

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

Extension of existing Science Block at ground floor level; erection of new detached 3 Court Sports Hall and General Teaching Block; installation of new 4 court MUGA and 22 space parking area to facilitate a 1FE expansion of the school at Oakwood Park Grammar School, Oakwood Park, Tonbridge Road, Maidstone, Kent ME16 8AH - MA/26/501988 (KCC/MA/0020/2026)

A report by Head of Planning Applications Group to Planning Applications Committee on 22nd July 2026.

Application by KCC Infrastructure Division for Extension of existing Science Block at ground floor level; erection of new detached 3 Court Sports Hall and General Teaching Block; installation of new 4 court MUGA and 22 space parking area to facilitate a 1FE expansion of the school at Oakwood Park Grammar School, Oakwood Park, Tonbridge Road, Maidstone, Kent ME16 8AH - MA/26/501988 (KCC/MA/0020/2026)

Recommendation: PERMISSION BE GRANTED SUBJECT TO the imposition of conditions.

Local Members: Mr Oliver Bradshaw & Mr Stuart Jeffery

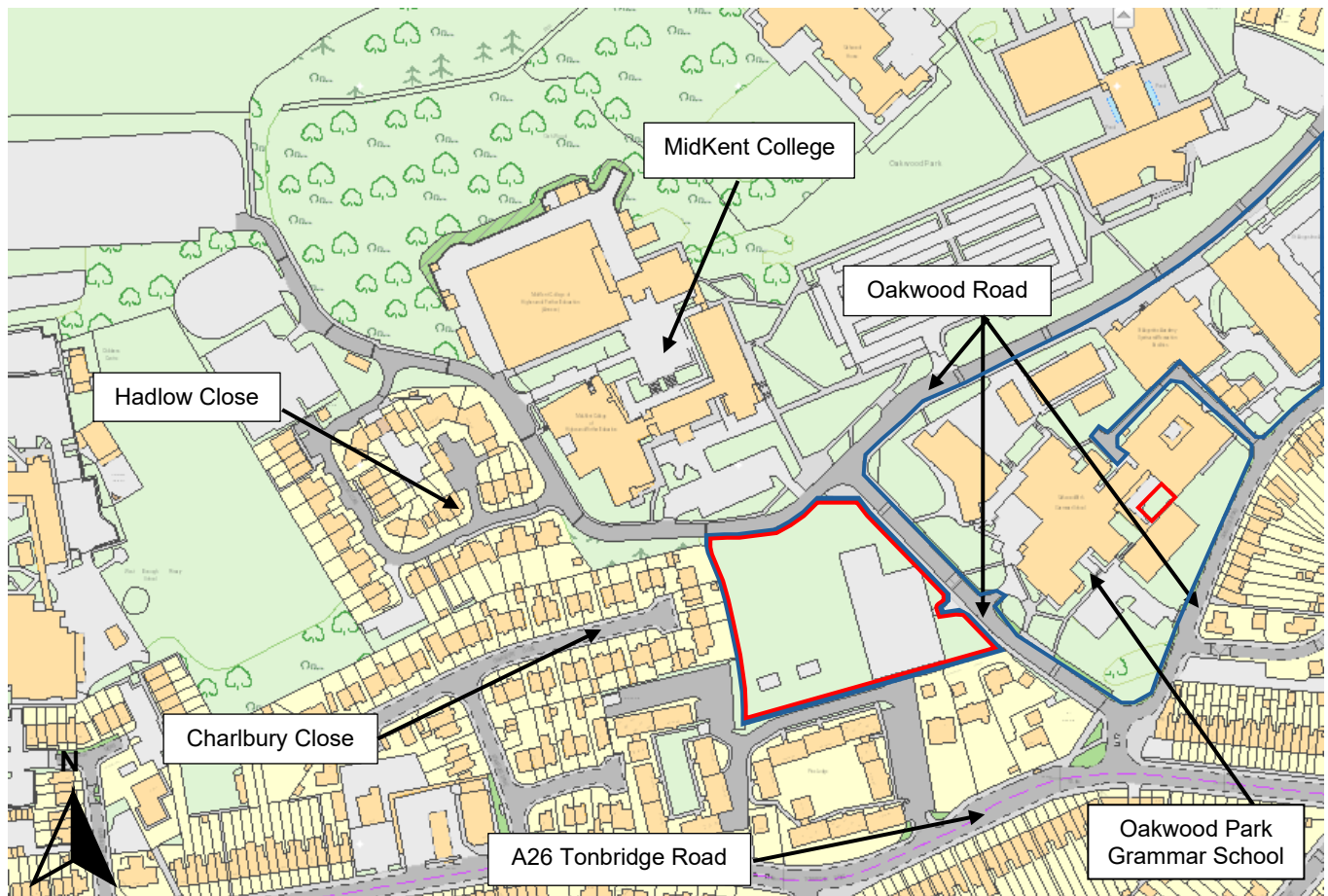
Classification: Unrestricted

Site

1. Oakwood Park Grammar School (OPGS) is a single academy trust that provides boys selective places from years 7 to 11 and a coeducational sixth form. OPGS is located off Oakwood Road in Maidstone and is part of the wider Oakwood Park education campus to the west of the town centre, which includes MidKent College, St Augustine Academy, St Simon Stock, St Francis RC Primary School, Westborough Primary School, University College for the Creative Arts, along with Oakwood House, housing the Kent Registry Office, Coroners' courts, Adult Education and Adoption services.
2. The OPGS campus is made up of three elements. The western site (this application site) which currently comprises soft informal PE space and a hard games court, with a vehicular access off Oakwood Road; the eastern site which includes the main school buildings including the science block, which also forms part of this application; and the external sports facilities at Oakwood Park to the north.
3. The western site is bounded by Oakwood Road to both the east and the north. Further to the north are the MidKent College buildings, and to the north-west the residential development of Hadlow Close. To the west the site is bounded by the rear gardens of residential properties in Charlbury Close and to the south-west/south by the residential development of Pine Lodge (3 storey flats). Four detached dwellings are located to the south of the site, accessed off Oakwood Road. The A26 Tonbridge Road runs to the south of the school complex, and the school playing fields are located to the north of the school opposite St Augustine Academy.

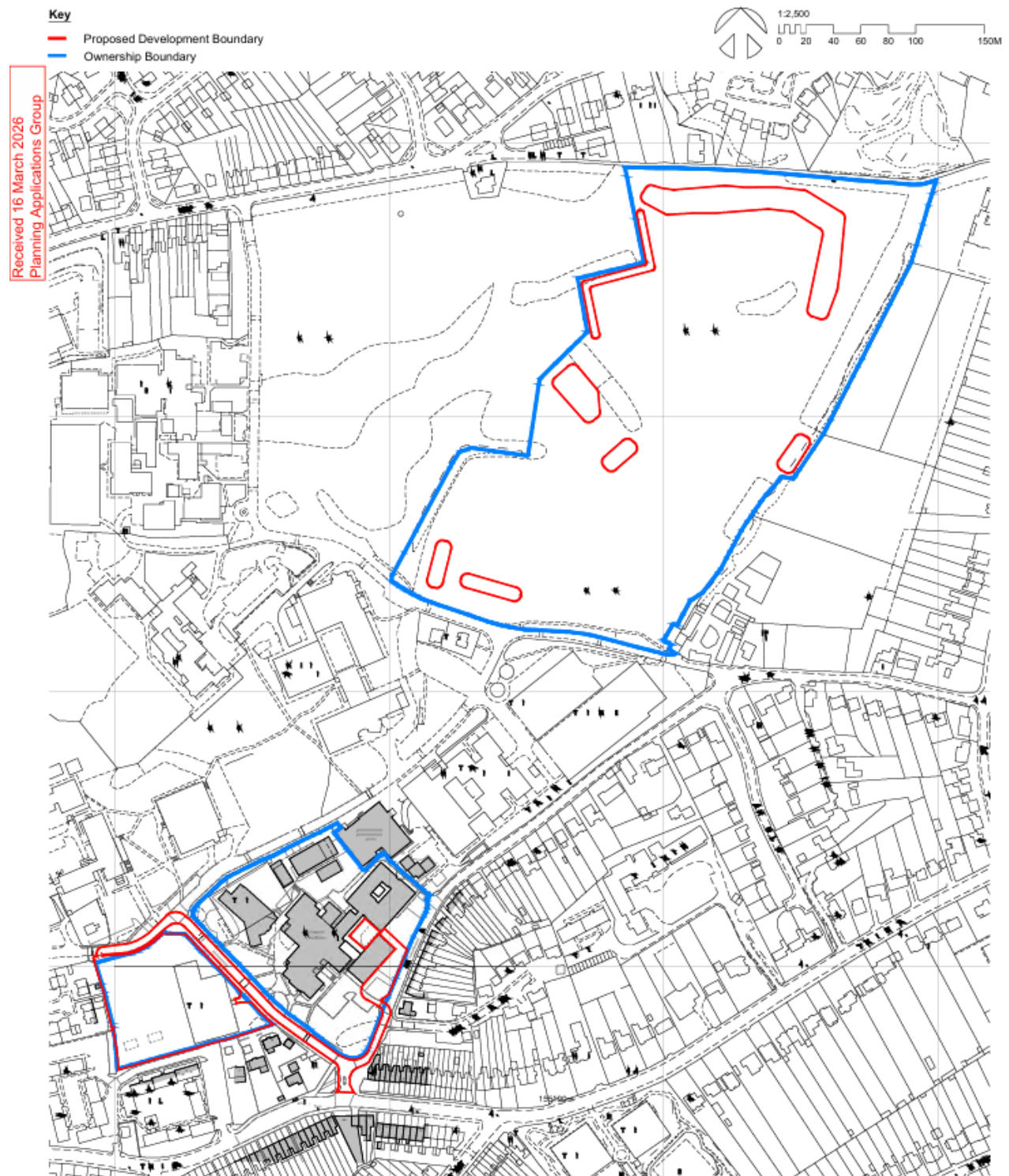
Extension of existing Science Block; erection of 3 Court Sports Hall and General Teaching Block; installation of 4 court MUGA and 22 space parking area to facilitate a 1FE expansion at Oakwood Park Grammar School, Maidstone - MA/26/501988 (KCC/MA/0020/2026)

