

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

Two storey extension to be constructed in two phases, internal alterations, and the provision of a new parking/drop-off area accessed from Jubilee Close at Palmarsh Primary School, St Georges Place, Hythe – SH/18/39 (KCC/SH/0344/2017)

A report by Head of Planning Applications Group to Planning Applications Committee on 10 October 2018.

Application by Gen2 Property on behalf of Kent County Council for a two storey extension to be constructed in two phases (Phase 1 to facilitate an increase from 0.5 Forms of Entry (FE) to 1FE providing 4 classrooms, new entrance and supporting facilities and Phase 2 to accommodate an increase to 2FE, providing 6 new classrooms), minor internal alterations to the existing building, and the provision of a new parking/drop-off area, accessed from Jubilee Close at Palmarsh Primary School, St Georges Place, Hythe, Kent, CT21 6NE – SH/18/39 (KCC/SH/0344/2017)

Recommendation: Permission be granted subject to conditions.

Local Member: Mr Martin Whybrow

Classification: Unrestricted

Site

1. Palmarsh is located on the south east coast of Kent, approximately 1.5 miles (2.5km) to the south west of Hythe, located to the north of Dymchurch Road which is separated from the coast line to the south by an area of Ministry of Defence Land. The Romney, Hythe and Dymchurch Railway runs through the centre of Palmarsh, and the Primary School is located to the immediate south of the railway line. The School is currently accessed via St George's Place, which is a cul-de-sac accessed from Dymchurch Road (A259). The site is bound to the north by the railway line, to the south of which a Public Right of Way runs which links St George's Place with Nightingale Avenue via a railway crossing. Residential properties beyond the railway back onto the site, as do properties in Palmbeach Avenue to the west of the school site. Residential properties on Dymchurch Road also back onto the southern/eastern site boundary. Jubilee Close, an unadopted road, provides maintenance access onto the school playing fields via the south eastern site boundary. The side elevation of the end property and a modern single storey church in that road adjoin the school playing field.
2. The existing school buildings, which were built in the 1980s, are single storey although there is a double height hall (with a butterfly roof) located in the centre of the built development. The school buildings are located in the north east corner of the site, along with two nursery buildings and areas of hard play. The playing field to the south and west of the site is approximately 1 metre lower than the rest of the site, separated by a grass embankment. The whole of the school site, and the wider area of Palmarsh, is located in flood zone 3a – defined as having a high probability of flooding, in this case from the sea (1 in 200 or greater annual probability of flooding from the sea in any year).

