

**Construction of a part two part single storey building to facilitate a 1FE expansion, including new vehicle access, drop off loop and parking at Regis Manor Primary School, Middletune Avenue, Sittingbourne, ME10 2HT – 17/501720/County (KCC/SW/0083/2017)**

A report by Head of Planning Applications Group to Planning Applications Committee on 19<sup>th</sup> June 2017

Application by Kent County Council Property Services for the construction of a part two and part single storey building to facilitate a 1FE expansion, including a new vehicle access, drop off loop and parking at Regis Manor Primary School, Middletune Avenue, Sittingbourne – 17/501720/County (KCC/SW/0083/2017)

Recommendation: The application be referred to the Secretary of State for Communities and Local Government, and subject to his decision, that planning permission be granted, subject to conditions.

Local Member: Sue Gent

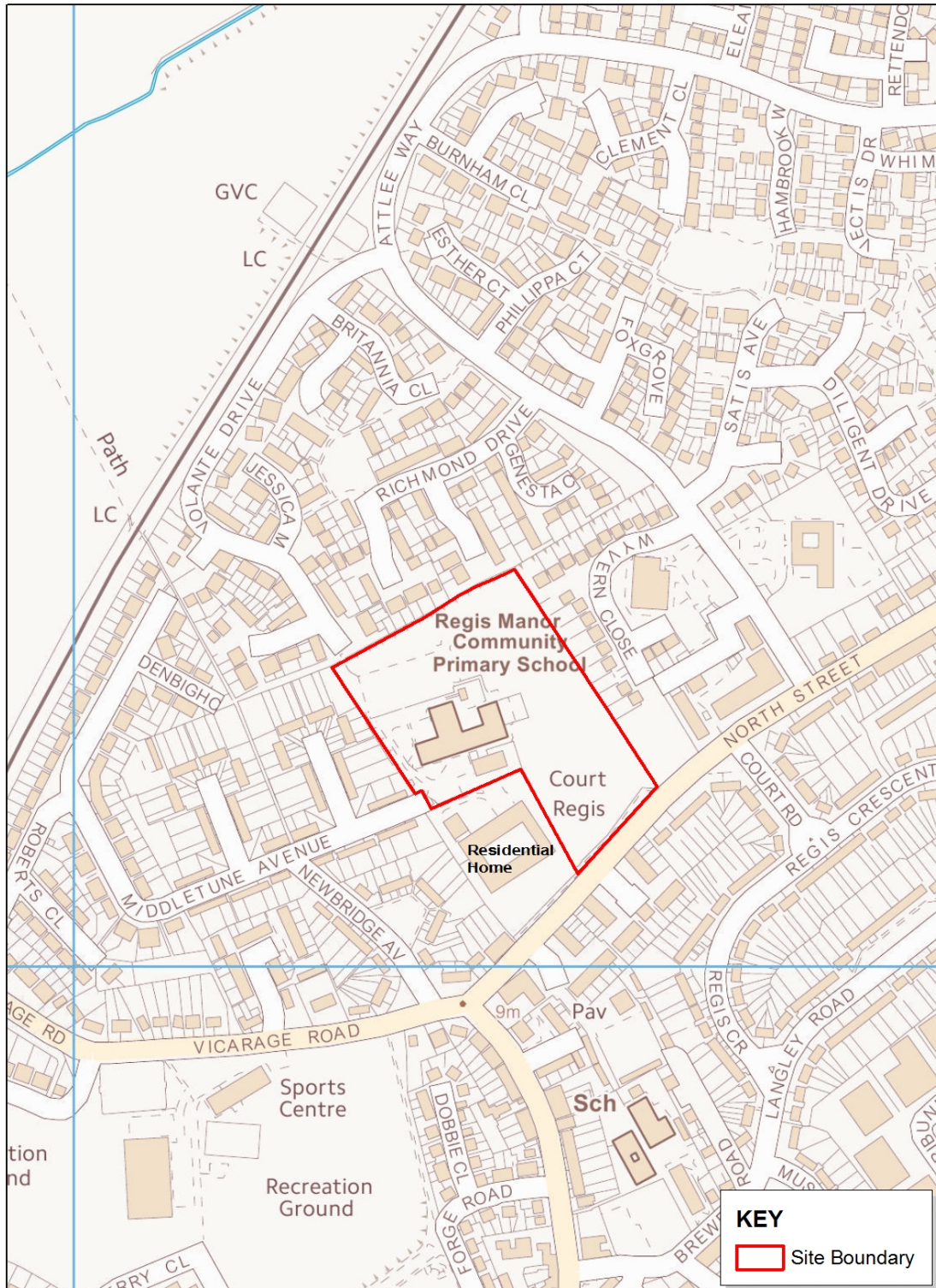
Classification: Unrestricted

**Site**

1. Regis Manor Primary School is a 2 Form Entry school located in the town of Sittingbourne, and lies to the north of the A2 and the east of the A249. (A Form of Entry refers to each class of 30 children in each year, so for a 2 Form Entry school there are two classes of children in each year, from reception to year 6, resulting in 420 children in total in the school.) Middletune Avenue to the west of the school provides the main vehicular and pedestrian access to the school, but there are two additional pedestrian accesses – one from Volante Drive to the north, and the second from North Street to the south. The school and grounds are surrounded by residential development to the west, north and east with the boundaries being marked by close board fencing and existing landscaping. To the south of the school buildings and car park is the Court Regis Residential Home, and the school playing fields extend down the side of this towards the southern boundary with North Street. A mature hedge runs along the North Street boundary and along the shared boundary with the care home.
2. The school itself is a part single storey and part two storey building which dates back to the 1960's. It is constructed from brickwork (a mixture of brown and pale grey) and pvc boarding panels and has a flat roof. There are large areas of glazing to the classrooms and hall, and a previous single storey extension to the south-east corner of the school. A stand-alone nursery was built in the mid 2000's and this is located to the south of the school, between this and the care home. The nursery is of brick construction with a pitched roof.
3. The school has a large hard surfaced playground to the north of the site, with some adventure playground facilities alongside it, and a separate enclosed area for reception pupils. The grassed playing fields run down the eastern side of the site from north to south. There is existing parking provision on site for 41 cars including 2 disabled bays.

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General Location Plan



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**Proposed Site Plan**







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**Background**

4. This planning application has been submitted to facilitate an expansion of the school from 2 forms of entry to 3 forms of entry, with the total number of pupils being 630. In Kent there is a continued and significant increase in pupil numbers and consequently the need for new provision. The number of primary age pupils is expected to continue rising over the next five years. In the Swale District the Kent Commissioning Plan for Education provision 2013-2018, has identified significant pressure on reception year places. This district will have a deficit of up to 87 reception places in September 2016 and 2017, which means urgent action is required to increase capacity, and the submission of this planning application seeks to address this need.

