

Temporary 13 space car park, St Gregory's Catholic School, Reynolds Lane, Royal Tunbridge Wells, Kent, TN4 9XL – TW/18/2126 (KCC/TW/0101/2018)

A report by Head of Planning Applications Group to Planning Applications Committee on 7 November 2018.

Application by Kent County Council's Property and Infrastructure for a temporary 13 space car park – St Gregory's Catholic School, Reynolds Lane, Royal Tunbridge Wells, TN4 9XL (Ref: KCC/TW/0101/2018 and TW/18/2126).

Recommendation: Temporary planning permission to be granted, subject to conditions.

Local Member: Mr P Oakford

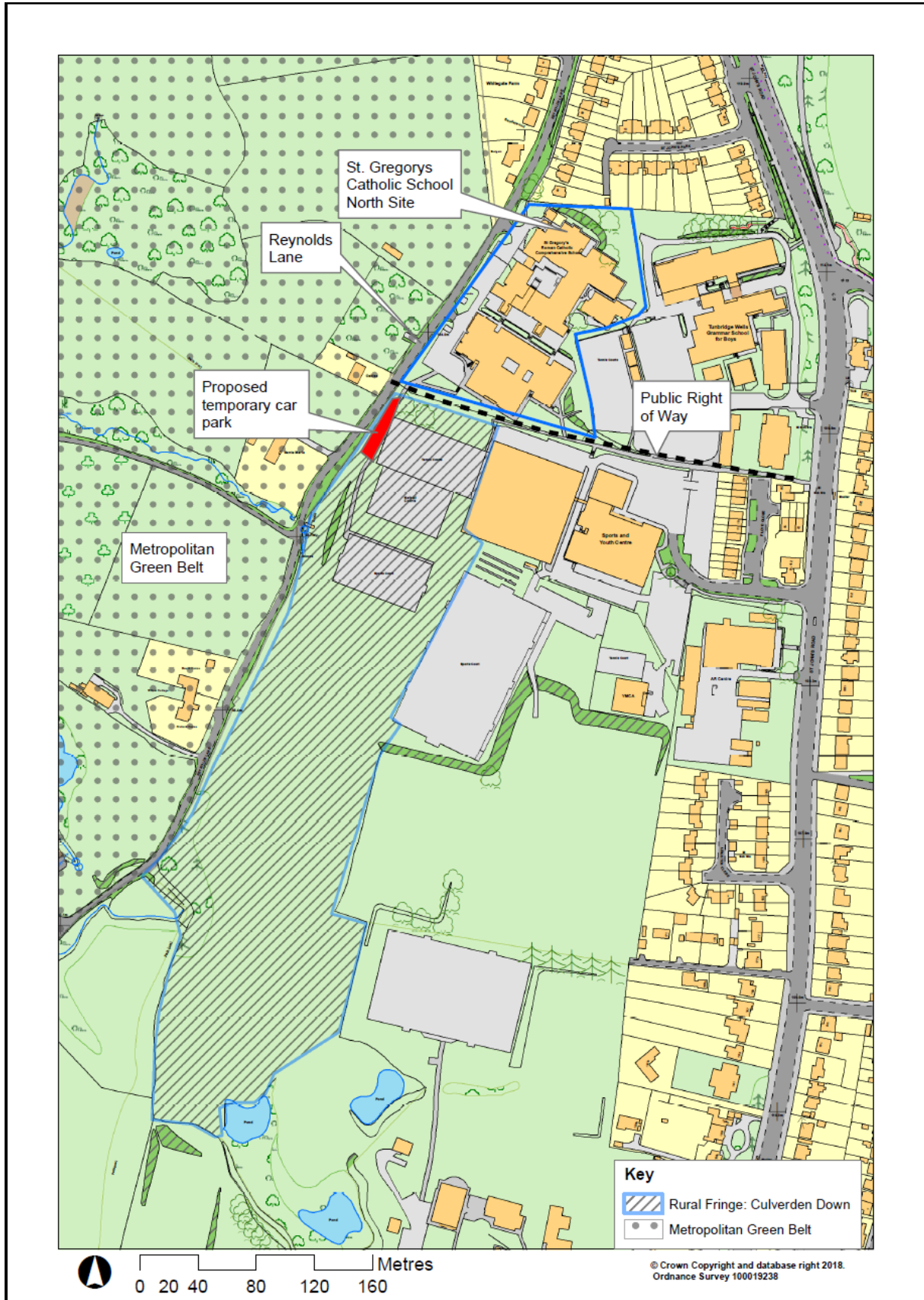
Classification: Unrestricted

Site

1. St Gregory's Catholic School is located off Reynolds Lane and is approximately 2km north of Tunbridge Wells town centre. Residential properties are located to the north of the school site. Tunbridge Wells Grammar School for Boys and Tunbridge Wells Leisure Centre share the eastern boundary of the school site. To the south are the sports fields for both Tunbridge Wells Grammar School for Boys and for St Gregory's Catholic School. Reynolds Lane is located to the western boundary of the school and runs along the entire length of school site. Extensive fields which form part of the Metropolitan Green Belt, are located on the other side of Reynolds Lane. The vehicular entrance and exit to the school are located off Reynolds Lane. There is also a pedestrian entrance via Reynolds Lane and an additional pedestrian entrance directly from the A26 St John's Road via a Public Right of Way which runs through the grounds of the Tunbridge Wells Grammar School for Boys. A site location plan is attached.