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General Location Plan

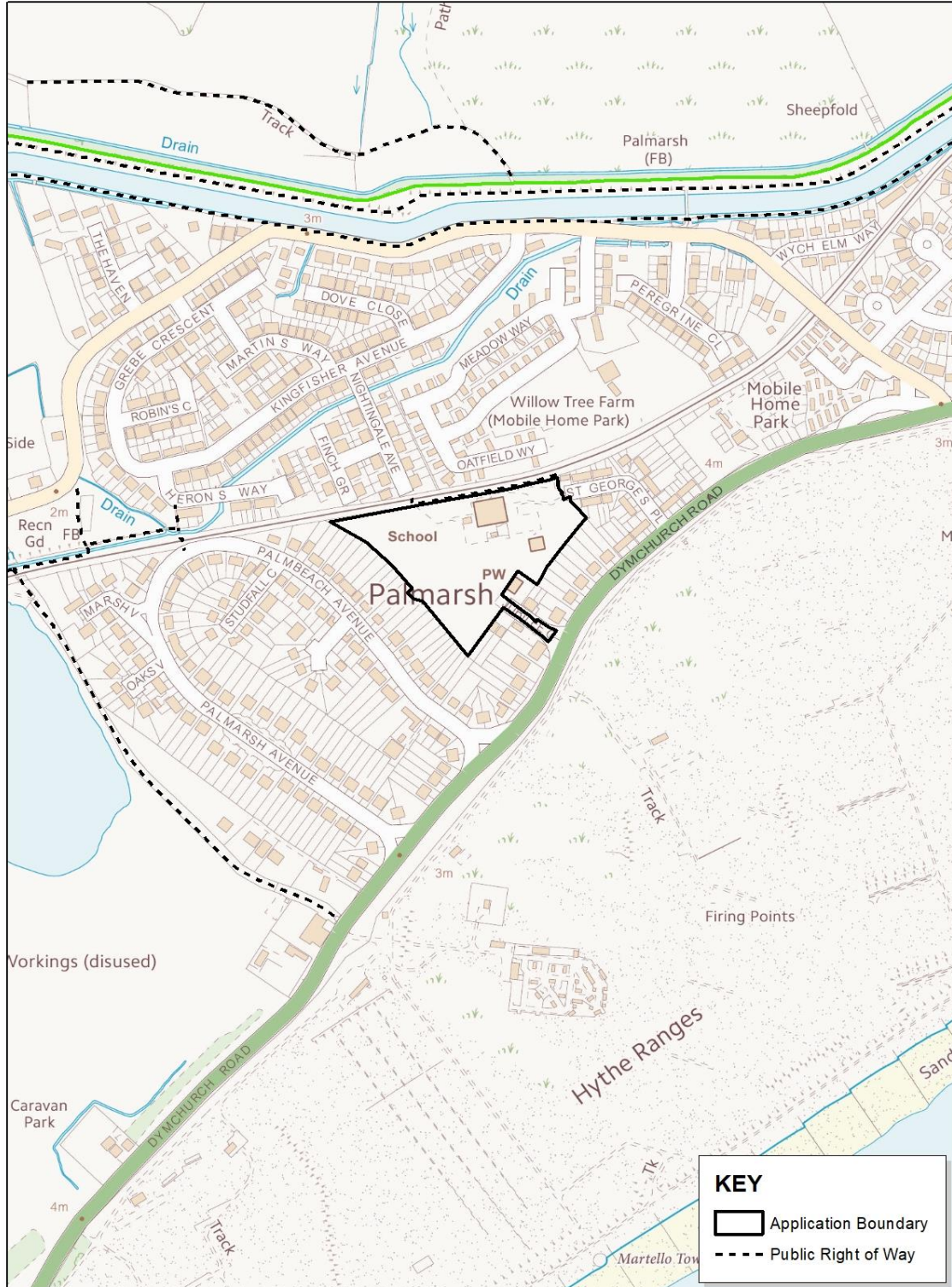


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Site Location Plan

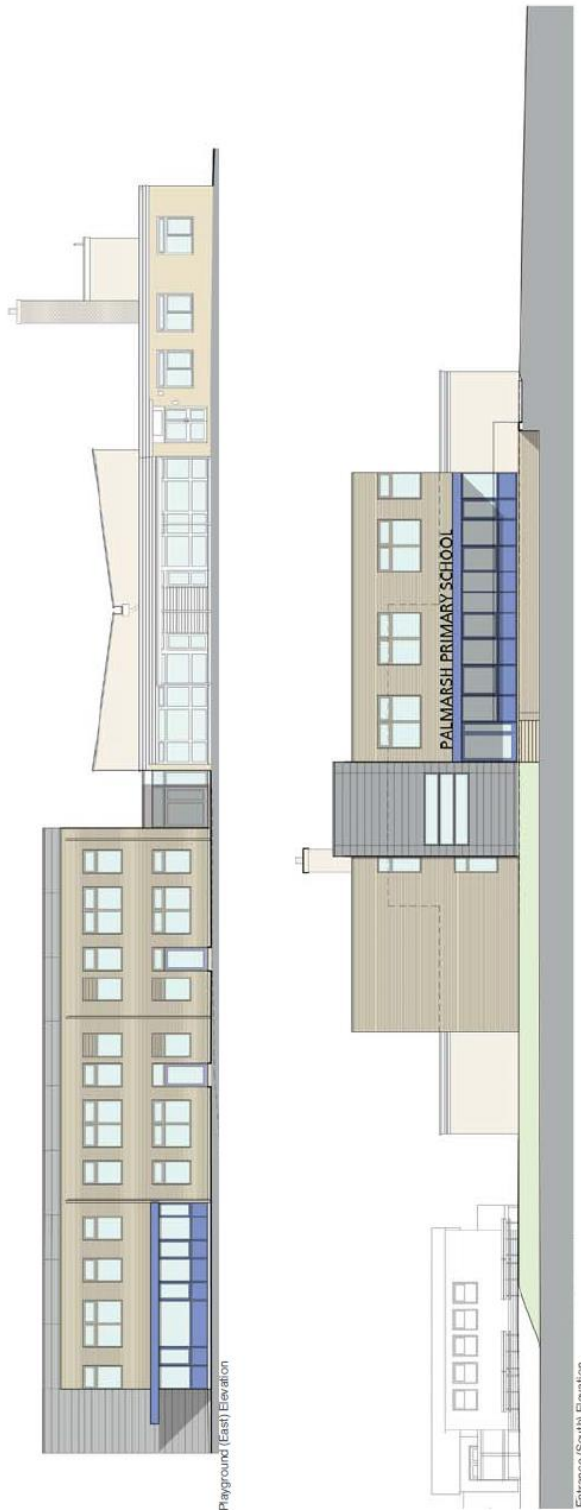


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Elevations of Phase 1 and Phase 2



Proposed 2FE Extension



Proposed 1FE Extension

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Background and Relevant Planning History

3. This application proposes to provide the accommodation required to cater for an expansion of Palmarsh Primary School from 0.5 Forms of Entry (FE) to 2FE, although that expansion would be phased. The applicant advises that due to changing demographics in the area, with an increasing birth rate and in-migration, there is an increase in demand for primary school capacity. The Martello Lakes housing development, less than half a mile to the south west of Palmarsh Primary School, will contain 1050 new homes when completed, and is a further key driver for the need for additional Primary School places. The housing development itself will not contain a school, so Palmarsh Primary School, being so close to the development, would be the primary parental choice.
4. Recent developments granted permission at the site are as follows:
 - SH/16/575 - Detached building for use as a breakfast club.
 - SH/13/826 – Replacement of perimeter fencing with 2.4m high weldmesh fencing anti-climb fencing, to include the renewal of the existing front gates with motorised vehicle gates and pedestrian gate, renewal and relocation of the pedestrian railway access gate and the renewal of the field entrance.
 - SH/13/335 - Erection of a covered external space with canopy.
 - SH/09/88 - Retention of existing mobile classroom unit.

Proposal

5. This application, submitted on behalf of Kent County Council Property & Infrastructure Support, proposes a two storey extension, which would be constructed in 2 phases. As outlined in paragraph 4 above, phase 1 would facilitate an increase in pupil numbers from 0.5 FE to 1 FE, whilst phase 2 would provide the accommodation required for a further additional FE (2FE total). The applicant advises that there is no set timescale regarding the provision of phase 2, rather periodic reviews would assess the demand for pupil places in the area. Should permission be granted, an existing single modular classroom would be demolished.
6. Phase 1 of the proposed development would provide 4 new classrooms, a new entrance and reception area and space for support facilities. The 916m² 2 storey building, which is proposed to the south of the existing school building, would be sited upon an area of underused informal hard play. The ground floor is proposed to accommodate 2 classrooms and stores, a new reception area (school access to be relocated (see paragraph 9 below) headteachers office, meeting room and toilets. A further 2 classrooms would be located on the first floor, one of which would be used as an intervention room under phase 1, and revert back to a classroom as and when the phase 2 expansion is required, in addition to a SEN room, library and further storage. The ground floor of the new building would link with the existing school building to the north via a single storey flat roof link corridor.
7. Phase 2 of the development would involve the addition of a 426m² two storey extension to the west of the new classroom block, providing a further 6 classrooms and ancillary accommodation. The toilets, circulation space, stairs and lifts needed for phase 2 would all be constructed and included with phase 1. This would ensure that the

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accommodation for phase 2 would be a simple addition and would not impact on the operation of the school.

