

AGENDA

ADJOURNED PLANNING COMMITTEE MEETING



Date: Thursday 24 August 2017

Time: 6.00 p.m.

Venue: Town Hall, High Street, Maidstone

Membership:

Councillors Boughton, Clark, Cox, English (Chairman), Harwood,
Hemsley, Munford, Powell, Prendergast, Round, Spooner,
Mrs Stockell and Vizzard

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Notification of Visiting Members
4. Items withdrawn from the Agenda
5. Any business the Chairman regards as urgent including the urgent update report as it relates to matters to be considered at the meeting
6. Disclosures by Members and Officers
7. Disclosures of lobbying
8. To consider whether any items should be taken in private because of the possible disclosure of exempt information.

Continued Over/:

Issued on Friday 18 August 2017

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone ME15 6JQ**

- | | | |
|-----|--|---------|
| 9. | 15/509813 - Mid Kent Roofing Yard, Forstal Lane, Harrietsham, Kent | 1 - 7 |
| 10. | 16/508513 - Lewis Court Cottage, Green Lane, Boughton Monchelsea | 8 - 17 |
| 11. | 17/502100 - Bredhurst Garden Centre, Dunn Street, Bredhurst | 18 - 30 |
| 12. | 17/503233 - The Willows, Buckland Lane, Maidstone | 31 - 34 |
| 13. | 17/501471 - Land At Valley Park School, New Cut Road, Maidstone | 35 - 60 |
| 14. | Chairman's Announcements | |

PLEASE NOTE

The order in which items are taken at the meeting may be subject to change.

The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council website.

For full details of all papers relevant to the applications on the agenda, please refer to the public access pages on the Maidstone Borough Council website. Background documents are available for inspection by appointment during normal office hours at the Maidstone Borough Council Reception, King Street, Maidstone, Kent ME15 6JQ.

ALTERNATIVE FORMATS

The reports included in Part I of this agenda can be available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact Democratic Services on democraticservices@maidstone.gov.uk or 01622 602030**. To find out more about the work of the Committee, please visit www.maidstone.gov.uk



REPORT SUMMARY

REFERENCE NO: 15/509813/FULL			
APPLICATION PROPOSAL: Retrospective application for new office unit (considering external alterations to previously approved office building).			
ADDRESS: Mid Kent Roofing Yard, Forstal Lane, Harrietsham, Kent, ME17 1LB			
RECOMMENDATION: GRANT PLANNING PERMISSION subject to the conditions and informatives set out at the end of this report.			
SUMMARY OF REASONS FOR RECOMMENDATION: <ul style="list-style-type: none">• The design and appearance of the development is in keeping with the character of the surrounding area.• The development is acceptable in relation to the impact on residential amenity including in terms of outlook, privacy and noise.			
REASON FOR REFERRAL TO COMMITTEE: <p>Harrietsham Parish Council has requested that the application be determined by the Planning Committee.</p>			
WARD: Harrietsham And Lenham		PARISH COUNCIL: Harrietsham	APPLICANT: Mr R Smith AGENT: Martin Potts Associates
DECISION DUE DATE: 14/01/16		PUBLICITY EXPIRY DATE: 07/06/16	OFFICER SITE VISIT DATE: 25/04/2017
RELEVANT PLANNING HISTORY (inc. appeals and relevant history on adjoining sites):			
<u>Current application site</u>			
App No:	Proposal:	Decision:	Date:
15/507388/NMAMD	Amendment for 6 skylights to west elevation; relocate front door; glaze 1st floor north gable with stairs and access door; patio door to south elevation of planning application 15/502517/FULL.	Refused	28/09/2015
15/502517/FULL	Proposed new office unit	Approved	29/06/2015
15/501861/SUB	Submission of details pursuant to Condition 5 - Hard and Soft Landscaping of 14/500358	Approved	22/05/2015
14/500358/FULL	Continued use of Area B as storage for building materials, with car parking.	Approved	24/11/2014
97/0613	Certificate of Lawful Development for the use of the site for the storage and distribution of building materials, wholesale and retail sale of building materials, and ancillary office and toilet block.	Approved	31/10/1997

Land at Avonbank, Holm Mill Lane, Harrietsham, Maidstone, Kent, ME17 1LA

App No:	Proposal:	Decision:	Date:
10/1080	Change of use of redundant buildings to holiday lets	Approved	31/08/2010

Millfield, Holm Mill Lane, Harrietsham, Maidstone, Kent, ME17 1LA

App No:	Proposal:	Decision:	Date:
16/506875/FULL	Demolition of existing outbuilding and erection of a 3 bed chalet style single storey holiday let with a private access route and designated parking	Approved	21/11/2016

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site covers an area of 1680 square metres located to the east side of and accessed by a track from Forstal Lane (Greenway Lane). The site is 460 metres to the north west of the Harrietsham settlement boundary (junction of Ashford Road and West Street). The site is within the North Down's Special Landscape Area (SLA) of the adopted plan but outside the emerging Landscape of Local Value designation that is to the south of the Channel Tunnel Rail Link.
- 1.02 The application site is to the north and to the rear of two residential properties fronting Holm Mill Lane (Hollowdene, Millfield). To the east of the site is a row of single storey former office buildings; planning permission was granted in 2010 (10/1080) for conversion of these buildings to holiday lets (stable oak cottages) with a rise in roof ridge heights to between 3.8 to 4.7 metres. It appears that the site contains a mixture of holiday lets and stabling for horses. The property called Avonbank is adjacent to Millfield to the east on Holm Mill Lane, the occupier of Avonbank owns the holiday lets and open land to the north of the application site.

2.0 PROPOSAL

- 2.01 A certificate of lawful development was issued in 1997 (MA/97/0613), for the storage and distribution of building materials, wholesale and retail sale of building materials, and an ancillary office and toilet block for part of the current application site. Planning permission was subsequently granted in 2014 for the use of adjacent additional land to be used in connection with the business. This additional land is to the north and west of the land that was subject to the certificate of lawful development.
- 2.02 Planning permission was approved in 2015 for a new office building on the application site in connection with the existing roofing business. The building has been constructed and is in use and the current application seeks the retention of changes that were made to the previously approved plans.
- 2.03 Whilst there has been no changes to the overall height of the building, the applicant has set out the following changes to fenestration and appearance from the building that was previously approved:
- The two ground floor windows to the south elevation (facing Holm Mill Lane) have been replaced with a single set of patio doors;

- The main building entrance has been moved from the west to the south elevation of the previously approved porch;
 - The cill height of the windows to the west elevation (facing the yard) have been lowered with the windows spread more evenly across the elevation;
 - In the west elevation six roof windows (velux) have been added to the roof slope;
 - An access door has been added to the north building elevation in the gable end of the roof.
 - The black stained timber cladding has been replaced with a red brick wall below window cills.
- 2.04 Whilst the height of the building has not changed when compared to the earlier approved planning application, the applicant now uses the loft space of the building for storage purposes. The loft space does not have an internal access staircase and as a result materials to be stored within the loft are either lifted externally to the external door in the roof eaves by a boom lift (cherry picker) or through an internal loft hatch.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV28, ENV34, ENV49
 - National Planning Policy Framework (NPPF)
 - National Planning Practice Guidance (NPPG)
 - Maidstone Borough Council Local Plan Publication (submission version) February 2016; SP5, SP6, SP17, DM1, DM2, DM3, DM7, DM24, DM27, and DM34
- 3.01 Paragraph 216 of the NPPF sets out the factors which influence the weight to be given to emerging LP policies – preparation stage, extent of unresolved objections and consistency with the NPPF.
- 3.02 Maidstone Borough Local Plan (2016) was submitted to the Secretary of State for examination on 20 May 2016. The Local Plan Inspector issued his Report on the Examination of the Maidstone Borough Local Plan on 27 July 2017. The Report is accompanied by an appendix containing the Main Modifications. The Inspector concludes that, with the incorporation of the Main Modifications, the submission Maidstone Borough Local Plan is sound. The adoption of the Local Plan will be considered at the next meeting of the Council on 27 September 2017.
- 3.03 In these circumstances, it is considered that approaching full weight should be afforded to the Maidstone Borough Local Plan incorporating the Main Modifications in the determination of planning applications.

4.0 LOCAL REPRESENTATIONS

- 4.01 The planning application has been advertised with individual letters sent to adjoining properties, a site notice and a press notice.
- 4.02 **Local residents:** Five representations received from local residents objecting to the proposal on the following grounds (summarised):
- The office building is a great source of noise disturbance to adjoining occupiers;
 - The site does not include the buffer zone that was required as part of the change of use application;
 - The building adversely impacts on the adjacent holiday let accommodation;
 - The originally approved building was too high;
 - The velux windows have a negative impact on the Kent Downs AONB and rural character in terms of the 'reflective glare' during hours of daylight and electric lighting during the hours of darkness;

- The velux windows and the relocated door harm the privacy of adjacent residential occupiers;
- The site is unsuited for the current use for various reasons including traffic and noise;
- Further screening should be provided as part of the current application with 3 months for implementation.

5.0 CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

5.01 **KCC Highways:** No objection.

5.02 **Harrietsham Parish Council:** Objection; wish to see the above planning application refused as there are concerns with the retrospective nature of the application. It is also noted that there are drainage and environmental issues which are still unresolved. If the Planning Officer is of the view to approve the application, the Parish Council would ask that it be reported to the Planning Committee.

6.0 APPRAISAL

Main Issues

6.01 The key issues to consider are design and appearance and the potential impact on amenity in terms of noise, privacy and disturbance and the general character of the area.

Design and appearance

6.02 Proposals should have high quality design and respond positively to, and enhance the character of the area. (emerging policy DM 1). The new window and door openings are in keeping with the design and appearance of the building and they do not harm the character of the area.

Potential impact on amenity

6.03 Paragraph 17 of the NPPF states that planning should seek a good standard of amenity for all existing and future occupants of buildings.

6.04 The office building was assessed as part of the earlier planning application and it was concluded that the bulk and scale of building were acceptable. In these circumstances the current application is purely assessing what additional impact may arise from the changes to the approved plans and whether any additional impact that may arise is in itself or cumulatively grounds to refuse planning permission.

