically practicable, would make the scheme unviable or impose excessive costs on the occupier, the school development would be expected to meet an overall BREEAM rating of Very Good, and achieve a minimum reduction of 20% in carbon dioxide emissions through use of on-site sustainable energy technologies, with any shortfall being met by the applicant making a financial contribution to enable the residual carbon emissions to be offset elsewhere in the Borough. The financial contributions are paid to the Ashford Carbon Fund which is managed by the Borough Council. The SPD on Sustainable Design and Construction states that monies from the fund will pay for carbon savings through energy efficiency schemes, and tree planting as part of Ashford's Blue and Green Grid. It also states that energy efficiency schemes are favoured by the Council as they are the most cost effective method for reducing CO² being released into the atmosphere, from energy use in existing dwellings.
- 48. As a general principle, where it is able to do so the applicant should meet the key objectives of this and other development plan policies which promote sustainable design and construction. However this does need to be balanced to ensure that the design

quality of the project as a whole is still achieved and maintained without unduly compromising other elements of the proposal in delivering this important community building.

- 49. Although this development is not being assessed specifically under BREEAM, the applicant advises that the scheme has been designed to meet the equivalent of a BREEAM rating of 'Very Good'. It should be noted that undertaking the BREEAM assessment regime is itself an expensive process and inevitably diverts funds away from elements that otherwise can be incorporated into the actual development. As outlined in paragraph 21 of this report the applicant advises that 'designing for sustainability' has been integral to all aspects of the design. Orientation, construction materials and detail design have all been included within a coordinated strategy contributing to the building's performance, financial sustainability and environmental impact. The applicant advises that natural day-lighting would be used to create an efficient, user friendly and inspiring internal environment. As well as enhanced basic construction technologies, the building is proposed to feature the following:
 - Solar PV cells on the flat roof section of the building;
 - Highly-insulated building envelope;
 - Low air-permeability envelope;
 - LED lighting system;
 - Use of materials from sustainable sources, preferably locally sourced;
 - Solar control glazing;
 - Low temperature hot water underfloor heating;
 - Waste management for recycling;
 - Hybrid natural ventilation to maintain temperatures and CO2 concentration levels.
- 50. The applicant has assessed the proposal against Policy CS10, and concludes that the design of the school, including the sustainable features listed above, would achieve a reduction in carbon dioxide emissions of 18-20%. In addition, the building design would meet, and exceed, the energy calculations required under Building Regulations Part L 2013. It should also be noted that Policy CS10 was adopted by the Borough Council in 2012 and was based on the standards set under the earlier 2010 Building Regulations. The subsequent 2013 Building Regulations are actually much more stringent in terms of building energy use, and impose more exacting standards and requirements on developers in this regard from the outset.
- 51. In considering the information provided by the applicant, specifically that the building has been designed to meet the equivalent of the BREEAM rating of 'very good', that the design exceeds the energy calculations required under Building Regulations Part L 2013, and a reduction in carbon dioxide emissions of 18-20% would be achieved, I am of the view that the development as proposed meets the key objectives of Policy CS10 and other Development Plan Policies which promote sustainable design and construction. Subject to the imposition of a condition of consent requiring the development to meet the standards set out above, I see no reason to refuse the application on this ground.

Flood Risk Assessment and Drainage

52. In accordance with the principles of Development Plan Policy, the applicant has submitted a Flood Risk Assessment (FRA) with this application, which has not met with objection from the Environment Agency, nor have they questioned its content. As

outlined in paragraph 3 of this report, the western corner of the application site lies within floodzones 2 and 3 (medium to high possibility of flooding). A Local Borough Councillor considers that the school site should be moved to the north east, out of the floodzone. However, the western corner of the site, the area within floodzone 2 and 3, would accommodate playing field and a habitat area only. The Environment Agency are satisfied that the school site as proposed is acceptable but, should permission be granted, conditions of consent are required which would ensure that ground levels within the flood plain are not raised, and that finished floor levels are at a specified level above the 100 year plus climate change flood levels. The applicant has confirmed that the development would adhere to the requirements of the specified conditions and, as such, the school building would not be at risk of flooding, nor would the development exacerbate flooding elsewhere. Subject to the imposition of the conditions specified by the Environment Agency, I am satisfied that the school site does not need to be altered and/or relocated to move the western corner out of floodzones 2 and 3, and that the school building is not at an undue risk of flooding.