8. The flat roofed two storey classroom block is proposed to be finished predominately in a buff brick, with the new school entrance and office areas delineated with a contrasting coloured curtain walling finish. The central area, which would house the circulation space between the phase 1 and phase 2 elements of the build would be expressed with a rainscreen cladding in a dark grey finish.
9. The main school entrance is proposed to be relocated as part of this proposal, hence the relocation of the school reception to the proposed teaching block. The existing school access, via St Georges Place, would be retained for vehicular access for staff parking, deliveries and nursery drop off only, and pedestrian access for parents and pupils. A new school access from Jubilee Close, to the south east of the school site, is proposed. An existing maintenance access would be upgraded to provide access to a new 27 space car park and pupil pick-up/drop off area. Jubilee Close is currently unadopted, and as part of this development it is proposed to upgrade the Close to adoptable standards. An additional pedestrian access into the site is also proposed from the footpath to the north of the school site which leads to the level crossing across the Romney Hythe and Dymchurch Railway.
10. The vehicular drop off area would be accessible between the hours of 7am and 9am and again from 2.30pm to 6pm. It would not be used by the school in the evenings – any out of hours school activities would utilise the existing access via St Georges Place. However, the church which is adjacent to the proposed Jubilee Close access would be provided with a key to use the car park for any services or events as they do not have any car parking at present resulting in on street car parking.
11. An additional grass playing pitch would be marked out on the site under phase 1 of the development, with a further pitch marked out under phase 2 if required. Extended hard play space is proposed to the west of the new classroom building on the higher level of the site, with steps leading down to the playing field beyond. In addition, a new fenced hard surfaced play area would be provided to the south west of that extended play area as part of the phase 2 development, which would also be used for overflow car parking if required.
12. Ten trees would be removed as a result of this development, nine due to the siting of the classroom block and car parking, and one due to poor health. One of trees is of moderate quality, 7 are low quality and two are classified as poor quality. The applicant is proposing to replace all 10 trees. In addition, shrubs and planting is proposed to the southern boundary of the site, to provide screening between the site and adjacent properties on Jubilee Close.

This application is supported by a Design and Access Statement, Planning Statement, Transport Statement, Preliminary Ecological Appraisal, Arboricultural Report, Flood Risk Assessment and Ground Investigation Report.

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Planning Policy

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

- (i) **National Planning Policy Framework (NPPF) July 2018** 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 approach decisions in a positive and creative way, 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;

In addition, Paragraph 94 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.*

- (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. In particular the Policy states that the Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity of provision in the state funded school sector, to meet both demographic needs, provide increased choice and create higher standards.

Development Plan Policies

- (iii) **Shepway District Council Core Strategy Local Plan (September 2013)**

Policy DSD Delivering Sustainable Development: To take a positive approach that reflects the presumption in favour of sustainable development

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contained in the NPPF. To work proactively to find joint solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.

Policy CSD7 Hythe Strategy: Development should contribute to the priorities for investment in the town which include, amongst other matters, developing new/expanded primary and secondary schools to improve educational attainment, and where appropriate, the delivery of improvements in skills/training in nearby deprived areas.

(iv) Shepway District Local Plan Review (2006)

Policy SD1 Sustainable Development: All development should take account of the broad aim of sustainable development.

Policy LR8 Public Rights OF Way: Rights of way will require to be properly integrated into the design and layout of development sites. Regard will be had to a route's attractiveness, safety and convenience for public use.

Policy LR12 Protection of School Playing Fields: Proposals resulting in the loss of school playing fields or grass play and amenity areas at school sites, as shown on the Proposals Map, will only be permitted where development would not cause an unacceptable loss in local environmental quality and where it also accords with both the following criteria:

- a) In the case of school playing fields, sufficient alternative open space provision exists or new sport and recreational facilities will be provided of at least equivalent community benefit having regard to any deficiencies in the locality;
- b) The land required is for an alternative educational purpose which cannot reasonably be met in another way.

Policy BE1 Layout, Design and Materials: A high standard of layout, design and choice of materials will be expected for all new development. Materials should be sympathetic to those predominating locally in type, colour and texture. Development should accord with existing development in the locality, where the site and surrounding development are physically and visually interrelated in respect of building form, mass, height, and elevational details.

Policy BE16 Landscaping: The District Planning Authority will require development proposals to retain important existing landscape features and make appropriate provision for new planting using locally native species of plants wherever possible.

Policy TR6 Pedestrians: New development will not be permitted unless provision is made for the needs of pedestrians. The layout and design of development should provide for safe, attractive and convenient

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pedestrian routes, particularly to public transport routes

Policy TR11 Access to the Highway Network: Proposals which involve the formation of a new access, or would result in the intensification of the use of an existing access, will only be permitted where:-

- a. the access is not detrimental to the safety of vehicle traffic, cyclists and pedestrians or
- b. the access can alternatively be improved to a standard acceptable to the Highway Authority or
- c. the applicant can demonstrate by means of a transport impact study that the proposal would not increase the risk of accidents or create delays.

Policy TR12 Car Parking: New development, redevelopment or a change of use will only be permitted if it makes provision for off street parking on or near the site in accordance with the current maximum vehicle parking standards

Policy TR13 Travel Plans: Where development proposals are considered likely to have significant transport implications, a travel plan should be submitted with the planning application

Consultations

14. Folkestone and Hythe District Council comment as follows:

“The role of the expansion of Palmarsh Primary School within the Kent Commissioning Plan for Education 2018-2022 is noted, with the school having a community status within the Hythe Planning Group and earmarked for expansion from September 2018 to meet the demand arising from the 1,050 new homes at Martello Lakes/Nickolls Quarry.

Notwithstanding the above, I would like to raise some concern around the flat-roofed design and visual impact of the two storey extension. Although it is acknowledged that many views from the surrounding public realm would be obscured by the surrounding, predominantly residential built environment, it is considered that the two storey extension would be generally visible from St George’s Place and Jubilee Close with glimpses available from the surrounding area, and that the proposed extension constitutes poor design. In this regard the flat-roofed design of the existing buildings on site is noted however it is considered that the extension should more closely reflect the existing main school building, which has a butterfly roof form which adds variation to the building and lightens the appearance and bulk of the roof form.”