2. The school site is generally elongated on plan and orientated broadly in a north to south direction. The site also slopes considerably from north to south. The existing school consists of 2 main Blocks, known as the North Building and the South Building. Both of which are located to the northern edge of the overall school plot. There are a number of additional separate buildings, one of them being the Sixth Form Block. The North Building has a mixture of single storey, two storey and three storey buildings which are set around a courtyard. This building also accommodates the main school entrance, dining room, hall, gym, chapel, music room, science and some general classrooms.
3. The South Building is stepped in design to suit the sloping site. It is a mixture of single storey and two storey buildings. This building accommodates the general classrooms along with specialist rooms such as the design and technology suites. The existing sports fields occupy the southern section of the site and are separate to the school buildings. The Public Right of Way runs from east to west across the school site and effectively separates the school buildings from the sports field.
4. The Public Right of Way, Number WB2, crosses the school site from east to west, with the school buildings located to the north of the PROW and the playing fields to the south. The southern part of the school site is located within the designated area of the Rural Fringe - Culverden Down site in the Tunbridge Wells Borough Council Site Allocations Plan (2016). The school site also sits on the edge of the Metropolitan Green Belt.

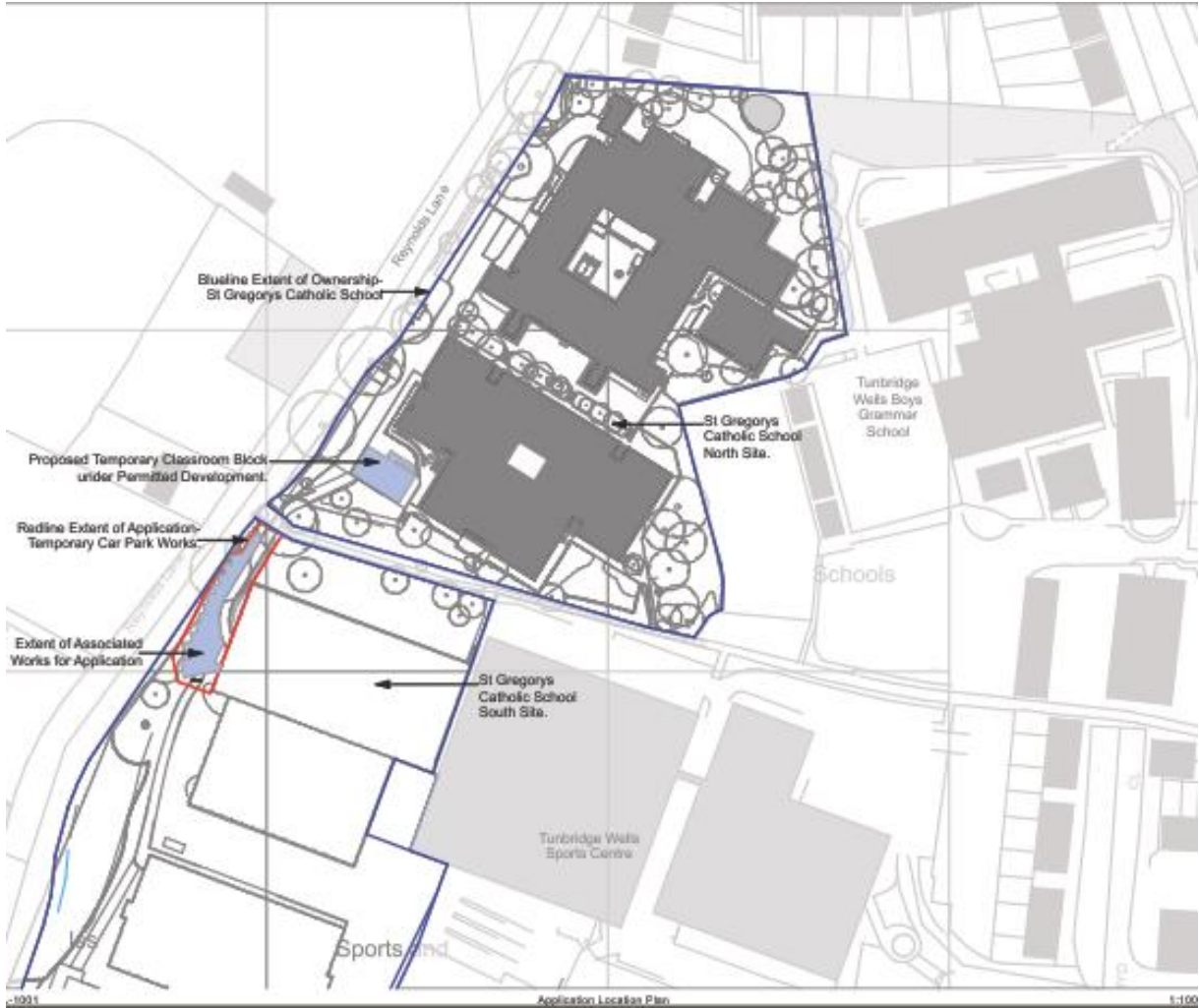
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Site Location Plan



