

New two storey primary school (2FE) at Hawkenbury Farm, Tunbridge Wells KCC/TW/0494/2018

A report by Head of Planning Applications Group to Planning Applications Committee on 16th January 2019.

Two storey primary school (2FE) to be developed in 2 phases together with associated access, parking and landscaping works at Hawkenbury Farm, Hawkenbury Road, Tunbridge Wells, Kent TN3 9AD - KCC/TW/0494/2018

Recommendation: Permission be granted subject to conditions.

Local Member(s): Catherine Rankin

Classification: Unrestricted

Site

1. Hawkenbury Farm is located to the south of Hawkenbury Road in Hawkenbury, approx. 1 mile south east of Tunbridge Wells town centre.
2. The school application site is located in the north west corner of a larger residential development by Berkeley Homes. The site is located in an area where there is potentially contaminated land from previous landfill activity. It is located approx. 113m to the south west of the AONB boundary.
3. The main access to the proposed site is from Hawkenbury Road. Immediately north and west of the site is existing housing development in Hawkenbury Road and Maryland Road. To the north of the site there is a recreation ground and to the east and south of the site new housing is being developed. The construction site access to the housing development site is in Maryland Road. A site location plan is attached. Construction access for the proposed school development is proposed to be via the Hawkenbury Road entrance.

Recent Planning History

4. The application site is included within an outline planning permission area granted by Tunbridge Wells Borough Council ref 16/07023/HYBRID (the "TWBC hybrid permission") for a part outline/part detailed planning application comprising: (1) full planning application for the re-grading and remediation of the entire site; (2) full planning application for the demolition of Nos 17 and 19 Maryland Road and the construction of 235 dwellings together with accesses, parking, landscaping and areas of open space; and (3) outline planning application (with all matters except access reserved) for a two form entry primary school, accesses, parking, drop-off areas, landscaping and associated playing fields and sports facilities. Permission was granted February 2017 subject to conditions and the housing and remediation development is in progress.
5. The TWBC hybrid permission was also subject to a legal agreement which secured the provision of primary school land transfer and financial contribution towards the build costs of a new primary school on site.
6. This application includes the details relating to the school development and is designed by the applicant to be consistent with the outline application, although it is submitted as a full application rather than as a reserved matters proposal.

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7. The proposed site was previously part of and close to an old landfill site. Remediation works to the landfill to make it suitable for development and bulk earthworks have already been carried out under the TWBC permission by Berkeley Homes, creating a series of soil terraces within the site.

Proposal

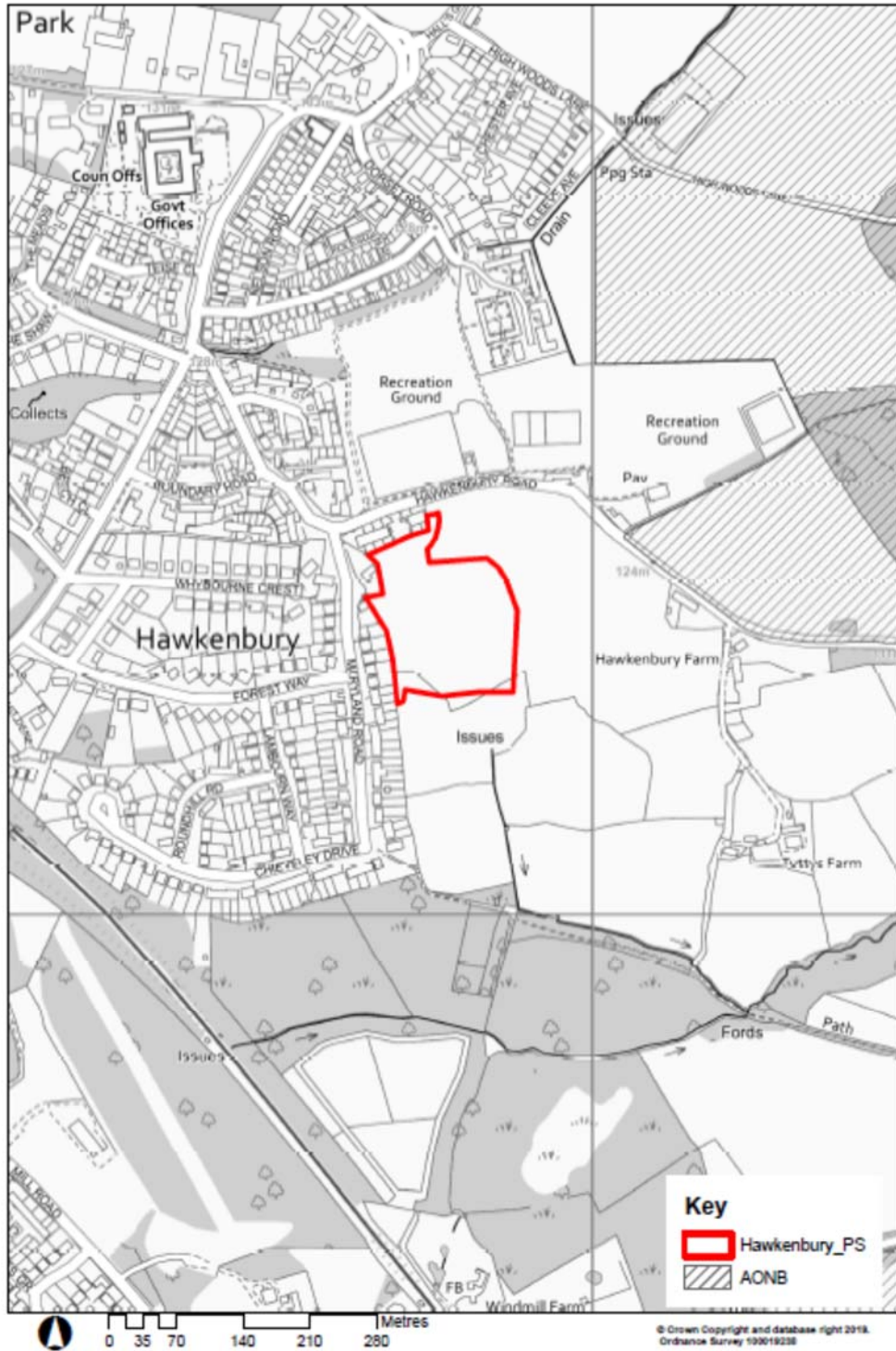
8. The proposal is for a 2- storey school on a new site to accommodate the relocation of the existing St Peter's Church of England Primary School currently located at Windmill Street in Tunbridge Wells (TN2 4UU) approx. 1 mile from the proposed site and to accommodate a growing need in the area as a result of new housing development. The proposed school would be known as St Peter's Church of England Primary School.
9. The proposal includes a 2-storey school, access, drop off area, parking and landscape works. It includes a sports and outdoor play area, running track and multi-use games area (MUGA). Phase 1 of the development includes a 1 FE school with a school roll of 210 increasing to 420 when phase 2 is built. Staffing would initially be 26.5 FTE for phase 1 increasing to 42 to support a 2FE school.
10. The external facilities for phases 1 and 2 would be developed as part of phase 1, with the exception of the top car park which would be developed as part of phase 2 in response to Highways and Transportation comments.
11. The proposed building footprint would be 1310m², the gross external area for the 2FE school 2523m² and the maximum height of the building would be 5.3m from the main entrance site and 9.2m on the playground side.
12. The materials proposed include brickwork, coloured insulated render in light grey; aluminium framing in grey; glazing with PPC aluminium framed window and curtain wall units; doors with PPC aluminium frames. The applicant states that they have had regard to the High Weald Guidance on the Selection and Use of Colour in Development document in determining the materials proposed.
13. The proposal includes a flat roof with parapet and on the 2-storey roof it is proposed to have wind catchers and photovoltaics (35m²) set back from the edge to conceal them from ground level. There is also a roof access hatch and louvred plant screen.
14. The school hall and outdoor sports pitches are proposed to be available for community use out of school hours at weekends and evenings although the frequency and times have not been specified.
15. The school day is between 0845 hours and 1525 hours with a breakfast and afterschool club when the school is expanded to 2FE. The school peak traffic hours are 0800hours to 0900 hours and 1500 hours to 1600 hours.
16. Vehicular access to the site is proposed from Hawkenbury Road as approved in the outline Planning Consent. This leads to a pick up and drop off area located at the front of the school and two car parking areas on site in the north west corner. 40 spaces will be provided for the 2FE school including 4 dedicated disabled parking bays. An area for 12 cycle parking spaces is included. A maintenance access is also included from the south west of the site off Maryland Road.