6.05 A distance of 45 metres separates the office building from the residential property to the south called Millfield and within this distance the office building is set 15 metres away from the boundary. The works involved replacing the ground floor windows to the south elevation with patio doors. The proposal includes a porch in the centre of the west elevation and the works included relocating the entrance door from the front (west) elevation of the porch to the side (south) of the porch. The relocated entrance door is 50 metres from the property called Millfield and 20 metres from the site boundary. The works that have taken place at ground floor level in the office building are acceptable in relation to overlooking, privacy and noise due to these separation distances, and the boundary treatments and there are no grounds that would justify refusal of permission in relation to the impact on amenity.

- 6.06 The new roof windows in the west elevation face towards Forstal Lane. As a result of this orientation these windows do not have any harmful impact on amenity in relation to overlooking and loss of privacy. The changes to the cill heights are at ground floor level so a combination of screening provided by boundary treatments and the separation distances ensure that these changes do not harm amenity.
- 6.07 A solid timber access door has been added to the north building elevation in the gable end of the roof. The north elevation of the building is over 20 metres from the northern site boundary with a paddock and open fields beyond. The door is at a right angle to the eastern site boundary and set back by over 3 metres. The door designed for emergency use and access to a storage area is used infrequently. When it is used only oblique views are possible towards the adjacent holiday lets. With the infrequent use of the door, the oblique views when it is used and the nature of the holiday let accommodation next door the door is acceptable in relation to amenity.

Potential impact on character of the area

- 6.08 The site is within the North Down's Special Landscape Area (SLA) of the adopted plan but outside the emerging Landscape of Local Value designation. The purpose of the Special Landscape Area is to protect and conserve scenic quality and distinctive character.
- 6.09 Planning permission has previously been approved for the construction of the office building on the application site and the changes from that permission include new and relocated window and door openings. With their small scale, the insertion of roof lights and the new and relocated doorways would maintain local character. In terms of the scale of works, it is highlighted that the insertion of roof lights or the changes to fenestration would not require planning permission if carried out to a single family residential dwelling.
- 6.10 It has been set out in consultation responses that the alterations result in light pollution that harms the character of the area. It is also stated that there this light pollution harms the Kent Downs AONB (located 300 metres to the north). In the context of light from adjacent properties and street lights it is considered that the level of light resulting from the alterations including the roof windows would not be sufficient to refuse planning permission. It is considered that the alterations respect the character of the area.

Other matters

- 6.11 It is highlighted that the purpose of this current application is to regularise the post decision changes that were made to the previously approved office building. There is no justification for the provision of extra screening due to the nature (including the infrequent use of the loft access door) and location of the changes on elevations facing away from neighbours or at ground floor level.
- 6.12 Whilst the comments on the operation of the use are acknowledged, this application does not provide any opportunity to revisit the principle of this use in this location or the earlier permission for the office building. The council's planning enforcement team have visited the site several times to investigate previous queries and can investigate any further queries separately in relation to compliance with planning conditions on the earlier approvals. The applicant has stated that a further planning application is likely to be submitted in the future for a storage building on the site and this would provide an opportunity to reduce potential issues associated with the level of existing open storage.

7.0 CONCLUSION

- 7.01 The design and appearance of the development is in keeping with the character of the surrounding area. The development is acceptable in relation to the impact on residential amenity including in terms of outlook privacy and noise.

8.0 RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

- (1) The development hereby permitted shall be carried out in accordance with the following approved plan: 749200B. Reason: For clarity and to ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.
- (1) The door to the north elevation hereby permitted shall be for emergency purposes only, and the door shall be kept shut at all other times Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties.

Case Officer: Graeme Moore

NB: For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

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16/508513 Lewis Court Cottage
Scale: 1:1250
Printed on: 8/8/2017 at 12:00 PM

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REFERENCE NO: 16/508513/FULL		
APPLICATION PROPOSAL: Demolition of existing lean to garage and erection of 3 detached dwellings with parking and landscaping.		
ADDRESS: Lewis Court Cottage, Green Lane, Boughton Monchelsea, Kent ME17 4LF		
RECOMMENDATION: GRANT PLANNING PERMISSION subject to the conditions and informatives set out at the end of this report.		
SUMMARY OF REASONS FOR RECOMMENDATION: <ul style="list-style-type: none"> • The design and appearance of the development is in keeping with the character of the surrounding area and will not harm the setting of any listed building. • The development is acceptable in relation to the impact on residential amenity including in terms of outlook privacy and noise. • The proposed scheme is appropriate in terms of its impact in landscape, visual, amenity, heritage and transport terms. 		
REASON FOR REFERRAL TO COMMITTEE: Boughton Monchelsea Parish Council has requested that the application be determined by the Planning Committee for the reasons set out in the report.		
WARD: Boughton Monchelsea And Chart Sutton	PARISH COUNCIL: Boughton Monchelsea	APPLICANT: Mr J Anscombe AGENT: DHA Planning
DECISION DUE DATE: 14/02/17	PUBLICITY EXPIRY DATE: 27/01/17	OFFICER SITE VISIT DATE: 25/04/2017
RELEVANT PLANNING HISTORY (inc. appeals and relevant history on adjoining sites):		
None relevant		

1.0 DESCRIPTION OF SITE

- 1.01 The application site (0.27 hectares) is located within the Boughton Monchelsea settlement that is classed as a 'larger village' in the emerging local plan. The rectangular plot comprises a two storey dwelling known as Lewis Court Cottage. The front elevation of the existing building faces west. The existing building has a single storey breeze block addition on its northern side providing garages and a large garden area to the east.
- 1.02 Access to the site is from Green Lane, by way of a gravelled driveway (around 40 metres long) running between Lewis Court and White Cottage. This access drive leads on to parking and turning area at the front of the existing dwelling. The site is not in a conservation area and there are no Tree Preservation Orders on the site.
- 1.03 The application site is located to the south of Green Lane; behind the detached properties called Tudor Cottage and Lewis Court in Green Lane. Tudor Cottage and Lewis Court are on the national list of significant historic buildings (Grade II).
- 1.04 On the Green Lane road frontage, Tudor Cottage is on the back edge of the public highway, with Lewis Court set back away from the road with trees and hedging along

the edge of the road. An existing outbuilding is located in the garden of Lewis Court adjacent to the existing building and garages on the application site; this building is considered a non-designated heritage asset. Open fields are located on the opposite side (north) of Green Lane.

- 1.05 Whilst the application property itself is not listed, the adjacent buildings called Tudor Cottage, Lewis Court and White Cottage are all on the national list of significant historic buildings (both Grade II).
- 1.06 To the east of the application site are two detached properties with site boundaries on to the adjacent road called Meadowview. One of these properties called White Cottage is located on the Meadowview and Green Lane road junction and on the national list of significant historic buildings (Grade II). A two storey timber building on the eastern side of the access road and behind White Cottage is considered a non-designated heritage asset. A detached bungalow called Cleaves is located to the west of the application site with open fields beyond.
- 1.07 There is a defined change in residential density and character immediately south of the application site with a row of higher density semi-detached houses in Lewis Court Drive directly behind the application site. These houses on Meadowview and Lewis Court Drive are part of an estate of similar character and density.

2.0 PROPOSAL

- 2.01 The planning application is for the construction of 3 new residential dwellings (annotated on the plans as plots 1 to 3) on land currently attached to Lewis Court Cottage. The proposal includes the retention of the existing property with the demolition of an attached garage and the construction of a new relocated garage.
- 2.02 A new two storey three bedroom house is proposed on land to the front (west) of Lewis Court Cottage (annotated as plot 1). The property facing north is on land currently providing parking and turning areas and landscaping for the existing dwelling.
- 2.03 The demolition of the existing breezeblock garage will allow a vehicular access drive adjacent to the northern site boundary. This will provide access to 2 two storey four bedroom houses proposed to the rear (east) of the existing dwelling (annotated as plots 2 and 3). Each dwelling is provided with two off street car parking spaces with the 2, four bedroom properties also provided with garages (one single and one double). Each of the three dwellings will have a private rear garden.
- 2.04 A replacement attached single storey garage for Lewis Court Cottage is proposed to the north elevation of this building.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough-Wide Local Plan 2000: ENV6, ENV49, H27, T13, T21.
 - National Planning Policy Framework (NPPF)
 - National Planning Practice Guidance (NPPG)
 - Maidstone Borough Council Local Plan Publication (submission version) February 2016; SP11; SP12; SP18; DM1; DM2; DM3; DM4; DM11; DM12; DM21; DM23 and ID1.
- 3.01 Paragraph 216 of the NPPF sets out the factors which influence the weight to be given to emerging LP policies which are preparation stage, extent of unresolved objections and consistency with the NPPF.

- 3.02 Maidstone Borough Local Plan (2016) was submitted to the Secretary of State for examination on 20 May 2016. The Local Plan Inspector issued his Report on the Examination of the Maidstone Borough Local Plan on 27 July 2017. The Report is accompanied by an appendix containing the 'Main Modifications'. The Inspector concludes that, with the incorporation of the 'Main Modifications', the submission Maidstone Borough Local Plan is sound. The adoption of the Local Plan will be considered at the next meeting of the Council on 27 September 2017.
- 3.03 In these circumstances, it is considered that approaching full weight should be afforded to the Maidstone Borough Local Plan incorporating the 'Main Modifications' in the determination of the current application. The policy references given above reflect those provided in the 'Main Modifications'.

4.0 LOCAL REPRESENTATIONS

- 4.01 The planning application has been advertised with individual letters sent to adjoining properties, a site notice and a press notice.
- 4.02 **Local residents:** Eight representations received from local residents objecting to the proposal on the following grounds (summarised):
- Out of character with the area;
 - The design is a pastiche;
 - Impact on the setting and character of the listed building;
 - Overlooking of neighbouring dwellings;
 - Concerns over the access arrangements;
 - Impact on local wildlife.