General Location Plan



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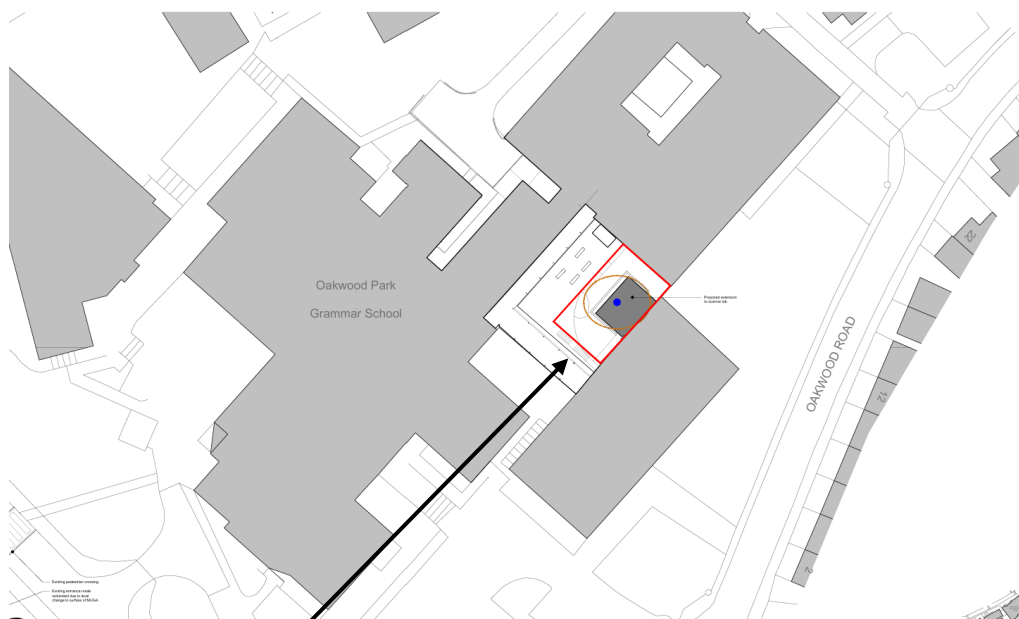
Site Location Plan



Item D1

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Site Layout Plan

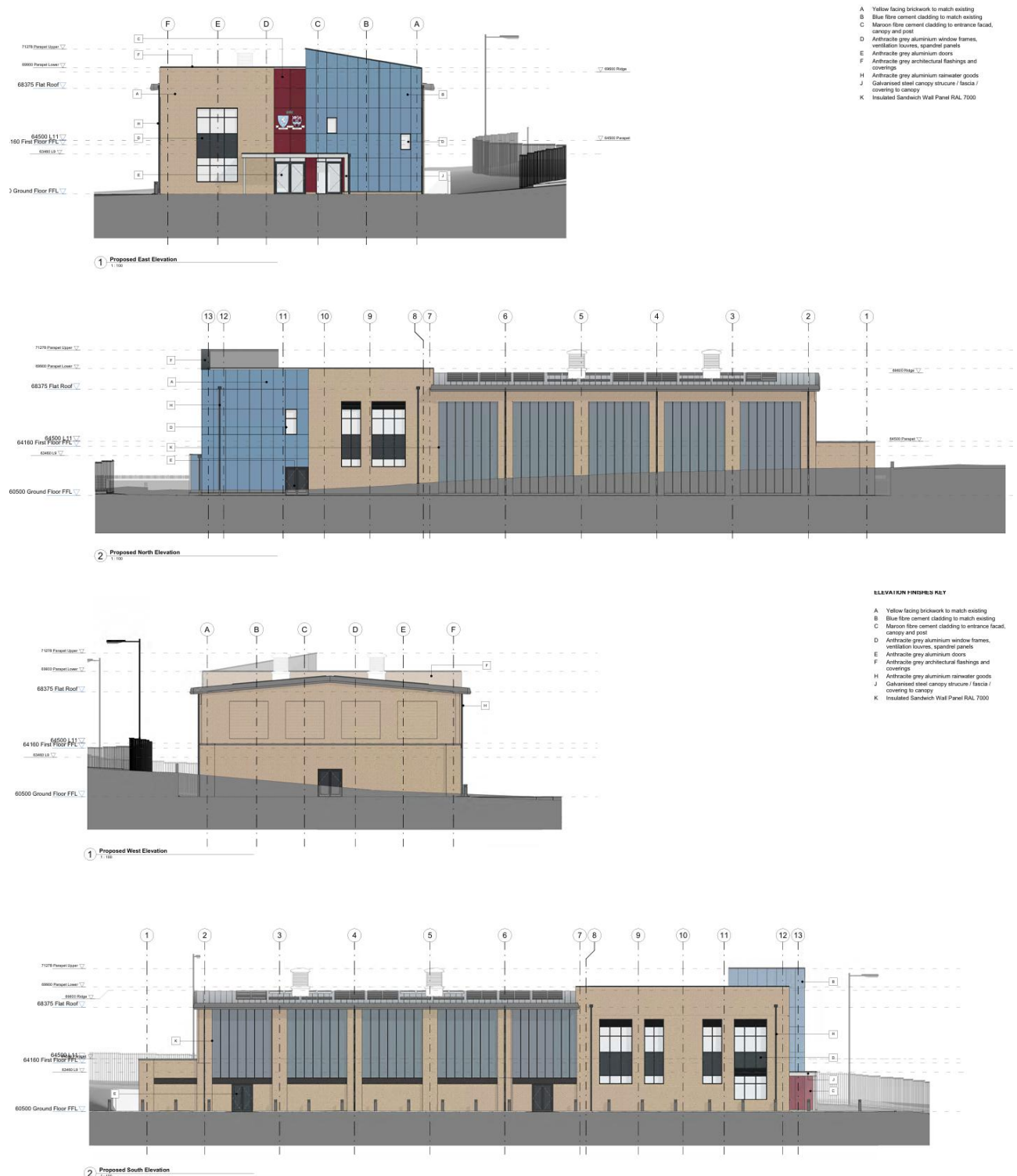


Science Block extension

Item D1

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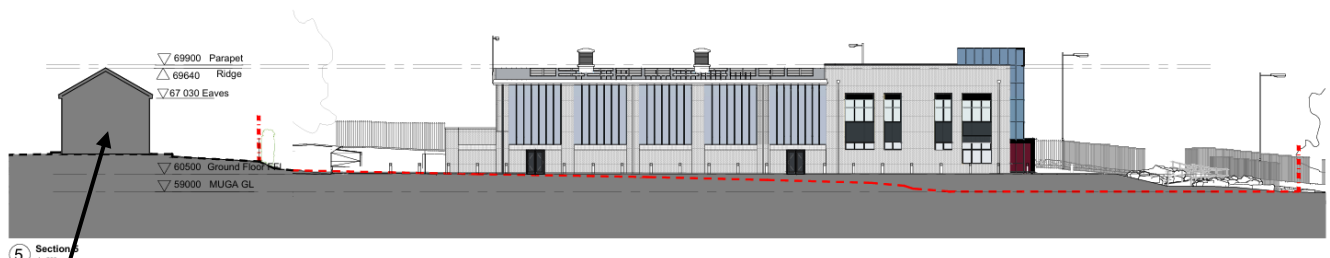
Elevations