Hythe Town Council have no objection to the application.

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Kent County Council Highways and Transportation have no objection to this application and comments as follows:

“The proposed expansion of Palmarsh Primary school is predominately to cater for the increase in local population due to the construction of the Martello Lakes housing development. This new housing site is less than a kilometre to the west of the school and is within easy walking distance using either of the front entrances from the A259 or via the improved pedestrian entrance to the rear of the site.

St Georges Place is restrictive as a school access, being a cul-de-sac of limited dimensions and being subject to on street parking close to its junction with the A259 (some of this parking likely related to nearby properties on the A259). The latter issue often causes congestion and access difficulties at school start and finish times.

Accompanying the primary school expansion proposal is the improvement of the existing private road of Jubilee Close (owned by Kent County Council, but not a publicly maintainable highway). The proposed revisions to Jubilee Close will see its current ‘Y’ style give-way junction with the A259 simplified to a more conventional straight give-way junction. In addition to this, the road surface would be upgraded, continuous footways added on both sides, street lighting would be installed and parking restrictions implemented.

The proposed junction alterations are acceptable, adequate visibility for the speed limit is available and the scheme is accompanied by a satisfactory Road Safety Audit.

The layout for the drop off car park to be accessed via Jubilee Close is workable for a slow speed environment and is more practical than what currently occurs in St Georges Place.

Taking account of the above proposed upgrades and the limitations of the historic access onto St George’s, the intention to split traffic for the site makes good sense and the proposed drop off facility would represent a significant improvement over the current situation.

The detailed design of the Jubilee Close junction improvement would need to be approved by KCC Highways and Transportation to ensure suitability of street lighting, drainage etc and works relating to the public highway secured and supervised via a Section 278 Agreement (a simplified letter of agreement may be suitable in this case).

I note that the staff parking is somewhat lower than the SPG4 standards, however I accept that these are maximum parking standards. Considering the proposal is to expand the school over time, this will provide a good opportunity for a robust School Travel Plan to be developed to support the staff reduce single occupant private car journeys in line with the lower parking provision. Taking this into account and the fact that parking restrictions are proposed in the roads adjacent to the school as part of the application, this matter alone is not severe enough in nature to warrant a recommendation of refusal.

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The proposed parking restrictions will have to be advertised and processed via the statutory Traffic Regulation Order procedure, this is outside of the planning process. As such, the plans pertaining to parking restrictions should only be considered draft in nature and a best endeavours condition will be requested as to their implementation.

I am aware that there have been requests to traffic calm and reduce the speed limit on the A259. The revised junction layout for Jubilee Close has sufficient visibility for the posted speed limit. Taking account of the layout and street scene of the A259 in this area, it is well suited to the posted 40mph limit. To gain the support of Kent Police, all changes in speed limits should be self-enforcing. The width of the A259 and lack of any development on the southern side of the road would not support the lowering of the speed limit to 30mph without the implementation of significant traffic calming measures. It is important to remember that the A259 plays a key role as a local primary distributor road for all traffic and as such would not normally be a candidate to be traffic calmed without a significant justification from a personal injury crash record. This is not the case here. With the above issues in mind it would not be appropriate for the school proposal to have to fund such a scheme.

The issue of a pedestrian crossing on the A259 to accompany the school proposal has also been raised. This would of course improve access to the nearby bus stops and although I acknowledge that provision of a pedestrian crossing may be an incentive to potentially increase bus patronage for school journeys, the current figures are relatively low (approximately 13 pupils), and as such I don't believe the burden of a significant contribution (circa £60,000) for a Puffin Crossing could be considered as proportionate or reasonable. In early talks with the project team this was raised as a possibility and it was confirmed that there was simply not sufficient budget to be added to the overall proposal. When seeking developer contributions for the highway network from planning applications, it is of key importance that they directly mitigate the likely impact of the proposal. In this case it is important to remember that the uplift in population requiring the need for the school expansion is very closely located just west of the school site. As such, the vast majority of the new pupils would be within walking distance and on the northern side of the A259.

Taking account of all of the above issues, subject to the following conditions being added to any consent granted by the planning authority, I can confirm that I have no objections on highway grounds:

1. Submission of a Construction Management Plan before the commencement of any development on site;
2. Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the extended use of the site commencing;
3. Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing;
4. Prior to the occupation of the development, the applicant shall undertake best endeavours to implement the parking restrictions as detailed in the accompanying Transport Statement via the statutory Traffic Regulation Order process;
6. Prior to the occupation of the development, an updated School Travel Plan shall be submitted and revised yearly for a period of 5 years following commencement of the proposed development.

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INFORMATIVE: It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site."

Sport England have no objection to this application and comment as follows:

"The proposed development results in a minor encroachment onto the playing field in the form of the extended hard play area and a new parking area. However, having considered the nature of the playing field and its ability to accommodate a range of pitches, it is not considered that the development would reduce the sporting capability of the site. The extended playing area is proposed on an area of land where it is considered difficult to fit a playing pitch due to its irregular shape, and it is noted that there are currently trees on the area proposed for the car park, largely preventing this particular area's use as a playing field. As such, Sport England is satisfied that the proposed development broadly meets the intention of the following Sport England Policy exception:

E3 - The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site.

This being the case, Sport England does not wish to raise an objection to this application. The applicant should however ensure that all safety run-off areas are maintained on the existing pitches."

The County Council's Biodiversity Officer is satisfied that sufficient ecological information has been provided and has no objection to the application subject to the imposition of conditions requiring the submission of a biodiversity method statement and details of ecological enhancements.

Public Rights of Way has no objections to the application but requests that the applicant's attention is drawn to the following points;

- no furniture may be erected on or across Public Rights of Way without the express consent of the Highway Authority;

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- there must be no disturbance to the surface of the Right of Way, obstruction of its use, and/or encroachment on the current width, either during or following any approved development; and
- the granting of planning permission confers on the developer no other permission or consent or right to close or divert any Public Right of Way at any time without the express permission of the Highway Authority.