5.0 CONSULTATIONS

(Please note that summaries of consultation responses are set out below with the response discussed in more detail in the main report where considered necessary)

- 5.01 **KCC Highways:** No objection subject to conditions.
- 5.02 **KCC Archaeology:** No objection subject to conditions.
- 5.03 **MBC Conservation Officer:** Objection, the density and site distribution and layout would fail to preserve the setting of the listed buildings and also the curtilage structures (both of significance) and so not in accordance with section 66 of the Act. In addition, a level of harm would be caused to the significance of the heritage assets, which amounts to substantial in NPPF terms. The public benefits delivered by the scheme are not considered to outweigh this level of harm, and as such the proposal fails to accord with guidance contained within the NPPF. (Pre-application: no objection)
- 5.04 **Mid Kent Environmental Health:** No objection subject to conditions.
- 5.05 **Natural England:** No objection
- 5.06 **Boughton Monchelsea Parish Council:** Objection; wish to see the above planning application refused and reported to planning committee for the following reasons:
- Detrimental effect on the 'setting' and group value of the three listed buildings;
 - The suburban space standards (dwelling to plot ratio) and density do not fit with the adjacent listed buildings;

- The 'pastiche of a former architectural style' contrary to Historic England advice;
- Harm to highway safety due to 'extremely poor' sight lines that do not meet KCC Highways requirements and conflict caused by the narrow access road.
- Unacceptable overlooking to the private amenity space of adjacent dwellings
- Insufficient information in relation to materials, context, refuse storage and collection arrangements;
- The integrity of the ecology report is questioned due to regular badger sightings and report scope extended "...beyond the limits of the proposed development site to ensure that the works do not damage the badgers habitat";
- A design and access statement has not been submitted.

6.0 **APPRAISAL**

Main Issues

- 6.01 The key issues to consider are design and appearance and impact on heritage assets; the potential impact on amenity in terms of noise, privacy and disturbance and the general character of the area.
- 6.02 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that all planning applications must be determined in accordance with the Statutory Development Plan unless other material considerations indicate otherwise. In this case the Development Plan consists of the Maidstone Borough Wide Local Plan 2000. The Local Plan Inspector issued his Report on the Examination of the Maidstone Borough Local Plan on 27 July 2017 and in these circumstances, approaching full weight should be afforded to the Maidstone Borough Local Plan incorporating the 'Main Modifications' in the determination of the current application.
- 6.03 The application site is within the Boughton Monchelsea settlement which is defined as a 'larger village' in the emerging Maidstone Local Plan. Emerging policies SP5 and SP12 provide general support to the currently proposed minor 'infill' development as larger villages such as Boughton Monchelsea are considered able to support this type of growth and are sustainable locations.
- 6.04 Emerging policy DM10 supports the development of garden land within the larger villages subject to the following criteria being met: there would be no significant harm to the character and appearance of the area through the higher density; no significant loss of privacy, light or outlook is caused; suitable access is provided and there is no significant increase in noise or disturbance from traffic using the access. As set out in the following assessment the proposal is considered in line with this policy.

Heritage, design and visual impact

- 6.05 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special regard should be had to the desirability of preserving listed buildings or their setting.
- 6.06 The NPPF, Local Plan and the emerging local plan all seek to protect and enhance the historic environment. Where substantial harm is caused to a designated asset permission should be refused unless there are substantial benefits; where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (NPPF para 134).
- 6.07 Proposals should have high quality design and respond positively to, and enhance the character of the area. Particular regard will be paid to scale, height, materials,

detailing, mass, bulk, articulation, and site coverage, incorporating a high quality modern design approach (emerging policy DM 1).

- 6.08 The application site is not in a conservation area and does not contain any listed buildings. There are three listed buildings (grade II) to the north and east of the site; Tudor Cottage, Lewis Court and White Cottage. Two outbuildings to the rear of the listed buildings are considered non-designated heritage assets.
- 6.09 The applicant sought pre-application advice from officers prior to the submission of this planning application. The original plans submitted for discussion were revised by the applicant following comments from the conservation officer. The conservation officer at that time confirmed that there was no objection to the proposal that was subsequently submitted as the planning application. It was considered that, due to separation distances and boundary landscape screening, the proposal would not harm the setting of the listed buildings.
- 6.10 Since these pre application comments were received there has been a change in conservation officer, and the current conservation officer has raised an objection to the submitted planning application. The current conservation officer acknowledges that the listed buildings are a distance away from the development site, but highlights two curtilage structures that lie on the site boundary. The conservation officer considers that these buildings are 'perhaps of a listable quality' and are afforded protection as undesignated heritage assets. The conservation officer concludes that the proposed development by the virtue of the density and site distribution and layout would fail to preserve the setting of the listed buildings and also the curtilage structures.
- 6.11 In addition to highlighting the pre-application dialogue with the conservation officer, the applicant in response to this objection has highlighted the levels of screening between the development and the listed building. It is also highlighted that historic mapping shows the presence of built form on the southern part of the site as characteristic of the plot, as well as a degree of subdivision. The applicant considers that due to the sensitive design and the existing and proposed landscaping the proposal would not detrimentally affect the significance of the listed buildings.
- 6.12 In relation to the non-designated curtilage buildings it is accepted that these buildings appear to have some historical value and the development of the adjacent land will have some impact. An assessment has been carried out of the level of this impact against the benefits from the proposal.
- 6.13 The first curtilage structure is an outbuilding located in the garden of Lewis Court. This curtilage structure is currently separated from the main building on the application site by boundary landscaping and a single storey breeze block garage attached to the application building. This garage block is due for removal as part of the current proposal. The three proposed houses are located significantly further away from the curtilage structure than the retained red brick dwelling. The removal of this breeze block garage building will improve the current setting of the curtilage structure and the listed buildings with any further potential harm reduced by landscape screening.
- 6.14 The second curtilage structure is a two storey timber outbuilding outside the site but adjacent to the western boundary and the existing access to the site. The main elevation of this building faces east away with the narrow side elevation of this building faces towards the site entrance. With this orientation and the length of the access road there are currently limited public views of this structure.

- 6.15 The proposal involves a new house that will mark the end of the access road (plot 1). This new house is located close to, but orientated at a right angle to the front elevation to the curtilage structure. It is accepted that the new house will have an impact on the setting of this non-designated heritage asset but with orientation and the backland location this is not considered sufficient to justify the refusal of planning permission.
- 6.16 Whilst the three bedroom property on plot 1 is set back by 50 metres from Green Lane with its location at the end of the access drive it would be partially visible in the public view along the access drive. Existing views of the application site and plots 2 and 3 from the public highway are heavily screened by existing trees, hedges and buildings located both within the site, on the boundary of the site and on neighbouring land.
- 6.17 In assessing the potential heritage impacts from the proposed development the comments from both conservation officers have been considered. With the separation distance from the listed buildings, intervening development, boundary treatments, and the height and scale of the proposed buildings the potential impact on the setting of the listed buildings is considered to be negligible. The potential impact on non-designated heritage assets is not considered sufficient to refuse planning permission. When assessed against the test in the NPPF (para 134) the benefits of the proposal providing three new family homes outweighs the negative impact.
- 6.18 The NPPF (para 60) states that planning decisions should not attempt to impose architectural styles or particular tastes through unsubstantiated requirements to conform to certain development forms or styles. Planning decisions should however seek to promote or reinforce local distinctiveness.
- 6.19 There are a mix of building styles in the area surrounding the application site including the simple design of the housing to the rear of the site, the retained red brick building on the application site and the listed buildings to the north. The design of the new buildings include hipped roofs with front single storey bays, open porch areas and chimneys. The proposed materials are brick, ragstone (bay windows) and timber cladding/weatherboard with slate and clay tiles. The design and appearance of the proposed houses are considered appropriate in this context.
- 6.20 The application site is located within a larger village as defined in emerging plan. This location is considered a sustainable location for new development at a higher density with higher density development located immediately to the rear of the site. The existing property on the application site has no historical or particular architectural merit. The proposed development will result in less than substantial harm to heritage assets and will provide the benefit of three new residential dwellings in a sustainable location.

Residential amenity

- 6.21 The NPPF sets out that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 17 of the NPPF states that planning should seek a good standard of amenity for all existing and future occupants of buildings.
- 6.22 The proposal has been assessed in relation to the potential impact on amenity including overlooking, loss of privacy, loss of sunlight and daylight and visual intrusion. With the orientation of the proposed dwellings, distances from the site

boundaries and existing trees and vegetation it is considered that the proposal is acceptable in relation to the impact on residential amenity.

Access/highway safety

- 6.23 Access to the site is gained from the existing site entrance to Lewis Court Cottage. The access will be augmented and extended to serve all three proposed new dwellings. Each new dwelling will be served by two external parking spaces, in addition to garaging proposed for plots 2 and 3.
- 6.24 The applicants have stated that the proposed layout has been tested (tracked) to ensure that sufficient turning space is provided to allow vehicles to enter and exit the site in a forward gear. It is considered that there is sufficient space for the storage and collection of refuse without harm to amenity, access or highway safety. It is not considered that the proposal will have any adverse impact on the highway network or highway safety, and there has been no objection received from KCC Highways.

Landscaping, trees and ecology

- 6.25 The National Planning Policy Framework states that *"the planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and delivering net gains in biodiversity where possible"*.
- 6.26 The submitted planning application is supported by a phase 1 Ecology Survey. The survey found that the site does not currently support any protected species. The report is adequate to consider ecology issues. The report highlighted that there was potential for bats to utilise the existing dwelling and the adjacent outbuilding, and as a result a condition is recommended in relation to external lighting and for bat boxes.
- 6.27 An arboricultural impact assessment was submitted in support of the application. The assessment outlines which trees within the site boundaries are to be retained and which are to be removed. The assessment has been considered by the council's tree officer and there is no objection raised subject to conditions requiring compliance with the arboricultural impact assessment and arboricultural method statement and landscape details. Planning conditions are recommended seeking details of landscaping on the site.

7.0 CONCLUSION

- 7.01 The proposed development, compiles with the policies of the Development Plan (Maidstone Borough-Wide Local Plan 2000) and the Main Modifications linked to the emerging plan and there are no unacceptable impacts on the character, appearance and visual amenity of the locality generally. The development does not result in any unacceptable impact on the amenities of surrounding occupiers. The proposals do not raise any overriding parking or highway safety issues. The development is acceptable in relation to heritage considerations.
- 7.02 In these circumstances, the proposal is acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other relevant material considerations. There are no overriding material considerations to indicate a refusal of planning permission and the recommendation is to approve planning permission.