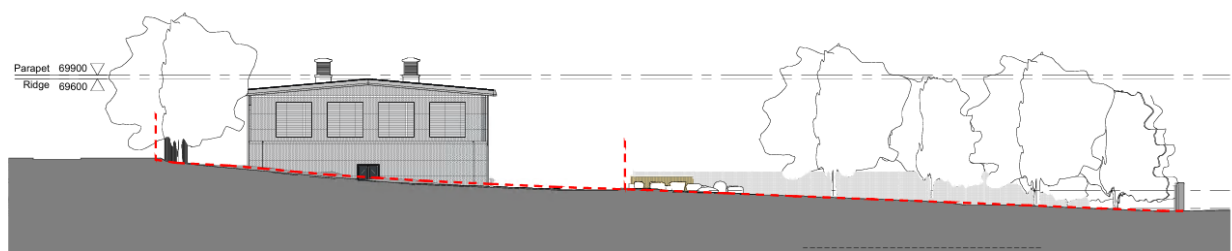
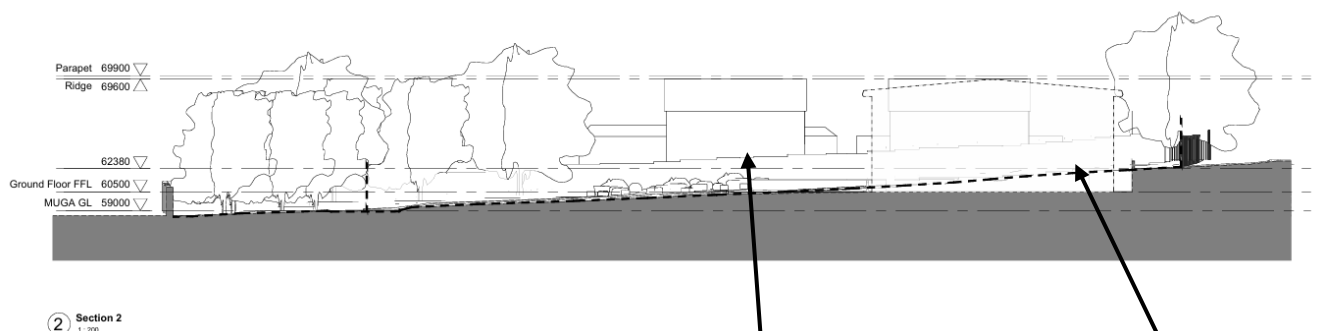
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Site Sections



Northern elevation



Western elevation of sports hall

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Education Need

4. This application is supported by an Education Statement from the KCC Assistant Director for Education (West Kent). The Statement advises that there is an identified need for additional selective Secondary provision to serve the Maidstone and Malling (Education) Planning Group. Selective schools in this planning group are all single sex providers (for compulsory school-aged children) and provision for boys is made at Maidstone Grammar School (MGS) and Oakwood Park Grammar School (OPGS), the subject of this application.
5. There has been a strong upward trend in the total year 7 cohort sizes of Maidstone resident pupils from 1990 to the current date due to housebuilding, and the forecast housing trajectory based on the Council's adopted Local Plan indicates that Year 7 cohorts are forecast to grow each year for the rest of the decade and then settle at larger sizes than they currently are. The split between boys and girls achieving Grammar eligibility in the Kent Test has remained stable in Maidstone, with 52% passing the test being boys each year. Boys' places currently represent 45% of the total Year 7 places available in Grammar Schools, however on average each year group of the current primary school aged population of pupils resident in the planning area is 51% boys. In September 2023 Maidstone Grammar School for Girls was expanded by 1FE (Form of Entry), which provided additional provision for girls.
6. As of 30/01/2026 OPGS had no spare places in their current Year 7 and Maidstone Grammar School were 6 places over its Published Admission Number (PAN). The 2027 Year 7 cohort is forecast to be larger than both the current 2025 cohort and the 2026 cohort. Around 90% of Grammar eligible boys resident in the planning area attend one of these two schools. The majority of those attending schools elsewhere typically attend grammars in Tonbridge, and OPGS and MGS also typically have around the same number on their roll from children who reside outside the Maidstone area due to geography and admission criteria – a pattern which is not expected to change in the future.
7. Therefore to meet the forecast identified need in the County Council's Commissioning Plan for Education Provision in Kent 2026-30 (a five year rolling plan which is updated annually) and to ensure equality of girls and boys provision, KCC has asked Oakwood Park Grammar to provide 30 additional selective places from September 2027. This would permanently increase their Pupil Admission Number (PAN) from 160 (approximately 5.33FE) to 190 places in September 2027 (6.33 FE), a 1 FE expansion.

Recent Site History

8. An application was made to Maidstone Borough Council in 2015 for a new sports hall on the current (western) application site, reference 15/501832/FULL. The application was approved but the sports hall was not built. There is no other relevant planning history.

Background

9. As a result of objections received from Maidstone Borough Council (MBC) and local residents, the initial submission has been amended. The objections raised by MBC were

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in relation to the bulk and mass of the sports hall building and the lack of articulation of the building, particularly when viewed from the south, west and north elevations. They were keen for the design to be amended to make the scheme more visually sympathetic, created through changes to the building height and use of materials. They also raised concern about the bulk and mass of the building affecting the outlook of properties to the west. These concerns were also expressed by the County Planning officers, and were reiterated in some of the local objections received.

10. The applicants took on board these comments in re-designing the sports hall. They reduced the height of the building at the western edge to single storey height so that the bulk and mass of the building would be set away from the shared boundary by an additional 5m. They also removed the parapet round the sports hall element so that the overall height and bulk of this element would be reduced, which in turn provides a variation in roof height between this and the teaching block at the eastern end, to provide additional articulation and interest. Finally the use of recessed brick panels and insets of cladding were used to improve the design and make it more visually interesting. As set out below in paragraph 24, these amendments meant that at the re-consultation stage MBC found the amended design acceptable, and removed their objection to the proposal.
11. The description of the proposal below is for the amended scheme, and it is the amended scheme that will be discussed throughout this report.

Proposal

12. This application seeks approval for a new detached 3 court sports hall and general teaching block, a four court MUGA and a 22 space parking area on the western site, and a single storey extension to the existing science block on the main school site. The development would facilitate a 1FE expansion of the school as set out above in the Education Need section.

Science Block

13. The science block would be extended into the adjoining courtyard requiring the removal of one tree. The lab extension would have a footprint of 5.7m x 7.5m surrounded by a low retaining wall. The extension would be constructed from brickwork to match the existing and would have a flat roof. Aluminium doors and windows would also match the existing building, and the building would have a white fascia board and black guttering and rainwater pipes.

Sports Hall and Teaching Block

14. The new sports hall and general teaching block would be sited along the northern part of the western site and the 22 space parking area would be laid out along the southern side of this. The four court MUGA would be sited in the southern half of the site as shown in the site layout plan on page D1.4.
15. The sports hall and general teaching block would have a footprint measuring 49.95m x 19.56m. At ground floor level there would be a single storey storage area at the western

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end, the three court sports hall in the middle and changing rooms, toilets, plant room, IT hub and staff room along with the lift, stairwell and lobby at the eastern end. At first floor level there would be the void over the sports hall (which has to have a minimum acceptable height controlled by Sport England and Department for Education requirements) and three general teaching classrooms with storage areas. There would be a solar panel array on both the sports hall roof and the roof above the classrooms. Four wind catchers would also be provided on the sports hall roof. Plant equipment for the ventilation air handling units would be located above the classroom block (far eastern edge of the building) so as to be as far away from neighbouring properties as possible.

16. The building would be cut into the site due to the change in levels (the site falls from north-west to south-east) as demonstrated in the section drawings on page D1.6. The single storey storage area would have a height of 4m above the created ground level, with the sports hall element of the building having an eaves height of 7.9m and a ridge height of 9.1m. The teaching block part of the building (at the eastern end) would have a parapet height of 9.4m above ground level and an upper parapet height of 10.8m, for the blue clad design feature on the front elevation.
17. The building would be constructed predominantly using yellow facing brickwork. The sports hall would have brickwork inset panels on the western elevation (facing towards Charlbury Close) to articulate this elevation. On the side elevations of the sports hall element, there would be brickwork vertical piers with grey panels in between, to provide interest and articulation on the north and south elevations. To provide interest on the teaching block part of the building, a panel of maroon cladding would be provided above the entrance doors, and blue panels would be wrapped round the front and side on the northern elevation. A galvanised steel canopy would be provided over the entrance doors; and windows, doors, flashings and rainwater goods would be anthracite grey aluminium.

Parking area and access

18. The parking area would be a linear provision running along the southern side of the sports hall. 22 spaces would be provided including 1 disabled space. Breaks in the parking would be provided in front of the access doors to the building. A new vehicular access into the site would be created in the north-western corner of the site, with access gates being located approximately half way along this, and two additional parallel parking bays provided on the access road. The existing vehicular access on the eastern side of the site would become redundant due to the changes in levels needed to accommodate the MUGA, however a new vehicular access gate would be provided in front of the main entrance to the sports hall for maintenance purposes.
19. Pedestrian access to the redeveloped site would also be to the front of the new building, with a pedestrian path from here down to the MUGA and an access path being provided around the rear of the sports hall. A maintenance access path for the MUGA would also be provided in the south-west part of the site, off the access road.