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17. Pedestrian access to the site would also be from Hawkenbury Road and also from the east of the site to link with the new housing development.
18. The site falls from north to south at an elevation of approx. 130mAOD to 115mAOD. The ground levelling works have already been carried out as preparatory works under the TWBC hybrid permission and the site is terraced. As part of the site needed remediation these works have also been carried out under the TWBC hybrid permission by the housing developer.
19. The proposal requires the removal of 5 trees in order to provide the required parking space for the school. These trees were not previously designed for removal under the TWBC permission.
20. Landscaping work proposals including boundary fencing and planting has been included within the application.
21. The applicant has made amendments to the proposal including revised drawings in order to respond to comments made during consultation and publicity. The amendments include revised tree positions and sizes at the north west boundary; a 250mm reduction to the levels of the top car park; increased fence height from 1.8m to 2.1m to a section of fence at the north west boundary in the vicinity of Holly Farm Cottage. They also include details of the extent of the entrance canopy on the floor plan; retaining wall information and updated roof plan.

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Site Location Plan



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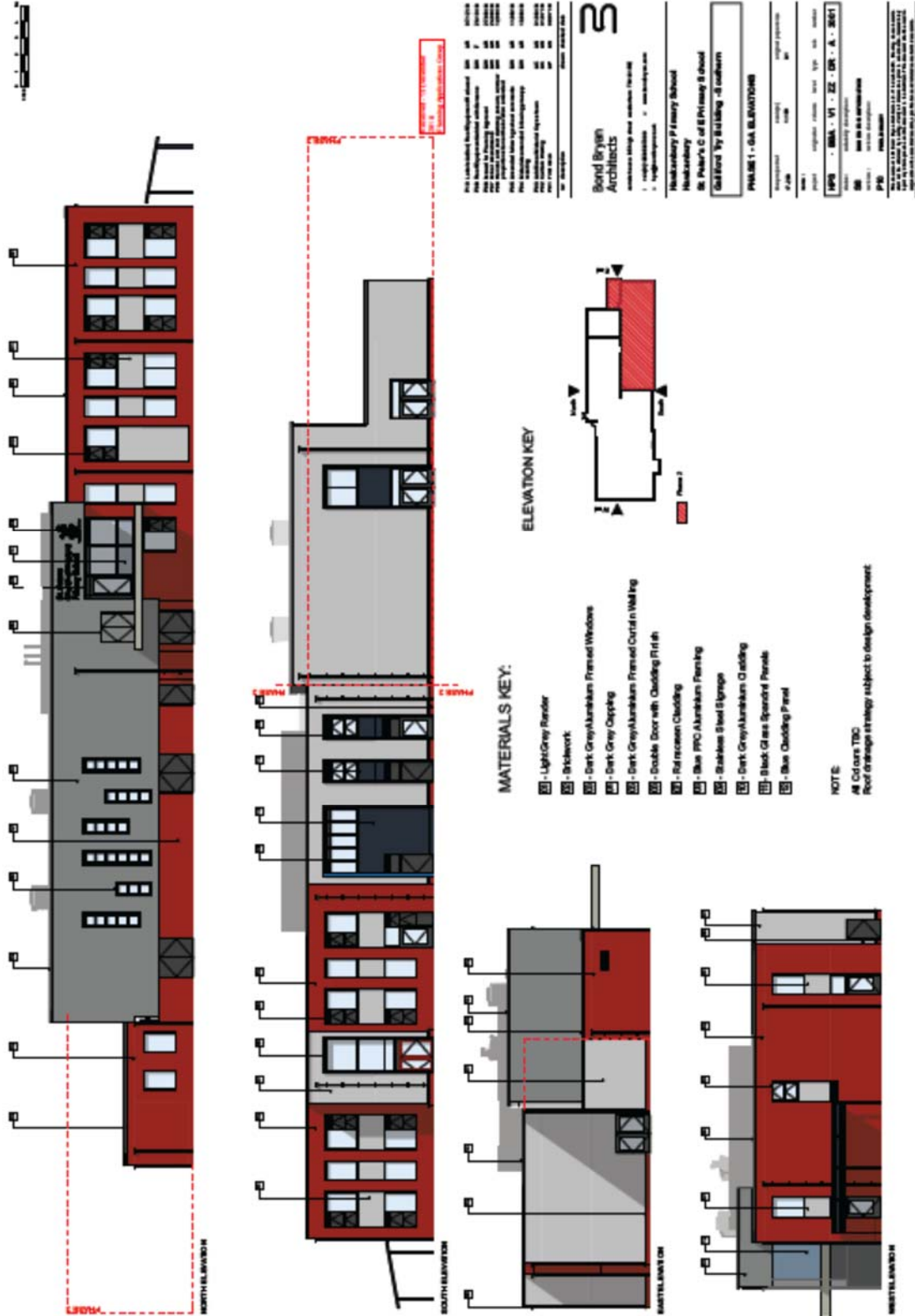
Existing Site Plan