8.0 RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission; Reason: In accordance with the provisions of Section

91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: DHA/10696/02, 04, 05, 06 and 07. Reason: For clarity and to ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.
- (3) The development shall not commence until written details and samples of the materials to be used in the construction of the external surfaces of the building, including those of the roof, elevations, and hard surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed using the approved materials; Reason: To ensure a satisfactory appearance to the development.
- (4) The approved details of the parking areas shall be completed before the commencement of the use of the land or buildings hereby permitted and shall thereafter be kept available for such use. No development, whether permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order, with or without modification) or not, shall be carried out on the areas indicated or in such a position as to preclude vehicular access to them; Reason: Development without adequate parking is likely to lead to parking inconvenient to other road users and in the interests of road safety.
- (5) The development hereby approved shall not commence above slab level until, details of all fencing, walling and other boundary treatments have been submitted to and approved in writing by the local planning authority and the development shall be carried out in accordance with the approved details before the first occupation of the buildings and maintained thereafter; Reason: To ensure a satisfactory appearance to the development and to safeguard the enjoyment of their properties by existing and prospective occupiers.
- (6) Prior to commencement of development above DPC level, written details of a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority which shall include a long term management plan. The scheme shall be designed using the principles established in the Councils adopted Landscape Character Assessment and Landscape Guidelines. Reason: To ensure a satisfactory appearance to the development.
- (7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: To ensure a satisfactory appearance to the development.
- (8) Prior to commencement of development above DPC level, written details of the provision of swift and bat boxes within the building shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be installed prior to the first occupation of the property and maintained thereafter unless otherwise agreed in writing by the local planning authority; Reason: In the interests of biodiversity enhancement.

- (9) The development shall not commence above slab level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation and maintained thereafter; Reason: To ensure an energy efficient form of development. Details are required prior to commencement as these methods may impact or influence the overall appearance of development.
- (10) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is sooner, and any trees or plants which within a period of five years from the implementation of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the local authority gives written consent to any variation. Reason: In order to ensure a satisfactory appearance to the development.
- (11) Prior to occupation of the proposed units a minimum of two electric vehicle charging points shall be installed and ready for use and in accordance with details that have previously been submitted to and approved in writing by the local planning authority that includes a programme for installation, maintenance and management with the points retained thereafter and maintained in accordance with the approved details. Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.
- (12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions shall be carried out without the permission of the Local Planning Authority; Reason: To safeguard the character and appearance of the surrounding area and in the interests of residential amenity.
- (13) Prior to the commencement of development details of the proposed replacement garage shall be submitted to and approved in writing. With the garage constructed in accordance with the approved details. Reason: To safeguard the character and appearance of the surrounding area.

Case Officer: Graeme Moore

NB: For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

Agenda Item 11



17/502100 Bredhurst Garden Centre

Scale: 1:2500

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REPORT SUMMARY

REFERENCE NO - 17/502100/FULL		
APPLICATION PROPOSAL Demolition of existing wedding venue, office and other commercial buildings and erection of 4no. detached dwellings with associated parking, access, infrastructure and landscaping works.		
ADDRESS Bredhurst Garden Centre Dunn Street Bredhurst Gillingham Kent ME7 3ND		
RECOMMENDATION – Permit		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The proposal is considered to accord with policy DM5. The redevelopment of the site is considered to bring environmental improvements through the removal of existing commercial buildings, areas of hardstanding containing parked commercial vehicles, removal of noise generating uses and a reduction in vehicle trips. The proposal constitutes a good quality housing layout / design with significant additional soft landscaping introduced within the site and additional boundary planting and ecological benefits. The site is located on the edge of Bredhurst village and is considered to be in a relatively sustainable location for residential development. The proposed redevelopment of this brownfield site would make a contribution towards the councils windfall housing land supply provision.		
REASON FOR REFERRAL TO COMMITTEE Boxley Parish Council has called the application to committee.		
WARD Boxley	PARISH/TOWN COUNCIL Boxley	APPLICANT Mr & Mrs Rogers AGENT DHA Planning
DECISION DUE DATE 17/07/17	PUBLICITY EXPIRY DATE 10/07/17	OFFICER SITE VISIT DATE 19/06/17
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): 14/500485/FULL - Occupational manager's dwelling with accommodation on two floors – Refused 10/0142 - Temporary change of use of garden centre storage area to use for temporary overnight parking for one 24 tonne tipper grab lorry, one 18 tonne tipper lorry, four 7.5 tonne tipper lorries and two 3.5 tonne tipper lorries until 1/02/2011 or until relocation, which ever comes first - Refused 09/0713 - Change of use of redundant building to offices (B1 use) - Permitted 08/2047 - Change of use of garden centre storage compound to the storage of commercial vehicles - Refused 08/2023 - Change of use of nursery, restaurant, pavilion and playing fields to A2 Offices, retaining restaurant, pavilion and playing fields - Refused 07/1247 - Change of use from garden centre and restaurant to bed and breakfast accommodation and reception. Retaining restaurant, playing field and pavilion – Refused		

06/0377 - Change of use to class A1 use to open a farmshop/convenience store (fresh grocery, newspapers) - resubmission of application MA/05/1660 - Refused

05/1660 - Retrospective application for the change of use to showrooms – Refused

05/1259 - Erection of a timber refreshment pavilion - Refused

04/1503 - Change of use from agricultural land to recreational land and erection of a timber shed for use as changing rooms - Permitted

94/0508 - Alterations to existing access onto Dunn Street - Permitted

85/1620 - Use of site for sale of garden furniture and plants - Permitted

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.1 The site relates to the former Bredhurst Nurseries site and buildings. The site contains a number of single storey buildings surrounded by hardstanding and parking areas at the front and side of the site. The buildings towards the front of the site are currently used as a wedding venue and there are a number of other commercial / offices use occurring within the other buildings within the site which are let to small businesses. The site is also used for highways training in a building towards the rear of the site. The whole site constitutes a brownfield site in a rural location and measures approx. 0.55 hectares.
- 1.2 To the rear of the site are fields which are currently being used for grazing. This area benefits from planning permission for use as football pitches although it is understood that the football pitches are no longer in use and have not been used as such for several years. To the east of the site is farmland and to the west of the site a stable premises, containing stable buildings, a sand school and residential property.
- 1.3 The site is located in the open countryside in the AONB, Special Landscape Area and Strategic Gap. The surrounding area is predominately rural and the site is located approx. 600m to the west of Bredhurst village.

2.0 PROPOSAL

- 2.1 Demolition of existing wedding venue, office and other commercial buildings and erection of four detached dwellings with associated parking, access, infrastructure and landscaping works.
- 2.2 4 detached houses are proposed each with a link attached double bay garage and driveway parking. The houses would be two storey in height measuring approx. 7.5m to the top of the ridge.
- 2.3 Materials include a mix of facing brickwork, timber cladding and white render.
- 2.4 The existing site access would be retained and utilises.
- 2.5 The two frontage dwellings would be set back approx. 25m-30m from the road.
- 2.6 New landscaping is proposed within the site and along the site boundaries.

3.0 AMENDMENTS

- 3.1 Amended drawings were received on 25 July following a request from the LPA. The amendments include:
- The size of the garage at plot 3 and 4 has been reduced to two bays.
 - The link extensions between the garage and houses at plot 3 and 4 have been reduced in height by amending to a flat roof.
 - The roof level link between the garage and houses at plot 1 and 2 have been removed.
 - Plot 4 has been moved away from the eastern site boundary.
- 3.2 Given the minimal changes proposed re-consultation was not considered necessary.

4.0 PLANNING CONSTRAINTS

- AONB
- Strategic Gap
- Special Landscape Area (Local Plan 2000)

5.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: ENV6, ENV28, ENV31, ENV34, T13
Supplementary Planning Documents:
Emerging Local Plan (submission versions May 2016 and Main Modification version July 2017): SP17, DM1, DM3, DM5, DM27, DM30

6.0 LOCAL REPRESENTATIONS

- 6.1 Site notice erected outside site and letters sent to neighbouring properties.
- 6.2 One neighbour objection has been received. Objections summarised as follows:
- Development would be out of keeping with the immediate area.
- 6.3 **Bredhurst Parish:** Objects. Objections summarised as follows:
- The large and imposing size and style will be detrimental to the street scene.
 - The area is within an AONB and a development of this scale is inappropriate in such an area.
 - Visible from a PROW (KH9).
 - There appears to be no access from the development site to the field behind. It is unclear how this field will be maintained or what its future use will be.
- 6.4 **Boxley Parish:** Wish to see the application refused and deferred to committee. Objections summarised as follows:
- Site is located in AONB.
 - Development contrary to ENV28, ENV31, ENV33, ENV34.
 - Adverse impact on the street scene.
 - Proposed development is higher than existing buildings.
 - Out of keeping.
 - The development would not result in a significant improvement and so would contravene policy DM4 (*DM5 Main Modifications*).

- Refers to the fields to the rear of the application site regarding current use as grazing land and previous football pitch use (*Members are advised that the land at the rear is not part of the application site*)

7.0 CONSULTATIONS

KCC Highways: No objections

MBC Environmental Health: No objections

8.0 APPRAISAL

Principle of Development

- 8.1 Saved policy ENV28 seeks to protect the countryside by restricting development beyond identified settlement boundaries. In general terms, this policy is consistent with the NPPF, which at paragraph 17, recognises the intrinsic character and beauty of the countryside. Policies ENV31, ENV33 and ENV34 afford further protection to the rural landscape and generally restrict new development in these designated areas. Policy ENV31 (Strategic Gap) and policy ENV34 (SLAs) are not carried forward into the new local plan.
- 8.2 Paragraphs 47 and 49 of the National Planning Policy Framework (NPPF) are particularly relevant to housing land supply. The Council must demonstrate it has five years' worth of supply against its housing requirements because, in the case of a shortfall, relevant local plan policies for the supply of housing should not be considered up-to-date.
- 8.3 Housing land supply monitoring is undertaken at a base date of 1 April each year. In December 2016 the Local Plan Inspector published a report on his 'Interim Findings from the Examination of the Maidstone Borough Local Plan', endorsing a methodology for the calculation of the Council's five-year housing land supply. In applying this methodology, and taking account of the further recommendations in the Inspector's interim report, the Council can demonstrate **6.3 years'** worth of deliverable housing sites as at 1 April 2017 against a housing target of 17,660 dwellings for the Plan period.
- 8.4 Although the figures affirm a robust five-year housing land supply position, they are not definitive until the Local Plan Inspector issues his final report. The report is expected late July, and adoption of the Plan by Council is currently programmed for autumn 2017.
- 8.5 Paragraph 216 of the NPPF states that,
- "From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*
- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*