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Four court MUGA

20. A new retaining wall would be created between the access road/parking area and the edge of the MUGA, which would be laid out 1.5m lower than the sports hall. The four courts would be enclosed by mesh rebound fencing at a height of 3m. The entrance into the MUGA would be at the north-east corner. The MUGA would not be floodlit.
21. The proposals on this part of the site would result in the removal of 5 trees, all of which are located in the southern half of the site. Although there is a Tree Preservation Order (TPO) covering trees to the south of the application site (TPO/17/1998 described as 'Trees on land to the west of 236 Tonbridge Road') none of the trees proposed to be removed are covered by the TPO.
22. The amended documentation confirms that the proposed facilities (sports hall and MUGA) would be for the use of the school only and would not be leased to external parties.

Planning Policy

23. The following Guidance/Statements and Development Plan Policies summarised below are relevant to the consideration of the application:

- (i) **National Planning Policy Framework (NPPF) December 2024** and the **National Planning Practice Guidance**, sets out the Government's planning policy guidance for England, at the heart of which is a presumption in favour of sustainable development. The guidance is a material consideration for the determination of planning applications but does not change the statutory status of the development plan which remains the starting point for decision making. However, the weight given to development plan policies will depend on their consistency with the NPPF (the closer the policies in the development plan to the policies in the NPPF, the greater the weight that may be given).

In determining applications, the NPPF states that local planning authorities should approach decisions in a positive and creative way, and decision takers at every level should seek to approve applications for sustainable development where possible.

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

- decisions should aim to achieve healthy, inclusive and safe places which (c) enable and support healthy lifestyles...for example through the provision of ...sports facilities (*paragraph 96*);
- access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well being of communities (*paragraph 103*);
- existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use (*paragraph 104*);

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- consideration of whether appropriate opportunities to promote sustainable transport modes can be or have been taken up and safe and suitable access to the site can be achieved for all users (*paragraph 110*);
- whether impacts from the development on the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (*paragraph 115*);
- Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road would be severe (*paragraph 116*);
- achieving the requirement for high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Planning decisions should ensure that developments would function well and add to the overall quality of an area; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a strong sense of place, creating a welcoming and distinctive place to live, work and visit; include an appropriate mix of development and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being (*paragraph 135*);
- Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning decisions should ensure that...existing trees are retained wherever possible (*paragraph 136*);
- applications that could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, being proportionate to the nature and scape of the proposal, and they should take account of advice from the Lead Local Flood Authority (*paragraph 182*);
- ...opportunities to improve biodiversity in and around development should be integrated as part of their design especially where this can secure measurable net gains for biodiversity... (*paragraph 193*);
- Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment and in doing so they should (a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life; and (c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. (*paragraph 198*)

In addition, Paragraph 100 states that: *It is important that a sufficient choice of early years, school and post-16 places are 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 early years, schools and post 16 facilities through...decisions on applications.*

- (ii) **Policy Statement – Planning for Schools Development** (15 August 2011) sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system. It is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that

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planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations.

The Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and that the following principles should apply:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.
- Local authorities should make full use of their planning powers to support state-funded school applications. This should include engaging in preapplication discussions with promoters to foster a collaborative approach to applications and, where necessary, the use of planning obligations to help to mitigate adverse impacts and help deliver development that has a positive impact on the community.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out on the Planning Practice Guidance website. Planning conditions should only be those absolutely necessary to making the development acceptable in planning terms.
- Local authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible, and in particular be proportionate in the information sought from applicants.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.

(iii) The **Maidstone Borough Council Local Plan Review** (adopted 20 March 2024) (summarised policies):

Policy LPRSS1	Spatial Strategy. (5) Maidstone Urban Area will continue to be a focus for development in the borough. Best use will be made of available sites within the urban area. (15) Infrastructure schemes that provide for the needs arising from development will be supported.
Policy LPRSP2	Maidstone Urban Area. States that as a sustainable location the Maidstone Urban Area will be a key focus for new development and a good place to live and work.
Policy LPRSP12	Sustainable Transport. Working in partnership with KCC the Borough Council will manage schemes for mitigating the impact of development where appropriate on the local and strategic road networks and facilitate the delivery of transport improvements to support the growth proposed by the Local Plan Review. The Council will deliver modal shift through managing demand on the

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transport network through enhanced public transport and walking and cycling improvements.

Policy LPRSP14(A) Natural Environment. To enable Maidstone borough to retain a high quality of living, protect and enhance the environment, and to be able to respond to the effects of climate change, developers will ensure that new development incorporate measures where appropriate to deliver biodiversity net gain; use arboricultural assessments to take account of any natural assets on site; control pollution to protect ground and surface waters; enhance, extend and connect habitats; and allow for mitigation to take account of biodiversity present on site.

Policy LPRSP14(B) The Historic Environment. The characteristics, distinctiveness, diversity and quality of heritage assets will be conserved and, where possible, enhanced: (Part 8) Through the protection, conservation and enhancement of the historic environment and archaeological landscapes appropriate to their significance.

Policy LPRSP14(C) Climate Change. To ensure that development in the borough mitigates and adapts to climate change, the Council will adopt a strategy that delivers development in sustainable locations; encourage the delivery of sustainable buildings; support the provision of renewable energy infrastructure within new development; and require development to have regard to surface water management plans.

Policy LPRSP15 Design. Proposals should create high quality design and should meet the criteria listed, as appropriate, including (amongst others) (2) responding positively to, and where possible, enhancing the local, natural or historic character of the area, paying particular regard to scale, height, materials, detailing, mass, bulk, articulation and site coverage; (5) respecting the amenities of occupiers of neighbouring properties...by ensuring that proposals do not result in...excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking, visual intrusion, or loss of light to occupiers; (7) provide a high-quality design; (8) orientate development, where possible, in such a way as to maximise the opportunity for sustainable elements to be incorporated; (11) safely accommodate the vehicular and pedestrian movement generated by the proposal on the highway network and through the site access; (14) provide adequate vehicular and cycle parking to meet adopted council standards.

Policy LPRTRA2 Assessing the Transport Impacts of Development. Development proposals must demonstrate that the impacts of trips generated to and from the development are accommodated, remedied or mitigated to prevent severe residual highway safety or capacity impacts. A satisfactory Transport Assessment and Travel Plan should be provided. Development proposals will be

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considered in the context of both their impacts in terms of motor vehicle movements and overall sustainability. The impacts of development on the functionality of the highways network will be considered in the context of any sustainable transport gains that are proposed to accompany them.

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| Policy LPRTRA4 | Parking. Provision of all types of vehicle parking should be made in accordance with advice by KCC as Local Highway Authority. Proposals for non-residential development which includes the provision of parking shall provide electric vehicle charging points at a minimum rate of 50% active Electric Vehicle charging points and 50% passive Electric Vehicle charging points. |
| Policy LPRQD1 | Sustainable Design. Proposals for new development should demonstrate how the scheme has adopted a 'fabric first' approach to sustainable design by incorporating energy efficiency measures into new buildings; non-residential development, where appropriate and technically feasible and viable, should meet BREEAM Very Good rating; all development is expected to incorporate 10% on-site renewable or low carbon energy production where appropriate; new development should be designed and orientated so as to ensure that it responds to or allows for future adaption to the impacts of climate change over its lifetime; new development proposals shall incorporate into the fabric of the building bird, bat and bee habitats and provide the planting of native trees and shrub species, and habitats for insects and invertebrates where appropriate. |
| Policy LPRQD2 | Lighting. Proposals for external lighting schemes will be permitted if they meet criteria which controls glare and light spillage, colour temperature being appropriate for its location and ecological impact, and mitigation to control the impact on wildlife and biodiversity. |
| Policy LPRINF2 | Community Facilities. Adequate accessibility to community facilities, including social, education and other facilities is an essential component of residential development. The council will seek to ensure that, where appropriate, that providers of education facilities will encourage the dual use of education facilities (new and existing) for recreation and other purposes. |

Consultations

24. **Maidstone Borough Council** raise no objection to the amended proposals.

Sport England raise no objection.

KCC Highways and Transportation Officer raises no objection subject to the imposition of conditions to secure that construction is undertaken in accordance with the

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submitted Construction Management Plan; the provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the first use/occupation of the development; and the provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the first use/occupation of the development.

KCC Biodiversity Officer raises no objection subject to the imposition of conditions to secure the submission of: a precautionary works method statement; a Biodiversity Enhancement Plan (BEP); a completion report providing evidence of the implementation of the BEP; a lighting plan; a Habitat Management and Monitoring Plan; and the deemed Biodiversity Gain Plan condition.

KCC Flood and Water Management Officer raises no objection subject to the imposition of a condition requiring a verification report for the drainage scheme to be submitted prior to occupation of or use of the development.

KCC School Travel Planner raises no objection subject to the School Travel Plan being monitored annually for the first 5 years 'post occupation'.

County Archaeological Officer raises no objection subject to the imposition of a condition to secure archaeological field evaluation works in accordance with a written specification and timetable.