Proposed Site Plan – phase 2



Elevations – phase 1

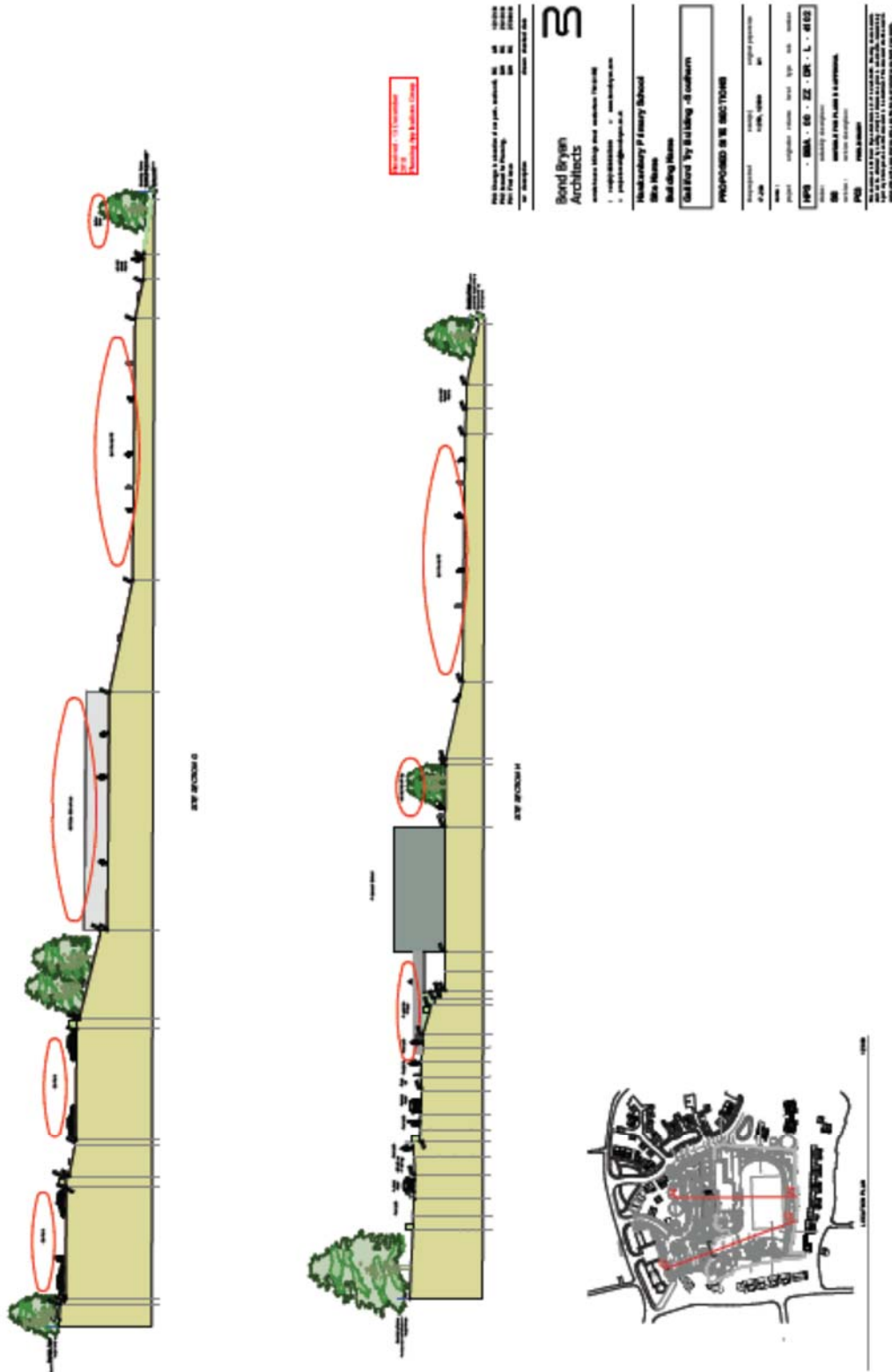


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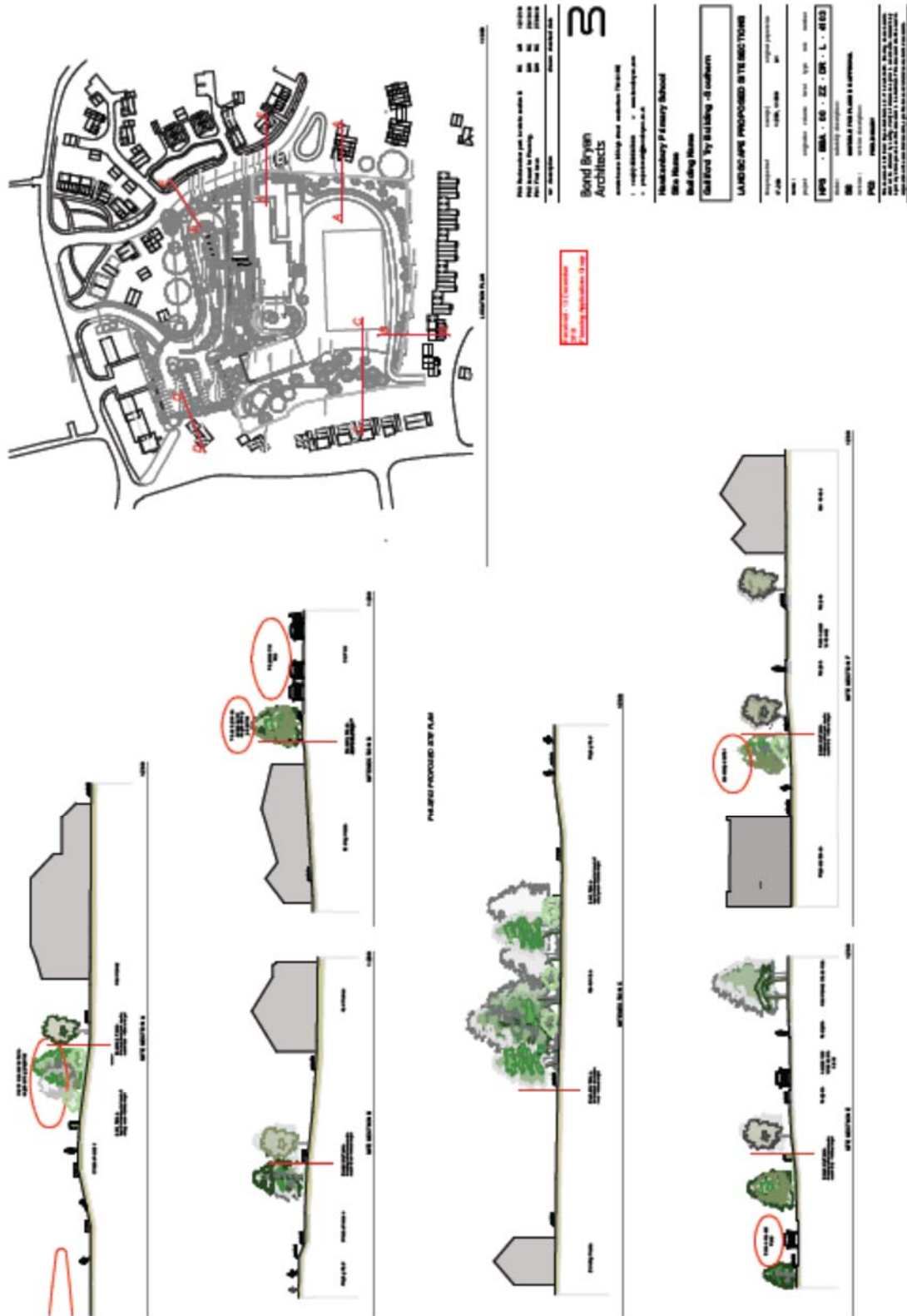
Elevations – phase 2



Cross sections



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Planning Policy

22. 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** 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 along with the national policy practice 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:

- Achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Taking a positive approach to applications that make more effective use of sites that provide community services such as schools, provided this maintains or improves the quality of service provision and access to open space and making decisions that promote an effective use of land while safeguarding and improving the environment and ensuring safe and healthy living conditions;
- Meeting the challenge of climate change and flooding and incorporating SUDS;
- Conserving and enhancing the natural environment.

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.*

- (i) **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 to 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.

(ii) Development Plan Policies**Tunbridge Wells Borough Core Strategy (2010)**

Core policy 1 – seeks to ensure developments are delivered in a managed way with sufficient sites being allocated to meet development needs.

Core policy 3 – seeks to ensure adequate transport infrastructure and address transport issues.

Core policy 4 – seeks to ensure that locally distinctive built and natural local character is conserved and enhanced.

Core policy 5 – encourages sustainable design and construction principles including making efficient use of water resources and protecting water quality; measures to address flood risk; energy efficiency and minimising waste creation and managing air, light, soil, noise and pollution levels. The policy also encourages high quality design which creates safe, legible and adaptable environments and conserves and enhances the public realm.

Core policy 8 – concerns provision of leisure and community facilities and seeks to support additional facilities where they are needed.

Core policy 9 – development must conserve and enhance the landscape and heritage and biodiversity assets of Royal Tunbridge Wells, including the surrounding Area of Outstanding Natural Beauty, to secure its special character in the long term.

Tunbridge Wells Borough Local Plan (2006)

Policy EN1 – seeks to achieve development which is compatible with neighbouring uses and would not cause significant harm to the amenities or character of the area in terms of noise, vibration, smell, safety or health impacts, or excessive traffic generation; would not cause significant harm to the residential amenities of adjoining occupiers, and would provide adequate residential amenities for future occupiers of the development, when assessed in terms of daylight, sunlight and privacy. The policy also seeks to achieve positive design and scale which respects the context of the site and take account of the efficient use of energy and which does not result in the loss of significant trees, shrubs, hedges, or other features important to the character of the built up area or landscape and which has no significant adverse effect on any features of nature conservation importance which could not be prevented by conditions or agreements. The policy seeks to take account of the security of people and property and incorporate measures to reduce or eliminate crime; and provide safe and easy access for people with disabilities and people with particular access requirements.