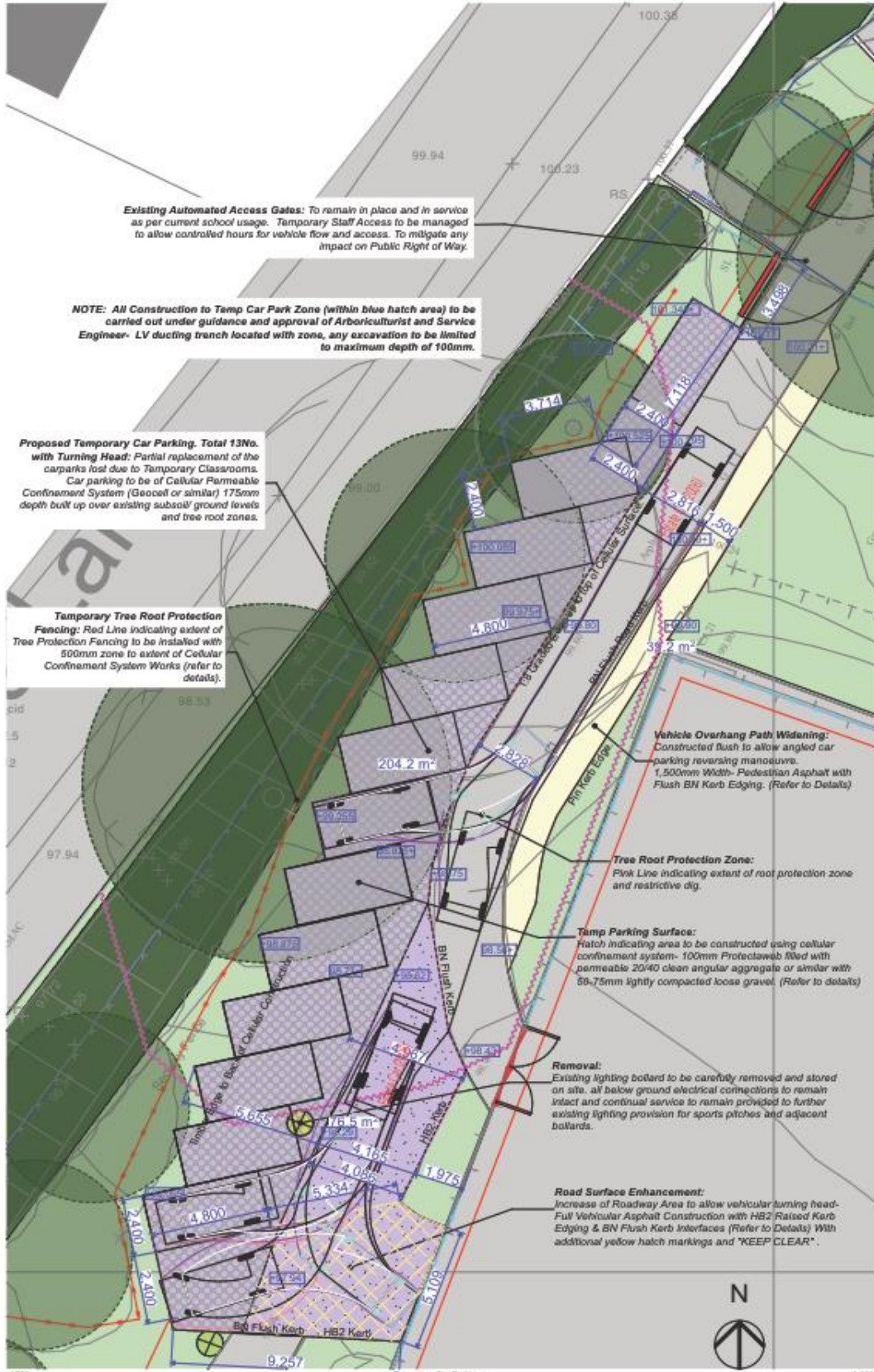
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Site Location Plan and photographs