- 53. In addition to the conditions outlined above, the Environment Agency further request that informatives are attached to any planning permission regarding the River Stour and Ruckinge Dyke, and the need for the School to register with the Environment Agency's Floodline Warnings Direct Service. Should permission be granted, appropriate informatives would be imposed.
- 54. In addition to flooding and flood risk, the site must also be drained. Local Borough Councillor, Mr Paul Bartlett, would like to see a condition that requires Sustainable Drainage Systems (SuDs) to be used across the site, including rain water harvesting and green roofs. With regard to the suggested green roof, I can advise that the flat roof element of the school would not be appropriate for a green roof as it would accommodate PV panels and associated plant. However, I do agree that the site should be drained sustainably, and can advise that a detailed SuDs scheme would be required pursuant to condition should permission be granted. This would accord with the requirements of the Borough Council and the County Counci's Flood Risk Management Team.
- 55. The applicant has included various sustainable drainage initiatives into the design of the site including the provision of swales, a habitat area and the use of permeable paving within the main car park. The County Council's Flood Risk Management Team is content that the completed school would be able to discharge to the wider Crest Nicholson SuDs network (as agreed with the developers). However, due to the limited drainage details available at this stage for both the school site and the wider Crest Nicholson development, conditions of consent (should permission be granted) would require the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the implementation, maintenance and management of the approved Scheme. Additionally, the Flood Risk Management Team recommend that the requested conditions are not discharged until it can be clearly demonstrated that the required connection to the wider network is available to convey the water away from the site and it can be demonstrated that Crest Nicholson have constructed the down-stream attenuation features and that they are ready to receive the site's discharge. I consider that the applicant should be made aware of these stipulations by way of an informative.
- 56. As also requested by the County Council's Flood Risk Management Team, further conditions would ensure that there was no infiltration of surface water drainage into the ground other than with the express written consent of the County Planning Authority,

and that the runoff from the construction phase would be managed. Subject to the conditions outlined above, I consider that the development would not be at undue risk of flooding, and would not exacerbate flooding off site. Further, the submission of a detailed Sustainable Surface Water Drainage Scheme would ensure that the development would not result in an unacceptable level of pollution or increase the risk of flooding, in accordance with the principles of Development Plan Policy.

57. In addition, as requested by the River Stour Internal Drainage Board, the Board would also be consulted on the Sustainable Surface Water Drainage Scheme as and when it is submitted for consideration to ensure that the Scheme would not adversely affect the River Stour Drainage Boards' interests.

Ecology

58. The County Council's Biodiversity Officer has been consulted on this application and has no objection, subject to the imposition of a condition requiring the applicants to ensure the presence of protected species is addressed within a Toolbox Talk to contractors prior to works starting (as recommended within the submitted surveys). The submitted Ecological Scoping Surveys conclude that no further survey work is required, but make a number of recommendations which should be followed prior to and during construction works. Subject to the imposition of a condition requiring that the recommendations detailed within the Scoping Survey be followed prior to and throughout the construction period, I do not consider that the development would have an adverse impact upon protected species. In addition, details of ecological enhancement measures would be required as part of the landscaping scheme which would be submitted pursuant to condition, should permission be granted. Subject to the imposition of these conditions, I see no reason to refuse the application on the grounds of ecology.