Policy EN8 – seeks to achieve the minimum amount of lighting necessary to achieve its purpose and lighting which is unobtrusively sited or well screened by landscaping or other site features; minimise glare and light spillage in relation to local character, the visibility of the night sky, the residential amenities of adjoining occupiers, and public safety; low energy lighting would be used; and where floodlighting of a landmark feature is proposed, the level and type of illumination would enhance the feature itself.

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Policy EN10 – seeks to ensure that provision is made for archaeological investigation and recording.

Policy EN13 – seeks to protect trees that are protected unless in the interests of good arboricultural practice or the desirability of the proposed development outweighs the amenity value of the protected tree.

Policy EN16 – seeks to achieve development which has no unacceptable effect on the quality or potential yield of groundwater; no adverse impact on the water quality within, or water supply to, lakes, ponds, wetlands and other watercourses; minimise the demand for water and incorporate sustainable drainage systems for the disposal of surface waters.

Policy TP1 – seeks to ensure that proposals for large-scale non-residential development demonstrate the adequacy of transport infrastructure to serve the development and provision of, or contributions towards, appropriate measures which will address any identified inadequacy, and which assist walking, cycling, public transport, other highway improvements and/or Park and Ride provision. Development proposals for new or significantly expanded schools are expected to be accompanied by Transport Assessments and Travel Plans.

Policy TP3 – seeks to ensure that there is adequate transport infrastructure available to serve the development.

Policy TP4 – seeks to ensure that there is adequate access to the road network and that there is adequate capacity to cater for the traffic which will be generated by the development, taking into account the use of, and provision for, alternative modes to the private car; a safely located access with adequate visibility exists or could be created; and that the traffic generated by the proposal does not compromise the safe and free flow of traffic or the safe use of the road by others.

Policy TP5 – seeks to ensure adequate vehicle parking in connection with development.

Policy TP9 – seeks to achieve adequate cycle parking standards.

Site Allocations Local Plan (2016)

Policy AL/GB3 – allocates land at Hawkenbury Farm for residential development providing approximately 220 – 250 dwellings and a 2FE primary school subject to the design and layout being informed by a landscape and ecological assessment to meet the requirements of Core Policy 4: Environment and Core Policy 5: Sustainable Design and Construction of the Core Strategy (2010) and any other relevant policies. Particular regard shall be had to the character of the nearby Area of Outstanding Natural Beauty; the development shall provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by the service provider; a Management Plan shall be agreed to ensure the long-term protection and management of open spaces, including woodland and natural landscape features; development shall ensure remediation of the areas of landfill within the site and proposals for the siting and provision of a primary school within the site shall be agreed through discussion with the Local Education Authority.

Consultations

23. **Tunbridge Wells Borough Council** has no objection to the proposal and recommends that planning conditions are applied requiring further submission to address detailed matters concerning the visibility of roof plant (PVs, access hatches, wind catchers); the design details for roof coping; canopy; windcatchers and safety rail (that may be required at the parapet); the design of the entrance door to increase prominence; the colour scheme for the external materials (taking account of the AONB colour guidance); the extent of the entrance canopy; the design and articulation of the east elevation staircase on phase 2; screening of the bin store and a soft and hard landscaping scheme to include large maturing native tree species to replace those to be removed in the car park area. Comments on amendments to the proposal are awaited and any views received by the date of the Committee will be brought to the attention of Members.
24. **Environment Agency (Kent Area)** has no objection to the proposal, subject to conditions in the event that contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The Environment Agency also require submission of a final verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation prior to any part of the permitted development being occupied.
25. **KCC Biodiversity** advises that as the school site has already been cleared, there are no potential ecological impacts expected (except in relation to the trees proposed for removal) and that the applicant should be advised that the site must be retained as bare ground prior to development commencing to ensure that there is no further need for ecological mitigation in relation to reptiles and dormice.

They advise that to ensure that wildlife is able to move around easily, there is a commitment in the neighbouring housing development site for retained hedgerows to have 5m buffer zones. If this was to be applied to the school site, it appears to be relevant to hedgerows along the western boundary of the site and to some sections of hedgerow along the northern boundary. There is a 'habitat area' proposed for the western boundary of the school site which will provide connectivity for wildlife it is advised that to maximise the value of the habitat area, it must be managed in accordance with the provisions detailed in section 6.4 of the Landscape & Ecological Management Plan (LEMP). For ease of implementation, we advise that a stand-alone Habitat Management Plan for the school site, taking the relevant management prescriptions from the LEMP, should be secured as a condition of planning, if granted.

Comments that all hedgerow removal works for the wider site (Berkeley site and school site) were completed in 2017 under the Natural England dormouse licence. Given the intention to remove additional trees, it is essential to note that "No further removal of hedgerows or trees can be carried out on the school site without a dormouse licence amendment first being made, and the works then carried out at an appropriate time of year to minimise impacts on dormice". We advise that the proposed tree removal could be carried out under an amended licence and that the submission of a copy of the amended licence should be secured by condition, if planning permission is granted. The applicant should be aware that, in accordance with the dormouse licence, the initial tree removal works to cut to stump level must be carried out over winter.

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It is advised that the new Hedgerow Planting along the eastern and southern boundaries of the school site are specified within the TMBC hybrid application LEMP as required within the dormouse licence as part of the compensatory habitat, however the new compensatory habitat planting has been confirmed by the applicant as being outside the school planning application site and within the residential development site.

It is stated in the Applicant response to queries raised during the statutory consultation process that "Provision of a wildlife tunnel is included within the proposals" but we cannot see the wildlife tunnel (or arboreal connection) indicated on the submitted plans. We advise that a clear plan of the school entrance road, showing the wildlife tunnel and arboreal connection and their specifications, are sought from the applicant. These must be in accordance with the details specified in the LEMP (Appendix Q, sections 4.1 and 4.2). It may be sufficient to secure this information as a pre-commencement condition, if planning permission is granted.

It is reported in the Update Ecological Appraisal that the dead hedging present along the northern and eastern boundaries of the school site is a requirement of the dormouse licence and must be retained until a suitably experienced ecologist has confirmed that the new hedgerow planting is suitable for dormice. In addition, dormouse boxes are positioned along the western boundary of the site that must remain in place until construction (of the wider site) is completed. The applicant should be aware of these, KCC could consider securing their retention within the planning permission (if granted), though the dormouse licence already forms a legal contract (albeit between Natural England and Berkeley Homes).

26. **County Archaeological Officer** has no objection to the proposal and recommends a condition for the implementation of a programme of heritage interpretation in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority and the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that the excavation is observed and items of interest and finds are recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority. The applicant has agreed to these as pre-commencement conditions.
27. **Highways and Transportation** have no objection to the proposal and comment that as the school has already received outline planning consent and the vehicular trips to and from the site has previously been agreed with Kent County Council (KCC) Highways, the submission of a Transport Statement rather than a Transport Assessment is acceptable in accordance with national and local policy and best practice. Matters pertaining to vehicular access and traffic generation have been agreed and approved as part of the outline consent. As part of the Hawkenbury Farm application, junction improvements have been undertaken at the Hawkenbury Road / Forest Road junction and the Forest Road /Forest Way junction. In addition to this, a new zebra crossing has been provided on Hawkenbury Road, in the vicinity of the school site, to connect both the school and the residential development to the Hawkenbury recreation ground. This zebra crossing is situated approximately 20m west of the school access junction. Pre-application discussions took place between the developer and KCC Highways in autumn 2018, when highway issues were discussed and altered in line with KCC Highways advice. Therefore the application has been submitted to KCC Highway's requirements with minimal comment to be made. The internal layout, number of parking and cycle parking

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spaces, and location and number of drop-off spaces is acceptable. However, it is requested that conditions/legal agreement be used to address the provision of a cycle parking and scooter rack which should be under cover; that the internal roads could be signed as 10mph; that only one of the two staff car parks be open for phase 1 of the development and that both car parks should be available for the completion of phase 2 (2FE) to ensure that there is not an overprovision in phase 1 which may encourage parents and teachers to drive purely because there is plentiful space to park at the school. Finally, that an advisory 20mph during school times only be applied at the expense of the developer to the front of the school entrance in Hawkenbury Road.