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Proposed site plan



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Background

5. The School was founded in 1966 and when it opened it had 250 pupils and 12 members of staff. The school was located in the building that is known as the North Building. In 1979 the school became a comprehensive and the South Building was built. The school further expanded in 1996 when the Technology Building was opened. In 2003 the school opened its Hearing Impaired Resource. The Technology Building was then demolished and replaced by the Sixth Form Centre in 2004. In that same year the South Building was extended to accommodate the Technology facilities and a new fitness suite. The school then became part of the multi academy trust named Kent Catholic Schools Partnership in January 2014. In 2017 an Artificial Grass (3G) Pitch located on the sports field was opened.
6. The School presently has a total of 1,194 pupils, based on a 6FE (form of entry) and this equates to 900 pupils in Years 7 to 11 and the rest making up the Sixth Form. The School is currently supported by 145 members of staff. School hours are Monday 8.45am and 2.30pm and Tuesdays to Fridays 8.45am to 3.30pm. The school remains open after these hours for sports lettings and for other activities in the hall, chapel, gymnasium, and the 3G Pitch. The school closes at 10pm during the week. The school is open for lettings (sports and other activities) only on Saturdays and Sundays between 9.00am and 6.00pm. The school currently has 51 staff parking spaces and 7 visitor parking spaces on the site.
7. The Draft KCC Education Commissioning Plan for 2018-2022 states that demand for school places within Tunbridge Wells will increase in the future. Whilst the birth rate in Tunbridge Wells continuously falls below the Kent and national averages, the Borough’s Strategic Housing Market Assessment has identified a need for 12,960 new homes from 2013 and 2033. Pressure on Year 7 places will increase from a deficiency of 121 spaces in 2018/19 to a peak deficiency of 245 places in 2022-2023. It is however noted that these figures are skewed by the available capacity within the Cranbrook area, whilst the larger urban areas are experiencing significantly greater pressures.
8. The Draft KCC Education Commissioning Plan identifies an additional 8 Form of Entry (FE) provision for September 2018, which will increase to over 11 FE within five years. The proposed expansions of Bennett Memorial School, St Gregory’s Catholic School and Tunbridge Wells Grammar School for Boys have all been identified within the Plan as contributing to meeting the forecast demand within Tunbridge Wells.
9. The School’s Governing Body, in conjunction with Kent Catholic Schools Partnership and Kent County Council are proposing to provide additional school places by expanding St Gregory’s Catholic School by permanently increasing the Pupil Admission Numbers (PAN) from 180 pupils to 210 pupils (6FE to 7FE) from September 2019. This follows a temporary ‘bulge’ expansion of 60 Year 7 places in 2018/19. *The proposed permanent expansion of the school is the subject to a separate planning application which is currently not yet determined and details of it can be viewed under planning reference of TW/18/2129.*
10. The School has also experienced significant in-year admissions into other year groups on top of the recent bulges in Year 7 places, as well as the proposed permanent expansion to a 210 PAN (7FE). This has resulted in timetabling pressures and has in the short term (i.e. before the permanent expansion application referred to above is determined) resulted in the need for additional temporary teaching accommodation.

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11. Under Permitted Development Rights, a pair of modular classrooms have been located on part of the existing school staff car park to provide temporary accommodation for the current bulge in Year 7 admissions needed for the September 2018 intake.

Recent Planning History

12. The most relevant recent site planning history is listed below;

KCC/TW/0290/2011	Installation of floodlighting to an existing Multi-Use Games Area and an extension to existing hours. Withdrawn.
TW/10/3121	New reception area. Granted with conditions.
TW/09/3978	Construction of a new Multi-Use Games Area (MUGA) with enclosure fencing. Granted with conditions.
TW/09/2971	Renewal of existing single glazed metal windows with white double glazed PVCu windows. Renewal of existing tile hung cladding with timber cladding. Granted with conditions.
TW/08/3505	Extension and conversion of tennis court to create a Multi-Use Games Area (MUGA). Granted with conditions.
TW/18/2129	<i>Proposed expansion by 1 form of entry involving the erection of a new 2 storey teaching and sports hall block, new pedestrian bridge linking north and south sites, extension to existing dining area, provision of 16 car parking spaces, and associated landscaping works.</i> <u><i>This application is currently not determined and is still a live planning application.</i></u>