Archaeology

59. This application was accompanied by a Desk Based Archaeological Assessment and, as part of a wider housing/commercial development site, the application site has been subject to archaeological investigations. It is stated by a Borough Councillor that the site has potential for Mesolithic and Neolothic activity and that there is a high potential for early prehistoric remains to be present. The Borough Councillor further considers that a condition of consent should be imposed requiring further archaeological work to be undertaken. However, the County Archaeologist is satisfied that sufficient archaeological evaluation and excavation has been undertaken across the site, and is of the view that no further work is required. Given the level of archaeological work that has been undertaken, and in considering the views of the County Archaeologist, I am satisfied that no further work is required in this instance.

External lighting

60. As outlined in paragraph 20 of this report, limited details with regard to the external lighting scheme have been provided at this stage. The applicant states that external areas would be lit with LED light sources using low level bollard lighting, in addition to time clocks and daylight sensors. Given the limited details provided I consider that, should permission be granted, it would be appropriate to reserve details by condition so that the type and position of any external lighting, including lighting of the buildings for security and wayfinding, and lighting of the car parking and access areas, can be controlled to ensure any potential nuisance from light pollution can be minimised.

Residential Amenity and Construction Matters

- 61. No issues regarding specific residential amenity have been raised by consultees and/or objectors to the proposal, due in part to the fact that land surrounding the application site is yet to be developed. However, I am satisfied that the proposed development is sufficiently distanced from any forthcoming neighbouring properties/care facilities to avoid any adverse impacts. However, given that there are some completed residential properties within the wider development, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction 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.
- 62. In accordance with the requirements of Highways and Transportation, 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, and details of construction accesses. Therefore, should permission be granted, a Construction Management Strategy would be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy.
- 63. 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.

Conclusion

- 64. This proposal seeks to provide educational facilities for a major growth area of Ashford and would allow early provision of required community infrastructure. The principle of the provision of a school on this site has been established by the granting of outline approval by Ashford Borough Council as part of the overall site masterplan and development brief for the wider development at Finberry. The applicant has also modified that site layout and design of the school in response to Design Panel Review and previous objections to the proposal and has, in my view, moved away from the standard EFA baseline design approach, adding to the individuality of the school whilst maintaining its functionality and deliverability.
- 65. In my view, the development would not give rise to any significant material harm and is in accordance with the general aims and objectives of the relevant Development Plan Policies. The development is in accordance with the principles of the National Planning Policy Framework and the Planning Policy Statement for Schools (2011). Subject to the imposition of the conditions outlined throughout this report, I consider that the proposed development would not have a significantly detrimental impact on the character and appearance of the local area, the local highway network or the amenity of future residents, and would accord with the principles of sustainable development as set out in the NPPF. Therefore, I recommend that permission be granted subject to appropriate conditions

Recommendation

- 66. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT to conditions, including conditions covering:
 - the standard time limit for implementation;
 - the development to be carried out in accordance with the permitted details;
 - the submission and approval of details of all materials to be used externally, including details of joinery, colour finishes, depth of reveals, details of the jointing of the cladding panels and 1:50 elevations and cross sections of the projecting window 'boxes':
 - the submission and approval of details of the sprinkler tank and bin store;
 - the submission and approval of details of the extraction flue, including a maintenance schedule:
 - the submission and approval of details of all external lighting, including hours of operation;
 - the submission and approval of a scheme of landscaping, including tree planting, soft landscaping, ecological enhancements, hard surfacing, its implementation & maintenance:
 - development to accord with the recommendations of the ecological surveys, including a tool box talk to contractors regarding protected species prior to the commencement of the development;
 - the submission and approval of details of all gates, fences and means of enclosure;
 - the submission and approval of details of external seating and external seating areas;
 - the submission and approval of details of on-site cycle parking, and subsequent provision and retention;
 - the submission and approval of a School Travel Plan within six months of occupation, and thereafter ongoing monitoring and review;
 - the submission and approval of a detailed car parking layout plan showing how the car parking would be allocated on site;
 - provision and retention of car parking, cycle parking, access, circulatory routes and turning areas;
 - the provision of the vehicular and pedestrian access points into the school site prior to occupation;
 - the development to meet the sustainable design standards set out in the application documents;
 - ground levels and finished floor levels;
 - the submission and approval of a detailed Sustainable Surface Water Drainage Scheme, and details of its implementation, maintenance and management;
 - control of infiltration of surface water drainage;
 - 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;
 - the submission of a Construction Management Strategy, including the location of site compound and operative parking, wheel washing/cleaning facilities, and details of the construction access & management of the site access; and
 - measures to prevent mud and debris being taken onto the public highway.