28. **KCC Sustainable drainage** have no objection to the proposal and comment that the proposed land drainage elements will not be draining into the adoptable network and that they are satisfied that the sports pitches will drain into existing non-adopted drainage outside of the site boundary. Conditions are recommended concerning a detailed sustainable surface water drainage scheme for the site to be submitted and approved which is based upon the Detailed Drainage Strategy, Revision P3 and P4 (Fairhurst, September 2018) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site. The drainage scheme shall also demonstrate (with reference to published guidance) that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters and that appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker. The drainage scheme shall be implemented in accordance with the approved details.

A condition is also recommended concerning submission of a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, to demonstrate the suitable modelled operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; topographical survey of 'as constructed' features; and an operation and maintenance manual for the sustainable drainage scheme as constructed.

A condition requiring submission of information that demonstrates that off-site surface water drainage works are appropriately secured and protected and subsequently implemented prior to the occupation of any phase of the development is also requested. The applicant has agreed to the pre-commencement and prior to occupation timescales for submission to address matters raised by KCC Sustainable drainage.

29. **Southern Water** have no objection to the proposal and comment that their initial assessment of the impact of the additional foul sewerage flows from the proposed development on the existing public sewer network is that there is a likelihood of an increased risk of flooding unless any required network reinforcement is provided by Southern Water. Any such network reinforcement will be part funded through the New Infrastructure Charge with the remainder funded through Southern Water's Capital Works programme. Southern Water and the Developer will need to work together in order to review if the delivery of the network reinforcement aligns with the proposed

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occupation of the development, as it will take time to design and deliver any such reinforcement. Southern Water hence requests a condition to be applied regarding the timing of the development in relation to delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development. Southern Water also comment that no surface water should be permitted to be discharged to the foul sewerage system, in order to protect properties downstream from flooding and that the design of drainage should ensure that no land drainage or groundwater is to enter public sewers network. Comment that the detailed design for the proposed basement should take into account the possibility of the surcharging of the public sewers and request an Informative regarding this. Southern Water request that should this application receive planning approval, a condition is attached regarding submission of the proposed means of foul and surface water sewerage disposal. Southern Water also advise that no soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public and adoptable sewers.

30. **PROW** advise that no public rights of way in the vicinity are directly affected by the proposal and that a contribution to the improvement of the nearby public rights of way has been secured as a result of the neighbouring development.
31. **High Weald AONB** advise that the High Weald Colour Study should be used to select the colours of external materials of structures so that they are appropriate to the setting of the High Weald AONB landscape; drainage proposals should seek to restore the natural functioning of river catchments and avoid polluting watercourses, especially where these flow through the AONB downstream of the application site (Management Plan objective G1); local habitats and species should be protected and enhanced as appropriate, creating networks connecting into the High Weald AONB (Management Plan objectives G3, R2, W1, W2, FH2, and FH3); native, locally sourced plants should be used for any additional landscaping to support local wildlife and avoid contamination by invasive non-native species or plant diseases (Management Plan objective FH3); and controls over lighting should be imposed (Institute of Lighting Professionals recommended light control zone E1) to protect the intrinsically dark night.

Local Member

32. The local County Council Member, for Tunbridge Wells South, Miss Catherine Rankin was notified of the application on 23rd October 2018. No comments have been received to date.

Publicity

33. The application was publicised by the posting of site notices, an advertisement in a local newspaper, and the individual notification of 60 nearby properties.

34. Representations

35. In response to the publicity for the proposal, 2 letters of representation both from the same property have been received. The key points raised relate to privacy; planting; tree removals; noise and traffic and are summarised as follows:

- The cross section showing the car park shows the level to be above the level of

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neighboring property raising concern over invasion of privacy from the users of the car park. The representation suggests that the level of the car parks be reduced; the height of the fence be increased to above 1.8m; that the number, height, volume and maturity of the new trees to be planted be increased and that the grass verge between the car park and neighbouring property be raised, which would also address concern with drainage i.e. from the car park flowing down to neighbouring property

- The impact of air and noise pollution from traffic using the car park close to property. It is suggested by the representation that an increase in the quantity, volume and maturity of the new trees to be planted would help to alleviate this concern.
- Objection to the removal of any existing trees on or near to the border which would compromise privacy and that there appears to be an inconsistency between documents in the application where the application form states that there are no trees on the development site, however there are trees including Silver Birches shown in other application documents that are designated for removal.
- Support for the planting of new trees to the west of the new car parks but do not believe the current choice of trees in the plan provide a great enough volume to address concern of the loss of privacy from users of the car park.
- Concern at the danger of exiting property (driveway) into the path of traffic from the school vicinity turning left into Maryland Road, close to a blind corner raising increased concerns over a potential accident. Propose that the council install a traffic mirror near the corner of Maryland Road and Hawkenbury Road opposite the entrance of Holly Farm Cottage, although are open to other suggestions.

Discussion

36. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph 22 above. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Therefore, the proposal needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.

37. This proposal is being reported to the Committee due to two local objections, both from the same residential property. In my opinion, the key material planning considerations in this particular case can be summarised by the following headings: need, location, design, transport and highway implications, drainage, landscape, biodiversity and tree protection, and impact on local and residential amenity.

Need

38. The proposal is to provide a new site for the relocation and expansion of the St Peters Church of England Primary School currently located at Windmill Street in Tunbridge Wells and to provide additional places to address more places for local children. The existing school is currently split over 3 sites and is 1FE with 140 pupils and 24 staff. The applicant states that it is one of the most oversubscribed schools in Kent.

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39. The proposal would meet the needs of the existing School and additional demand generated over time as new housing becomes occupied and would improve and increase the facilities available. The forecast demand does not support an immediate expansion from 1FE to 2FE and therefore the development proposed is in 2 phases.
40. There have been no objections from the Borough Council regarding the need for the new development and given that there is already an outline permission for the development; the site is allocated within the Site Allocations Local Plan (2016) for educational use and the national policy weight contained within the Policy Statement – Planning for Schools Development (2011) for schools to adapt and improve their facilities there is strong policy support for this development.

Location

41. The site has outline permission for a primary school (the TWBC hybrid permission) and sits within a larger housing development site. Works have already started under the TWBC hybrid permission. The site is bounded by rear gardens of existing residential development to the west in Maryland Road and to the north in Hawkenbury Road. New housing development is progressing to the east and south although properties are not yet occupied.
42. The site is located approx. 113m from the High Weald Area of Outstanding Natural Beauty (AONB) which lies to the north east. A Local Wildlife site and Site of Nature Conservation Importance is approx. 117m at High Wood, Hawkenbury.
43. The site is listed within the Site Allocations Local Plan 2016 and has outline permission. The location has therefore already been assessed as being acceptable in planning terms.