Environment Agency (Kent Area) advised it has no comments to make on the application.

Local Member

25. The local County Members for Maidstone Central, Mr Oliver Bradshaw and Mr Stuart Jeffery were notified of the application on 18 March 2026. To date, no views have been received.

Publicity

26. The application was publicised by the posting of 10 site notices (at the entrance to the school, various locations surrounding the site and on nearby residential streets, and at the entrance to the sports field) and an advertisement was placed in the local newspaper.

Representations

27. In response to the original publicity, 6 letters of objection and 1 letter of comment from local residents were received, along with one letter of support from Maidstone Borough Council ward councillor Paul Harper. In response to the submission of the amended drawings, a further 5 letters of objection were received.

The key points raised originally can be summarised as follows:

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Impact on neighbours amenity

- Adverse impact on neighbouring residents' amenity during construction and operation.
- Residents have already experienced prolonged construction disturbance from MidKent College ground source heat pump project and fear similar impacts.
- Potential noise and disturbance to Hadlow Close residents from construction and ongoing use of facilities.
- Construction access alongside rear gardens would cause noise, vibration, dust, emissions and disruption, particularly to outdoor spaces and summer garden use.
- Roof-mounted plant could create continuous noise, particularly due to its proximity to neighbouring properties.
- Daylight assessments indicate a loss of sunlight to neighbouring properties.
- Increased student numbers could lead to more litter and antisocial behaviour.
- The cumulative effects of construction, traffic, noise, lighting and operational activity are considered unacceptable for neighbouring residents.

Construction and operating hours

- Proposed Saturday working conflicts with assurances previously given to residents. (Officer Note: this was clarified in the amended documentation – no Saturday working is proposed)
- Proposal contradicts previous assurances that the sports hall would not be used outside school hours.
- Lack of defined operational hours for the sports hall and MUGA could lead to evening and weekend disturbance.

Access, parking and impact on existing highway

- The proposed car park would increase vehicle movements, noise, lighting and out-of-hours activity close to homes.
- New access arrangements and increased traffic could worsen congestion on Oakwood Road and affect access to Hadlow Close.
- Increased pupil numbers would place further pressure on local roads, pedestrian safety and community wellbeing.
- Concerns that transport evidence does not adequately assess highway and pedestrian safety impacts.
- Accessing site from the east side of the sports hall would reduce impacts on nearby homes and pedestrian routes.
- Proposed parking provision appears excessive and may encourage additional car use.
- Existing informal waiting space for parents would be lost.

Loss of trees & vegetation

- Loss of trees would reduce natural screening.
- Development would result in loss of green space, biodiversity and natural drainage, replacing a field with hardstanding and built development.

Scale and Design

- Lack of dimensions and separation distances makes it difficult to fully assess impacts.
- The scale, height and massing of the building would be overbearing, reduce light and appear out of character with the area.

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Planning policy and decision making

- Concerns raised regarding compliance with relevant Local Plan policies and the NPPF.
- Concerns over transparency and fairness given that KCC is both applicant and decision-maker.

The re-consultation comments were as follows:

- Comments previously submitted about transport issues and road safety do not appear to have been addressed by the additional documents.
- Maintain view that the original transportation plan is flawed and simply adding greater pupil capacity at the school will increase transport and road safety issues at Oakwood Park/Tonbridge Road.
- Raise concerns over the validity and conclusions of the supplementary drainage document and fear the development will increase flood risk in the area
- Amendments do not overcome original concerns regarding noise and disturbance; proximity to residential boundaries; construction impact; lack of control over future hours of use/community use and evening/weekend disturbance; potential lighting impacts; and overdevelopment of the site.
- Comments received also state that should the Council be minded to approve the scheme despite objections received there should be conditions restricting hours of operation; restricting community/external use of the facilities; noise limits and acoustic mitigation; lighting restrictions; management of construction traffic; and increased boundary screening and landscape maintenance.

Discussion

28. In considering this proposal regard must be had to the Development Plan Policies outlined in paragraph (23) 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. The proposal therefore needs to be considered in the context of the Development Plan Policies, Government Guidance and other material planning considerations arising from consultation and publicity.
29. This application is being reported for determination by the Planning Applications Committee due to the objections received from local residents, as set out in paragraph 27 above. In my opinion, the key material planning considerations in this particular case are the principle of development and the need for education facilities; the siting and design of the proposals; visual impact on the wider area; impact on residential amenity; highway and transportation implications linked to the 1FE expansion; sustainability issues; ecological matters including BNG; landscape and impact on trees; flood risk and drainage; and impact on archaeology.

Principle of development and the need for education facilities

30. Planning policy guidance in the form of both the NPPF and the Policy Statement for School Development are strongly worded to ensure that proposals for the development

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of state funded schools should, wherever possible, be supported. The guidance is set out in paragraph 23 above and in summary states that there should be a presumption in favour of the development of state funded schools; that planning authorities should take a proactive, positive and collaborative approach to meeting this requirement; and that any refusal would have to be clearly justified. The school site lies within the defined built-up area of Maidstone and as such the principle of development is accepted, subject to it being in accordance with other relevant policies.

31. The educational need for expanded facilities at Oakwood Park Grammar School is set out in paragraphs 4-7 above. The need to provide additional boys selective places from September 2027 has been identified through the Kent Commissioning Plan (five year rolling plan) and without these spaces there would be a shortfall as a result of the increase in secondary aged children due to the significant increase in housebuilding in Maidstone Borough.
32. The current school site has soft PE and informal spaces which are broadly in excess of Building Bulletin 103 (area guidelines for mainstream schools), largely due to the extensive provision at Oakwood Park, but hard PE and hard informal social areas are under provided and would be further stretched by the additional form of entry. Internally the existing school would fall short of provision for general teaching spaces, science laboratories and support spaces. The proposed development would provide a three courts sports hall which would release pressure on existing PE facilities; provide three new classrooms for general teaching, a staff base and enable re-allocation of existing blocks to support specific curriculum needs (i.e. a dedicated maths block); and would expand the science facilities.
33. The site has an established education use and the provision of such new facilities would be considered acceptable in principle in respect of the guidance on the NPPF and Planning Policy Statement for Schools Development, subject to other policy constraints which are addressed below.

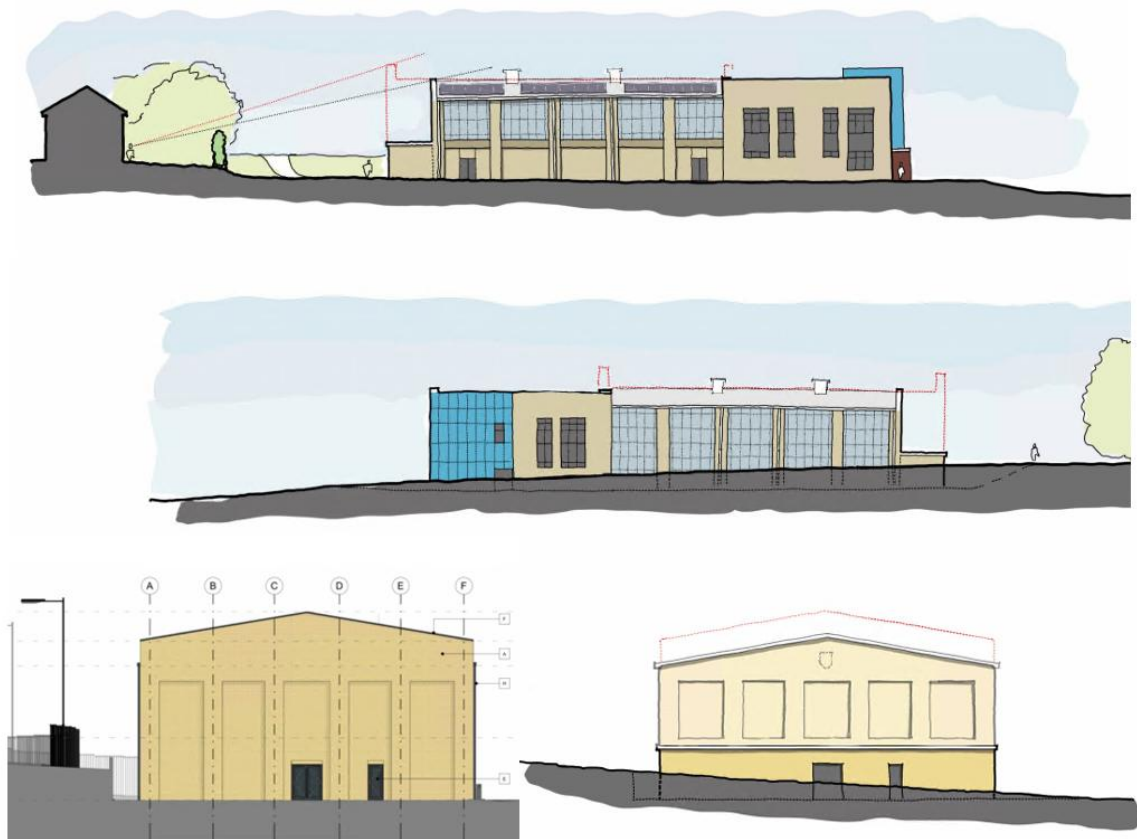
Siting, massing and design of the proposals