- 8.6 *Para 111 of the NPPF states Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. As defined by the NPPF the application site constitutes previously development land as a majority of the site is occupied by permanent structures and associated fixed surface infrastructure and, the site is still in commercial use.*
- 8.7 Emerging policy DM5 (Development on Brownfield Land) states (inter alia):
- 8.8 *'Exceptionally, the residential redevelopment of brownfield sites in the countryside which are not residential gardens, which meet the above criteria will be permitted provided the redevelopment will also result in a significant environmental improvement and the site is, or can reasonably be made accessible by sustainable modes to Maidstone urban area, a rural service centre or larger village'**
- 8.9 *'A number of brownfield sites in current or previous economic use are located in the countryside. Such sites are outside of the settlement boundaries, and countryside restraint policies apply. Exceptionally, the council will consider proposals for residential development on brownfield sites in rural areas. Key considerations will include:*
- The level of harm to the character and appearance of an area;*
 - The impact of proposals on the landscape and environment;*
 - Any positive impacts on residential amenity;*
 - What traffic the present or past use has generated; and*
 - The number of car movements that would be generated by the new use, and what distances, if there are no more sustainable alternatives'. **

**Main Modifications to the emerging local plan.*

8.10 The emerging Local Plan is at a very advanced stage having been found to be sound, subject to modifications, by the examining Inspector who confirmed this position in his report dated 27th July 2017. It is anticipated that the adoption of the Local Plan will now be considered at the next meeting of the Council on 27th September 2017. Policy DM 5 and the emerging local plan are therefore afforded full weight. Given the weight afforded to the new local plan, policy DM5 takes precedent over saved policy ENV28 of the local plan 2000, particularly as policy SP17 of the new local plan allows for development in the countryside that meets other policies, such as policy DM5 in this instance. In addition, economic development policies in the new local plan do not seek to retain economic uses in the countryside and this site has not been allocated for employment or economic purposes. Policy DM5 supports the principle of the redevelopment of brownfield sites in the countryside for residential uses and the key consideration are considered to be whether the proposal complies with the above criteria, including the visual impact on the AONB and a result in a significant environmental improvement.

Visual Impact

- 8.11 The existing site comprises a collection of single storey, mainly timber clad buildings, with extensive hardstanding and parking areas around the buildings. There is limited / no landscaping within the site although the existing boundaries do benefit from a good level of landscaping.
- 8.12 The scale of the existing buildings is such that they have a modest impact on the surrounding rural area. The level of hardstanding at the site is detrimental to the character of the area and is clearly visible from the entrance of the site.

- 8.13 Short to mid-range views of the site are afforded from Dunn Street at the site entrance and from the eastern approach and from PROW KH9 located some 100m to the east of the site. Development to the west screens a majority of the site from the west.
- 8.14 The four houses would each measure approx. 7.5m to the ridge compared to the existing buildings which have a maximum height of approx. 3.65m. In terms of height and scale the new buildings would be more visually intrusive than the existing development. However, the footprint of the existing buildings is approx. 1350sqm while the proposed development would measure just under 1000sqm cumulatively and thus the spread of development would reduce
- 8.15 In terms of the surrounding residential development the closest neighbouring property is at Arran Bank Stables located to the west of the site. The property at Arran Bank Stables is a two storey chalet style bungalow with a ridge height of approx. 7m and was granted planning permission in 2008 with a tie to the stable business at the premises. This property is located closer to the road frontage than the proposed development. Stable buildings at Arran Bank measure approx. 8m to the ridge. The height and scale of the proposed development would not appear out of keeping within the context of the surrounding area as a result.
- 8.16 Due to the relatively flat nature of the application site, coupled by the additional landscaping that could be secured along the site boundaries and within the site, I am of the view that the proposal would not appear significantly prominent from further ranging views. In addition, the introduction of 4 well design houses and associated landscaping and additional boundary planting is considered to represent a visual improvement over the add hoc collection of existing buildings on the site and significant areas of hardstanding and parked commercial vehicles which are clearly visible from the site entrance.
- 8.17 In addition, the proposed residential development would reduce the amount of built footprint on the site by approx. 400sqm and would introduce significant areas of landscaping in the form of residential gardens and landscaped areas compared with the existing predominantly hard surfaced site.
- 8.19 Overall it is considered that the proposed development would be more visually prominent than the existing development by reason of the scale of the houses, however, the proposed height would be consistent with the height of development at the nearest neighbouring property Arran Bank Stables.
- 8.20 In addition, the design, scale, form and layout of the proposed residential development is considered to be acceptable in broader terms. The planning form advises that the proposed materials will consist of clay tiles, facing brickwork, timber cladding and render and a high standard of design and local vernacular materials could be secured by condition.
- 8.21 Clearly, the character of the site would undoubtedly change and views of the development would be visible from public vantage points along Dunn Street and the adjacent PROW. However, the application has to balance the many issues, impacts, gains and losses involved in redeveloping an existing rural brownfield site for housing. Due to the location and character of the site, being a relatively flat site, coupled by the additional landscape planting along the site boundaries, I do not feel the development would cause significant wider harm to the landscape character of the area compared to the existing site and two storey houses in this location would

not appear out of keeping with the surrounding area as there are other residential properties in proximity to the site. As such I do not consider it would be necessary to restrict the redevelopment of this site to single storey houses, particularly given the fairly recent planning permission for a two storey house at the neighbouring Arran Bank Stables and other recent planning permissions for housing development on the edge of Bredhurst which are also located in the AONB, SLA and Strategic Gap.

- 8.22 When considering the visual impact of the proposed development and its siting in this rural location, it is my view that a well-designed scheme would be capable of being absorbed visually into the environment subject to a robust landscape proposal and management plan. Clearly there would be some visual harm arising from additional housing in the open countryside and AONB, however, in this instance the visual impact of the development is considered to be limited to short range views and a majority of the housing development would be screened by the existing and proposed landscaping. In addition, the houses would be set back from the road by approx. 25m – 30m and would therefore not appear overly prominent from public vantage points.
- 8.23 Overall, it is considered that development of the site would cause some visual harm which is inevitable with any built development in the countryside and there would therefore be some conflict with policies ENV28 of the Local Plan but this would be relatively low harm when weighed against the visual, environmental and amenity harm caused by the existing use which would be removed from the site. In addition, the proposal would result in environmental benefits in accordance with policy DM5 through the removal of the existing buildings and hardstanding which occupy a majority of the site and the introduction of new landscaping and tree planting within the site and along the site boundaries.

Residential Amenity / Living standards

- 8.24 There would be no unacceptable impact on neighbour amenity due to the separation distances involved.
- 8.25 It is accepted that residential amenity of neighbouring properties would be improve compared to the existing uses at the site which includes a wedding venue with opening hours until midnight. The other office / commercial are not particularly noise generating uses however the number of vehicle trips would reduce with the proposed development which in turn would result in less noise and disturbance from manoeuvring vehicles.
- 8.26 The proposed houses would provide acceptable living standards for future occupants in terms of internal floor areas, room sizes, outdoor amenity space and access to natural light and ventilation. The proposals would accord with the nationally described space standards.

Highways

- 8.27 The existing vehicle access would be retained and utilised and there is considered to be good visibility onto Dunn Street.
- 8.28 In terms of trip generation the proposed development is considered to result in a significant decrease in vehicle trips compared to the commercial uses at the site, in particular the wedding venue use. This would also constitute an environmental enhancement at the site and rural setting and one of the key consideration in accordance with policy DM5.

- 8.29 Parking provision includes a double bay garage for each property and forecourt parking. Parking would accord with KCC parking standards and the LPAs emerging parking standards. The proposal would be in accordance with the access criteria stipulated in policy DM5 and is considered to be at a relatively sustainable location being accessible to Bredhurst village and bus stops via pedestrian footpaths.
- 8.30 KCC Highways has no objections to the proposed development on highways safety, capacity or parking grounds.

Landscaping

- 8.31 The existing site is predominately hardstanding and buildings. The proposed development would introduce garden areas and landscaping within the site which would be visually and ecologically beneficial. Specific details of the proposed landscaping could be secured by condition and there is opportunity to increase the boundary planting on the north and south boundary and road frontage boundary to soften the impact of the development and enhance the road frontage. The introduction of additional soft landscaping and tree planting would be a visual benefit to the site and rural setting and is therefore considered to be an environmental enhancement and is broadly in accordance with policy DM5.

Other Matters

- 8.31 The current site is not considered to provide any significant ecological or biodiversity benefits. The opportunity to enhance the existing boundary treatment and significantly increase the soft landscaping within the site would enhance on-site biodiversity. In accordance with the NPPF opportunities to incorporate biodiversity within the development could be secured through bat / bird bricks / boxes, boundary treatment which allows movement of wildlife and enhanced landscaping.
- 8.32 The EHO officer has recommend contamination investigations to safeguard future occupants and this could be secured through conditions.
- 8.33 The parish council questions the access to the field at the rear of the site. This would continue to be accessed via a shared access running along / outside the western boundary of the application.

9.0 CONCLUSION

- 9.1 The proposed development does not conform to policy ENV28 of the Maidstone Borough-wide Local plan 2000 although the site is located in a relatively sustainable location in transport terms. However, the existing site and uses do clearly have some negative attributes including noise and disturbance associated with the wedding venue and commercial vehicles using the site as well as the visually and operationally damaging parts of the site comprising large areas of hardstanding used for storage of commercial vehicles such that the benefits of the proposed development are considered to outweigh any conflict with policy ENV28. In addition the proposal is considered to broadly accord with the criteria of emerging policy DM5 and the redevelopment of the site is considered to bring environmental improvements through the removal of expansive areas of visually harmful hardstanding containing parked commercial vehicles, removal of noise generating uses and a reduction in vehicle trips.
- 9.2 The existing commercial development would be replaced by a good quality housing layout / design with significant additional soft landscaping introduced within the site and additional boundary planting and ecological benefits.

- 9.3 The site is located on the edge of Bredhurst village and is considered to be in a relatively sustainable location for residential development.
- 9.4 Some 1650 dwellings from unidentified sites need to be provided through windfall sites during the new local plan period and the proposed redevelopment of this brownfield site would make a contribution towards the council's housing land supply provision.
- 9.5 On balance it is therefore considered that the redevelopment of the site for residential purposes is acceptable and it is recommended permission be granted subject to conditions.