Design of the building

44. The proposed building is located to the east of the site furthest from the nearest existing residential property. To the south of the site a sports area is proposed and to the north west nearest to housing in Maryland Road and Hawkenbury Road the proposed car parking areas are located. To the South west of the site a habitat area is proposed and sitting between that and the proposed school building lies a MUGA. The main vehicular and pedestrian access to the site is in the north east corner.
45. The levels at the site have already been terraced to suit the proposed layout of the site as part of the TWBC hybrid application. The proposed building has a lower ground floor and a ground floor making use of the sloping site and site levels and the 2-storey building will appear as if a single storey building when viewed from the school entrance at the northern elevation. From the southern elevation the 2-storey nature will be evident. New development to the south and east of the site is understood to comprise a range of 2 and 2.5 storey properties.
46. Drawings have been submitted for the phase 1 and phase 2 design. The design has attracted no objection from Tunbridge Wells Borough Council, although they would wish to see further information submitted with regard to the external materials; the visibility of the proposed roof plant from various viewpoints and requesting further details for roof coping; canopy; windcatchers, pv panels and safety rail. These matters can be addressed by conditions. TWBC also request that the prominence of the entrance door

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to the site can be improved in the design; that further details be provided for materials and screening of the bin store and I am also satisfied that these matters can be dealt with by conditions.

47. The AONB Unit have advised that because of the location near to the AONB, (approx. 113m away), the applicant should have regard to the AONB colour guidance in their choice of materials and colours. The applicant has proposed a colour scheme which they consider takes account of the AONB colour guidance and the Borough Council have commented that the proposed colours maybe too dark and whilst not objecting to the materials have requested details and samples of the proposed materials to be submitted before they are used. The applicant has agreed to submit further details on the colours and samples of external materials and I am satisfied that this can be required by a condition.
48. The Borough Council whilst not objecting to the design have also commented that the design and articulation of the east elevation staircase on phase 2 of the development could be reviewed to increase natural daylight and that the addition of windows may help to “animate” the elevation, with articulation of the staircase by an increase in height. The east elevation faces into the new housing development. I do not consider that the proposed design would require an increase in height of the staircase and/or addition of windows to make it acceptable.
49. There have been no other representations with regard to the design of the building. In light of this, I consider that the proposed design of the building is acceptable in this location, meets the planning policy requirements and that conditions can be used to require further information as set out above.

Transport and Highway Implications

50. The school has already received outline planning permission and the highway impacts have been considered acceptable in the context of the wider TWBC hybrid permission. Matters relating to vehicular access and traffic generation have already been agreed for the development and included in this application. As part of the TWBC hybrid permission development junction improvements have been undertaken at the Hawkenbury Road / Forest Road and Forest Road / Forest Way junction. A new zebra crossing has been provided on Hawkenbury Road approx. 20m west of the school access junction. The vehicle access to the site has been constructed by Berkeley Homes.
51. The application has been submitted with a Transport Statement detailing the parking requirements, drop off, servicing and access for non-vehicular transport for a 2FE development. The internal road layout would be designed to 10mph and provide a looped arrangement to ensure that vehicles can drive and depart in forward gear without turning around in the site. There is provision for 3 mini bus bays and 4 blue badge bays; a 7-space facility for parents to use for children to drop off/pick up in front of the school building on the southern side of the access road. The application states that this would be managed by the school to ensure that parents do not park for longer than is necessary to drop off and pick up. When deliveries are not taking place at the school there would be a further 2 spaces available in the delivery area at the eastern end of the access road for parents to use to drop off and pick up. The layout proposed is such that if the drop off spaces are full there would still be room within the site for parents to wait within the site and not block the external road network. This system relies upon the

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facility remaining open and available for use by parents at school drop off and pick up time.

52. The proposal also includes 2 car parks each containing 18 spaces in the north west corner of the site and the application originally proposed that parents would be able to use any free spaces within the car park at drop off and pick up times and that these would be available for visitors during community events at the school. However, the applicant has since stated that they will discourage parents from using the staff car parking areas for dropping off and KCC Highways and Transportation do not object to the car parks being restricted to staff parking only during the school day. The location of the car park within the proposal has also attracted neighbour objection which is discussed below in relation to amenity impacts.
53. The proposal also includes two pedestrian and cycle access points at the main entrance from Hawkenbury Road and to the east providing a connection with the housing development at Hawkenbury Farm. Cycle parking is proposed for 12 cycles for a 2FE school. The maintenance access to the south west is proposed just as an entrance for tractors and mowers for the school field and habitat area.
54. The proposal does not give rise to any objections from KCC Highways and Transportation or the Borough Council concerning highways and access matters. However, KCC Highways and Transportation request conditions or a legal agreement to be used to address the provision of a cycle parking and scooter rack which should be under cover; that the internal roads could be signed as 10mph; that only one of the two staff car parks be open for phase 1 of the development and that both car parks should be available for the completion of phase 2 (2FE). The applicant has agreed to conditions concerning these matters and states that the top car park would be developed as phase 2 of the works so as ensure that only one of the car parks is available for phase 1 of the development.
55. KCC Highways and Transportation also request that an advisory 20mph during school times be applied at the expense of the developer to the front of the school entrance. The applicant has stated that they would accept this requirement. I am satisfied that this measure can be agreed via a Memorandum of Understanding (MoU) as it is not possible for KCC to have a legal agreement with itself. The applicant has agreed to the provision of a MoU.
56. The construction period for the proposed development is likely to give rise to temporary impacts. The applicant has submitted a Construction Traffic Management Plan and a Construction and Environment Management Plan. These are acceptable have not given rise to any objection.
57. Neighbour objection also includes concern about exiting a driveway from property into the path of traffic from the school vicinity turning left into Maryland Road, raising increased concerns over a potential accident. It is suggested by the neighbour that the Council install a traffic mirror near the corner of Maryland Road and Hawkenbury Road opposite the entrance of Holly Farm Cottage or other alternatives. I am advised by KCC Highways and Transportation that the installation of mirrors is not endorsed on highway land and that the resident could install a mirror on private land if it does not overhang the highway and with the agreement of the landowner. Given that KCC Highways and Transportation raise no objection to the proposed development and the outline approval for the access and that installation of mirrors on highway land is not supported, I do not consider that additional measures are necessary for the development to proceed.

Drainage

58. The applicant has submitted flood risk assessment information that had been provided for the TWBC hybrid application including sustainable drainage arrangements and the foul and surface water arrangements for the whole site. It has also submitted further drainage information during the course of the application in response to queries raised from the Environment Agency, Southern Water and the SuDs team in relation to the school proposal. The applicant has confirmed that all drainage from within the proposed site would be in a private system which will then flow off site at the south western part of the site via the Berkeley Home development for inclusion within the drainage for the wider development. Land drainage from the sports pitches is proposed to drain into existing non-adopted drainage on the Berkeley Home development. The applicant is therefore reliant on drainage for the school site being connected to the Berkeley Homes development.
59. The applicant has confirmed that they would accept pre-commencement conditions regarding the proposed means of foul and surface water sewerage disposal. I am satisfied that other matters raised by Southern Water in relation to the provision of further details of the timing of the school development in relation to the provision of waste water network capacity; that no surface water be allowed to discharge to the foul sewerage system and that groundwater and land drainage does not enter the public sewer network and that the detailed design of the proposed drainage system should take into account the possibility of surcharging within the public sewer system in order to protect the development from potential flooding can be required by condition and/or informatives.
60. The applicant has also confirmed that they would be prepared to accept conditions requiring submission of a detailed sustainable surface water drainage scheme for the site which demonstrates surface water can be accommodated and disposed of without increase to flood risk on or off site prior to commencement; that a verification report pertaining to the surface water drainage system be provided before occupation of any building; submission of information to demonstrate that off site surface water drainage works are appropriately secured and protected and subsequently implemented prior to occupation. The detailed drainage scheme would also need to address any potential run off from the site, including the car park areas. Subject to compliance with these conditions I am satisfied that the development is acceptable in respect of drainage matters.