**Recent Site History**

5. The most recent planning permission relating to the primary school is for two additional classrooms (SW/11/1383), and a subsequent non-material amendment to this, both dating back to 2012 (SW/11/1383/NMA), although this extension has not been built. An extension to the staff room, head teachers office, relocation of the bin store, replacement of the existing hall glazed wall and removal of a mobile (SW/06/1101) was approved in 2006, and the nursery building (SW/04/1557) approved in 2005.

**Proposal**

6. The application seeks approval for a new classroom building, which would be part two storey and part single storey. The building would have a rectangular footprint and would be sited in a north-south direction sitting at the eastern end of the existing school building and to the east of the nursery building. It would be located on the edge of the existing grassed playing field. The building would provide four classrooms at ground floor level, a small hall/studio, the new entrance and reception area for the school and various group rooms, toilets, plant room and storage facilities. Both stairs and a lift would provide access to the first floor which would provide three more classrooms, toilets and a group room at the northern end of the building, with the single storey element in the middle and a void over the hall at the southern end.
7. The building would replicate the existing school by having a flat roof design and this would allow PV panels to be sited in three separate areas (as shown), hidden by the parapet. The building is proposed to be constructed from a mixture of facing brickwork in a light grey colour and timber grain composite panels with coloured inserts in a feature red colour. There would be large elements of glazing on the elevations to add lightness to the facades and a good amount of natural daylight to the rooms inside. The school signage would be mounted on the southern elevation of the hall as this new building would then provide the main entrance for the school. This new building would be connected to the existing school via a canopy and covered walkway.
8. The proposal also includes the creation of a new vehicular access from North Street to the south. The entrance in would be from the south-western corner, and would provide access to both a drop off lane and an area of parking, with the exit back onto North Street at the north-eastern corner of this frontage. The parking and drop off layby would be separated by a new footpath and fence and there would be zebra crossings at both ends of this area to allow safe access across the vehicle entry and exit points. A zebra

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crossing is also proposed on North Street itself to allow connectivity to the wider pedestrian network. The existing footpath from North Street into the school site would be widened to accommodate the extra pedestrians. There would be 3 staff parking spaces accessed from North Street and 17 spaces for parents and visitors, provided in an echelon layout. The drop off layby could accommodate 10 cars at any one time, and the width of this facility would be 5.5m to allow cars to pass those that are stopped, ensuring continuous turnover. The existing car park, accessed from Middletune Avenue, would be reorganised and the area slightly extended to provide 52 parking spaces for staff and an additional 3 spaces for disabled drivers. An area for motorbikes would also be provided here, and cycle storage for 20 bikes (for both staff and pupils) would be provided in between the new building and the nursery.

**Planning Policy**

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

- (i) **National Planning Policy Framework (NPPF)** March 2012 and the **National Planning Policy Guidance** (March 2014), sets 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).

In determining applications the NPPF states that 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:

- 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;
- Achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- The great importance that the Government attaches to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities, and that great weight should be given to the need to create, expand or alter schools.