RECOMMENDATION – Approve with conditions

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby approved shall not commence until, details of the proposed slab levels of the building(s) and the existing site levels have been submitted to and approved in writing by the local planning authority and the development shall be completed strictly in accordance with the approved levels;

Reason: In order to secure a satisfactory form of development having regard to the topography of the site.

- (3) The development hereby approved shall not commence above slab level until, written details and samples of the materials to be used in the construction of the external surfaces of the building(s) hereby permitted have been submitted to and approved in writing by the local planning authority and the development shall be constructed using the approved materials;

Proposed materials shall include details of swift bricks and / or bat boxes / brick incorporated into the development.

Reason: To ensure a satisfactory appearance to the development.

- (4) The development hereby approved shall not commence above slab level until a landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed [, provide details of on site replacement planting to mitigate any loss of amenity and biodiversity value [together with the location of any habitat piles] and include a planting Spec, a programme of implementation and a [5] year management plan. [The landscape scheme shall specifically address the need to provide additional planting on the north and south boundary and road frontage boundary.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- (5) The occupation of the development hereby permitted shall not commence until all planting, seeding and turfing specified in the approved landscape details has been

completed. All such landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

- (6) The development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c) A remediation method statement (RMS) based on the site investigation results and the detailed risk assessment (2). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

d) A Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in 3. This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto or taken from the site. Any material brought onto the site shall be certified clean;

Any changes to these components require the express consent of the local planning authority. The scheme shall thereafter be implemented as approved.

Reason: In the interests of protecting the health of future occupants from any below ground pollutants.

- (7) If during construction/demolition works evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

c) If no contamination has been discovered during the build then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

Reason: In the interests of protecting the health of future occupants from any below ground pollutants.

- (8) Details on the proposed method of foul sewage treatment must be submitted to and approved by the local planning authority prior to occupation of the site.

These details should include the size of any individual cesspools and/or septic tanks and/or other treatment systems. Information provided should also specify exact locations on site plus any pertinent information as to where each system will discharge to, (since for example further treatment of the discharge will be required if a septic tank discharges to a ditch or watercourse as opposed to sub-soil irrigation).

If a method other than a cesspit is to be used the applicant should also contact the Environment Agency to establish whether a discharge consent is required and provide evidence of obtaining the relevant discharge consent to the local planning authority.

Reason: To ensure drainage is directly dealt with.

- (9) The development shall not commence above slab level until details of how decentralised and renewable or low-carbon sources of energy will be incorporated into the development hereby approved to provide at least 10% of total annual energy requirements of the development, have been submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to first occupation and maintained thereafter;

Reason: To ensure an energy efficient form of development. Details are required prior to commencements as these methods may impact or influence the overall appearance of development.

- (10) Each individual dwelling hereby approved shall not be occupied until a minimum of one electric vehicle charging point has been installed on the given building(s) with dedicated off street parking, and shall thereafter be retained for that purpose.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

- (11) The development hereby permitted shall be carried out in accordance with the following approved plans:

001A - Site Location Plan; received 15.05.2017 and AH-B - Existing Elevation; received 22.05.2017 and 001_1.1 Rev-B - Block Plan and AA.1 Rev-B - Plans - Plot 1 and AB.1 Rev-B - Plans - Plot 2 and AC.1 Rev-B - Plans - Plot 3 and AD.1 Rev-B - Plans - Plot 4; received 25.07.2017

Reason: To clarify which plans have been approved.

INFORMATIVES

Case Officer: Andrew Jolly

- NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.



REPORT SUMMARY

REFERENCE NO - 17/503233/FULL		
APPLICATION PROPOSAL Erection of two storey side extension with internal alterations.		
ADDRESS The Willows Buckland Lane Maidstone Kent ME16 0BH		
RECOMMENDATION - REFUSE		
SUMMARY OF REASON FOR REFUSAL The proposal cannot be considered to represent a modest, appropriately designed extension over the original dwelling and for this reason it is considered that the proposal is contrary to saved policy H33 of the 2000 Local Plan, emerging policy DM36 of the submitted version of the Local Plan and adopted SPD – ‘Residential Extensions’.		
REASON FOR REFERRAL TO COMMITTEE - Councillor Harvey wishes to see application reported to Planning Committee if minded to recommend refusal of application		
WARD Bridge	PARISH COUNCIL – N/A	APPLICANT Mr J Jarrett AGENT PT Design
DECISION DUE DATE 18/08/17	PUBLICITY EXPIRY DATE 01/08/17	OFFICER SITE VISIT DATE 24/07/17
RELEVANT PLANNING HISTORY:		

- 17/500208 - 2 storey addition & minor internal alterations at first floor – Refused
- MA/84/1365 - Single storey side extension with pitched roof over – Approved
- MA/82/0262 – Single storey side extension - Approved
- MA/78/1630 - Alterations to elevations and amended siting of house - Approved
- MA/77/0025 - Dwelling – Approved
- MA/76/0696 - Outline application for 2 dwellings - Refused

MAIN REPORT

1.0 SITE DESCRIPTION

- 1.01 ‘The Willows’ is a detached property that is set within its own relatively large plot at the north-eastern end of Buckland Lane. The property is located with other detached properties (including a number of listed properties) within the cul-de-sac and school playing fields also surround the site. For the purposes of both the 2000 and emerging Local Plan, the proposal site is within the designated countryside.

2.0 PROPOSAL

- 2.01 The proposal is for the erection of a 2-storey extension projecting from the south-western flank of the property and includes alterations to the existing side extension. The proposal would provide the applicants with an additional reception room, games room and would see the property go from a 5-bed property to an 8-bed property. The proposal would use clay tile hanging, render, facing brick and clay roof tiles to match the existing property.

3.0 POLICY AND OTHER CONSIDERATIONS

- Maidstone Borough-Wide Local Plan 2000: ENV28, H33
- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- Submitted version of Local Plan (2011-2031): SP17, DM1, DM34, DM36

4.0 LOCAL REPRESENTATIONS

- 4.01 **Local Residents:** No representations received.

5.0 CONSULTATIONS

- 5.01 **Councillor Harvey:** Referred application to committee for following reasons:

"Applicant has taken into consideration decisions from nearby sites and previous applications on current site; submitting revised designs that take into account reasons for refusal in all relevant cases.

Application site is situated at back of enclave surrounded by buildings which reflect a more modern style of design compared to those at front of enclave which are listed buildings. The revised design for extension is therefore in-keeping with buildings that directly neighbour site and that of the current property.

Houses in enclave are built on large, spacious plots and extension proposed reflects this, leaving property surrounded by large amount of open space."

6.0 APPRAISAL

Relevant policy/guidance

- 6.01 In line with saved policy H33 of the 2000 Local Plan and emerging policy DM36 of the submitted version of the Local Plan, the key issues of this proposal are its design and what impact it would have upon the original form of the existing house. The proposal is also under the normal constraints of countryside development under saved policy ENV28 of the 2000 Local Plan and emerging policies SP17 and DM34 of the submitted version of the Local Plan. Please note that in the light of the Local Plan Inspector's findings that the submission Maidstone Borough Local Plan is sound, it is considered that approaching full weight should be afforded to the Maidstone Borough Local Plan incorporating the Main Modifications in the determination any planning application.

- 6.02 The adopted Supplementary Planning Document – 'Residential extensions' also states;

- *Extensions should be modest in size, subservient to original dwelling and should not overwhelm or destroy its original form.*
- *Extensions should not create separate dwelling or one of a scale and type of accommodation that is capable of being used as separate dwelling.*
- *Extensions should cause no adverse impact on character or openness of countryside.*

Design, siting and appearance

- 6.03 Whilst the application site is not clearly visible from any public vantage point and the external materials will match the main house, the proposal is a substantial 2-storey extension measuring some 7.8m in height (not including the chimney); when viewed from its south-western elevation the proposal would measure some 12m wide; and its depth would be some 6.3m. The proposal very much appears as an unacceptably large and excessive extension that takes on the appearance of a separate dwelling. Indeed, the proposal would see the existing house sprawl to some 30m in length when viewed from the front elevation; what was a simply formed property would become over complicated with an additional large expanse of roof area at 2-storey height with varying eaves heights and roof types, including a projecting flat roof element; in terms of scale the proposal is not set down from the main ridge height of the existing house; and being set perpendicular to the main house, the proposal would further complicate and destroy the original linear form of the house as well as

creating a large and dominant elevation that would compete with the existing front elevation. With this considered, the proposal is not considered to be of a modest size; it does not sympathetically relate to the existing house; and it would not appear subservient to the house but overwhelm its original form.

- 6.04 It also appears that in cumulatively taking the volume of the proposal and the other extensions on the original dwelling, this would exceed 50% of the total volume of the original house, which is not judged to be modest under the adopted SPD – ‘Residential Extensions’. It should also be noted that the Supplementary Planning Document – ‘Residential Extensions’ clearly states that it is the size of the original building rather than the size of the plot that will be used in assessing the appropriate size of an extension. So, although the residential curtilage of the application site is quite large, the actual property is considered relatively modest in comparison.
- 6.05 The proposal cannot be considered to represent a modest, appropriately designed extension over the original dwelling and for this reason I consider the proposal to be contrary to saved policy H33, emerging policy DM36 and the adopted SPD.

Other considerations

- 6.06 No objection is raised to this proposal in terms of residential amenity and highway safety; and the proposal would not have an adverse impact upon the setting of the near-by listed buildings. An application for a similar proposal has been refused under 17/500208 and the changes to the proposal’s scale and design are not considered to have overcome this previous objection.
- 6.07 The comments raised by Councillor Harvey have been considered in making this recommendation. I would also add that each application must be considered on its own merits under current policy/guidance; and whilst what extensions are possible under the property’s permitted development rights is a consideration, this proposal requires planning permission and needs to be appropriately assessed.

7.0 CONCLUSION

- 7.01 It is considered that the proposal is not acceptable with regard to the relevant provisions of the Development Plan, the NPPF and all other material considerations such as are relevant. I therefore recommend refusal of this basis.

8.0 RECOMMENDATION – REFUSE for following reason:

- (1) The proposed development, by virtue of its excessive scale, design and orientation would not constitute a modest extension and would be an unacceptable and overwhelming addition to the dwelling, contrary to saved policy H33 of the Maidstone Borough-Wide Local Plan 2000, emerging policy DM36 of the submitted version of the Maidstone Borough Local Plan (2011-2031) and the Residential Extensions DPD (2009).

Case Officer: Kathryn Altieri

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council’s website.

