

SECTION D
DEVELOPMENT TO BE CARRIED OUT BY THE COUNTY COUNCIL

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

Item D1

New two-storey teaching block of eight classrooms with associated facilities; a new nursery block; nursery and reception external play space; ancillary car parking at Sunny Bank Primary School, Sunny Bank, Murston, Sittingbourne, Kent ME10 3QN - SW/20/501709 (KCC/SW/0079/2020)

A report by Head of Planning Applications Group to Planning Applications Committee on 15 July 2020

Application by KCC - East Kent - Children, Young People & Education for new two-storey teaching block of eight classrooms with associated facilities; a new nursery block; nursery and reception external play space; ancillary car parking at Sunny Bank Primary School, Sunny Bank, Murston, Sittingbourne, Kent ME10 3QN - SW/20/501709 (KCC/SW/0079/2020)

Recommendation: Permission be granted subject to conditions.

Local Member: Mr Jason Clinch

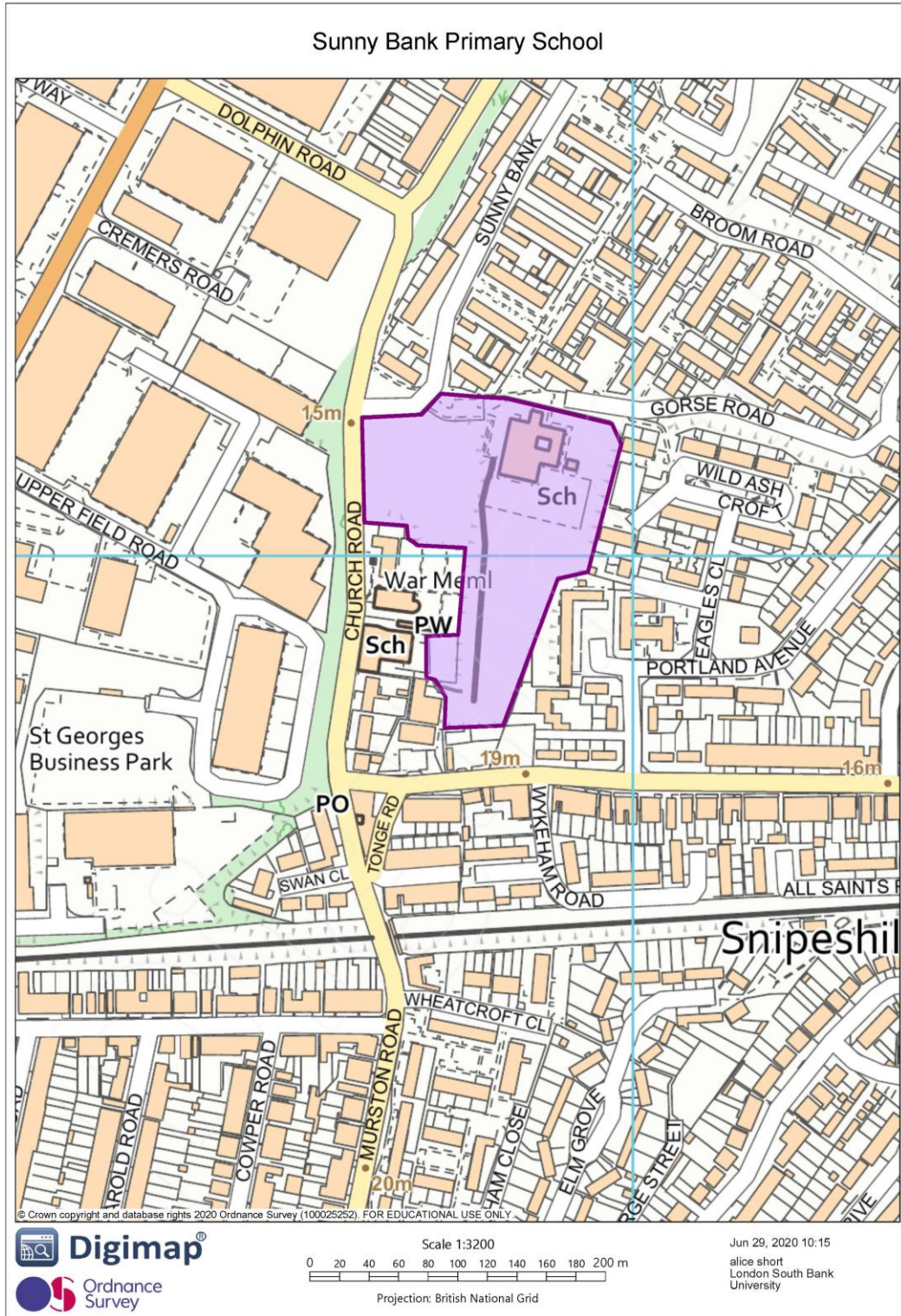
Classification: Unrestricted

Site

1. The school site is 0.267ha situated in Murston, north-east Sittingbourne. The site is laid out in an "L" shape with the main school buildings in the north-east corner and areas of playing field/grassed amenity space spanning to the south and west. The site entrance is immediately adjacent to Gorse Road and residential developments to the north, although vehicular access is via Sunny Bank to the west. Further residential development surrounds the site to the east and west whilst the site wraps around Murston All Saints Church to the south-west.
2. The existing school building comprises a contemporary, flat-roofed design with some hard-playing surface to the immediate south. Currently, 8 formalised parking spaces serve the school, including 1 disabled space.
3. The School playing field is allocated as a Local Green Space within the Swale Borough Council Local Plan (2017).

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General Location Plan



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Background / Recent Site History

4. Sunny Bank Primary School was established in 2016 after the amalgamation of Murston Junior School and Murston Infant School and a maintained nursery. The junior school, infant school and nursery are currently located at different sites in the locality, with the nursery and infant school being situated on Church Road to the south west of the main school site. This proposal aims to bring the school together on one site, as well as expanding pupil capacity to accommodate predicted local need.
5. Positive feedback was received on the proposals to amalgamate the school sites during a public consultation session prior to the submission of the application. There were concerns raised at this session over the impact of increased numbers of staff who may park on surrounding residential streets, and so the scheme was revised to increase the size of the school car park.