Proposal

13. This planning application seeks permission for a temporary 13 space car park to be located on the southern part of the school site and to compensate for the loss of existing parking due to the temporary pair of modular classrooms that have been permitted on the site under Permitted Development Rights to accommodate a bulge in Year 7 pupils. The area where the modular classrooms are sited was previously used as a car park and has resulted in the loss of 13 parking spaces. This application proposes to temporarily relocate these lost 13 spaces onto an area of unused land. The site is located off the existing driveway which is also the Public Right of Way and is currently used to get access to the playing field.
14. The proposed location of the temporary 13 parking spaces is on an area of land between the existing driveway to the playing field and the site boundary. Within the site boundary there is vegetation in the form of a well established hedge and a number of trees. It is proposed to place a Cellular Permeable Confinement System built up over

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the existing subsoil/ground levels to protect the roots of the trees and hedge. It is also proposed to widen the existing access road by 1.5 metres to allow reversing into and out of the angled car parking spaces. This proposed widening of the existing access road and vehicular turning head is proposed in asphalt.

15. The temporary car park would be accessed via the existing automated access gates, which remain in place and in service as per current school usage. The proposed temporary staff access would be managed to allow controlled hours for vehicle flow and to mitigate any impact on the Public Right of Way, which the vehicles would have to drive across to get access to this temporary car parking area.
16. The proposed development is required for a temporary time period of up to **24 months** whilst the proposed permanent accommodation, should it be granted planning permission, is being constructed. If planning permission is granted, it is therefore proposed that once the permanent accommodation has been handed over to the school, then the modular classroom that has been allowed on the school site under Permitted Development Rights, would be removed from the school and the site areas, including the proposed temporary car park, would be re-instated to their pre-development conditions.

Planning Policy Context

17. The most relevant Government Guidance and Development Plan Policies summarised below are appropriate 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*

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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.

(iii) **Tunbridge Wells Borough-Local Plan 2006 (Saved Policies):**

Policy EN1 Seeks all proposals to be compatible in nature and intensity with neighbouring uses and not cause significant harm to character and amenities of the area in terms of daylight, sunlight, privacy, noise or excessive traffic generation. Seeks the design of the proposal to respect the context of the site and not cause significant harm to residential amenities.

Policy TP4 Seeks to ensure that any additional traffic generated by the proposal has adequately been assessed.

Policy TP5 Vehicle parking in connection with development proposals will be restricted to the maximum necessary having regard to local highway conditions. Kent County Council’s Vehicle Parking Standards, adopted by the Council, will be applied to such development proposals.

(iv) **Tunbridge Wells Borough Core Strategy 2010**

Core Policy 3 Promotes sustainable modes of transport and requires development proposals which would have significant transport implications to be accompanied by a transport assessment and travel plan showing how car-based travel can be minimised.

Core Policy 5 The Borough Council will apply and encourage sustainable design and construction principles and best practice. Developments should also be of high quality design, creating safe, accessible, and adaptable environments, whilst conserving and enhancing the public realm.

(v) **Tunbridge Wells Borough Council Site Allocations Local Plan 2016**

Policy AL/STR 1 The extent of the Limits of the Built Environment. This saved policy from the Local Plan will continue to be relevant in considering details of the appropriate uses inside, and outside of, the defined areas until such a time as they are updated and superseded by the Core Strategy Review (Local Plan).

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Policy AL/GB 4 Rural Fringe. This will continue to be a designated as long-term land reserved beyond the Plan period to ensure that the Green Belt boundaries are protected. Proposals for development at these sites will need to demonstrate that the needs of an established use on these sites are being met, or the development is temporary, and the land can be restored back to its previous use.

Consultations

18. **Tunbridge Wells Borough Council:** Raises no objection provided the County Council is satisfied that there would be no adverse impact on the nearby trees and that the proposed tree protection measures are put in place during construction.

Kent Highways: Raises no objection and has the following comments:

The applicant has confirmed that the area which will be temporarily lost can accommodate 13 parking spaces and therefore 13 temporary alternative spaces are proposed. There are no highway objections. Conditions are recommended to ensure that the temporary arrangements are limited to the required 24 months and that the permanent car parking arrangements are reinstated.

Public Rights of Way: Raises no objection and has the following comments:

The public footpath is extremely well used, particularly by school children accessing the various sites and also the leisure centre. I would wish to ensure that the proposals do not adversely affect use of the footpath. Given that the crossover is already in place for use by the school and that the application is for a temporary arrangement for 13 spaces only, I would not object to the proposals providing it is made clear that staff using the vehicle crossover should give way to pedestrians. This could be in the form of appropriate signage. Also, any damage to the surface as a result of the vehicular use is the school’s responsibility to maintain.