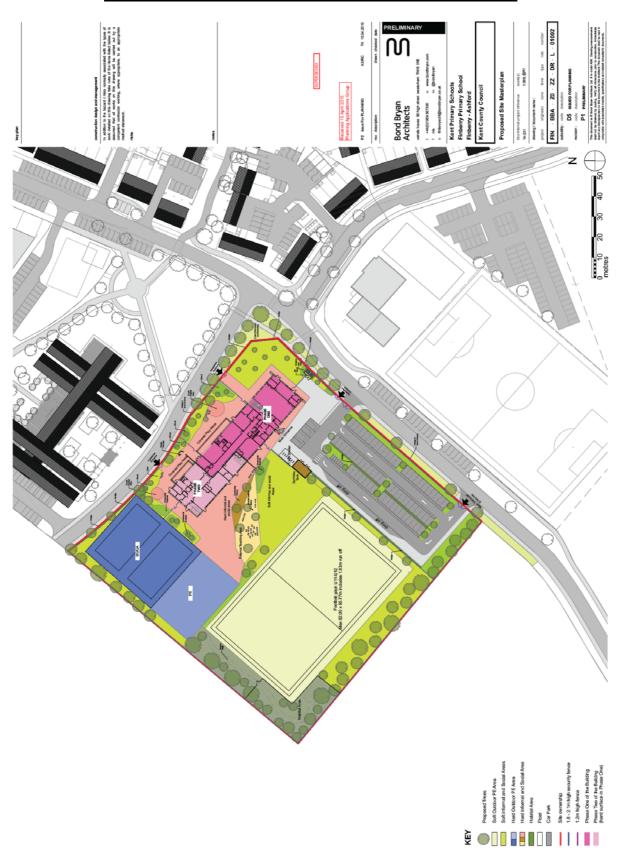
- 67. I FURTHER RECOMMEND THAT the applicant BE ADVISED of the following informatives:
 - The applicant's attention is drawn to the letter from Highways and Transportation in which it is noted that it is the responsibility of the applicant to ensure that all necessary highway approvals and consents where required are obtained.
 - With regard to the requirement to prepare and submit a (revised/amended) School Travel Plan, the applicant is advised to register with Kent County Council's Travel Plan Management system 'Jambusters' using the following link http://www.jambusterstpms.co.uk. Jambusters is a County Wide initiative aiding Schools in the preparation and ongoing monitoring of School Travel Plans.
 - The applicant's attention is drawn to the letter from the Environment Agency and account should be taken of the their advice regarding the River Stour and Ruckinge Dyke, and registering with the Environments Agency's Flood Warnings Direct Service:
 - With regard to the Sustainable Surface Water Drainage Scheme, the applicant is advised that the Scheme cannot be determined until such time as it can be clearly demonstrated that the required connection to the wider network is available to convey the water away from the site, and it can be demonstrated that Crest Nicholson have constructed the down-stream attenuation features and that they are ready to receive the site's discharge.