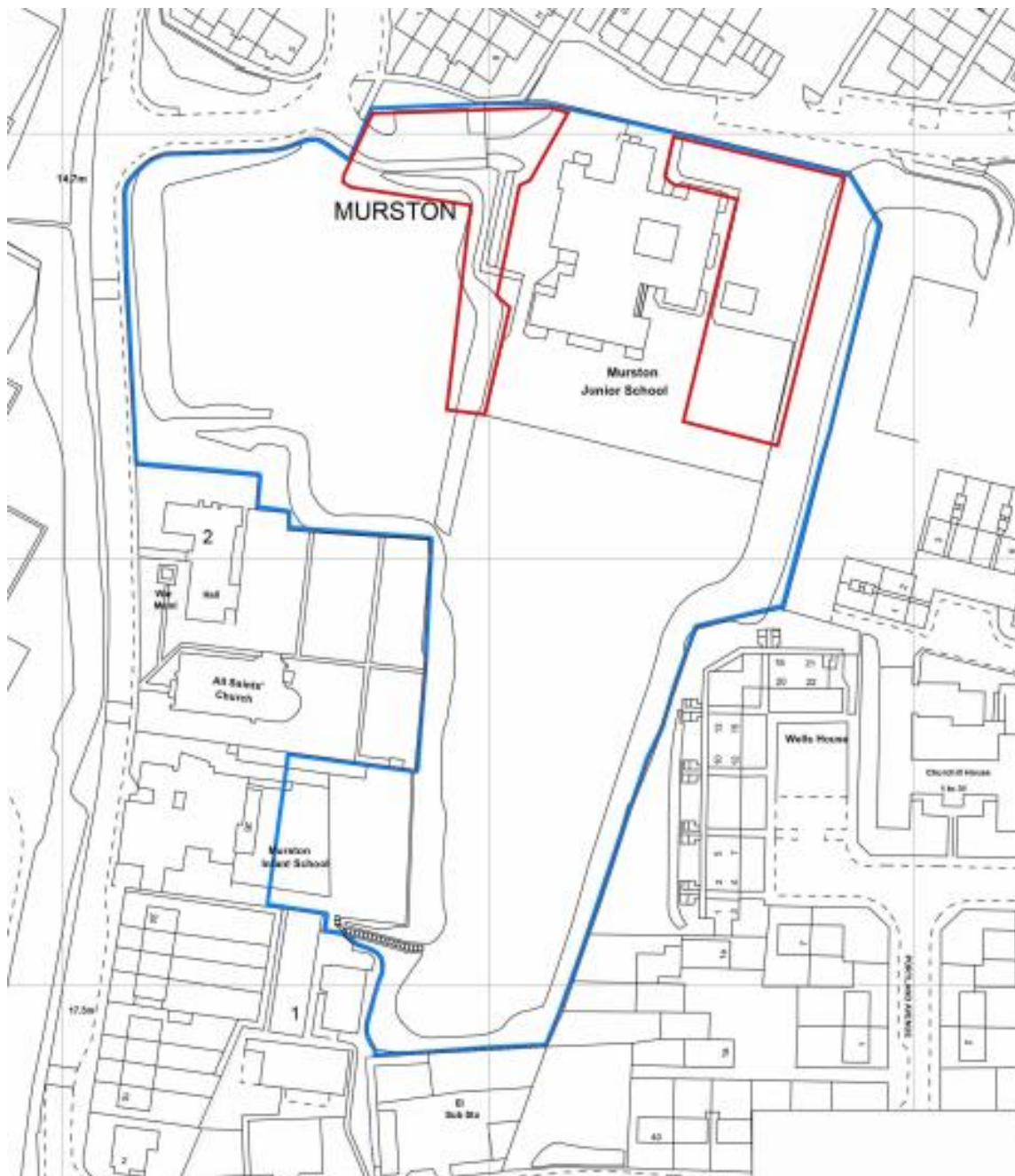
Proposal

6. Planning permission is sought for a new teaching block and nursery building at Sunny Bank School. The scheme comprises the creation of a new two-storey classroom block consisting of 2 Reception classrooms, 2 KS1 classrooms and 4 KS2 classrooms, staff offices, group rooms and ancillary spaces. The classroom block would be sited to the south-east of the existing school buildings on an area of hard playing surface and would be linked by a covered walkway. 7 Photovoltaic panels would be installed on the roof to provide the school with a source of renewable energy.
7. A new nursery building would be provided on a grassed area to the east of the main school building. It would comprise a large learning space, staff offices, a kitchen (for teaching activities only and school meals) and ancillary spaces. The works would also include the creation of a new external play space for the nursery and reception classes; both separate and one large combined space.
8. The scheme would enable the amalgamation of the school onto one site, whilst allowing it to expand from 1.5FE to 2FE to meet the predicted intake demands from local development. This would see an increase in pupil roll to 420; the roll at the junior school site is currently 222 The nursery currently accommodates 45 part-time places (25 in the morning and 20 in the afternoon), this would be increased to 30 in the morning and 30 in the afternoon. The number of staff at the Junior school is currently 37, this would increase to 58 FTE when combined with the infant and nursery school and with the school expansion.
9. In order to accommodate the new and provide properly for the existing members of staff, the proposal seeks to expand the school car park to provide an additional 37 spaces, including two disabled bays and four bays equipped with electronic vehicle charging points. The expansion of the school car park would see a reconfiguration of the existing car park, utilisation of hardstanding at the rear of the school buildings as well as increasing perimeter fencing to include an area of land adjacent to Sunny Bank which is owned by the school.

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Site Location Plan



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Proposed Elevations



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Planning Policy

10. The most relevant Government Guidance and Development Plan Policies in respect of this application are summarised below:

- (i) **The National Planning Policy Framework (NPPF)** February 2019 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 policies in the NPPF, the greater weight that they may be given).

There is an expectation within the NPPF that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take into account the local circumstances, to reflect the character, needs and opportunities of each area. Furthermore, Local Planning Authorities should approach decision on proposed development in a positive and creative way and look for solutions rather than problems. Decision makers at every level should seek to approve applications for sustainable development where possible.