34. The proposed development seeks to make the most efficient use of this parcel of land to provide the required sports and teaching facilities needed for the 1FE expansion. The sports hall and teaching block would be sited at the northern side of the site, with the MUGA along the southern side of the site and the car park in between. As amended the footprint of the development would remain as originally submitted but the design of the sports hall has been amended to reduce the bulk of the building, and to create a better relationship with the closest adjoining properties to the west in Charlbury Close.
35. This has been achieved by removing the parapet design around the sports hall element of the building to reduce the gable height of the building on the western elevation. In addition the original first floor store and plant space has been omitted so that the western façade of the sports hall would now be set back approximately 5m further away from the shared boundary at first floor level, with just a single storey element for storage along this elevation. The design of the sports hall elevations have been amended to now include expressed brick pillars and inset panels on the side elevations and articulation to the brickwork on the western elevation. The overall height of the sports hall cannot be amended due to Sport England and Department for Education requirements but it is

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considered that the removal of the parapet creates an improved overall design in terms of the scale and bulk of the building. Furthermore the change in design and height for the sports hall roof element in relation to the teaching block element creates visual interest and articulation.

36. The sketch designs below illustrate the amendments to the scheme which have reduced the bulk of the building and improved the overall design. The red outline shows the parapet height and the position of the western gable wall under the original design.



37. The blue feature cladding on the eastern elevation would tie the design of the building into the main school buildings, as this façade would face towards Oakwood Road and the main school campus. This teaching block part of the building would have a greater overall height than the sports hall element, but would be seen in the context of the wider school campus rather than against the residential development in Charlbury Close.
38. Due to the change in levels across the site the sports hall building would be cut into the ground, so that the ground floor level of this would be below that of the neighbouring properties, thus reducing the appearance of the overall height and scale of the building. The car park would also be at this reduced level, and then the MUGA would be stepped down again with a retaining wall running along the northern edge of the MUGA. The revised section drawings (page D1.6) now accurately reflect the relationship between the adjoining properties to the west and the proposed development, whereas originally

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these properties had not been shown and the relationship between the two was misrepresented.

39. The access road would run down the western side of the site, but again due to the change in levels would drop down below the shared boundary to the west thus mitigating its impact on the properties to the west, combined with the fact that the access would only be used at the beginning and end of the day as it would be for staff parking only. The access into the site cannot be taken from the east, where the existing access is due to the level changes across the site and in order to accommodate the proposed layout.
40. The extension to the science block would be of a similar style and design as the existing school buildings and extends into an internal courtyard. This part of the proposal is also considered acceptable in terms of its siting and design.
41. Overall it is considered that the siting of the sports hall building, car park and MUGA would be acceptable, and would make the most efficient use of the land available to provide the required facilities for the school, whilst ensuring limited impacts on the surrounding area and neighbouring properties, as discussed below. The mass and bulk of the building have been reduced through the amended plans and the design improved through better articulation. Maidstone Borough Council, who originally objected to the scheme have now raised no objection to the proposal based on the amended design. It is considered that the design reflects the character of the education buildings in the vicinity (explained further below) and in my opinion the scheme is considered acceptable and would accord with Policy LPRSP15 of the Maidstone Local Plan Review.

Visual impact on the wider area

42. This site is located within a wider Oakwood Park complex which is characterised by education facilities and large buildings. MidKent College immediately to the north includes a 7 storey building (attached to lower level 2 storey buildings), whilst the Oakwood Park school buildings to the east are 4 storeys and the residential development to the south is 3 storey in height. Overall it is considered that this sports hall and teaching building would be in keeping with the scale and appearance of the surrounding buildings in the immediate vicinity to the north, east and south. The two storey element of the sports hall has been set away from the western boundary with the residential properties in Charlbury Close, to provide a better relationship in this direction, and it is now considered acceptable in this regard.
43. There is established boundary treatment along the western and southern boundaries where there are residential properties and this would provide screening and separation between the development and these properties, whilst the site would be more open to the east and north, where the building would be seen in the context of the surrounding education facilities. Whilst the footprint of the development appears to cover a lot of the overall site area, it should be noted that the fencing surrounding the MUGA would not be solid and therefore views across and through the site would still be retained, and the car park element would also be open, along with an open plaza area in front of the main entrance.

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44. Maidstone Borough Council raised objection to the original design regarding the bulk, mass and articulation of the original building, however in response to the amended design proposal set out above they have raised no objection and are now satisfied that the proposals are acceptable and reflect the scale of the surrounding buildings and would not have a detrimental impact on the visual amenity and character of the wider area (as set out in their delegated report for their re-consultation response).
45. Overall it is considered that the development would be acceptable and would not have any detrimental visual impact on the character of the wider area, and would accord with the aims of Policy LPRSP15 of the Maidstone Local Plan Review.

Impact on residential amenity

46. We have received a number of objections to the scheme from neighbouring residents as set out in paragraph 27 above. The proposed building would be located 15m away from the shared boundary to the west (with Charlbury Close) at ground floor level and then the first floor elevation set back a further 5m due to the amended design. In addition it should be reiterated that the sports hall would be set down at a lower level than the gardens and houses in Charlbury Close. As such it is considered that there would be sufficient separation distance between the new building and the gardens and properties to the west such that the building would not be overbearing or imposing for these residents. Although the outlook may change with the construction of the new building, it is considered that it would not be significantly detrimental to their amenity. Maidstone Borough Council, who originally raised concerns about loss of outlook under the original design, now raise no objection in this regard due to the amendments to the design secured during the processing of the application.
47. There would be no windows in the gable end facing towards the properties to the west, therefore no overlooking would occur, and the submitted Daylight and Sunlight Assessment has demonstrated that there would be negligible to no impact at all on the daylight and sunlight received by the neighbouring 24, 26 and 28 Charlbury Close properties.
48. There would be a loss of 5 trees from the central part of the site, however the boundary landscaping would all be retained and it is this which would provide the natural screening for residents to the west and south. As set out above there would be some additional traffic due to the proposed new access road, but this would be limited to the start and end of each day as the car park would be used by staff only. Construction traffic is considered in the Construction section below in paragraph 59-61. The mechanical plant for ventilation air handling units has been relocated above the classroom block (far eastern edge of the building) within the amendments to the proposal so as to be as far away from neighbouring properties as possible, and it is considered this would be acceptable and would minimise noise disturbance for nearby residents.
49. The Design and Access Statement and Planning Amendment Summary state that lighting would be limited to low level and low lumen lighting for safety purposes only. The MUGA would not be floodlit. A condition requiring a lighting plan to be submitted to ensure no adverse effects on biodiversity is proposed (see paragraph 67 below), but this condition can also be used to ensure that the lighting would not have an adverse impact

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on residential amenity. Details of the location, style and brightness of any proposed lights in the car park or on the building (for example over the doors) would need to be submitted under such a condition, along with hours of lighting operation. It is suggested that the lights would only need to be operational during times when the car park or building is in use i.e. during school opening hours (with discretion for use during one off events such as parents evening/open evening when the school might be open later than usual).

50. Although Local Plan Review Policy LPRINF2 states that where appropriate education facilities (new and existing) should have a dual use for recreation and other purposes, on this site the applicants have confirmed that the sports hall, MUGA and car park would only be used for the school and would not be let for community use outside of school hours. This is considered acceptable in this instance, as the potential out of hours use of the facilities by the community was a concern to local residents, especially those to the west in Charlbury Close that back onto the site, in terms of likely noise and disturbance from both the MUGA and the access road/car park. It should be clarified that the facilities would be available for school use even if this falls outside of the 'standard' school hours (i.e. for after school clubs etc) but that the facilities would not be let out to other community groups. In order to ensure this cannot be changed without due consideration by the planning authority a condition restricting use of the facilities by anyone other than the school is recommended.
51. Overall it is considered that the proposed development would not have a significant adverse impact on the amenities of neighbouring residents and would accord with the aims of Policy LPRSP15 of the Maidstone Local Plan Review.

Highway and transportation implications linked to the 1FE expansion

52. This application included the submission of a Transport Statement (TS) in support of the proposals and, following initial feedback from the Highways and Transportation Officer, a Supplementary Transport Note. The Transport Statement illustrates the accessibility of the site in terms of public transport, cycling and walking infrastructure and notes that the school currently has parking on site for 60 vehicles (including one disabled bay) in a car park located to the south-east of the main school building accessed off Oakwood Road. There is no provision on site, however, for drop off and pick up. Oakwood Road (where it runs alongside the application site) is subject to a 15mph speed limit and double yellow lines, and is traffic calmed with speed bumps. A zebra crossing between the application site and the main school buildings is retained.
53. The proposed development would involve the creation of a new crossover into the site from the north-western corner, and this would allow access to a 22 space car park located between the sports hall and MUGA. The TS states that electric vehicle charging would be provided in accordance with Part S of the Building Regulations. This requires one space to have access to electric vehicle charge point and cable routes for electric vehicle charge points to be installed in a minimum of one fifth the total number of remaining parking spaces. Two additional parking spaces would be available along the access road into the site, and the new access would be controlled with gates. Additional cycle provision (21 spaces) would be located on the main site adjacent to the existing cycle store.