Further it is noted that a gate is proposed to be installed in the fence line adjoining PROW HB84. That gate must swing inwards into the school site and not outwards onto the PROW.

The County Council's Flood Risk Management Team (SuDs) raises no objection to the application subject to the imposition of conditions requiring the submission and approval of a detailed Sustainable Surface Water Drainage Scheme and subsequent details of the maintenance and management of the approved Sustainable Surface Water Drainage Scheme, and a further condition requiring the submission of a verification report pertaining to the approved Scheme.

Environment Agency raises no objection to the application and is satisfied with the content of the revised Flood Risk Assessment and the mitigation measures detailed within it specifically;

1. Safe refuge is to be provided on the first floor, above the 1 in 200 year 2115 breach flood level;
2. A formal flood warning and evacuation plan to be implemented on site and reviewed regularly to take into account any changes in flood risk;
3. Flood resistant and resilient design measures to be fully explored and implemented during the developments construction;
4. The ground floor level to be raised to 300mm above the existing ground level at the site.

Romney Hythe and Dymchurch Railway no comments received to date.

Local Member

15. The local County Member, Mr Martin Whybrow, was notified of the application on 5 January 2018 and comments as follows:

“As the Local Authority Governor at Palmarsh Primary School as well as in my capacity as the local KCC Member, I welcome the plans for the extension of the school. There is a clear need as a result of the 1000+ homes that are being built at Martello Lakes. I know that there has been good liaison between KCC, the School governing body, the headteacher and staff with regards the extension plans and that they have been refined to take in feedback, so that all parties are supportive of what is being proposed.

The new school entrance via Jubilee Close is also welcomed and will be an improvement over the current one via St George's Place. Considerably fewer residents will be impacted and, with the planned work, it will constitute a more readily accessible approach and exit.

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The one addition that I would have liked to have seen from the developer funding would have been a pedestrian crossing between St George's Place and Jubilee Close. Any pupil arriving by bus from the Hythe (east) direction in the morning or leaving in the Dymchurch (west) direction after school needs to cross the ever busier A259 Dymchurch Road, which is the main coastal artery and onto which the Martello Lakes development will feed. This need to cross the A259 also applies to all residents as all homes are on the north side of the A259 with only the army ranges and the sea to the south. If we are to encourage use of public transport, including to and from school, then I think this would have been a prerequisite.

Nevertheless, with regards the extension and entrance plans per se, I am wholly supportive."

Publicity

16. The application was publicised by an advertisement in a local newspaper, the posting of 5 site notices and the individual notification of 97 residential properties.

Representations

17. In response to the publicity, 6 letters of representation have been received. The key points raised can be summarised as follows:
- Entering and leaving Jubilee Close at peak times is extremely dangerous due to the amount of cars using the A259 (Dymchurch Road) and the speed of vehicles;
 - Jubilee Close would become gridlock as vehicles would have to queue for some time to exit onto the A259;
 - The A259 bends as it approaches Jubilee Close making visibility and safe exit from Jubilee Close difficult;
 - The Martello Lakes housing development will only increase vehicle numbers on the A259;
 - Traffic calming measures should be introduced on the A259 to enable safer use of the Jubilee Close junction;
 - The speed limit on the A259 should be reduced to 30mph, or at the least a speed camera installed to enforce the 40mph limit;
 - Crossing the A259 is almost impossible due to poor visibility and the high volume and speed of traffic. Accessing the bus stops on the southern side of the road is therefore dangerous and does not encourage the use of public transport;
 - Several accidents have occurred with pedestrians being knocked down by vehicles on the A259 – this is only going to get worse;
 - The need to expand Palmarsh Primary School is fully understood;
 - Confirmation is sought that there would be no access to the proposed drop off area outside of school hours;
 - The proposed use of Jubilee Close will significantly impact all properties in the road, and effect quality of life;
 - Jubilee Close is an unadopted road with no street lights or mains drainage and the road has flooded in the past. If it is to be used for school access it must be made up to a good standard;

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- The removal of a horse chestnut tree on the existing traffic island at the Jubilee Close/A259 junction is a shame;
- A telegraph pole will have to be removed which supplies power to properties in Jubilee Close – how will supply be provided in the future?
- No objections to the expansion of Palmarsh Primary School but request that measures are put in place to prevent seagulls nesting on the roof. Local residents currently experience a lot of nuisance from gulls, especially when nesting, and they could attack pupils if nesting on the school roof.

Discussion

18. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 13 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 National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity. Issues of particular relevance in this case include need, access and highway safety matters, design, flood risk, biodiversity, general amenity matters, and whether the development is sustainable in light of the NPPF.

Need

19. As set out in paragraph 3 of this report, this application proposes to provide the accommodation required to cater for an expansion of Palmarsh Primary School from 0.5 Forms of Entry (FE) to 2FE, although that expansion would be phased. The applicant advises that due to changing demographics in the area, with an increasing birth rate and in-migration, there is an increase in demand for primary school capacity. The Martello Lakes housing development, less than half a mile to the south west of Palmarsh Primary School, is a further key driver for the need for the expansion as, due to proximity, Palmarsh would be the primary parental choice. Folkestone and Hythe District Council and the local County Member, Mr Martin Whybrow, recognise the need for the expansion within their consultation responses (see paragraphs 14 & 15). The National Planning Policy Framework, together with the Planning for Schools Development Policy Statement, strongly promote the provision of new or expanded schools and exhort local planning authorities to work with developers to overcome obstacles in the securing of planning consents. I therefore see no objection in principle to the proposed development.

Access and Highway Safety Matters

20. As outlined in paragraphs 9 and 10 of this report, the schools main vehicular and pedestrian entrance is proposed to be relocated as part of this proposal, with an existing maintenance access proposed to be upgraded to provide access to a new 27 space car park and pupil pick-up/drop off area, via Jubilee Close. The existing school access, via St Georges Place, would be retained for vehicular access for staff parking, deliveries and nursery drop off only, and pedestrian access for parents and pupils. An additional pedestrian access into the site is also proposed from the footpath to the north of the

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school site which leads to the level crossing across the Romney Hythe and Dymchurch Railway.