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17/501471 Valley Park School
Scale: 1:2500
Printed on: 9/8/2017 at 12:19 PM

REPORT SUMMARY

REFERENCE NO - 17/501471/FULL		
APPLICATION PROPOSAL Erection of a three storey secondary school with associated access, car parking and landscaping.		
ADDRESS Land At Valley Park School, New Cut Road, Maidstone, Kent, ME14 5SL		
RECOMMENDATION – Approved subject to conditions		
SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL The application is considered to comply with the relevant policies of the development plan and the approach of the National Planning Policy Framework (NPPF) and other relevant publications which represent material considerations in support of the application. The proposed school is considered to be acceptable having regard to the relevant matters including design and layout of the school, relevant standards, access to play space and open space, impact on amenity of neighbouring properties and highway matters.		
REASON FOR REFERRAL TO COMMITTEE Boxley Parish Council object to the proposed development and have called the application to committee.		
WARD Boxley	PARISH/TOWN COUNCIL Boxley	APPLICANT BAM Construction Ltd AGENT Vincent & Gorbing
DECISION DUE DATE 23/06/17	PUBLICITY EXPIRY DATE 24/05/17	OFFICER SITE VISIT DATE
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites): 17/503510/REM – Approval of Reserved Matters for Access, Appearance, Landscaping, Layout and Scale following Outline Approval for 13/1687 - An outline application with all matters reserved for future consideration for a new 12 court sports hall and ancillary accommodation. To be completed in 2 phases – Pending 14/504158/FULL - Proposed new sports equipment storage building - Permitted 14/504161/FULL - Extended area of 3G pitch (with reference to planning application MA/13/1260) the size being increased to 100 x 64m in order to provide an FA adult pitch. Together with 2 additional tennis courts - Permitted 13/1687 - An outline application with all matters reserved for future consideration for a new 12 court sports hall and ancillary accommodation - Permitted 13/1260 - The construction of a new 3G sports pitch with floodlighting; 4 new tennis courts; the upgrading and extension of existing pedestrian access ways from the main school site; the refurbishment of existing tennis courts; and associated fencing – Permitted 13/2067 - An application for a non-material amendment to planning permission MA/13/1260 being: a) The removal of a retaining wall and replacement with banking; b) A simplification of the access and viewing arrangements; c) A reduction in the number of required floodlight columns from 8 to 6 - Permitted 13/2068 - An application to discharge conditions relating to MA/13/1260 - (The construction of a		

new 3G sports pitch with floodlighting; 4 new tennis courts; the upgrading and extension of existing pedestrian access ways from the main school site; the refurbishment of existing tennis courts; and associated fencing) - being details of condition 3 (walls and surfacing) and condition 4 (tree protection) – Permitted

12/0526 - Construction of new sports hall with changing rooms – Permitted

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.1 The application site relates to a section of the shared school playing field at Valley Park Community School and Invicta Grammar School. The site is located on the west side of New Cut Road and to the north of Ashford Road. The site currently comprises three sports pitches for use of both schools. There is an existing vehicle access in the southeast corner of the site to the north of the junction at New Cut Road and Ashford Road with an unmade vehicle track running along the eastern boundary within the site. This existing vehicle access is primarily used to access the school playing fields and for maintenance of the grounds. The site can also be accessed on foot via the two schools to the west. The north, east and part of the south and west boundary of the site comprise mature tree and hedgerows along the boundary of the school playing fields. The remaining boundary of the site comprises the school playfields with no fixed or marked boundary treatment. The tree line boundary around the wider school playing field and the trees within the playfields has recently been designated as a group TPO - 5011/2017/TPO.
- 1.2 The application site slopes down gently from north to south while the ground levels within the eastern part of the school playfield fall from north to south by approx. 19m with two fairly significant changes in the ground levels.
- 1.3 The northern boundary of the school playing field abuts PROW KH2 which runs in a south-westerly direction connecting New Cut Road and Grove Green to Huntsman Lane, Vinters Park and Maidstone town centre. Beyond the PROW is Vinters Valley local nature reserve which contains several grade II* listed ha-ha walls. Grove Lodge is a detached residential property located on the north side of PROW KH2. To the south and west of the site are playing fields and sports pitches utilised by Valley Park and Invicta Grammar schools, these schools are located further to the west and are accessed off Huntsman Lane. The playing fields include several grass pitches, tennis courts and an all-weather sports pitch (3G pitch). A third school, East Borough Primary School is located on Vinters Road further to the west. The southwest corner of the shared playing fields is the site for the new sports hall which has extant outline consent and the reserved matters application is currently being considered by the LPA (ref: 17/503510/REM). To the east of the site is New Cut Road with Grove Green housing estate beyond.
- 1.4 The site is located within the urban area of Maidstone and is designated as an Area of Local Landscape Importance in the 2000 Local Plan along with the Vinters Valley local nature reserve to the north of the site, although this designation has not been carried through into the emerging local plan. The proposed site lies within the Vinters Park Landscape Character Area.

2.0 PROPOSAL

- 2.1 Erection of a three storey secondary school with associated access, car parking and landscaping. The new school would accommodate 1,200 pupils equating to 6 forms

of entry (11-18yrs) and 100 full-time equivalent staff. The proposed school would specialise in Science and Technology for students interested in engineering based subjects and would become a member of the Valley Invicta Academies Trust along with Valley Park and Invicta Grammar.

- 2.2 The new school building would be located east of the centre of the existing playing fields with a proposed parking area to the east of the new school adjacent the New Cut Road boundary. A new roundabout access is proposed and would incorporate the opposite New Cut Road and Grovewood Drive South junction. The school building would be three storeys high with a flat roof with a u-shaped footprint of some 3030 sqm with a central courtyard open to the south. The gross floor area of the building would measure some 9188 sqm and the school would have a maximum height of some 12.6m. The building would be formed of two main materials a light grey facing brickwork and darker grey render. The main school entrance would be on the eastern elevation adjacent the parking area and site entrance with a secondary student entrance in the southern elevation via the open courtyard. PV panels are proposed on the roof of the school building.
- 2.3 The proposed roundabout junction would replace the existing junction at New Cut Road and Grovewood Drive South. The roundabout would comprise four arms serving New Cut Road, the new school site and Grovewood Drive South. The vehicle access would require the removal of a number of significant trees along the eastern boundary of the site. The access would serve the proposed school and new sport hall, forming a loop around the proposed parking area and running to the north of the 3G pitch to the new sports hall site.
- 2.4 The proposed parking area incorporates 104 parking spaces for staff and visitors, 7 disabled spaces and 18 drop off bays. Some 30 cycle parking spaces are proposed with sufficient space to accommodate additional cycle storage if the need arises to provide total number of 172 spaces. The exact number of spaces provided at the start of first school year would be secured and determined via condition.
- 2.5 The roundabout and required visibility would result in the loss of approx. 32 trees, some of which are significant mature species, and a 20m stretch of a group of trees. It is proposed to mitigate for the loss of trees with additional tree planting and landscaping within the site. The north and east edge of the car park and vehicle access would include a landscape buffer incorporating new tree planting to screen the parking area. Some 90 new trees would be planted within the site, a majority of which would be located within and around the proposed parking area and adjacent the new roundabout junction to soften the approach into the site and help screen the parking and vehicle access road.
- 2.6 It is proposed that the new school would share the existing playing fields and sports facilities, including the new sports hall (see history), with the two existing schools.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Development Plan: ENV6, ENV35, CF1
Emerging Local Plan; DM1, DM3, DM23, DM27
Supporting Documents: Area guidelines for mainstream schools BB103

4.0 LOCAL REPRESENTATIONS

4.1 Some 34 local residents have responded to the public consultation with 31 objections received and 3 comments. The neighbour representations are summarised below.

- Increase traffic on New Cut Road.
- Traffic congestion.
- Noise and pollution from additional traffic.
- Views from rear gardens.
- Noise and light pollution from the school.
- Disturbance during construction works (*non material planning consideration*)
- Parking pressures on surrounding streets, including Grovewood Drive South.
- Negative impact on wildlife.
- Safety and/or traffic calming measures.
- Impact on nearby residential properties.
- Loss of trees.
- Increased litter.
- Loss of privacy, overshadowing.
- Development of the site would detract from the green open space between Maidstone and Weaving.
- Alternative access should be considered opposite Turkey Mill on the A20.
- Consultation by the developer should have covered a wider area.
- Questions whether a new school is required in Maidstone with existing schools undersubscribed.
- Proposed school would not be serving local children.
- Pupils likely to be driven to school rather than catch the bus.
- Traffic safety along New Cut Road.
- Insufficient on-site parking proposed.
- The application fails to take into account the cumulative impact of other developments in the area and impact on the highway network.
- Proposed entrance is dangerous.
- Request lighting is switched off in the evening if proposal is granted.
- The Travel Plan will not resolve the issue of inadequate parking provision.
- Requests for parking restrictions implemented on nearby roads and speed restrictions if the proposal is approved.
- Lack of consultation by the LPA.
- The catchment area will be bigger than indicated on the TA.
- The figures on the TA are inaccurate.
- The development would extend the urban sprawl of Maidstone.
- Increased congestion along New Cut Road would cause rat running via other roads.
- Impact of new roundabout and traffic lights on residential amenity.
- The Integrated Transport Strategy for Maidstone has an overarching objective to reduce transport impacts and the demand for travel.
- There is to be a new school at the Kent Medical Campus.
- No indication of heating proposed for the building.
- Additional ecology (bat / reptile) surveys are required.
- The new school should be built in east Maidstone in proximity to new housing developments.
- Loss of existing playfields at the site including football pitches currently used by Vinters Football Club.

4.2 **Boxley Parish Council:** Raise an objection for the following summarised reasons:

- Consider that an incorrect baseline for vehicle usage assessment. The comparator used for these calculations is Valley Park Community School, which is a comprehensive. The PC believes Invicta Grammar School should be used as a comparator which is also STEM.
- Insufficient car parking.
- Parking pressure in Grove Green from overspill parking and drop off for school children.
- The evidence on committed development in the TAD is incomplete.
- Road safety concerns.
- Traffic congestion.
- Noise, light and air pollution.
- Loss of some very prominent TPO trees.
- The parish council would like to see grey water and PV panels in the design.
- Impact on Vinters Valley nature reserve.
- Cumulative effect of the schools adjacent the site including; highways infrastructure, public transport, litter and local community.
- Should the application be approved the PC request conditions for; parking restrictions in Grovewood Drive South and in the adjacent roads; indigenous trees planting should be used in the landscaping proposals; consideration is given to having a different finishing time to the other schools.