In terms of delivering sustainable development in relation to this proposal, the following NPPF guidance and objectives are of particular relevance:

- The importance of a sufficient choice of school places being available to meet the needs of existing and new communities and that great weight should be given to the need to create, expand or alter schools; and
 - Addressing potential impacts of development on transport networks and ensuring that opportunities to promote walking, cycling and public transport use are identified and pursued as well as ensuring that safe and suitable access to the site can be achieved for all users; and
 - That patterns of movement, streets, parking and other transportation considerations are integral to the design of schemes and contribute to making high quality places; and
 - Ensuring that the design of the development is sympathetic to the local character and will function well and add to the overall quality of the area for the long-term, and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users;
 - Planning for new development in a way which can help to reduce greenhouse gas emissions through its location, orientation and design.
- (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

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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.

(iii) Development Plan Policies**Swale Borough Council Local Plan “Bearing Fruits 2013” (Adopted July 2017)**

Policy CP4 Requiring Good Design – Development proposals will create safe, accessible, comfortable, varied and attractive places; be appropriate to the context in respect of materials, scale, height and massing; make best use of texture, colour, pattern, and durability of materials; ensure the long-term maintenance and management of buildings and maximise opportunities for including sustainable design and construction techniques including the use of recycled and recyclable materials, sustainable drainage systems, carbon reduction and minimising waste.

Policy CP6 Community Facilities and Services to meet Local Needs – Development proposals will deliver timely infrastructure and safeguard existing community services and facilities where they are viable or can be made so unless replacement facilities can be provided without leading to any shortfall in provision.

Policy DM6 Managing Transport Demand and Impact - Development proposals generating a significant amount of transport movements will be required to support their proposal with the preparation of a Transport Assessment (including a Travel Plan). Development proposals will demonstrate that opportunities for sustainable transport modes have been taken up and include facilities for charging plug-in and other ultra low emission vehicles.

Policy DM7 Vehicle Parking - Vehicle parking for non-residential uses will take into account the accessibility of the development and availability of public transport, and on-street car parking must not be exacerbated to an unacceptable degree.

Policy DM14 General Development Criteria – All development proposals will, as appropriate, accord with the policies and proposals of the adopted Development Plan (including any relevant Supplementary Planning Documents and Guidance) unless material considerations indicate otherwise; Include information sufficient to enable the Council to determine the application in conjunction with the Council’s published Local List of requirements; respond to the constraints and opportunities posed from climate change and natural processes; Be both well sited and of a scale, design, appearance and detail that is sympathetic and appropriate to the location; cause no significant harm to amenity and other sensitive uses or areas and achieve safe vehicular access, together with parking facilities.

Policy DM18 – Local Green Space (Allocation) - Within designated Local Green Spaces planning permission will not be granted other than for the carrying out of an engineering or other operation or the making of any material change of use of land, provided that it maintains the openness and character of the Local Green Space.

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Policy DM19 Sustainable Design and Construction - Development proposals will include measures to address and adapt to climate change in accordance with national planning policy and guidance and, where appropriate, will incorporate the use of materials and construction techniques which increase energy efficiency and thermal performance, and reduce carbon emissions in new development over the long term. Development proposals should also, where appropriate, be designed to take advantage of low and zero carbon energy. All new non-residential developments will aim to achieve BREEAM 'Good' standard or equivalent as a minimum.

Policy DM 21 Water, Flooding and Drainage – Development proposals will include, where possible, sustainable drainage systems to restrict runoff to an appropriate discharge rate and integrate drainage measures within the planning and design of the project to ensure that the most sustainable option can be delivered.

Consultations

11. **Swale Borough Council** raise no objection to the proposals provided that due consideration is given to the impact on parking for nearby residents, and the impact of construction operations.

Environment Agency raise no objection subject to the submission of a remediation strategy to deal with the risks associated with any unidentified contamination of the site prior to commencement. They also request several other conditions relating to contamination and drainage.

KCC Transportation Planning raise no objection subject to the submission of a construction management strategy, several conditions relating to parking provision access, and cycle parking, and the submission of a School Travel Plan prior to occupation, which is to be annually reviewed thereafter.

Sustainable Drainage raise no objection subject to the submission of a surface water drainage strategy prior to commencement.

KCC Biodiversity raise no objection subject to a condition requiring the submission of details on biodiversity enhancement within 6 months of the development being commenced.

Amey - Landscaping recommend the submission of a tree planting plan and a plans detailing tree constraints and protection to be submitted.