Local Member

19. The local County Member Mr Oakford was notified of the application on 4 July 2018.

Publicity

20. The application was advertised by the posting of a site notice and the notification of 2 neighbours.

Representations

21. A total of 3 letters of representation have been received to the application (2 letters were from the same resident), objecting to the proposed temporary car park application, for the following reasons;

- For the size of the proposed development 13 temporary car parking spaces would be inadequate.
- The proposed ‘temporary’ car parking arrangements are indecipherable from the material supplied with the application.

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- Loss of trees to provide temporary car parking is unacceptable and would entail the loss of the character of this part of Reynolds Lane and surrounding countryside to the west.
 - There appears to be proposed destruction of ancient hedgerows along Reynolds Lane to provide the so-called temporary car parking, which would then be at risk of morphing into permanent car parking.
22. Furthermore, general comments have jointly been made on both the planning applications (*the other planning application which is currently undetermined and can be viewed under planning reference TW/18/2129*) for the St Gregory’s site. The general comments are as follows;
- The site is greater than half a hectare. An Environmental Impact Assessment (EIA) should be required.
 - It is appropriate that the two planning applications are reported to and determined by the Planning Applications Committee (rather than being determined under delegated powers).
 - Councillors should be allowed to consider whether the proposals represent a fair and appropriate allocation of yet more of Kent County Council and other public resources at St Gregory’s School (which has recently been funded with and has constructed a brand new 3G sports pitch), rather than allocations of such public resources to underfunded schools in Kent.
 - Planning Applications Committee accordingly is entitled to consider if it is lawful for KCC to determine the two planning applications, which have been made by KCC to itself for determination by KCC.
 - The development would be outside the designated Limits to Built Development, a statutory departure from the Tunbridge Wells Local Plan, which should be notified to the Secretary of State if KCC is minded to approve the two planning applications.

Discussion

23. In considering this proposal regard must be had to Development Plan Policies outlined in paragraph 17 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Therefore, this proposal needs to be considered in the context of Development Plan Policies, Government Guidance, including the National Planning Policy Framework (NPPF), and other material planning considerations arising from consultation and publicity.
24. This application is being reported for determination by the Planning Applications Committee due to the letters of representation received which object to the planning application. The main issues relating to this application include need, arboricultural issues, parking, Rural Fringe Considerations, Delegated Powers and Environment Impact Assessment.

Need

25. As outlined in paragraph 17 of this report, the National Planning Policy Network (NPPF) supports the provision and retention of community facilities as a means of place making and promoting healthy and sustainable communities. Paragraph 70 underlies the important social role of the planning system contributing to sustainable development and healthy communities. Decisions should be made which guard against the unnecessary

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loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day to day needs. It should also ensure that established facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.

26. Additionally, Paragraph 94 of the NPPF 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 would widen choice in education. They should give great weight to the need to create, expand or alter schools, and work with school’s promoters to identify and resolve key planning issues before applications are submitted. There is similar strong policy support in the Government’s Planning Policy Statement for Schools (2011).
27. This planning application is for a temporary 13 space car park to be located on the southern part of the school site and to compensate for the loss of existing parking due to the temporary pair of modular classrooms that have been placed on the site under Permitted Development Rights to accommodate a bulge in Year 7 pupils. This permitted development is to ensure that there is sufficient accommodation to meet the coming needs for school places in September 2018. The area where the modular classrooms are located was previously used as a car park and results in the loss of 13 parking spaces. This application proposes to relocate these lost 13 spaces onto an area of unused land and which is proposed to be located off the existing driveway and Public Right of Way which is used to get access to the playing field.
28. The pair of modular classrooms which were allowed under Permitted Development Rights, are already on the school site and have been in place since term started in September 2018. The staff that used to park in this area are currently displaced and are parking on an existing small playground within the school site. School children are having to squeeze onto one playground and this is creating operational difficulties for the school. By permitting the proposed temporary 13 space car park, this will ensure that the staff can park safely on the school site and not affect the day to day running of the school by preventing the school pupils from using the playground.
29. Planning application consent is sought for a temporary period of up to 24 months whilst arrangements for permanent teaching accommodation are considered and the modular accommodation is in use. At the time of writing this report, the permanent planning application is currently not determined. At the end of the 24 month period, the area where the 13 space car park is proposed would be reinstated to its current state and the area where the current modular building is located would revert back to a parking area once the temporary modular buildings were removed. The determination of this application does not prejudice the outcome of the main accommodation to expand the school, which would need to be determined on its own merits.
30. The NPPF states that Planning Authorities should take a proactive, positive and collaborative approach to meeting the requirement of Paragraph 94, and to development that will widen choice in education. The NPPF further states that Planning Authorities should give great weight to the need to create expand or alter schools. The Policy Statement – Planning for Schools Development (15 August 2011) further sets out the Government’s commitment to support the development of state funded schools and their delivery through the planning system. Support for the provision of school places is heavily embedded in the NPPF and local planning policy, and I consider that the need for the temporary development should be given significant weight in this instance. There

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is considerable demand for school places in Tunbridge Wells, and to ensure the future provision of Secondary education in Tunbridge Wells, I would not therefore raise a planning objection on this matter.