21. As can be seen in paragraph 17 of this report, local concerns regarding this application, apart from issues with seagulls (see paragraph 41 below) all relate to the proposed access arrangements, and primarily express concern about the safety of the A259 Dymchurch Road, and the problems associated with exiting Jubilee Close onto Dymchurch Road. Before considering the issues associated with the A259, the suitability of an access into the school via Jubilee Close must be considered.
22. As set out in section 14 of this report, Kent County Council Highways & Transportation (H&T) raise no objection to this application subject to conditions. With regard to the proposed access via Jubilee Close, this is considered to be an improvement over the existing access via St George's Place. H&T advise that St Georges Place is restrictive as a school access, being a cul-de-sac of limited dimensions and being subject to on street parking close to its junction with the A259 (some of this parking is likely to be related to nearby properties on the A259). The latter issue often causes congestion and access difficulties at school start and finish times. The proposed improvements to Jubilee Close would see its current 'Y' style give-way junction with the A259 simplified to a more conventional straight give-way junction. In addition to this, the road surface would be upgraded, continuous footways added on both sides, street lighting would be installed and parking restrictions implemented.
23. H&T consider the Jubilee Close/A259 Dymchurch Road junction improvements to be acceptable, with adequate visibility for the speed limit (to be discussed further below) The layout for the drop off car park to be accessed via Jubilee Close is considered to be workable for a slow speed environment and more practical than what currently occurs in St Georges Place. The local County Member, Mr Martin Whybrow, also welcomes the new school access arrangement, and considers it an improvement over the existing access road. H&T conclude that taking account of the proposed upgrades to Jubilee Close, and the limitations of the historic access onto St George's Place, the intention to split traffic for the site makes good sense and the proposed drop off facility would represent a significant improvement over the current situation. I therefore consider the proposed access via Jubilee Close to be a practicable and preferable option in this case.
24. However, as set out in paragraph 17 of this report, local residents express concern regarding the safety of the A259 Dymchurch Road and the subsequent difficulties associated with existing Jubilee Close on to the A259. First, it should be noted that St Georges Place is also accessed via the A259 and so any issues regarding the safety of that road are relevant to the existing access also. It is suggested that the speed limit should be reduced from 40mph to 30mph, or that traffic calming should be introduced, including a speed camera.
25. H&T are aware of requests to traffic calm and reduce the speed limit on the A259. However, the revised junction layout for Jubilee Close would have sufficient visibility for the current speed limit of 40mph. There is, therefore, no justification to reduce the limit to allow adequate visibility to be able to safely exit Jubilee Close. H&T consider that taking into account the layout and street scene of the A259 in the Palmarsh area,

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it is well suited to the 40mph limit. I am also advised that Kent Police require all changes in speed limits to be self-enforcing. The width of the A259 and lack of any development on the southern side of the road would not support the lowering of the speed limit to 30mph without the implementation of significant traffic calming measures. It is important to note that the A259 plays a key role as a local primary distributor road for all traffic and as such would not normally be a candidate for traffic calming without a significant justification from a personal injury crash record. H&T confirm that this is not the case here.

26. With the above issues in mind, I consider that it would not be reasonable or proportionate in this instance for the school development to require the need for or funding of traffic calming on the A259 Dymchurch Road. Given the detailed information provided by H&T, and the lack of concerns or objections raised by them, I am satisfied that the access from Jubilee Close onto the A259 Dymchurch Road could operate safely and effectively, especially in considering the access improvements proposed and the splitting of school traffic across two accesses.
27. The local County Member and local residents express concern regarding existing difficulties in crossing Dymchurch Road, and the provision of a pedestrian crossing is suggested. It should be noted that whilst residential properties are not located to the south of the road in this location as MoD land separates the A259 from the coast, there are bus stops located on that side of the road. The County Member considers that if the use of public transport is to be encouraged, including to and from school, then a crossing should have been a prerequisite.
28. H&T advise that such a crossing could improve access to the nearby bus stops and that the provision of a pedestrian crossing may act as an incentive to increase bus patronage for school journeys. However, the current figures show that only 13 pupils travel to the primary school by bus. In this case it is also important to remember that the uplift in population requiring the need for the school expansion is very closely located just west of the school site (The Martello Lakes Development). As such, the vast majority of the new pupils would be within walking distance and on the northern side of the A259. As such a significant contribution (circa £60,000) for a Puffin Crossing could not be considered as proportionate or reasonable in this case. H&T advise that when seeking developer contributions for the highway network from planning applications, it is of key importance that they directly mitigate the likely impact of the proposal. In considering the above, I am satisfied that the provision of a crossing should not be required as a result of this application.
29. Local residents have also requested that the drop off area only be open at peak school times. I can confirm that, as set out in the application documents, the vehicular drop off area would be accessible between the hours of 7am and 9am and again from 2.30pm to 6pm. It would not be used by the school in the evenings – any out of hours school activities would utilise the existing access via St Georges Place. However, the church which is adjacent to the proposed Jubilee Close access would be provided with a key to use the car park for any services or events as they do not have any car parking at present resulting in on street car parking. I consider these restrictions to be acceptable in amenity terms.