Local Member

12. The local County Member for Sittingbourne North, Mr Jason Clinch was notified of the application on 21 May 2020. He drew attention to local concern that the proposals have significantly altered from the original application presented at a public viewing at the school (in advance of the planning application being submitted). These include an open area of grass being converted into a hard standing area and the removal of several

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mature trees. There are also issues over the location of the proposed bin area and access for site traffic.

Publicity

13. The application was publicised by the posting of a site notice near the access at Sunny Bank and an advertisement in a local newspaper.

Representations

14. In response to the publicity, 2 letters were received objecting to the application.

The key points raised can be summarised as follows:

- Concern over the area of land at Sunny Bank to be fenced off for school parking as the area is currently used for parking by local residents.
- Local residents would now look onto a fence surrounding this parking area which would negatively impact views.
- There is insufficient parking for residents elsewhere in the area, which is exacerbated by school staff parking on residential streets.
- The construction of the new buildings would negatively impact views from neighbouring properties.
- Construction operations would have a negative impact on local amenity.
- The expansion of the school would constrain the local highway network.

Discussion

15. In considering this proposal, regard must be had to the Development Plan Policies outlined in paragraph (x) 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. In my opinion, the key material planning considerations in this particular case comprise need for the development, design, impact on highways, sustainability, impact on open space, impact on local amenity, impact on local flood risk and water resources and landscaping.

Need

16. As outlined above, there is strong policy support for the provision of state-funded schools and the expansion and improvement of their facilities to enable greater diversity to meet demographic needs, provide increased choice and create higher standards.
17. Should planning permission be granted, the proposed development would enable the School to expand from 1.5 FE (45 pupils per year group) to 2 FE (60 pupils per year group). This would ensure that the school could meet future need for additional primary

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school places linked to new housing development in the vicinity of the school. Swale Borough Council's Local Plan 2017 proposes a total number of 13,192 new dwellings over the plan period, 1409 of which are expected to be built in the Sittingbourne east area. Whilst the Kent Commissioning Plan for Education Provision envisages a surplus of primary school places in the area, this figure does not take into account the aforementioned targets for additional housing. Furthermore, the birth rate in Swale continues to be above the average of the county, as it has been for the last 8 years.

18. An Education Statement has been prepared in support of the planning application which demonstrates that if no provision is made for additional spaces, and housing development takes place as planned, there will be a deficit in primary school places by 2021. The schools' location means it is well placed to accommodate future need in the Sittingbourne East area.
19. The proposed development would also see the amalgamation of the junior School, infant school and nursery, the latter two of which are currently sited on Church Road to the south west. The Church Road site, which was established in the 1860's, would require significant investment to render it suitable for modern long-term use. Should planning permission be granted, this proposed development would have adequate space to accommodate the junior school, infant school and nursery on a site in the ownership of Kent County Council.
20. I therefore consider that the need for the development has been demonstrated, both in terms of providing additional pupil spaces and ensuring that all aspects of Sunny Bank School are housed on a singular site. For the reasons outlined above, the proposal is considered to be in line with relevant policy which affords great weight to the need for schools to expand or adapt to meet the needs of communities.

Design

21. The existing Junior School is of a contemporary style, with flat roofs and a sprawling, single storey layout. The design of the new buildings has been considered in relation to the existing school buildings, using similar external finishes; buff multi brick with elements of white shiplap cladding above the windows. The new teaching block would be two-storey in contrast to the rest of the school, however a flat roof would be employed to reduce the overall size and reflect the existing buildings. The nursery block would incorporate a monopitch roof which would pitch upwards toward the existing school building. I consider this a good choice in terms of aesthetic as it would assist with visually blending the building with the existing school and promoting a sense of cohesiveness across the site. Both new buildings would also feature vertical larch timber cladding (across the pitch of the nursery building and the second storey of the new classroom block). This is considered desirable and is an acceptable design solution.
22. Concern has been raised that the addition of the two new buildings would be detrimental to the area and views from neighbouring residential properties, particularly those in the Gorse Road and Thistle Walk area. Given the small, single storey nature of the nursery building and the complementary design; this is not considered to present an unacceptable adverse addition to the vista above and beyond the existing school

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buildings. With regard to the two-storey teaching block, whilst this would be higher than the majority of the existing school buildings, the timber cladding would soften the appearance. Furthermore, the proposed development is within an established school site, in a fairly densely populated residential area. There is a housing development to the east of the site with a number of two storey dwellings which features in the same line of view as the proposed teaching block. Therefore, it is concluded that the addition of this building would not feature in excess of the development already in the area and would not have an unacceptable impact on terms of design and massing. I therefore consider that the design and layout of the proposed development is acceptable in the context of the existing school site and surrounding development and planning policy.