Paragraph 74 of the NPPF is also relevant to the consideration of this application, it states that:

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless*

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- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

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

(iii) The adopted **Swale Borough Local Plan (Saved Policies) 2008** constitutes the current adopted development plan for the Borough and can be summarised as follows:

Policy SP1 *Sustainable development:*

Proposals should accord with the principles of sustainable development, and ensure that proper and timely provision is made for social and community infrastructure.

Policy SH1 *Settlement hierarchy:*

For the primary settlement of Sittingbourne it states that development will focus on urban regeneration and strategic development opportunities that will additionally help provide essential new infrastructure.

Policy SP7 *Community services and facilities:*

Planning policies and development proposals will promote safe environments and a sense of community by increasing social networks by providing new services and facilities, and safeguarding essential and viable services and facilities from harmful changes of use and development proposals.

Policy C1 *Existing and new community services and facilities:*

The Borough Council will grant planning permission for new or improved community services and facilities, and particularly those that include provision for wider public use.

Policy E1 *General development criteria:*

Development proposals should: accord with the Development Plan unless material considerations indicate otherwise; reflect positively characteristics and features of the site and surroundings; and protect and enhance the natural and built environments.

Policy E10 *Trees and hedges:*

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

Policy E11 *Protecting and enhancing the Borough's biodiversity and geological*



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*interests:*

Development proposals should ensure that the potential impacts of planning decisions on biodiversity and geological conservation are fully considered.

Policy E19 *Design quality and distinctiveness:*

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

Policy E21 *Sustainable design and build:*

Encourages all developers to adopt principles of sustainable design and build within their designs and layouts, and states that the Council will advocate meeting the 'Building Research Establishment Environmental Assessment Method' standard of 'good' as a minimum.

Policy T1 *Safe access to new development:*

Where appropriate the Borough Council will require the submission of a comprehensive Transport Assessment and Travel Plan with planning applications.

Policy T3 *Vehicle parking for new development:*

Development will only be permitted if appropriate vehicle parking is provided, in accordance with the adopted KCC Parking Standards

Policy T4 *Cyclists and pedestrians:*

New development proposals should have regard to the needs and safety of cyclists and pedestrians, including the disabled, and cycle parking facilities should be provided in a convenient, secure and safe location.

Policy T5 *Public transport:*

Where appropriate the Borough Council will expect the submission of a Travel Plan as part of a Transport Assessment.

- (iv) **Bearing Fruits 2031: The Swale Borough Local Plan Main Modifications** (draft) (June 2016). The Examination in Public into this document and the proposed modifications was resumed in January 2017 and closed on 8<sup>th</sup> February 2017:

Policy CP4 *Health and Wellbeing:*

Relevant organisations and communities will promote, protect and improve the health of Swale's population and reduce health inequalities across the Borough by working with the local PCT and GP surgeries; protecting health care facilities where a proven need exists; requiring health impact assessments for developments on land at strategic locations; promoting the provision of open space and access to nature; supporting proposals which increase access to a healthy food supply such as markets and farm shops; assisting with mitigating the effects of climate change through the use of open space and greenery for shading and cooling within urban areas; and maximising opportunities to deliver high quality social and community facilities.

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Policy DM6 *Managing transport demand and impact:*

Development generating a significant amount of transport movements will require a Transport Assessment (including a Travel Plan). Priority is given to the needs of pedestrians and cyclists, including the disabled, through the provision of safe routes which minimise cyclist/pedestrian and traffic conflict within the site and which connect to local services and facilities, with safe and efficient delivery of goods and supplies and access for emergency and utility vehicles.

Policy DM7 *Vehicle parking:*

Until a Supplementary Planning Document can be adopted, the Borough Council will continue to apply extant Kent County Council vehicle parking standards to new development proposals.

Policy DM14 *General development criteria:*

All development proposals should accord with the policies and proposals of the Plan unless material considerations indicate otherwise, respond positively to meeting the challenge of climate change, reflect the positive characteristics and features of the site and locality, conserve and enhance the natural and/or built environments, be both well sited and of a scale, design, appearance and detail that is appropriate to the location, and cause no significant harm to amenity and other sensitive uses or areas. Development proposals shall also meet a high standard of landscaping, and provide safe vehicular access, with convenient routes and facilities for pedestrians and cyclists and parking and servicing facilities in accordance with the County Council's standards.

Policy DM19 *Sustainable design and construction:*

Development proposals will include measures to address and adapt to climate change in accordance with national planning policy and where appropriate, will incorporate items such as use of materials and construction techniques which increase energy efficiency and thermal performance; reduce carbon emissions in new development; promotion of waste reduction; design of buildings which will be adaptable to change and reuse over the long term, and a demonstration of a contribution to the network of green infrastructure and biodiversity. All development proposals shall include measures to address climate change, using materials and construction techniques which increase energy efficiency, reduce waste and reduce carbon emission, and make efficient use of water resources. All new non-residential developments shall aim to achieve BREEAM 'good' standard or equivalent, and all new non-residential developments over 1,000 sq m gross floor area should aim to achieve the BREEAM "Very Good" standard or equivalent as a minimum.