Case officer - Mary Green

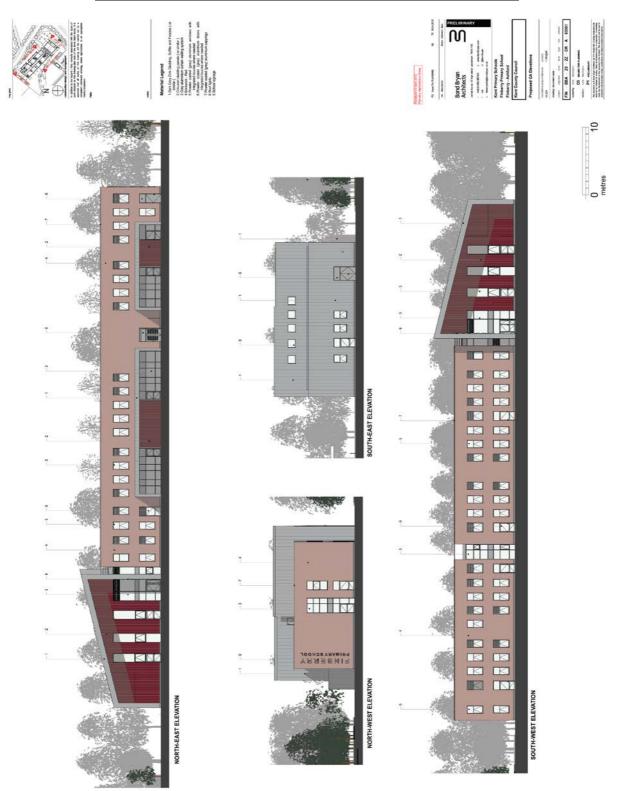
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Background documents - See section heading

Appendix 1
SITE LAYOUT AS ORIGINALLY PROPOSED - SUPERSEDED



Appendix 1 <u>ELEVATUIONS AS ORIGINALLY PROPOSED – **SUPERSEDED**</u>



Appendix 2



Miss Mary Green Planning Officer Kent County Council County Hall Maidstone ME14 1XX

20th August 2015

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By Email and Post

Dear Mary

Application Reference: KCC/AS/0121/2015

Land at Finberry Village, Ashford, Kent

Creation of a 2 form entry school comprising a two storey building, access, car parking and pick up/drop bays, external play areas including MUGA, informal play area and grass playing fields and hard and soft landscaping

Thank you for your letter dated 6th August 2015, received by us on 10th August. As requested, we are pleased to provide a response to additional material submitted by the applicant, and uploaded to your website on 7th August.

Further to our previous correspondence you will be aware that we act on behalf of the Church Commissioners for England (the 'Commissioners') who is the landowner of the application site.

The Commissioners maintains its objection to this planning application for the following principal reasons:

Absence of Coherent Design

On 23 June, the South East Regional Design Panel (SERDP) issued a report in response to the application proposals. That said, *inter alia*:

"We are sorry that we cannot support the proposal in its current form. In our view, the building will not fit in well with its surroundings, nor do we think it will offer a suitable environment for learning, teaching and play...We believe the project could be improved within the limits of the Education Funding Agency (EFA) Baseline design without substantially adding to the cost. It is essential however for the team to be given enough time to develop and test the changes that need to be made..."

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In conclusion, the Panel noted that:

"The EFA Baseline Design should not be seen as a fixed blueprint...indeed the EFA expects the baseline designs to evolve in response to feedback. This should be seen as an opportunity to amend the Finberry proposals to meet the specific needs of the place...Please keep the Panel in touch with the project..."

On 15 July, three working weeks from the date of the Panel's report, the applicant considered themselves:

- a) Satisfied that they had made changes to the design sufficient to satisfy the comments made by SERDP; and
- b) Content that no further recourse would be required to SERDP to test those assumptions, despite that being the concluding advice of the Panel.

It is unclear why the applicant has chosen not to return the proposals to SERDP, following their request to be kept involved.

On 30 July, in a letter from David Adams of KCC to the Commissioners, Mr Adams noted:

"We do not propose to go back to SERDP. Our proposals have to be locked down ready for submission of a revised planning application."

In our view, whilst the applicant has made superficial amendments to the building design, they have failed to do what should be done with any form of baseline design and as advised by SERDP; that is to take it and make it fit with the local vernacular.