Highways

23. The proposal would see an increase in pupil roll from 222 to 420, with an increase in staffing numbers from 36.9 FTE to 58 FTE. There would also be additional nurse accommodation for 30 places in the morning and afternoon (currently this number is 25 in the morning and 20 in the afternoon). An increase in staff and pupil numbers will unquestionably present some impact on the local highway network which needs to be considered.
24. The Transport Assessment submitted in support of the planning application demonstrates that the majority of pupils travel to and from school using sustainable modes of transport, namely walking. The location of the school in a built up residential area naturally lends itself to this arrangement. It is anticipated that the expansion of the school would result in an increase in 38 vehicle trips in the morning peak hour and 40 vehicle trips in the afternoon peak hour; this equates to an average of 3 trips per minute where there are currently 2. In light of transport policy considerations and the Highway Officer's advice, this is not considered to be an increase substantial enough to present an unacceptable adverse impact on the local highway network. Furthermore, the submission of a School Travel Plan would be required, to be updated annually, to continue to encourage sustainable modes of transport in future years.
25. Kent County Council Highways Officers are satisfied that the proposal would not unduly constrain the local highway network, further stating that the above figures indicate that the parking accumulation would be a demand of around an additional 18 vehicles in the afternoon, when parents wait for children to be released from school. Highway Officers are of the view that there is sufficient capacity in surrounding roads to accommodate these vehicles, especially as this generally coincides with a time when local residents would be at work.
26. The element of the proposal which seeks to fence off the land adjacent to Sunny Bank for school parking represents a profound source of contention within the application. The land in question is owned by the County Council for Education purposes, however as it has never been formally included in the perimeter fencing it is used by local residents and individuals visiting the area. Concern is raised by residents that this proposal would result in loss of parking in an area where residential parking is already limited. Furthermore, there are complaints that staff members at Sunny Bank School regularly park in surrounding residential roads which exacerbates the issue.

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27. As the proposal seeks to increase the size of the school car park by 37 spaces, it is anticipated that this would reduce the need for staff to park off-site, freeing up more space for local residents. Highways Officers are of the view that the land in question should strictly accommodate six spaces, which could reasonably be absorbed elsewhere in the locality especially with the reduced demand from school staff.
28. It is acknowledged that this land has historically provided convenient parking for local residents which would be lost should planning permission be granted. However, the land is not owned by the Highways Authority and, as such, has never been allocated as public parking. As the land in question is owned by the School, and given the need for additional school accommodation to meet the needs of the local community, it is my view that the historic use of the land should not prejudice the delivery of additional community infrastructure. In any case, given the limited size of the parking space at present as and a reduction in staff parking off-site, it is not considered that this proposal would unreasonably compromise residential parking in the vicinity.
29. It is therefore considered that the proposed development would not result in unacceptable adverse impacts on the local highway network, and that the introduction of the additional parking spaces would lessen the school's existing impact local amenity as more staff are able to park on site.

Sustainability

30. A modular style of construction is proposed. Such a style is generally less resource and energy intensive than traditional construction methods and affords great potential for sustainability to be incorporated into design, whilst still performing to the same standards. The design of the buildings would be thermally efficient with openable windows to allow natural ventilation if required and natural light would also be utilised in teaching spaces through the introduction of large windows. The works would also see the replacement of the school's oil-fired heating system with more energy efficient gas boilers.
31. Seven photovoltaic panels are proposed to be installed on the flat roof of the new teaching block to provide renewable energy to the school, and the new carpark would be equipped with charging points for electronic vehicles, reflective of wider initiatives to move toward more sustainable technologies.
32. The proposal incorporates several measures to promote sustainability, both passively through design and through the introduction of technologies to generate renewable energy and reduce reliance on hydrocarbons. Therefore, I would conclude that the proposal is acceptable in terms of promoting environmentally sustainable development.