Policy DM21 *Water, flooding and drainage:*

Sets out the requirement to follow national planning guidance, to include SuDS wherever possible, to avoid development in areas at risk of flooding or where development would increase flood risk elsewhere, and the requirement to provide specific flood risk

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assessments as directed by the NPPF.

Policy DM28 *Biodiversity and geological conservation:*

Development proposals will conserve and extend biodiversity, provide for net gains in biodiversity where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated.

Policy DM29 *Woodlands, trees and hedges:*

Aims to protect trees that make an important contribution either to the amenity, historic, landscape or biodiversity value of the site or the surrounding area.

## **Consultations**

10. **Swale Borough Council** object on the grounds that the new access and parking arrangements off North Street would involve the loss of mature trees and hedges, as well as the laying of a significant expanse of hard surfacing within the root protection areas of the trees to be retained. They state that the mitigation measures proposed in the Arboricultural Impact Assessment would be insufficient and as such the proposal would fail to protect the quality of the verdant landscape which makes a positive contribution to the character and appearance of the street scene, which would be contrary to Policies E1 and E19 of the adopted Swale Borough Local Plan and policies CP4 and DM14 of the emerging Swale Borough Local Plan Bearing Fruits 2031.

**KCC Highways and Transportation Officer** raises no objection subject to the imposition of conditions relating to the need for a Traffic Regulation Order to restrict residents using the parking and drop off facility on North Street; the replacement of highway trees; the permanent retention of the parking and cycle spaces; the provision of adequate visibility splays; the submission of a revised School Travel Plan; and a Construction Management Plan.

**KCC Biodiversity Officer** raise no objection to the application subject to the imposition of conditions regarding the protection of the eastern boundary hedgerow and submission of ecological enhancements within a landscape scheme; and informatives regarding development being carried out during the breeding birds season and bats being affected by any lighting on site.

**County Archaeological Officer** raises no objection to the proposal subject to the imposition of a condition which secures safeguarding measures to ensure the preservation in situ of any important archaeological remains, or the need for further archaeological investigation and recording.

**Sport England** object to the application as it considers the scheme does not accord with any of the exceptions to Sport England's Playing Fields Policy or Paragraph 74 of the NPPF.

**Environment Agency** raise no objection to the application. The EA maps show this site to be within Flood Zone 3 however this is due to the presence of a dry river bed running through the site with no associated water course. The site is outside of the modelled design outline for fluvial and tidal flooding, and the flood risk from other sources to the development is low.

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**KCC Flood Risk Project Officer** raises no objection in principle to the proposals, subject to the imposition of a sustainable surface water condition on any consent given.

**Local Member**

11. The local County Members at the time the application was submitted, Mr Roger Truelove and Mr Lee Burgess for Swale Central, were notified of the application on 27<sup>th</sup> March 2017. The electoral division boundaries for this area changed in May and following the recent elections the new member for Sittingbourne North, Sue Gent, was notified of the application on 10<sup>th</sup> May 2017. No views were received.

**Publicity**

12. The application was publicised by the posting of three site notices at the existing access points to the site, and the individual notification of 95 residential properties.

**Representations**

13. In response to the publicity, one letter of representation has been received. This raised concerns that the new access might be from Wyvern Close. I have written back to the neighbour to advise this is not the case (the proposed access would be from North Street) and his potential objection to the scheme has therefore been overcome.

**Discussion**

14. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 9 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
15. This application is being reported for determination by the Planning Applications Committee due to the objections received from Sport England and Swale Borough Council. In my opinion, the key material planning considerations in this particular case are the principle of development in this location; the siting and design of the proposed extension in terms of its built form (and sustainability) and its impact on the appearance of the wider area; its siting which results in the loss of part of the playing field; the highway and transportation implications of the school expansion on the surrounding roads and the acceptability of the new access and parking arrangements.

**Principle of Development**

16. The school site lies within the wider urban residential area of Sittingbourne where the principle of development is accepted. There are no specific policy designations which apply to the school site, but it clearly has an established education use.

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**Siting, Design and Impact on Wider Area**