Landscape, biodiversity and tree protection

61. The school site has already been cleared of surface vegetation as allowed as part of the Berkeley Homes development under the TWBC hybrid permission and tree protection arrangements are in place. However, this proposal includes removal of an additional 5 trees (T216; T217; T218; T219; T213) located in the north west corner of the site. These have not been removed under the TWBC hybrid permission. The removal of these trees is necessary to provide the staff car parking area and include 4 silver birch and a Swedish whitebeam. The trees are not protected by a TPO. The removal of these trees has not attracted objection from TWBC.
62. Additional ecological information has been provided at the request of the KCC Ecology Advice Service. The removal of the 5 trees would require an amendment to a dormouse

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licence which has already been granted to Berkeley Homes by Natural England in relation to works under the TWBC Hybrid permission and would need work to be carried out at an appropriate time in accordance with the Natural England requirements. I am satisfied that a condition can be used to require submission of a copy of the amended dormouse licence to be submitted prior to removal of the 5 trees and to require works to be carried out at an appropriate time of year to minimise potential impacts to dormice.

63. The removal of trees on or close to the border at the north west of the site has attracted neighbour objection as the trees are considered to provide screening for the development and their removal is perceived to compromise privacy. This is also discussed further below. The applicant states that retention of the 5 trees would detrimentally impact on the parking provision for the site and undermine the applicant's ability to meet the required parking standards. The applicant proposes additional planting and I am satisfied that a condition can be used to request further details of additional planting species, size and location. This would also address TWBC requirements for a condition to address soft and hard landscaping scheme to include large maturing native tree species to replace those to be removed in the car park area. It should be noted that as the trees are not protected their removal could take place in any event subject to consideration of ecological requirements such as timing of works.
64. The application includes buffer/habitat areas at the site margins to the south, south west, south east and north east and these are intended to provide connectivity for wildlife and I am satisfied that a condition can be used to require submission of Habitat Management Plan for the school site which is in accordance with the Landscape and Ecological Management Plan for the TWBC Hybrid permission. A wildlife tunnel is also included within the proposals to provide a connection route for wildlife between the north west and north east of the site where the school access road enters the site. I am satisfied that a condition can be used to require further details of the specifications this compensatory feature and the applicant has confirmed that they are prepared to accept a pre-commencement condition to address this.
65. New hedgerow planting is required as part of the outline TWBC hybrid permission compensatory habitat measure in relation to dormouse at the eastern and southern boundaries of the site and the applicant has stated that this is to be carried out by the housing developer Berkeley Homes and that this is located outside of the proposed School site boundary.
66. I am also satisfied that an informative can be used to advise the applicant to retain dormouse boxes and dead hedging on site until a suitably experienced ecologist confirms that new replacement hedgerow planting is suitably established for dormice, as required by the dormouse licence between Natural England and Berkeley Homes.
67. I am satisfied that tree protection measures can be required by condition in relation to trees that are proposed for retention at the site and that further details of the proposed replacement planting can be required by condition. Subject to the imposition of the conditions referred to above, I am satisfied that the development is acceptable on landscape, biodiversity and tree protection grounds.

Impact on Residential and Local Amenity

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68. The location of the proposed car parking area at the site is consistent with the location already approved in the outline hybrid planning consent granted by TWBC. However, the location and levels of the proposed car park have attracted neighbour objection linked to a concern about privacy and overlooking, particularly with the proposed removal of 5 trees at the north west of the site and the impact of air and noise pollution from traffic using the car park.
69. The application states that the layout of the site has been proposed using the car park in the north west corner as a buffer between the proposed new school building and existing residential property as well as being logically located in relation to the proposed access into the site. The boundary of the site in the vicinity of the top car park is located approx. 2m from the facade of the nearest residential property at the closest point in the north west corner and the nearest parking in the top car park is located approx. 5.9 m from the facade of the nearest residential property. 5 trees would need to be removed in this area as a result of the proposal which is discussed below. There would be a verge where new planting is proposed between the surface of the top car park and the close board fence between the site and nearest property to the north west.
70. As originally submitted, the proposed levels of the site were consistent with the TWBC hybrid planning permission. However, in response to the neighbour concern about levels and privacy the applicant proposes to reduce the level of the top car park by 250mm using the soils to supplement the grass verge. The applicant also proposes to increase a section of the close boarded fence along the north western boundary from 1.8m to 2.1m. The applicant has not amended their proposals in response to the neighbour concern in relation to the removal of 5 trees in order to create the car parking area required for the top car park. The removal of these trees will change the outlook to the site however they are not protected trees and the timing of their removal can be controlled in relation to the biodiversity impacts. The amenity impacts of removal of these trees to local residents needs to be balanced against the wider highways impacts of not providing sufficient car parking for a 2FE school. Given the increased fence height and the adjustment to the top car park levels and agreement to suitable replacement planting I conclude that the impacts to residential amenity to nearby properties as a result of the removal of these trees is not so severe in my view as to justify refusal of the scheme or reduction in the amount of car parking for the school which would have wider amenity and highways impacts.
71. I am satisfied that with a 2.1m fence and revised level to the top car park along with additional boundary planting, the potential for overlooking and impact to privacy is reduced and in combination, the amendments improve the proposal in this area.
72. Amended details of planting along the car park boundary have been submitted and further details of planting, species and size can also be required by condition.
73. The applicant intends that as a result of the KCC Highways and Transportation comments only the bottom car park would be provided in time for occupation of phase 1 of the development and the provision of the top car park would be provided for phase 2 occupation. This would mean that the biodiversity advice to keep the surface of the site as bare ground prior to development commencing so that there is no further need for ecological mitigation in relation to reptiles and dormice would need to be revisited as a temporary surface would need to be proposed for the phase 2 car park area between phase 1 and 2 of the development. I am satisfied that this can be achieved by a condition requiring submission of details of interim measures for the top car park.

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74. The applicant has stated that as the car park is intended for staff only and not public use and that the parents dropping off would be discouraged from using the staff car parks any additional impacts from use of the car parks at drop off and pick up time from noise and traffic would be minimal. However, it is recognised that the car parks would be used by when the school is open for out of hours community usage. The application states that community use is expected for the school hall, kitchen and outdoor sports facilities. The likely frequency and timing of community events has not been specified in the application other than that it would be evening and weekend use. There is no precise information in the application about the proposed hours for community use and so I intend to require further submission of details of community usage which would require written approval in relation to proposed hours of use; parking and measures to address local amenity impacts arising from use of the school facilities outside school hours prior to allowing community usage This would cover use of the school hall, kitchen and the internal and external sports facilities as well as parking areas and provide a means to address a control over amenity impacts relating to hours of use. There is policy support for the shared use of community facilities.
75. The applicant has submitted a noise assessment with the application which includes a survey of the background noise climate. The noise assessment has been used to provide a limit for noise arising for proposed rooftop plant on the school building and a condition can be used to require noise from rooftop plant to be in accordance with the assessment conclusions.
76. The noise assessment does not however provide details of the likely noise impacts or any mitigation measures that might be required in relation to the use of the external parking and sports facilities at the site. Given that the school and associated facilities have outline planning permission, that the layout of the proposal is consistent with the details submitted with the TWBC application and that the site is allocated within the Local Plan (and therefore considered to be satisfactory to the Secretary of State and Planning Inspectorate), I conclude that the principle of a school and associated impacts in this location near to existing residential property in Maryland Road and Hawkenbury Road has already been considered to be acceptable and that the activities are deemed to be appropriate in this location. There have been no adverse comments from TWBC in relation to the potential for unacceptable noise impacts to existing residential property or to new housing to the south and east of the site. The applicant has however agreed to the submission of further noise assessment information concerning break out noise from the MUGA, sports facilities and car park area and I am satisfied that a pre-commencement condition can be used to request this and to include submission of details of any mitigation measures should any be required.
77. No information has been provided within the application about the air quality impacts of the proposal. However, given that the site already has outline permission within a much larger development the air quality impacts of the proposed site in this location have already been assessed as being acceptable by TWBC. The likely impacts to air quality at the nearest residential property as a result of use of the proposed car parking areas are not likely to be so severe as to warrant refusal of the proposal.
78. The application does not include proposals for lighting within the car park area and a condition is proposed to require submission of details of external lighting proposed prior to installation and use at the site in order to avoid excess lighting at the site boundaries and to address the impact of lighting to amenity.