Impact upon Green Spaces

33. The school playing field associated with Sunny Bank School is allocated within the Swale Borough Council Local Plan as an area of "Local Green Space". As such Policy DM18 of the Local Plan applies to the extension of the car park to the south west of the

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main school building. Policy DM 18 advises that planning permission should only be granted where the use of the land preserves the openness of the Local Green Space and does not conflict with its purpose.

34. In this case, the land in question represents a small strip of land (approximately 280m²) which would effectively bring the existing hard standing of the play surface to meet the existing car park, resulting in the loss of a small strip of grass. The proposed development being a car park would not introduce any structures which would impinge on the openness of the area. The proposed development is therefore considered to preserve the openness of the area which is of itself a sizeable piece of land; it would therefore not conflict with its purpose as Local Green Space. As such, I do not consider the proposal to be in conflict with Policy DM 18 of the Swale Local Plan and in my view this should not represent grounds for refusal of planning permission in this instance.

Impact on Local Amenity

35. Representations have raised concern that the development would have an unacceptable impact on local amenity by way of highway impacts, construction operations and impacts on views from residential properties. As concluded in previous sections, the impact on views is not considered to be unacceptable in this instance given the scale and design of the development and the wider context of the site. The nearest property would be approximately 18m from the proposed school building. It is also of note, that the loss of a private view is not a material planning consideration. Concern is raised over the impact of the fencing around the new car park area on outlook from local properties. However, as the fencing around the new car park area is proposed to be low level knee rail, I do not consider this to be an overriding issue. The development is also considered to be satisfactory on highway grounds and will be beneficial in reducing staff parking on residential streets.
36. Amenity impacts through construction are lessened by the proposal to utilise a modular style of construction which reduces the timescale and the amount of work to be undertaken on-site. However, it is accepted that as the school is within a residential area, occupants of which could be adversely impacted by such operations. To address, conditions would be applied to any planning permission which would mitigate any impacts through the duration of construction. This would include the submission of a Construction Management Strategy to be approved by the County Council (Planning and Highways) prior to the commencement of development. Therefore, subject to such conditions being included in any planning permission, I do not consider that the development would have an unacceptable adverse impact on local amenity.

Drainage and Contamination

37. New development should incorporate sustainable urban drainage solutions as appropriate, including minimising the size of impermeable surfaces to reduce water run-off where possible and ensure a neutral impact on flood risk. Furthermore, the site is located over a number of environmentally sensitive areas, namely a Source Protection Zone 1 and a Secondary A Aquifer. Consideration therefore needs to be given to ensure

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that these areas are not at risk of contamination either through construction or use of the development thereafter.

38. Kent County Council Flood Risk Officers were consulted on the planning application and are satisfied that the design does not increase the risk of flooding from surface water and raise no objection to the proposal. They do however require the submission of a detailed surface water drainage strategy prior to the commencement of any development and advise that consultation be undertaken with the Environment Agency to advise on matters pertaining to the Source Protection Zone. These can be addressed by condition,
39. The Environment Agency advise of a medium risk of contamination during construction operations due to historic land-uses of clay extraction and industry in the vicinity. A Site Investigation Report was submitted in support of the application which argues that the risks to controlled waters can be successfully managed. The Environment Agency agree with this conclusion, however they require the submission of more detailed information to be secured by condition. They recommend several conditions relating to drainage and contamination, including the requirement for a detailed remediation strategy prior to the commencement of any development.
40. It is proposed to attach all recommended conditions relating to drainage and contamination to any planning permission. Further liaison would then be undertaken with the relevant bodies to ensure that the detail is of a satisfactory level prior to any development taking place. I therefore consider that subject to conditions being imposed as advised, any impact that the development may have on flood risk or pollution can be successfully mitigated and the development is acceptable in this respect.