Arboricultural issues

31. The proposed location of the temporary 13 parking spaces is on an area of land between the existing driveway and Public Right of Way to the playing field and the site boundary. Within the site boundary there is vegetation in the form of a well established hedge and a number of trees. Objection has been received on the potential loss of trees to accommodate the temporary car park. An Arboricultural Impact Assessment has been submitted as part of this planning application, which has considered the proposed construction of the temporary car park and turning head.
32. In total there are seven trees which would be affected. However, the Arboricultural Impact Assessment has concluded that no trees are to be removed, apart from the removal of some dead wood within the crown of one of the trees and the need to lift the crown of another tree to allow for the proposed construction. There are no Tree Preservation Orders on any of the trees on this site.
33. The trees which would be affected have carefully been assessed and any work that is required to be carried out would be within the within the RPA’s (Root Protection Areas). The RPA is an area in which no ground works should be undertaken without due care in relation to the retained trees. This is to avoid soil compaction, changes in levels or soil contamination which could alter the trees condition and/or stability. The shape of the RPA and its exact location will depend upon arboricultural considerations and ground conditions. The area in question has been assessed and it has been proposed to lay down a ‘no-dig’ three dimensional cellular confinement system, which is suitable for vehicle movement. This would be laid directly on to the existing ground level with no requirement for excavation. Furthermore, there are guidelines laid out in the Arboricultural Impact Assessment on how the proposed three dimensional cellular confinement system should be laid down and that a consulting arborist regularly visits the school site, specifically during the installation of the new access/parking area and any proposed works within the RPA’s of the trees to be retained, to ensure that no damage occurs to the trees. The Assessment has concluded that if the proposed installation is carried out as per the report, then this should ensure that no detrimental harm is caused to the trees which are to be retained.
34. In the light of the above, I do not consider that the proposed temporary car park would have a detrimental impact on the existing landscape. However, in order to control the development and to ensure the works are carried out in accordance with the recommendations within the Arboricultural Impact Assessment, I consider that a tree protection condition be imposed, should permission be granted. Subject to the imposition of this condition, I consider that the tree protection measures of the proposed development to be acceptable and is in accordance with Tunbridge Wells Borough Council 2006 (Saved Policies) Policy EN1, and I would therefore not raise a planning objection on this matter.

Parking

35. This planning application is for a temporary 13 space car park to be located on the southern part of the school site and to compensate for the loss of existing parking due to the temporary pair of modular classrooms that have been permitted on the site under

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Permitted Development Rights to accommodate a bulge in Year 7 pupils. Objection has been received on the basis that the 13 parking spaces are inadequate. However, it must be noted that this planning application is for the proposed temporary replacement of existing parking spaces that are lost by the modular accommodation. It only proposes to replace the total amount of parking spaces currently lost to the pair of modular classrooms allowed on the site under Permitted Development Rights.

36. It should also be noted that the pair of modular classrooms are already on the school site and have been in place since term started in September 2018. Currently the staff that used to park in this area are currently displaced and are parking on an existing small playground within the school site. School children are being squeezed onto one playground and this is causing operational difficulties. By permitting the proposed temporary car park, this will ensure that the staff can park safely on the school site and not affect the day to day running of the school by preventing the school pupils from using the playground.
37. Kent Highways have been consulted on this planning application and raise no objection. A planning condition is recommended that limits the temporary 13 parking spaces for a period of 24 months and that the permanent parking arrangements are reinstated.
38. The Public Rights of Way Team has also been consulted on this planning application and have noted that vehicles would have to access the existing driveway, which is also a Public Right of Way. There is already an existing automated access gate which controls and allows access to the playing field, and which is proposed to be used as the entrance and exit to the proposed temporary parking area. The Public Rights of Way Team have noted that the application is for a temporary period of time and that the existing driveway and Public Right of Way is already used to gain access to the playing field. It should be noted that the Public Rights of Way Team would not raise an objection subject to the School making it clear to their staff that they should give way to pedestrians and that any damage to the surface of the Public Right of Way as a result of the vehicular use would be the school’s responsibility to maintain. Both of these issues can be brought to the attention of the School by including them as Informatives to a planning consent, subject to the planning application being approved.
39. Paragraph 32 of the NPPF states amongst other things that development should not be refused on transport grounds unless the cumulative impact is severe. In this instance the application proposes a temporary replacement of 13 parking spaces within the school site. I therefore do not consider the impact to be severe in this instance and advise that a highway objection is not warranted. Subject to the imposition of a temporary time condition and advised of the Informatives mentioned above, I consider that the proposal has been assessed and is in accordance with Tunbridge Wells Borough Council 2006 (Saved Policies) Policy TP4 and TP5, and Tunbridge Wells Borough Core Strategy (2010) Core Policy 3, I would therefore not raise an objection on this matter.