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30. The Transport Statement accompanying this application sets out details of parking restrictions on Jubilee Close, with single yellow lines restricting parking between 8.30 & 9.15 and between 14.30 & 15.15. Such restrictions would have to be advertised and processed via a Traffic Regulation Order procedure which is separate to the planning process. As such, H&T require a condition of consent to be imposed (should permission be granted) requiring the applicant to undertake best endeavours to implement the parking restrictions as detailed in the accompanying Transport Statement via the Traffic Regulation Order process. Should permission be granted, I consider it reasonable that such a condition should be imposed.
31. As set out in the application documents, and as outlined in paragraph 9 of this report, Jubilee Close would be upgraded to an adoptable standard as part of the development proposals, including the provision of street lighting and appropriate drainage. As outlined by Highways & Transportation, those works would be subject to a separate S278 agreement between the applicant and the highway authority. However, as part of these works, the existing island at the southern end of the road would need to be removed, including the removal of a tree and a telegraph pole. Although regrettable, the removal of the tree (a horse chestnut) is necessary in enabling the road to be upgraded and in providing a safe access/egress onto the A259. With regard to the telegraph pole and local concerns regarding maintaining power supply to properties in Jubilee Close, the applicant has advised that the contractor would take advice from UK Power Networks to ensure power would not be disrupted to the existing properties. If some disruption is unavoidable, then the contractor would ensure that it was kept to a minimum. I consider that to be a reasonable approach but must also advise that such works would be regulated by other authorities and are out of the remit of the Planning Authority.
32. In considering the above, and in light of the views of the Highway Authority, I consider that subject to the imposition of the conditions required by H&T regarding the submission of an updated Travel Plan, the provision and permanent retention of the car parking, cycle parking, and drop off area as shown on the submitted plans, and the condition outlined in paragraph 30 above, that the development would not have a significantly detrimental impact overall on the local highway network. I therefore see no reason to refuse this application on access and highway grounds.

Design and Siting

33. Development Plan policies promote high quality design, sustainable development, and significant improvements to the built environment. Although we have not received any local concerns regarding the design and siting of the development, Folkestone and Hythe District Council raise concern around the flat-roofed design and visual impact of the two storey extension. The District Council acknowledge that many views from the surrounding public realm would be obscured by the surrounding, predominantly residential built environment, but consider that the two storey extension would be generally visible from St George's Place and Jubilee Close with glimpses available from the surrounding area, and that the proposed extension constitutes poor design. The District Council note the flat-roofed design of the existing buildings on site but consider that the extension should more closely reflect the existing main school building, which has a butterfly roof form.

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34. As set out in paragraphs 6 to 8 of this report, this development is proposed to be constructed in 2 phases, and the building is specifically designed to facilitate the addition of phase 2 with minimum disruption to the operation of the school. Following the concerns raised by the District Council, the applicant has considered the points raised and in response confirms that given the dual phase construction sequence, it would be impractical to design a butterfly roof that was only half built during phase 1. The flat roof design offers a flexible approach in allowing the building to be extended at a later stage, as community needs grow, with minimal disruption to an operational school. The vertical circulation core of the building, to be provided in phase 1, has been designed as a link between the first phase and subsequent phase - a pitched roof as suggested would undermine this intention.
35. The applicant further advises that the flat roof design was carefully considered to produce a building with reduced visual impact on its surrounding, compared to a pitched or butterfly roof option which would raise the roof eaves, increase the mass and have a less compact nature. The two-storey option as proposed allows for a more efficient use of space on site, providing the accommodation required whilst not having an undue impact on the external areas required by BB103 and Sport England. This is reflected in the consultation response from Sport England, who raise no objection to this application. The proposed building is central to the site and well screened by existing and proposed planting and other built development on the site. The siting and massing is, in my view, appropriate for the site and would not be out of scale with existing built development in the surrounding area. Due to the degree of separation, I am further satisfied that the development would not have an adverse impact on the amenity of local residents with regard to privacy, loss of light and/or overlooking. The location of the teaching block also links well with the existing buildings and facilities on site. However, should permission be granted, I consider that a condition of consent should require the landscaping and planting to be provided on site, in accordance with the details provided within the application drawings, in the first available planting season following completion of phase 1 of the development.
36. Having accepted the siting and massing of the building, it is important to note that if the applicant amended the design to mimic the pitch of the existing butterfly roof the eaves of the proposed building would be raised by 1.7m. In my view, that would result in the building being far more prominent in the local landscape, and would add unnecessary height to the building unnecessarily. Further, on a practical note, due to the inverse slope of a butterfly roof, rainwater would run to the centre of the building, requiring internal downpipes and additional maintenance. This would require additional costs both during construction and for future maintenance, neither of which I consider are warranted in this case. The flat roof design is not out of keeping with the single storey buildings on the school site, and is an accepted design solution of school sites across the County.
37. Externally, the new classroom block is proposed to be finished predominately in a buff brick, with the new school entrance and office areas delineated with a contrasting coloured curtain walling finish. The central area, which would house the circulation space between the phase 1 and phase 2 elements of the build would be expressed with a rainscreen cladding in a dark grey finish. The existing school buildings are a buff finish, so the materials proposed would, in my view, be appropriate as they would be in keeping with the existing school buildings. Should permission be granted, I recommend that a condition of consent should require the development to be constructed using the

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materials specified within the application documents. Subject to that condition, I consider the design of the building to be acceptable and in accordance with Development Plan policies.

Flood Risk and Drainage

38. As outlined in paragraph 2 of this report, the whole of the school site, and the wider area of Palmarsh, is located in flood zone 3a – defined as having a high probability of flooding, in this case from the sea (1 in 200 or greater annual probability of flooding from the sea in any year). The planning application was therefore accompanied by a Flood Risk Assessment (FRA). The Environment Agency (EA) are satisfied with the content of the FRA, and the mitigation measures contained within it, specifically:
1. Safe refuge is to be provided on the first floor, above the 1 in 200 year 2115 breach flood level;
 2. A formal flood warning and evacuation plan to be implemented on site and reviewed regularly to take into account any changes in flood risk;
 3. Flood resistant and resilient design measures to be fully explored and implemented during the developments construction;
 4. The ground floor level to be raised to 300mm above the existing ground level at the site (*NB: the levels shown on the application drawings adhere to this level and are acceptable to the EA*)
39. In considering the above, I would advise that, should permission be granted, a condition of consent should require the development to be undertaken in accordance with the details set out in the FRA, and that the applicant adhere to the mitigation measures listed within it. Subject to that condition, I am satisfied that the development is not at an unacceptable risk of tidal flooding, and that in the worst case that flooding of the school does occur (which would also involve flooding of the wider area), measures are in place to minimise risk.
40. The County Council's Flood Risk Team (SuDs) raise no objection to this application, subject to the imposition of conditions. These would require the submission of a detailed Sustainable Surface Water Drainage Scheme, the submission of details regarding the maintenance and management of the sustainable drainage scheme and the further submission of a verification report pertaining to the approved scheme. Should permission be granted, the conditions as outlined above would be imposed upon the consent, and I am satisfied that such conditions would ensure that drainage of the site was both sustainable and effective.