17. The new building has been designed to reflect the style of the original school, but with a modern interpretation. The building would be slightly taller than the original two storey elements but would be of a comparable height and would not seem out of proportion with the original structures. The large glazed windows would match the style of the classroom windows on the original and the timber grain composite panels would add an injection of colour to the design which would break up the building. The elements of facing brickwork would tie the new and old elements of the school together and the buildings would be connected by a glazed covered walkway.
18. In terms of its location on site, the building has been sited in close proximity to the original building allowing connectivity between the two buildings. Its location here allows the existing playgrounds to be retained as at present, but would result in the loss of a small section of grassed playing field, down the western edge of the playing fields. This is addressed further in paragraph 24 below. Given the proposed relocation of the main vehicular entrance from Middletune Avenue to North Street, it is considered that the new building is in an appropriate location as it will be clearly visible from this new entrance, and would draw pupils and visitors towards the school, providing a modern and welcoming building for those entering the school grounds. In this location the new building is sited well away from the shared school boundaries with residential properties in all directions, and the structure itself would therefore not raise any amenity issues with these occupiers. The building would be separated from the care home to the south-west by the existing boundary hedgerow and it would not project past the on-site car park for the care home. It would therefore not have any direct impact on the rooms of the care home itself, nor their amenity areas which are provided in a central courtyard and to the south, towards North Street.
19. In terms of the building design itself and its siting in relation to the existing school buildings and the surrounding properties it is considered that the scheme would be acceptable and accord with Policies E1 and E19 of the Swale Borough Local Plan 2008 and Policy DM14 of the Bearing Fruits to 2031 Plan, 2016.
20. The other part of the proposal is the new access to be created from North Street. This would involve the removal of the existing hedge along this southern boundary along with a number of trees. The trees in question lie outside the school boundary in a landscape strip which runs between the school and the road. This area is poorly maintained and the school caretaker has advised of ongoing problems with people loitering in this area. The new access would come across this strip and into the school grounds where the parent and visitor parking strip and drop off layby would be provided. A new hedge is to be planted behind the parking area and a grassed verge would be laid along the road frontage. Swale Borough Council have raised an objection to the creation of this new access and parking arrangement on the grounds that it “would fail to protect the quality of the verdant landscape which makes a positive contribution to the character and appearance of the street scene”.
21. It is considered that although there would be a loss of trees along here, which would alter the appearance of this small section of the road, the impact can be easily mitigated with the proposed new hedge planting, grassed verge and replacement tree planting. For any highway tree removed an additional two would need to be replanted (as required by KCC’s Arboricultural Team) and this could be secured via a condition as

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part of a general landscape scheme. The Borough Council had also suggested that those trees shown to be retained would not survive due to the amount of hardstanding proposed within the root protection zones. The applicant's arboriculturalist was asked to comment on this matter and has stated that he believed it would be possible to retain trees in this area using a 'no-dig' paved surface designed by an engineer in consultation with an arboriculturalist, and that the detail of such construction and implementing it under supervision could be secured via a condition. Large tree species at maturity (such as lime, oak, hornbeam or beech) could be planted within the highway verge, provided the paved area was constructed in a 'no-dig' porous form so that the potential rooting area was not constrained or hampered by the paving and so that moisture could penetrate beneath it. The planting of three trees in the verge have been shown on the proposed site layout plan, alongside those that would be retained. In addition the School have advised that they have recently undertaken extensive tree planting at the School, with 32 new trees being planted on the site itself. Furthermore 30 trees have been donated to the retirement home just to the west of the School (Court Regis) and 50 trees donated to Milton Creek Country Park, which lies at the eastern end of North Street.

22. In my opinion it is considered that the benefits of moving the main access from Middletune Avenue to North Street, and the provision of additional off-street parking and drop off facilities to accompany the new school facilities would more than outweigh the loss of the existing trees, provided the new planting scheme is secured by condition, as suggested. The reorganisation of this area would also alleviate the problems experienced by the School with unsociable loitering. Therefore despite Swale Borough Council's concerns it is considered that the scheme would be acceptable in this regard. The parking and highway issues themselves are covered below.
23. In terms of sustainability, the building has been designed with Policy E19 of the Swale Local Plan in mind which states that all development proposals should include measures to address and adapt to climate change in accordance with national policy. A Low Zero Carbon Feasibility Report was submitted in support of the application which looked at the various low and zero carbon technologies available for use and which would be appropriate for this site. A BREEAM assessment has not been carried out as the floor area does not exceed 1000sqm as set out in the requirements of Policy E21 (BREEAM stands for Building Research Establishment Environmental Assessment Method and is an established method for assessing, rating and certifying the sustainability of buildings). However a sustainable development has been designed to include things such as the use of local materials and contractors to reduce travel and distribution costs; the use of combined heat and power and the provision of an array of photovoltaic panels on the roof.