The location and size of the school site was agreed some years ago. There has been ample time for the applicant to bring forward proposals, based on EFA standard templates, but which reflect an imaginative, interesting, enlivening and ambitious exterior.

It is the view of CCE that the design of the proposals does not reflect the vernacular of Kent or Ashford, as requested by SERDP, paragraphs within Section 7 of the National Planning Policy Framework and Policy CS9 of the Ashford Borough Core Strategy (2008). The original and amended proposals fail these key material considerations. The lack of any reference to local vernacular also fails to meet the tests contained within Policy U23 of the Ashford Borough Urban Sites and Infrastructure DPD, in particular Policy U23.

The result is a disjointed, albeit colourful, factory-type structure which would be altogether more appropriate on an industrial estate, but not on the edge of the open countryside in a new settlement. Expedient attempts to deal with the SERDP comments by softening the facades with the use of non-traditional materials in orange have not worked. The overuse of zinc persists (despite SERDP describing it as an 'unnecessary extravagance'). Ashford is not known for the use of zinc on buildings and it is unclear why this remains, despite independent architectural criticism. Zinc appears an unnecessary cost in this countryside location. It is also unclear from the Design and Access Statement as to how the building will 'fit in' or address its neighbours.

The applicant makes no reference in their Planning Statement (dated April 2015 and not yet updated to reflect the SERDP comments or revised layout or design) to the Cheeseman's Green Development Brief,

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adopted 2003 and which remains a material consideration in the determination of any planning application therein. This document informs the approach to be taken to building detailing within the development as a whole. It would appear not to have been referred to by the applicant, to date. This is surprising since Ashford Borough Council still refers to it in the determination of their planning applications.

In a letter from Nigel Smith of KCC dated 19 August (copy enclosed), he notes that:

"Whilst KCC acknowledges that there are some remaining concerns about the layout and design, you will appreciate that there are a number of significant competing priorities for the local area to be taken into consideration – not least the delivery of a quality educational environment to provide the school places for pupils as soon as they are necessary and required."

The Commissioners do not agree with this philosophy for the following reasons:

- a) There is an acceptance in this statement, from the applicant, at a senior level, that the application proposals are not fit for purpose as yet. The Planning Authority should not therefore be determining them until they have improved to a point which meets the applicant's own aspirations, as an absolute minimum;
- b) The applicant has had considerable time to take the EFA baseline designs, and to articulate an external design which better respects the local vernacular and 'place'. Expediency now will only result in regret later, the results of which will have to be endured by resident council-tax payers for many years to come;
- c) It should be the role of public bodies to safeguard and champion good design, and demonstrate that good design and the provision of school places can co-exist. History suggests that they need not be mutually exclusive and that good, properly considered buildings cost less, in the long run.

Failure to Future Proof in Layout Design

The applicant is aware of representations to Ashford Borough Council to the extent that land to the north-west of the school site (referred to as The Nib) is being promoted for approximately 400 residential dwellings. We await the publication of the first draft Ashford Local Plan (expected in 2016).

The applicant will also be aware that Cheeseman's Green and Waterbrook are identified in the Core Strategy as an area of significant planned population growth, capable of accommodating around 4,300 new homes by 2020 (Policy CS5). Policy CS5 states that development of these areas must be planned and implemented in a comprehensive way that is linked to the delivery of key infrastructure.

The applicant's revised Design and Access Statement notes on page 12 that:

"The application site is approximately 20, 114 sq. m in size and above the minimum gross area under BB103"

Page 30 amplifies the position:

"...the minimum requirement for a 420 pupils (sic) Primary School, the Gross Site Area required will be 15,986 sq. The site area available is approximately 20,114 sq. m is therefore compliant and approximately 4,128 sq. m over requirement. In summary, the above will provided (sic) great play facilities for both the school as a whole and the community at large." (our emphasis)

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The site is therefore 20% larger than minimum requirements required by the Government. As landowner, and a funding party (as per the S106 Agreement), CCE seek clarity on what profitable use this additional 20% is being put to?