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79. The submitted plans do not show any lighting for the MUGA and the application has been assessed on this basis. Any future lighting in relation to the MUGA would need to be subject to a further planning application for future consideration. A condition to this effect is proposed.

Other Considerations

80. As part of the Governments initiative to improve the pace in delivery of sustainable development planning authorities are now required to secure the agreement of the applicant if it wishes to impose pre-commencement planning conditions. The applicant would agree to pre-commencement conditions relating to the implementation of a programme of heritage interpretation in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority and the implementation of a watching brief to be undertaken by an archaeologist approved by the Local Planning Authority. This will enable the excavation to be observed and items of interest and finds recorded. The watching brief shall be in accordance with a written programme and specification which has been submitted to and approved by the Local Planning Authority.

81. Hotspots of contaminated land within the site have been remediated as part of the TWBC Hybrid development which has already occurred. The Environment Agency require submission of a final verification report to demonstrate that works to remediate the site has been carried out in line with the remediation strategy for the wider site under the TWBC hybrid permission. This would demonstrate completion of the site remediation works prior to occupation of any part of the development and I am satisfied that a condition can be used to address this requirement. A condition can also be used to require that any unforeseen contamination that may be found during development can be addressed.

Conclusion

82. There is strong national policy support for schools related development and the applicants demonstrate a phased need for the proposal. The location of the proposal already has outline planning permission and is within an area designated by planning policy for this type of development. In addition to meeting the educational needs of housing growth, the proposal would replace the existing St Peter's Church of England Primary School which currently operates from 3 sites. The impacts to highways, drainage, biodiversity and residential amenity are the key planning considerations in the determination of this application.

83. There have been no objections to the proposals from the Borough Council, Highways and Transportation, the Environment Agency, Southern Water, KCC Archaeology, KCC Biodiversity and KCC Sustainable Drainage, subject to the use of appropriate conditions.

84. The proposal has received 2 objections from 1 neighbouring property. The applicant has submitted amendments to the proposal in relation to the height of fencing and the level of the top car park and planting, and details of additional landscape planting can also be required by condition in response to the objections. The proposal makes efficient use of space within the site however in order to provide the car parking spaces would require the felling of 5 trees at the site and the amendment to a Natural England licence prior to removal. The impact to residential amenity in terms of privacy as a result of removal of the trees is balanced against the need for the car parking for a 2FE school.

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85. The principle of the development has already been assessed and the need for and location of the development is already considered to be acceptable in planning terms. The layout of the school is consistent with the TWBC hybrid application and the MUGA, habitat areas and car parking areas were intended by the applicant to provide a buffer between the proposed school building and existing residential development.
86. The proposal accords with development plan policy in Tunbridge Wells, and the principles of the National Planning Policy Framework and the Government's planning policy statement on school development. There have been no Borough Council objections to the proposal. It is noted that the site forms an important part of the Borough's housing strategy being an allocation in the Local Plan for housing and associated school provision. I consider that there are not any material planning considerations which indicate that permission should not be granted for this proposal. Therefore, my recommendation is that planning permission be granted subject to conditions and appropriate MoU to address the issues raised above.

Recommendation

87. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO a Memorandum of Understanding from the applicant regarding provision of appropriate 20mph signage on Hawkenbury Road during school hours and the imposition of conditions covering (amongst other matters) the following:

That prior to the commencement of the development, the following information be required (using pre-commencement conditions which have been agreed with the applicant):

- Provision further details to the County Planning Authority of the details of the wildlife tunnel showing the location and specifications of the tunnel in relation to the site access road to ensure that a connection is retained;
- Submission of a programme of heritage interpretation in accordance with a written specification and timetable;
- Submission of an archaeological watching brief in accordance with a written specification and timetable so that the excavation is observed, and items of interest are recorded;
- Submission of details of the proposed means of foul and surface water sewerage disposal;
- Submission of noise assessment and details of mitigation measures that may be needed in relation to noise from the MUGA, sports facilities and car park area.

And conditions to address:

- The standard 5 year timescale for commencement of the development;
- The development be in accordance with the submitted details;
- Measures to be taken in the event that unforeseen contamination is found;
- Submission and approval of a final verification report to the County Planning Authority, demonstrating remediation of the site has been completed prior to occupation;
- Submission and approval of a Habitat Management Plan to the County Planning Authority;

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- No further removal of hedgerows or trees takes place at the site without a dormouse licence amendment first being made and that then any works be carried out at an appropriate time of year to minimise impacts to dormice;
- Concerning temporary surface proposals for phase 2 of the car park;
- A copy of the amended dormouse licence be submitted to the County Planning Authority prior to any further works to hedgerows and trees within the school site occurring;
- Hours of construction work be limited to 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturdays with no works at any other time or on Sundays and Bank Holidays;
- Tree and root protection measures;
- Submission and approval of details of external lighting to the County Planning Authority in advance of installation;
- The submission to the County Planning Authority of further details of the design and location and external materials for the proposed roof plant, pv panels, access hatches, roof coping, canopy, windcatchers and roof safety rail if required at the parapet prior to installation;
- Submission to the County Planning Authority and approval of details and samples of external materials;
- Submission to the County Planning Authority and approval of further details for screening of the bin store and a soft and hard landscaping scheme to include large maturing native tree species to replace those to be removed in the car park area;
- Submission of details of covered cycle parking and provision of undercover cycle parking and scooter rack;
- Requiring internal roads to be signed as 10mph;
- Requiring that both car parks to be available for phase 2 of the development and requiring that only 1 car park be available for occupation phase 1 of the development;
- Submission to the County Planning Authority of a detailed surface water drainage strategy scheme;
- Submission of details to demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters and that appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker;
- Submission of a Verification Report pertaining to the surface water drainage system, carried out by a suitably qualified professional, to demonstrate suitable modelled operation of the drainage system such that flood risk is appropriately managed
- Submission of details to the County Planning Authority to demonstrate that off-site surface water drainage works are appropriately secured and protected and subsequently implemented prior to the occupation of any phase of the development;
- That occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development;
- That no surface water should be permitted to be discharged to the foul sewerage system, in order to protect properties downstream from flooding;
- That the design of drainage should ensure that no land drainage or groundwater is to enter public sewers network;
- Roof plant and noise controls;

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- Provision of an updated School Travel Plan;
- Maintaining the availability of a parent drop off and pick up facility at the site;
- That no community use of the school internal or external facilities take place without submission and prior approval of details of hours; frequency; parking and measures needed to address amenity impacts.

And Informatives concerning:

- Ecology advice concerning dormice and retention of hedges and dormouse boxes;
- That the application has been assessed on the basis of no lighting provision for the MUGA;
- That the application has been assessed on the basis that further information would need to be submitted prior to community use of the facilities taking place;
- Provision of 20mph signage during school times;
- Southern Water advice;
- High Weald AONB advice, including in relation to colour guidance;
- Southern Gas Networks advice relating www.sgn.co.uk/Safety/Dig-safely/ for safety information and links to www.linerearchbeforeudig.co.uk;

Case Officer: Hazel Mallett

Tel. no: 03000 413411

Background Documents: see section heading