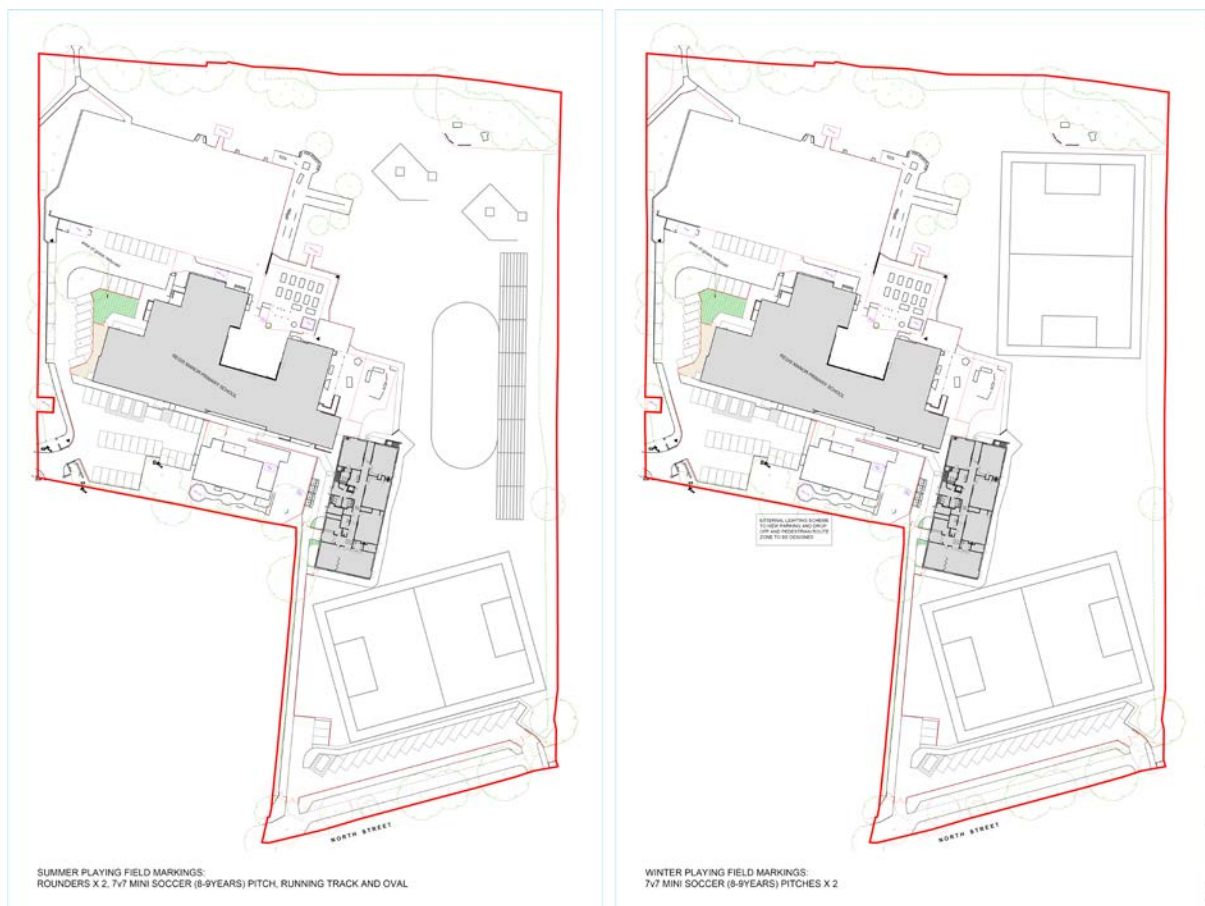
**Loss of Playing Field**

24. As stated above the proposed new building would be sited on the edge of the grassed playing field, and as a result the application has received an objection from Sport England on the grounds that it would not accord with any of the exceptions in their Playing Field Policy. This Policy states that Sport England would oppose any development that would lead to the loss of, or would prejudice the use of, all or any part of a playing field, or land last used as a playing field unless in their judgement it meets one of the 5 specific circumstances. These are that there is an excess of playing field provision in the catchment area (illustrated by a quantified and documented

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assessment); that the development is ancillary to the principal use of the site as a playing field (i.e. changing room facilities); that the development is on land that is incapable of informing, or forming part of a playing pitch; that the playing field to be lost would be replaced by a playing field of equivalent or better quality in a suitable location; or that the development is for indoor or outdoor sports facility which would be of sufficient benefit to outweigh the detriment caused by the loss of the playing field. As with many of the recent applications approved by the former Planning Applications Committee, the County Council has had to take an holistic approach to applying the Sport England Policy, otherwise it would be almost impossible to expand the many primary schools situated in constrained plots surrounded by residential development, and this would result in the Council failing to fulfil its role in providing the required education facilities for the County, nor to have proper regard to the Policy Statement Planning for Schools Development 2011.

25. In the existing site plan layout, the location of the proposed new building is shown within the layout of one of the playing pitches, however the school benefits from a large playing field area and additional plans submitted by the applicant show how the required sports facilities can be easily accommodated on site with the new building in its proposed location. In the summer the school can provide two rounders pitches, a running track and oval and a 7v7 mini soccer pitch, whilst in the winter two 7v7 mini soccer pitches can be accommodated, as shown below.



(Drawing number 718.009 PL10 Rev A)

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26. Although the proposed new building would result in the loss of an area of useable playing field (approximately 544m<sup>2</sup>), it would not compromise the ability of the school to provide the required sports facilities (both hard and soft play) necessary for a 3FE primary school, in accordance with Building Bulletin 103. In submitting the application the applicants acknowledged that there would be an 'in principle' objection by Sport England but state that all possible locations for the new building were carefully considered with sports provision in mind, before this location was chosen.
27. In my opinion the proposed classroom block has been sited in the most appropriate location for the running of the School, close to the existing built form on the site. To build any form of extension at the School would result in the loss of either playing field or hard play spaces as this is what surround the existing school, and therefore to inflexibly apply the Sport England Policy would mean that no additional classroom space could be built on site (without extending up from the existing school). It is therefore considered that a more pragmatic approach should be applied, whereby we consider that although a small area of playing field would be built over, the requisite sports provision can still be adequately provided on site and therefore no sports facilities are actually 'lost'. However, because of the objection received from Sport England, if Members agree with this holistic approach and are minded to permit the proposals, the application would need to be referred to the Secretary of State for him to decide whether to call the application in for his determination.