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54. The County Council's Highways and Transportation Officer has considered the information provided both originally in the TS and in the Supplementary Transport Note (which gave clarification on his original queries) and has advised that KCC Highways have no objection to the proposal. He states that he concurs with the conclusions of the TS that the pedestrian infrastructure surrounding the site is of a high standard and as such safe and suitable pedestrian access can be achieved. In addition the number of vehicle parking spaces and cycle spaces are both acceptable to KCC Highways. They are also satisfied that the proposed expansion and development would not exacerbate any pre-existing safety problems associated with the existing highway layout.
55. The Highways and Transportation Officer has recommended conditions on any consent given to secure that construction is undertaken in accordance with the submitted Construction Management Plan; the provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the first use/occupation of the development; and the provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the first use/occupation of the development. In addition it is recommended that a condition to ensure the cycle parking is installed prior to the first use of the MUGA or Sports Hall and that the EV charging facilities, in line with Part S of the Building Regulations, are installed. Although the provision of EV charging spaces does not accord with Local Plan Review Policy LPRTRA4 the Highway and Transportation Officer has advised that the provision in line with Building Regulations is acceptable.
56. The applicants also submitted a School Travel Plan as part of the application and the County Council's School Travel Planner has advised that this should be monitored annually for the first 5 years 'post occupation', therefore a further condition to secure this monitoring is also proposed.
57. Objections have been received in relation to the impact of the 1FE expansion on the surrounding highway network in terms of additional traffic at peak times, the impact on parking in the surrounding area, the location of the proposed access, and increased risks to pedestrian safety at the junction of Oakwood Road and Tonbridge Road. However, no objection has been raised by KCC Highways regarding the development on any of these points. The proposed car park would only be used by staff and therefore traffic in and out of it would be limited to the start and end of each school day, and it would not be used during school holidays. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, which KCC Highways has advised would not be the case in this instance.
58. Subject to the above conditions, it is considered that the development would accord with Policies LPRSP12 and LPRTRA2 of the Maidstone Local Plan Review.

Construction

59. As part of the updated proposals to the original submission an amended Construction Management Plan, Site Delivery Plan and Site Logistics Plan have been submitted. These documents, when read together indicate that the main construction access to the site would now be the existing one on the eastern side of the site, away from neighbouring properties. The proposed new vehicle access for the car park would only

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be used as a secondary entrance/exit for large deliveries or upon completion of the MUGA. All vehicles entering the site would be controlled by a Banksman, and deliveries are proposed to be scheduled to reduce congestion and the need for on-site storage. The site would be registered under the Considerate Constructors Scheme and there would be a wheel wash facility at the point of leaving the site. Deliveries would be between 8am and 5pm but with no deliveries during peak school times at the start and end of the day. Working hours on site would be 8am to 5pm Monday to Friday with no construction taking place at the weekends or on bank holidays.

60. The applicants have confirmed that the MUGA surfacing and installation of the fencing would be completed towards the end of the project therefore the majority of construction traffic would be kept away from the western boundary which would be of benefit to the residents here over the construction period. The Highways and Transportation Officer has reviewed the amended CMP and site logistics and delivery plans and has confirmed that he has no objection to these. As set out above, it is proposed that if approved, a condition should be included which ensures the development is carried out in accordance with these amended documents.
61. The small science block extension would be segregated from the main school using engineered hoarding, with a small localised welfare area and wheel wash zone created to the east, again separated from the car park/public areas using hoarding/heras fencing. Contractor parking and deliveries would all be to the main site with any vehicles moving between the two sites restricted to 8am to 5pm and avoiding peak school times. Where possible, groundworks and the knock through to the existing science block would be carried out during school holidays to minimise disruption to the school.

Sustainability issues

62. In support of the application an Energy Strategy document was submitted, which sets out how the development would meet the energy and carbon emission targets set by national and local planning policy. The building has been designed to be energy efficient incorporating LED lighting throughout; highly insulated for low heating requirements and the space would be heated using a heat pump system; a hybrid ventilation system combining natural ventilation, opening windows, windcatcher units and mechanical ventilation; and hot water supplied using the same heat pump system. All heating pipework would be insulated to a standard beyond building regulations requirements and this would minimise issues with internal heat gain to avoid any additional ventilation or cooling.
63. As noted above the development would use a heat pump for heating and hot water, along with a solar panel array which would be installed on the sports hall. The Energy statement states that this would produce an annual yield of 85,566kWh/per annum. The sports hall would exceed the Part L 2021 carbon emissions targets to achieve a carbon neutral status, with 100% of the sports hall's energy consumption being offset by renewables.
64. The development is therefore considered to accord with the aim of Policy LPRQD1 (where at least 10% of the development's energy demand is from on-site renewable or low carbon energy production, and follows the 'Be Lean, Be Clean, Be Green' hierarchy) along with Policies LPRSP14(C) and LPRSP15.

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Ecological matters

65. The application included the submission of a Preliminary Ecological Appraisal, Biodiversity Net Gain Feasibility Assessment and the Statutory Biodiversity Metric. The Preliminary Ecological Appraisal (PEA) identified that the site supports common and widespread habitats which are of low ecological importance, but which contribute to the local suburban habitat network; that a small group of mature holm oak trees were found to have suitable features to support roosting bats; and that on site trees provide suitable nesting habitat for common and widespread birds. The recommendations state that precautionary works are recommended in relation to nesting birds and that if the group of holm oak trees are to be removed (they are not identified as being removed) then further surveys of the trees would be required in relation to roosting bats.
66. The application was assessed by the County Council's Ecological Advice Service and the Biodiversity Officer has confirmed that they are satisfied with the information provided in the PEA. They state that whilst the site is considered to be low risk and of low biodiversity value, to protect against adverse impacts to protected species which might be identified during clearance and construction (such as bats, birds, badgers, hedgehogs), they recommend the imposition of a condition to ensure that works are carried out in accordance with the precautionary mitigation method statement in the PEA.
67. The Biodiversity Officer also states that the proposed development provides opportunities to incorporate features into the design which are beneficial to wildlife, such as native species planting and the installation of integrated bat/bird nest boxes, in accordance with guidance set out in the NPPF. A condition to secure the details of such features (in the form of a Biodiversity Enhancement Plan) and a further condition to provide evidence of their installation on site are also therefore recommended. Finally in order to ensure that any lighting on site does not affect any commuting, foraging or roosting bats, a condition to secure details of any lighting on site is requested, to ensure there are no adverse effects on biodiversity.
68. Subject to the imposition of these conditions it is considered that the proposed development would accord with the NPPF and Policies LPRSP14(A), LPRSP15 and LPRQD2 of the Maidstone Local Plan Review.

Biodiversity Net Gain (BNG)

69. The BNG Feasibility Assessment identified that the site supports modified grassland, several hedgerows, scattered trees and hardstanding. The total baseline value for the site is 3.36 area habitat units, and 0.50 hedgerow units and this is set out in the Statutory Matrix. In order to achieve an uplift of the required 10% net gain, an area of modified grassland would be enhanced to a higher distinctiveness habitat of other neutral grassland, along with the further creation of other neutral grassland, shrub and urban tree planting. A line of trees would also be created in addition to the existing line of trees that would be retained.
70. Overall it is stated that a total of 0.79 habitat units (23.62%) and 0.17 hedgerow units (33.01%) would be achieved – in excess of the required 10%. All of the gains would be provide onsite, partly on the main school site but mostly in small areas on the larger

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sports field, as shown on the plan on page D1.7. The Biodiversity Officer has assessed the Statutory Matrix and BNG Feasibility Assessment and states that the information submitted with the application gives confidence that the biodiversity net gain can be achieved. The deemed Biodiversity Gain Plan condition would be included in any consent, and the Biodiversity Officer has advised that the creation and enhancement of the onsite habitat as well as its maintenance for 30 years can be secured via a Habitat Management and Monitoring Plan condition.

71. Subject to the imposition of these conditions the development meets the requirements of the Biodiversity Net Gain regulations and would accord with Policy LPRSP14(A) of the Maidstone Local Plan Review.