Rural Fringe Considerations

40. The Tunbridge Wells Site Allocations Local Plan (2016) confirms that the southern half of the school site, including the intended location of the proposed temporary car park, is within the designated Rural Fringe (Policy AL/GB4) and outside the Limits of the Built Development (AL/STR1). (It should also be noted that the whole of the school site sits on the edge of the Metropolitan Green Belt, which is located on the other side of Reynolds Lane, but it is not affected by the Green Belt policies). Objection has been

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received that the proposed development is outside of the delegated Limits to Built Development and that the Secretary of State should be notified if Kent County Council is minded to approve this planning application.

41. Policy AL/GB4 states that proposals within the Rural Fringe will need to demonstrate a) the needs of an established use on the site are being met, or b) the development is temporary. In this instance it is considered that the proposal would satisfy both policy requirements. It is designed to meet an existing and established use on the site and secondly, it is a proposed temporary facility.
42. Furthermore, Policy AL/STR1 states that saved policies of the Local Plan will continue to be relevant in considering details of the appropriate uses inside, and outside, of these defined areas. In this instance the car park is directly associated with the existing established education use of the wider site.
43. In the light of the above, I consider the planning application to be in accordance with the Local Plan Policies for the Tunbridge Wells Borough Council area, and I see no reason to refer this planning application to the Secretary of State, as a departure from the Local Plan policies.

Delegated Powers

44. Objection has been received that the County Council is determining a planning application submitted by the County Council. The power to determine planning applications such as this is governed by Regulation 3 of the Town and Country Planning General Regulations 1992. This requires the County Council to determine such planning applications as long as the development is to be carried out by (or on behalf of) the County Council or jointly with another named party. The development may be on land within the County Council’s ownership, or any other land. The Law gives the County Council no choice in the matter. To ensure that there is no conflict of interest, no party involved in the promoting of the application can be involved in the determination of the application. This is the case in this (and all Regulation 3 applications). It is of note that is the same planning process that is followed by every local authority wishing to carry out development.

EIA Regulations.

45. Objection has also been received that states that an Environmental Impact Assessment (EIA) should have been carried out for this planning application, as the school site is greater than half a hectare. This proposal has been considered against the EIA assessment legislation and as the whole of the school site measures 0.9ha, it falls below the threshold for screening. In 2017 revised guidance increased the threshold to 1ha. The nature and scale of the development is not such that a full EIA is required.

Conclusion

46. This proposal seeks to provide a temporary 13 space car park to be located on the southern part of the school site and to compensate for the loss of existing parking due to the temporary placing of modular classrooms on the existing car parking area to accommodate a bulge in Year 7 pupils in 2018. 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. Subject to the conditions below, I do not consider that the development would have an adverse effect on the character of

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the local area or upon the landscaping and would not have an unacceptable impact on the local highway. The development is in accordance with the principles of the National Planning Policy Framework and has strong planning policy support in the Planning Policy Statement for Schools (2011). Subject to the imposition of the conditions as outlined throughout this report, I consider that the proposed development is acceptable, I therefore conclude that the development is sustainable and recommend that temporary permission for a 24 month period to be granted subject to conditions.

Recommendation

47. I RECOMMEND that TEMPORARY PERMISSION BE GRANTED subject to the imposition of conditions covering the following:

- Temporary planning permission for a period of 24 months and the site being satisfactorily restored;
- Reinstatement of the permanent parking spaces;
- The development carried out in accordance with the permitted details;
- Measures to protect the trees;
- Hours of working during construction to be restricted to 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;
- Measures to prevent mud and debris being taken onto the public highway.

48. I FURTHER RECOMMEND that the applicant be advised of the following informative:

- The school to advise staff members to give way to pedestrians on the Public Right of Way;
- Any damage to the Public Right of Way as a result of this planning application would be the school’s responsibility to maintain.

Case officer – Lidia Cook	03000 413353
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Background documents - See section heading
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