**Highway and Transportation Issues**

28. In the current situation, the only vehicular access to the school is via Middletune Avenue, which provides access to other closes and which terminates at the school. Middletune Avenue is classed as a minor residential road with on-street parking permitted, which effectively restricts the width to a single carriageway. Existing parking problems occur at drop off and pick up times along this road, and also Volante Drive to the north, which also terminates at the school. On street parking for pupil drop off also occurs on North Street.
29. By providing a new access to the school from North Street, a facility would be provided to allow some parent vehicles to be removed from the residential roads of Middletune Avenue and Volante Drive, and provision made for both parking and drop off on the school site. The County's Highway and Transportation Officer has considered the proposed scheme and the accompanying Transport Statement, and concurs with the findings in this report regarding the overall traffic impacts in the area. He goes on to suggest that not only would it adequately absorb the extra vehicle movements associated with the school expansion, but is also likely to reduce the existing levels of on-street parking in the vicinity of the school during peak times.
30. In order to ensure the effective day to day running of these parking and drop-off facilities, the School have stated that staff would be on site to assist parents into free spaces and escort children into and out of school to allow a quicker turnover of spaces. Staff themselves would continue to use Middletune Avenue to access the extended car park. The Highways Officer has stated that the maintenance and on-going implementation of an effective School Travel Plan (STP) would be a key element of ensuring that the existing sustainable travel modes for pupils are continued and improved upon, and a condition requiring the submission of a revised STP can be



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imposed on any consent given to secure this. In addition he has suggested that there would be a need for a Traffic Regulation Order to be introduced to restrict the new parking areas being used by residents, and this can also be secured by condition.

31. The applicants have submitted a revised layout to ensure a footpath link is continued either side of the entrance and exit points of the new car park and drop off facility. Now that this has been amended the Highways and Transportation Officer has confirmed that the scheme is considered to be acceptable in relation to highway matters, subject to the imposition of conditions securing the submission of a Construction Management Plan (to secure parking provision for construction vehicles, turning and parking on site for such vehicles and wheel washing facilities); the provision and retention of the parking and drop off facilities prior to occupation of the new building; the provision and retention of the cycle facilities shown; the provision and maintenance of visibility splays at the new access at all times; and the introduction of a Traffic Regulation order to ensure the parking areas are not used by residents. Subject to these the scheme is considered to accord with Policies T1, T3, T4 and T5 of the Swale Borough Local Plan 2008, and Policies DM6, DM7 and DM14 of the Bearing Fruits to 2031 Plan, 2016.

**Other Matters**

**Archaeology**

32. The application was supported by the submission of an Historic Environment Desk Based Assessment and a Written Scheme of Investigation (WSI), which has shown that on this site there is a medium-high potential for prehistoric and Roman remains, a medium potential for early medieval remains, and a low potential for medieval and post-medieval remains. Given the overall potential for archaeological remains it is possible that further archaeological work may be required on the site. The County's Heritage Officer has considered the report and concurs that an archaeological evaluation would be required in accordance with the WSI, and that such work should be secured via condition, to ensure the preservation in situ of any important archaeological remains or their recording.

**Lighting**

33. A lighting scheme can be secured by condition, so that the details of the types of lights and their location can be considered by the Planning Authority in order to ensure there would not be an adverse impact on the occupiers of the retirement home or surrounding residential properties. In particular the height and style of lighting at the new drop off and parking area along North Street would need to be carefully considered so as not to cause light pollution issues, and any lighting scheme could be linked to daylight sensor systems and timed to switch off once the school is not in use.

**Construction**

34. A condition requiring the submission of a full Construction Management Strategy, prior to commencement of development has been requested by the Highways and Transportation Officer and is considered appropriate given the School's location amongst residential properties. This would need to include the items set out in paragraph 31 and also restrict times of access to the site to avoid school peak times.

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**Flood Risk and Drainage**

35. The application was accompanied by a Flood Risk Assessment and Drainage Strategy which have been considered by the County's Flood Risk Project Officer and the Environment Agency. They have confirmed that although the EA flood maps show the site as being within Flood Zone 3 (an area where there is a high flood risk as defined by the Environment Agency) this is due to the presence of a dry river bed running through the site and there is no associated water course. As such the flood risk for development is low. A sustainable surface water drainage system can be secured through the imposition of a condition and the Flood Risk Officer confirms they would have no objection to the development subject to this. The scheme would be in accordance with Policy DM21 of the Bearing Fruits to 2031 Plan, 2016.