Landscape and impact on trees

72. The application included the submission of an Arboricultural Report, Arboricultural Impact Assessment (AIA) and Tree Survey Plan, and Tree Protection Plan. The reports set out that there are 27 individual trees and 4 tree groups on the application site, which include a mixture of rowan, sycamore, Scots pine, silver birch, hornbeam, bird cherry, swamp cypress and box elder maple. The development would require the complete removal of 6 individual trees, with pruning works being required for 3 additional trees. The development would also fall within the root protection areas of 8 trees and the tree group (for the construction of the MUGA), and for this construction using a no-dig construction method would be required, as set out in the AIA.
73. The trees to be removed would be to accommodate the science block extension (1 swamp cypress tree) and the MUGA (3 silver birch and 2 rowan). The swamp cypress tree within the existing courtyard that would be removed for the science block extension is not visible to the wider surrounding area and its removal would not impact the immediate character of the site. The five trees on the western development site can currently be seen from Oakwood Road, but the site is generally well enclosed by boundary trees and hedges to the south and west, and whilst regrettable, it is considered that the removal of these 5 trees would not have a material impact on the overall appearance of the wider site.
74. A condition should be included on any consent given to secure tree protection barriers for those trees which are to be retained, and a further condition to ensure that all works within the root protection areas are undertaken to avoid impact/disturbance of tree roots, in accordance with the guidance set out in the Arboricultural Impact Assessment, and the Tree Protection Plan. A condition to secure a landscape scheme is also included to secure details of new planting around the car park, sports hall and MUGA to provide visual screening, and to enhance and soften the development, as set out in the Design and Access Statement. Subject to this it is considered that the development would accord with the aims of Policy LPRSP14(A) of the Maidstone Local Plan Review.

Flood risk and drainage

75. The application has been supported by the submission of a 'Flood Risk Assessment and Drainage Strategy Report', along with a Supplementary Note and Drainage Maintenance Schedule. The Supplementary Note provided updated information based

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on infiltration testing undertaken to provide actual rates rather than the estimates included in the original report.

76. The 'Flood Risk Assessment and Drainage Strategy Report' states that the site does not lie within any source protection zone and there are no watercourses within the vicinity of the development areas. Survey results shows that there is no formal drainage on the proposed sports hall/MUGA site however there is a foul sewer within the adjacent footway on Oakwood Road running down the eastern side of the site, and there is a foul network that passes through the courtyard for the science block extension. The EA Flood Maps show that the site lies within Flood Zone 1 (land assessed as having a very low probability of flooding). The report has considered all sources of flooding in accordance with the NPPF guidance and concludes that the site is at a low risk of flooding from all potential sources.
77. The surface water from the proposed development is to be discharged into the ground through infiltration techniques. The report states that modelling has demonstrated that permeable paving and a traditional crate soakaway are viable for the MUGA itself, but alternative provision would be required for the roof area, pedestrian and road areas associated with the sports hall and car park. This would be accommodated using a 10-12m deep borehole. Furthermore the report states that surface water from the most likely point of pollution (the car park and access road) would pass through an area of permeable paving providing attenuation and treatment. Additionally all surface water from the works (vehicle, pedestrian and roof areas) would pass through a vortex pollution separator to ensure all surface water is appropriately treated prior to discharge, in order to protect the groundwater from contamination. Foul water generated from the scheme (from the new sports hall) would be conveyed by a new gravity system around the proposed building before being discharged into the existing connection to the foul sewer on Oakwood Road. Surface water captured from the roof and small paved area around the science block extension would be conveyed to a traditional soakaway in the ground.
78. The application has been considered by the County Council Flood and Water Management Team who state that the proposals for managing surface water to and from the site are acceptable. The Supplementary Drainage Note, which provided the infiltration rates that could be achieved on site through testing undertaken, and also included hydraulic analysis, provided a much clearer understanding of the proposed drainage system. As such should permission be granted the development should be conditioned to be constructed in accordance with the submitted detailed design, with an additional condition requiring a verification report to be submitted for written approval prior to the use/occupation of the development.
79. One letter of objection received from a local resident raised concerns about the validity and conclusions of the supplementary drainage document, and therefore the Flood and Water Management officer was asked to consider the points raised. Despite the comments received, the officer has confirmed that he is satisfied that the proposed drainage design meets the SuDS National Standards.
80. Subject to the imposition of the conditions stated above, the scheme is considered to accord with the NPPF and Policy LPRSP14(A) of the Maidstone BC Local Plan Review.

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Archaeology

81. An Archaeological Desk Based Assessment (DBA) was submitted with the application, which considered the impact of the proposed development on any heritage assets of archaeological and historic interest which may be of significance. The site lies within an Archaeological Notification Area described as an 'area of palaeolithic potential; area of background archaeological potential'. The report notes that the western site (for the sports hall, car park and MUGA) has some evidence of levelling and landscaping, but it is possible that extant archaeological features, artefacts or ecofacts lie within the proposed development area, which could be disturbed or destroyed by the proposed groundworks. The report therefore recommends that further mitigation of the potential effects of the groundworks is likely to be a condition on any planning consent.
82. The County Council's Archaeological Officer has considered the submitted DBA and concurs with the findings of the report, stating that they consider there is broad potential for prehistoric or later archaeology. They therefore recommend a condition be included on any planning permission to secure details of archaeological field evaluation works, to be agreed in writing with the County Planning Authority. Subject to this the scheme is considered to accord with Policy LPRSP14B of the Maidstone BC Local Plan Review.

Other Matters

83. Local residents have expressed concern that the County Council can be the Applicant and the determining Planning Authority. The power to determine planning applications such as this is governed by Regulation 3 of the Town and Country Planning General Regulations 1992. This requires the County Council to determine such planning applications as long as the development is to be carried out by (or on behalf of) the County Council or jointly with another named party. The development may be on land within the County Council's ownership, or any other land. Planning legislation gives the County Council no choice as to whether to determine the application or not. This is the same planning process that is followed by every local authority seeking to carry out development.

Conclusion

84. In my view the key determining factors for this proposal are the principle of the development and the educational need, together with the appropriateness of the design and siting of the new building, and any highway and transportation implications linked to the proposal. There is strong Government support in the NPPF for the development or expansion of schools to ensure that there is sufficient provision to meet growing demand, increased choice and raised educational standards, subject to being satisfied on local amenity and all other material considerations. In my view the proposed development would not give rise to any severe, significant or demonstrable harm that would be overriding as far as planning, highways, environmental and amenity aspects are concerned, as demonstrated in the discussion above.
85. Support for the provision of school places is heavily embedded within the NPPF, the Planning for Schools Development Policy Statement, and local planning policy, and this development would satisfy a required need for secondary school places. In my view the

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development is sustainable and in accordance with the aims of the NPPF and I recommend that planning permission be granted subject to the conditions set out below.

Recommendation

86. I RECOMMEND that PERMISSION BE GRANTED SUBJECT TO conditions covering (amongst other matters) the following:

1. The standard 3-year time limit;
2. The development to be carried out in accordance with the permitted details;
3. The development shall be constructed in accordance with the details of all construction materials set out in the submitted documents (Design and Access Statement) and application drawings;
4. All construction and demolition works shall be undertaken in accordance with the submitted Construction Management Plan, Site Delivery Plan and Site Logistics Plan;
5. The provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the first use/occupation of the development;
6. The provision and permanent retention of the vehicle loading/unloading and turning facilities shown on the submitted plans prior to the first use/occupation of the development;
7. The provision of 21 cycle parking spaces installed on site prior to the first use of the MUGA or Sports Hall;
8. The EV charging facilities, in line with Part S of the Building Regulations, to be installed in the car park prior to the first use of the MUGA or Sports Hall;
9. The School Travel Plan shall be monitored annually for the first 5 years 'post occupation' and the monitoring details shall be provided to the County Council via 'Jambusters';
10. Works shall be carried out in accordance with the precautionary mitigation method statement in the Preliminary Ecological Appraisal;
11. Prior to any works above slab level, the submission of a Biodiversity Enhancement Plan to secure features beneficial to wildlife such as bat/bird nest boxes;
12. Within 6 months of completion of the development a completion report to be submitted demonstrating the implementation of the biodiversity enhancement features;
13. Prior to any works above slab level, the submission of a lighting plan showing location, style and brightness of any lights on site, and hours of lighting operation, designed to minimise impacts on biodiversity and protect residential amenity;
14. Prior to the commencement of development the submission of a Habitat Management and Monitoring Plan condition to secure the maintenance of the Biodiversity Net Gain for 30 years;
15. Tree protection barriers to be installed on site and retained for the duration of the construction period;
16. All works undertaken within the root protection areas of trees to be retained to be carried out in accordance with the approved Arboricultural Impact Assessment and Tree Protection Plan;
17. Submission of a landscape plan within 6 months of commencement of development;
18. Development to be carried out in accordance with the submitted detailed drainage design;
19. The submission of a verification report prior to the use of the development to

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demonstrate the drainage design has been implemented as approved.

20. The use of the sports hall, car park and MUGA shall be restricted to Oakwood Park Grammar School only and shall not be let for community use.
 21. Prior to the commencement of development the submission of details for archaeological field evaluation works in accordance with a written specification and timetable.
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87. The development shall also be subject to the submission of a Biodiversity Gain Plan, prior to the commencement of development, in accordance with paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended).

Case Officer: Mrs Helen Edwards

Tel. no: 03000 413366

Background Documents: see section heading