Some of this additional space seems to be contained within the formal 'plaza' shown on the revised site layout to the north of the school building. Within the revised Design and Access Statement this new space, (which has necessitated the introduction of more, not less security fencing on site, entirely contrary to SERDP advice) is variously described as:

- · "substantial open space" page 17
- · "an open civic plaza" page 19
- "Entrance Plaza" page 38

The Commissioners have two principal objections to the creation of this space:

- a) The Commissioners are providing land for a primary school in the reasonable expectation that the education provider (KCC) would demonstrate good stewardship in the design and use of the site for the long term wellbeing of the emerging community and creation of civic pride. The transfer, appended to the s.106 agreement, imposes a restrictive covenant which states that the Property is not to be used other than for the purposes of "education, childcare provision or related community use". As a charity, the Commissioners are unable to transfer land for uses other than those required to mitigate the effects of their planning application. The use of the school site for open space (other than that which is absolutely incidental to the site's primary use) will not be permitted by the terms of the s.106 agreement or the terms of the transfer appended thereto. The Commissioners do not consider the use of a large swathe of land (the plaza), as an educational, related community or incidental use envisaged in 2006, nor do they consider its inclusion as the best use of a scarce resource when there exists (or is proposed) ample public or civic open space within the overall development;
- b) The absorption of 4,128 sq. m of unnecessary space will result in needless maintenance and life cycle implications for the applicant which is contrary to the Government's stated desire to reduce wastage in the use of public sector assets. The Commissioners will also need to understand, in the interests of their obligations to the Charities Commission and Parliament to achieve best value upon the transfer of their assets, precisely where, within the site this surplus 4,128 sq. m of land has been absorbed by the applicant. We suspect that some, but not all, can be accounted for in the 'plaza'. The Commissioners will require this information before the land transfer can take place.

The Commissioners therefore object to the current proposed layout of the school. There is limited means by which the school could be extended in future years other than across its east-west axis, which would be unimaginative in the extreme. The need for extension is reasonably foreseeable today. Land which could have been used in future years is therefore being sterilised by the applicant now, by virtue of the building's position on the site, and the creation of an unnecessary plaza feature, the cost of which will become a maintenance burden for years to come. If the building were designed correctly, taking into account the almost certain need for expansion and the fact that this site is 20% larger than the applicant actually requires (as confirmed by their architect), the ability to use that surplus space to create future school places could be realised with minimal effort. As matters stand, a lack of forward planning means

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that that is unlikely to be the case. Finally, unless the proposed 'plaza' is for educational or a related community use which can be articulated, it will fail to meet the requirements of the land transfer.

The Commissioners enjoy a good relationship with Kent County Council and have worked closely together in the past to achieve shared objectives. We have valued the open and constructive dialogue which we experienced on this school project, before it entered the consultation/town planning process. The Commissioners support the creation of a good quality primary school facility which creates an interesting and enlivening experience for children, staff, parents and wider residents alike, but not at the cost of haste or expediency. Please be assured that despite these objections, the Commissioners remain committed to working with the Council and, hopefully, resolving the fundamental concerns now raised by all neighbouring parties.

I trust you will take this objection into account in deciding how best to take this application forwards. Please would you keep me fully informed as to next steps in the application's determination.

Yours sincerely

Matthew Wright

For Deloitte LLP

By email and post

Enc:

Letter from Nigel Smith of KCC, dated 19 August

CC:

Andrew Dobson, Crest Nicholson
Alex Vicary, Crest Nicholson
Roland Mills, Ashford Borough Council
Chris Lamb, Design South East
Nigel Smith, Design South East
Nigel Smith, Kent County Council
David Adams, Kent County Council
James Sanderson, Kent County Council
David Lewis, Kent County Council

Appendix 3

Carter Jonas

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Your ref: KCC/AS/0121/2015 Our ref: KCC School Site

Miss Mary Green
Planning Applications Group
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ME14 1XX

20 August 2015

Dear Miss Green,

CONSULTATION RESPONSE IN RESPECT OF APPLICATION REF: KCC/AS/0121/2015

The following comments are made on behalf of Crest Nicholson in respect of the most recent iteration of the school site application at Finberry, Ashford.