Landscape and Vegetation

41. The proposed nursery block would be sited over a grassed area to the north-east of the site. Three trees are proposed to be removed in this area to accommodate the development, with one proposed to be replanted within the external play spaces to improve amenity on site. An Arboricultural Impact Assessment was submitted in support of the application which demonstrates that trees off-site, along the northern boundary of the school car park could also be impacted by the proposal and may require removal. It is argued however that these trees are in poor specimens and exist as suckering regrowth.
42. I consider it important that where retention of any trees or shrubbery is not possible, they should be replaced in a suitable location elsewhere on site. The School complex provides green space within a built-up area and vegetation contributes to the amenity of this space. Liaison with Amey technical advisors has led to the same conclusion, with a number of conditions recommended requiring the submission of a detailed landscaping scheme to ensure that trees are adequately protected during construction operations, replaced where their removal is unavoidable and thereafter protected and maintained. I consider that subject to such conditions being adhered to and a suitable landscaping scheme being agreed and thereafter implemented, that the development would not have

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an adverse impact on the local landscape. Such a scheme should incorporate species to encourage bee pollination.

Conclusion

43. The proposal seeks to provide additional primary school and nursery accommodation along with the relocation of the School onto one site. It is concluded that there is a justified need for the development, the design is appropriate in this instance and impacts on highways and local amenity can be satisfactorily mitigated. The development would not have an adverse impact on flood risk or water resources subject to the imposition of relevant conditions. Furthermore, the development would not conflict with the purpose of the Local Green Space and suitable measures have been undertaken to create a sustainable design, including the provision of photo voltaic and electric charging points. .
44. The development is in accordance with the general aims and objectives of the relevant Development Plan Policies and the principles of the National Planning Policy Framework and therefore my recommendation is that planning permission be granted subject to conditions.

Recommendation

45. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO the imposition of conditions covering (amongst other matters) the following:
 - Commencement of development within three years of planning permission being granted; and
 - The development to be carried out in accordance with the permitted details; and
 - Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority; and
 - Prior to commencement of the development, a Construction Management Strategy shall be submitted for the approval of the County Planning Authority and be thereafter implemented for the duration of construction; and
 - Prior to the use of the site commencing; the provision and permanent retention of cycle parking facilities and vehicle parking spaces as shown on the submitted plans, including the EV charging points
 - Prior to occupation of the development, the access details shown on the submitted plans shall be provided
 - Gates to be hung to open away from the highway; and
 - Submission of a School Travel Plan to be approved prior to occupation of the development. The Travel Plan shall remain in force for the duration of the approved use, and there shall be an annual review for a minimum of 5 years; and
 - Within 6 months of the development commencing, details of measures showing how the development will enhance biodiversity shall be submitted to and approved by the County Planning Authority

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- No development to commence until a remediation strategy to deal with the risks associated with contamination has been submitted to, and approved in writing by, the local planning authority; and
- A verification report to be submitted to, and approved in writing by the County Planning Authority, demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation; and
- If, during development, 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; and
- No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority; and
- Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority; and
- Prior to commencement of development, a detailed planting plan is to be submitted for the approval of the County Planning Authority. The scheme shall include species to encourage bee pollination. Trees within areas of hardstanding should include details of appropriate underground infrastructure to ensure that they thrive in the long term; and
- Any trees lost as a result of the proposals should be replaced with those of a similar size and appropriate species. If any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged / diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation; and
- A tree constraints plan in accordance with BS5837 2012: Trees in relation to design, demolition and construction, shall be submitted for approval before construction work begins on site in order to inform any design work; and
- Details of any trenches or services in the fenced off Root Protection Areas shall require the prior consent of the Planning Authority and all trenches shall be dug and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered; and
- Any tree / shrub / hedge removals proposed as part of this scheme must be carried out outside of bird nesting season (1st Feb – 31st August inclusive); and
- All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the site or the completion of the development, whichever is the sooner.

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

- It is the responsibility of the applicant to ensure , before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.
- The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any

Item D1

New two-storey teaching block of eight classrooms with associated facilities; a new nursery block; nursery and reception external playspace; ancillary car parking at Sunny Bank Primary School, Sunny Bank, Murston, Sittingbourne, Kent ME10 3QN - SW/20/501709 (KCC/SW/0079/2020)

wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees and scrub are present on the application site and are assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.

Case Officer: Mrs Alice Short

Tel. no: 03000 413328

Background Documents: see section heading