**Ecology**

36. The application was supported by the submission of a Preliminary Ecological Appraisal which assessed the site for its suitability for protected species and habitats, assessed the impact of the proposed development on the site, and considered any opportunities for integrating ecological features and enhancements within the development. The report was considered by the County's Biodiversity Officer, who agrees that the site does not provide optimum habitat for protected or notable species and therefore there is no need for specific surveys to be undertaken. One of the trees on site (T37) has suitable features for roosting bats, but this is shown to be retained. They note however, that given the likelihood of increased lighting on the site, it would be prudent to include an informative to any consent which makes the applicants aware of the Bat Conservation Trusts guidance on lighting. The eastern boundary of the site has been shown to have suitable habitat for reptiles and although this would not be affected by the proposed development, measures to protect the hedgerow from damage during construction should be included as a condition. A further informative is suggested which would inform the applicants of the need to protect breeding and nesting birds under the Wildlife and Countryside Act 1981 (as amended) and that if any trees and hedgerows are to be removed during this season they must first be examined by a qualified ecologist.
37. In order to ensure that opportunities to incorporate biodiversity in and around developments are encouraged, as set out in the NPPF, the Ecological Appraisal has made recommendations to enhance the site for biodiversity, however it is suggested that the landscape scheme to be secured by condition also details what specific ecological enhancements are to be provided. Subject to these conditions and informatives it is considered that the scheme would accord with the aims of Policy E11 of the Swale Borough Local Plan 2008 and DM28 of the Bearing Fruits to 2031 Plan, 2016.

**Conclusion**

38. In my view the key determining factors for this proposal are the planning policy aspects in relation to the highways and transport related issues, the siting and design of the new building, the objection received from Sport England regarding loss of playing field land and the objections raised by Swale Borough Council regarding the loss of trees along North Street. Weight also needs to be given to the NPPF's clear policy support for ensuring that a sufficient choice of school places be available to meet the needs of

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existing and new communities, and the need to create, expand or alter schools. Subject to the imposition of the conditions below I consider that the development would not give rise to any demonstrable harm as explained in the discussion above, would result in a sustainable form of development, and would meet the aims of the NPPF in relation to the guidance for school provision.

**Recommendation**

39. I RECOMMEND that the application BE REFERRED to the Secretary of State for Communities and Local Government and SUBJECT TO his decision, PERMISSION BE GRANTED, SUBJECT TO the imposition of conditions covering (amongst other matters) the following:

- The standard 5 year time limit;
- The development to be carried out in accordance with the permitted details;
- The submission and approval of details of all construction materials to be used externally;
- The submission of a revised School Travel Plan prior to occupation of the new classroom building and its ongoing review via the 'Jambusters' system for 5 years, with monitoring results posted on the school's website;
- The submission of a Construction Management Plan, providing details of (amongst other matters) times of access to the site (to avoid school peak times), operative parking, wheel washing and delivery vehicle unloading and turning;
- The provision of measures to prevent the discharge of surface water onto the highway;
- The submission of a detailed sustainable surface water strategy to be submitted and approved in writing prior to commencement of construction;
- The provision of the vehicle parking spaces, cycle parking facilities and the vehicle pick up and drop off facilities shown on the submitted site layout prior to occupation, and their permanent retention thereafter;
- The completion and maintenance of the access shown on the submitted layout plan prior to the occupation of the new classroom block;
- The provision and maintenance of 2.4m x 43m x 43m visibility splays at the accesses with no obstruction above 1.05m above carriageway level with the splays being provided prior to the occupation of the new classroom block;
- The advertisement of a Traffic Regulation Order to introduce parking restrictions to prevent residents parking in the new car park and drop off facility on North Street, and once confirmed the works be implemented to the satisfaction of the County Planning Authority in association with Kent Highway Services;
- Prior to the commencement of construction, details to be submitted of the protection measures for the hedge along the eastern boundary during the construction period;
- The submission of a native species landscape scheme, which should also incorporate ecological enhancements for the site; the requirement for it to be planted in the first planting season following completion of development; and details of a maintenance scheme for such landscaping;
- Should any of the retained or new planting die, be removed or become damaged or diseased within 5 years of planting, that it be replaced with plants of a similar size and species;
- The undertaking of an archaeological evaluation in accordance with the submitted Written Scheme of Investigation. Following on from this, and prior to the

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commencement of groundworks (unless otherwise agreed by the County Planning Authority), any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording with a specification and timetable to be submitted and approved by the County Planning Authority;

- The submission of a detailed external lighting scheme to be approved in writing within 3 months of the commencement of development, and the scheme to include hours of operation.

40. I FURTHER RECOMMEND that the following INFORMATIVES be added:

- The registering with Kent County Council of the School Travel Plan through the “Jambusters” website following the link <http://www.jambusterstpms.co.uk>;
- That the applicant ensures that all necessary highway approvals and consents are obtained;
- The development should take account of the Bat Conservation Trust’s ‘Bats and Lighting in the UK’ guidance;
- To ensure that works to trees are carried out outside of the breeding bird season and if this is not possible that an ecologist examines the site prior to works commencing.

Case Officer: Helen Edwards
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Background Documents: see section heading
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