It is understood that the revised plans for the site have been evolved following the comments at the South East Design Review Panel. However, there is concern that the amendments made only seem to go half way to addressing the comments of the Design Panel, Local Authority and the key stakeholders in the land and development.

The revised site layout has been update to address the issue of the MUGA being located directly opposite the proposed Extra Care scheme and the relationship of the landscaping with the junction of the Distributer Road 'D' has been improved. Bringing the access off Distributer Road D1 could potentially improve the fronting relationship with the surrounding roads and footways that lead towards the school – hopefully this should encourage parents to walk their children to school rather than use the car; a safe crossing across this road would be beneficial.

The parking itself seems to be a logical layout, it is questioned whether this has been tracked for car, coaches and fire tenders? The drop off and pick up point outside of the school (within the site) would benefit from being widened to allow for cars temporarily dropping children off to pull off the main thoroughfare and thus allowing cars to easily pass by if parked badly or simply for the larger modern day car. This widening will also allow for coaches to park safely for drop off in the mornings or school trips.

The landscaping scheme seems to have improved, with external areas for teaching, sensory areas and the secured area for lower forms have been fully thought through and exciting to use. It is hoped that the landscaping scheme that is proposed is of high quality and not diluted in the construction process. It would benefit from a selection of plants which encourage biodiversity through learning and complement the built development. It is requested that a condition be imposed to this effect on any resulting planning permission.

There are serious concerns regarding the 'security' fencing and the final aesthetic of this. It is important to stress that the design of this must be fully considered as this is the first element that will be seen as one approaches the school. It is suggested that images of the proposed fencing around the whole site is



submitted with the application and, at the very least, details required to be secured via condition should planning permission be granted.

Disappointingly, the school building itself has not been improved. Whilst material changes with zinc cladding and bright orange coloured panels may improve the distant aesthetic of the building it does not detract from the fact that the building form has not changed at all. We believe that there are still basic design issues with the layout of the building as highlighted previously. The issues include;

- The continuous linear form Whilst this may make for a cost effective build, it does not make for an
 exciting building to learn in. The site being so generous could accommodate the building being
 articulated with projections and recesses in the façade helping to create an exemplar scheme.
- The main hall As a key feature on the eastern edge of the building, it is still considered that this
 addresses the corner and the long distant views poorly. The roofscape is accentuated in the wrong
 direction and does not make use of its predominant position that the masterplan depicted.
- Kitchen and store location As with the hall above, to have the kitchen and stores on the key street
 elevation is very poor design. The lack of fenestration and potential extract and flues showing
 deposits running down the cladding over time is not acceptable and must be reconsidered.
- Future expansion It has also been brought into question the possibility of expanding the school in
 the future and to facilitate this, the building would need to be designed to accommodate an additional
 floor. This was one of the many points raised by the SEDR panel has this been considered by the
 applicant and design team and how would the future expansion of the carpark be dealt with?

Finally, it is noted that the following Atkins reports are currently shown as part of the application submission:

- Precautionary Method of Working Statement dated June 2015
- Ecological Impact Assessment dated April 2015
- Technical Note dated 15 January 2015

These reports were shared with KCC on the basis that the information contained therein could be used to inform the submission. However, authorisation was not given by Crest Nicholson or Atkins to use these as evidence in support of the proposal. Discussions with the agent have confirmed that these reports were submitted in error and it is understood that steps were to be taken to have these removed from the submission. As such, we would request that this information is removed as a matter of urgency and not included as part of the decision making process.

In summary, we believe that there are still a number of issues that need to be addressed in order to deliver and comprehensive scheme that will complement the surrounding built development.

Yours faithfully



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