General Amenity Matters

41. Apart from issues surrounding access and highway matters, as discussed above, local residents have requested that measures are put in place to prevent seagulls nesting on the roof of the proposed classroom building. It is stated that local residents currently experience nuisance from gulls, especially when nesting, and concern is raised that they could attack a pupil if nesting on the school roof. As a result of these concerns, the applicant has confirmed that a sea gull deterrent/'scarer' would be installed on the roof. The automatic unit would be solar powered and would admit a distress/warning call which would deter seagulls from the immediate area. Should permission be granted, I would recommend that a condition of consent be imposed to require the seagull

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deterrent to be installed on the roof within 1 month of the completion of phase 1 of the building works. Subject to that condition, I do not consider that the proposal would exacerbate existing problems caused by seagulls in the area.

Biodiversity

42. With regard to ecology and biodiversity matters, a Preliminary Ecological has been submitted and the County Council's Biodiversity Officer is satisfied with the level of information provided within that document. However, should permission be granted, conditions of consent are recommended requiring that the submission of a Biodiversity Method Statement regarding bats and reptiles, and the submission of details of ecological enhancements on the school site. In addition, I consider that a further condition of consent should be imposed to ensure that there is no tree removal during the bird breeding season, unless supervised by a suitably qualified ecologist. Subject to the imposition of the conditions outlined above, I am of the view that the development would not have a detrimental impact upon ecology/biodiversity interests.

Public Right of Way

- 43 As outlined in paragraph 1 of this report, a Public Right of Way (PROW) lies to the immediate north of the school site, from which an additional pedestrian access into the school is proposed. As can be seen in paragraph 14 of this report, Public Rights of Way have provided advice regarding erecting furniture, disturbance to the surface and obstruction of use. Further, it is stated that the access gate to be installed within the fence line of the school site must open inwards and not outwards onto the PROW. The applicant has confirmed that the gate would open into the school site (as shown on the application drawings), and that the PROW would be unaffected by the development. Further, I am satisfied that the development would not unduly alter the wider setting and character of the Public Right of Way. Therefore, I consider it sufficient to draw the applicant's attention to the advice provided by Public Rights of Way by way of an informative only.

Construction Matters

44. Given that there are neighbouring residential properties, if planning permission is granted it would, in my view, be appropriate to impose a condition restricting hours of construction 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. It is also good practice on school sites for contractors to be required under the terms of their contract to manage construction traffic/deliveries to minimise conflict with traffic and pedestrians at the beginning and end of the school day.
45. 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 location of site compounds and operative/visitors parking, details of site security and safety measures, lorry waiting and wheel washing facilities, details of how the site access would be managed to avoid peak school times, and details of any construction accesses. Such a strategy would also address the conditions required by Highways and Transportation with regard to the construction of the development.

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Therefore, should permission be granted, a Construction Management Strategy should be required pursuant to condition and the development would thereafter have to be undertaken in accordance with the approved strategy.

Conclusion

46. This proposal seeks to provide a two storey extension, to be constructed in two phases, to facilitate the expansion of Palmarsh Primary School from 0.5FE to 2FE, with associated access alterations including a new parking/drop-off area accessed via Jubilee Close. 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. I do not consider that the development would have an adverse impact on the local highway network or the amenity of the locality, and further am satisfied that the development would not be at an unacceptable risk of tidal flooding when considering the floor levels proposed and the nature of existing surrounding built development. 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 detrimental impact on the local highway network or the amenity of local residents. I therefore conclude that the development is sustainable and recommend that permission be granted subject to conditions.

Recommendation

47. I RECOMMEND that PLANNING PERMISSION BE GRANTED SUBJECT TO conditions, including conditions covering:

- the standard time limit;
- the development to be carried out in accordance with the permitted details;
- the development to be carried out using the external materials and colour finishes as specified within the planning application documents unless otherwise agreed;
- landscaping to be provided on site in accordance with the application details in the first available planting season following completion of phase 1 the development;
- the submission of a Biodiversity Method Statement regarding bats and reptiles;
- the submission of details of ecological enhancements on the school site;
- no tree removal during the bird breeding season;
- submission of an updated Travel Plan prior to occupation, and thereafter ongoing monitoring and review;
- provision (prior to occupation) and retention of car parking, cycle parking, drop off area & circulatory routes;
- the applicant to undertake best endeavours to implement the parking restrictions as detailed in the accompanying Transport Statement via the statutory Traffic Regulation Order process;
- the development to be undertaken in accordance with the content of the Flood Risk Assessment, including adherence to the mitigation measures listed within it;
- the submission of a detailed Sustainable Surface Water Drainage Scheme;
- the submission of details regarding the maintenance and management of the Sustainable Surface Water Drainage Scheme;

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- the submission of a verification report regarding the Sustainable Surface Water Drainage Scheme;
- seagull deterrent to be installed on the roof within 1 month of the completion of phase 1 of the building works;
- hours of working during construction to be restricted to between 0800 and 1800 Monday to Friday and between the hours of 0900 and 1300 on Saturdays, with no operations on Sundays and Bank Holidays;
- construction management strategy, including access, lorry routing, parking and circulation within the site for contractor's and other vehicles related to construction activities, details of how the site access would be managed to avoid peak school times, and measures to prevent mud and debris being taken onto the public highway.

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

- 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 Public Rights of Way which contains general informatives with regard to works adjacent to and/or on a Public Right of Way. Further the gate proposed to be installed in the fence line adjoining PROW HB84 must swing inwards into the school site and not outwards onto the PROW.
- Kent County Council Highway and Transportation state that it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. The applicant must ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Case Officer: Mary Green	Tel. no: 03000 413379
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Background Documents: see section heading