5.0 CONSULTATIONS

- 5.1 **Natural England:** No objections. Recommends following NE Standing Advice and providing biodiversity enhancements.
- 5.2 **KCC Drainage:** No objections regarding the site's drainage design and proposed discharge rates. Recommend conditions.
- 5.3 **Nu-venture buses:** Advise that bus stops should ideally be created on the site. Bus stops nearby the site on main roads should also be considered as not all buses serving schools will be dedicated to that school.
- 5.4 **Arriva buses:** No comments received.
- 5.5 **KCC Archaeology:** No objections. Remains associated with prehistoric and Roman activity may survive on the site. Recommend a condition for archaeological field evaluation prior to commencement of development.
- 5.6 **KCC Ecology:** No objections. Are satisfied the submitted information provides a good overview of the ecological interest of the site. The majority of the site is unsuitable for reptiles. Recommend biodiversity enhancements and a bat scoping survey prior to any trees works.
- 5.7 **Highways England:** Would not raise an objection in respect of this planning application, subject to; a Section 106 agreement being entered into to secure the revised Travel Plan, to include contingency mitigation.
- 5.8 **MBC Environmental Health:** No objections. Recommend conditions to ensure suitable sound insulation and electric car charging conditions to promote sustainable travel. A condition has been requested regarding a code of construction practice, however, the Construction Methodology by Bam has now been updated to include the relevant information therefore a condition is not necessary.

- 5.9 **SGN:** No objections. Advise of pipelines in the area owned by SGN.
- 5.10 **MBC Parks and Open Space:** No objections.
- 5.11 **KCC Highways:** KCC Highways would not raise an objection in respect of this planning application, subject to the applicant being required to enter into a Section 278 Agreement to secure the highway works on New Cut Road (including the upgrade of the New Cut Road/Ashford Road junction) and a Section 106 Agreement to secure the Travel Plan and its associated financial contribution towards additional bus capacity.
- 5.12 **Southern Water:** Advise that there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. SW has advised that additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Any improvements required will need to be agreed between the developer and SW and Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be provided. An informative would be attached to the decision to ensure the developer is aware of their responsibility and to contact SW.
- 5.13 **Sport England:** Sport England does not wish to raise an objection to this application as it is considered to meet a mixture of exceptions of policy E4 and E5. Sport England has consulted the FA and they have confirmed that they do not object subject to a community use agreement being secured via a planning condition.
- 5.14 **Natural England:** No objections. Recommend applying standard advice and biodiversity enhancements.
- 5.15 **Kent Police:** No objections. Following initial consultation the applicants have met with Kent Police and an additional drawings has been provided showing the location of CCTV on the site. Request a formal application for BREEAM and Secured By Design (SBD) will be required if appropriate.
- 5.16 **KCC PROW:** No objections. PROW KH2 runs along the northern boundary and should not affect the application.
- 5.17 **MBC Landscape:** The proposal will result in tree removals that will include a number of mature specimens, some of which are high value, together with lower value trees. Visually, the existing tree belt will be split by a significant gap.

6.0 APPRAISAL

Principle of Development

- 6.1 The application proposes a new 1200 student free school within the existing playing fields of Invicta Grammar and Valley Park School. Maidstone Local Plan 2000, the relevant policy is CF1 which relates to new community facilities, including educational facilities. Policy CF1 advises new facilities should be provided to meet future need which is generated by new development. Policy CF1 is taken forward in policy DM23 of the emerging plan which again recognises the need to provide community facilities to meet the needs of new residential development. Emerging local plan policies are considered to have full weight at this stage of the local plan process. As set out below, there is currently a deficit of school places within Maidstone and thus there is a context where further education provision is necessary.

- 6.2 Of relevance to this point is that this site and proposed school is included in the KCC Commissioning Plan 2017-2021 to provide secondary school places within the Maidstone area. The Commissioning report states that Secondary School forecasts indicate that from 2017-18 the surplus capacity for Year 7 places will be below the operating guideline of 5% and a substantial deficit of Year 7 places is anticipated from 2018-19 and beyond. The KCC Plan acknowledges that the opening of the new proposed Secondary Free School, the Maidstone School of Science and Technology has been delayed to September 2018. Consequently the number of Year 7 places in Maidstone will be below the target of 5% surplus capacity in 2017-18. KCC anticipate that the proposed 180 Year 7 places at the Free School will meet the majority of the forecast demand for non-selective places in Maidstone town from 2018-19. The Commissioning Plan advises that any further delay in the opening of the school would lead to a significant shortfall in places and little time in which to respond.
- 6.3 The Commissioning report acknowledges that there will also be significant pressure for additional Year 7 places elsewhere in the Borough, which could not reasonably be met by a Free School in central Maidstone and KCC propose to expand Cornwallis Academy to address the demand.
- 6.4 Even with the a new Free School in the borough and expansion of Cornwallis Academy the Commissioning report advises that beyond 2021-22 the pressure on Secondary school places is forecast to increase further.
- 6.5 At a national level, the policy relating to the provision of school development remains a positive one with paragraph 72 of the NPPF stating; *“the government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted”*
- 6.6 There is significant support offered by national and local policy for new schools and school expansions. The Communities and Local Government Policy Statement on Planning for Schools Development (Aug 2011) sets out the Government's Commitment to support the development of state-funded schools and their delivery through the planning system. The policy statement advises that *“it is the Government's view that the creation and development of state-funded schools is strongly in the national interest and that planning decision makers can and should support that objective, in a manner consistent with their statutory obligations”*. It encourages collaborative working, which *“would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, “yes” ”*. It states that *“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 the following policies should apply with immediate effect:*
- *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 schools applications. ...*
- *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."*

6.7 The Plain English Guide to Planning for Free Schools, produced by the Department for Communities and Local Government in January 2015, reinforces and strengthens earlier advice. It sets out in paragraph 2 that *"the Government is committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state funded education, and raising educational standards. Free schools have an important part to play in delivering this challenge."*

6.8 Therefore it is clear the position of the NPPF, wider government policy, the council's existing and emerging policy and KCCs Commissioning Plan, presents strong support for school related development where this can deliver quality school places to meet the needs of the local community. However, it is recognised that the impacts of the new school need to be properly assessed in order to ensure there is no unacceptable harm that would outweigh this strong presumption that weighs heavily in favour of the scheme.

Visual Impact / Design

6.9 At some 12.6m high with a gross floor area of some 9188 sqm the proposed building, associated parking and turning areas would undoubtedly have a visual impact on the existing site and surrounding area. However, the school building would be set well back within the site away from the New Cut Road and Ashford Road frontage and the palette of materials and colours proposed would have a muted appearance and proposed landscaping would soften the impact of the building and parking area. Glimpses of the new building would be afforded through the new entrance, however, the proposed alignment of the new access road and additional tree planting to the north and south of the access would limit views into the site. With the exception of the area required for the new access the existing tree belt along the boundary of the playing field would be retained and there would be additional tree planting around the east and northern parts of the parking area and further tree planting would reinforce the existing tree belt to the north of the existing rugby pitch and south of the parking area.

6.10 Mid-long range views towards the school site are afforded from the higher ground in the neighbouring Vinters Valley nature reserve and glimpses of the top of the floodlights on the 3G pitch are visible in the distance. However, the school building would be bounded by dense mature woodland to the north and northwest and the north part of the building would be recessed to take account of the slope in the ground levels. As such the building would be screened from mid-long range views and would not appear significantly prominent or obtrusive from the nature reserve.

6.11 Overall it is therefore considered that the school building and associated parking area would not appear significantly prominent

- 6.12 The main visual impact would arise from the creation of a new roundabout along New Cut Road which would require a significant number of trees to be removed to accommodate the new entrance, roundabout junction and necessary visibility splays. The removal of trees along the eastern boundary of the site would clearly be regrettable and does weigh against the proposal, but would be an inevitable requirement of any new access along this site boundary. The various access options will be reviewed in greater detail below. In terms of the visual impact of the proposed roundabout, New Cut Road is a busy through road in the urban area of Maidstone and there are three existing roundabouts on New Cut Road to the north of the site such that I do not consider the introduction of a new roundabout here would appear incongruous in this location.
- 6.13 The proposed location of the school has been determined by a number of factors including (inter alia) ground levels, retention of playing pitches, vehicle access, loss of trees and deliverability. The proposed location of the school and car park is considered to be the most appropriate location on site in terms of deliverability which is affected by fairly significant changes in ground level across the eastern part of the shared playing fields. A requirement by Sport England to retain the best sports pitches at the southern end of the playing fields has been a key determining factor in choosing the proposed location. The impact on playing pitches will be looked at in greater detail below.
- 6.14 In terms of the design and layout, the school building would be three storeys with a flat roof with a u-shaped footprint of some 3030 sqm with a central courtyard open to the south. The flat roof would have space to facilitate PV panels, the design and location of which would be secured by condition. The gross floor area of the building would measure some 9188 sqm and have a maximum height of some 12.6m. The building would be formed of two main materials a light grey facing brickwork and darker grey render with recessed windows framed by coloured (dark grey and light blue) panels. The main school entrance would be on the eastern elevation adjacent the parking marking a clear entrance / focal point on the front elevation of the building. There would be a secondary student entrance in the southern elevation via a south facing courtyard which would form as a key focal point for students and would benefit from grassed areas, planters and seating making this an attractive open space. Landscaping would be located at the front the school, along the boundaries and within the car park to soften the impact of the built development.
- 6.15 Subject to suitable conditions relating to materials, landscaping, it is considered from a design and layout perspective, the development would constitute good design and would accord with policy DM1 and Section 7 of the NPPF.

Highways

- 6.16 The proposed parking area incorporates 104 parking spaces for staff and visitors, 7 disabled spaces and 18 drop off bays. Some 30 cycle parking spaces are proposed with sufficient space to accommodate additional cycle storage if the need arises to provide a policy compliant total number of 172 spaces. KCC Highways have not objected to the car parking provision which would be in accordance with guidance and the internal loop road within the site would accommodate sufficient space to allow vehicle pick up and drop off within the site so as not to disrupt the surrounding road networks. Concerns have been raised by local residents regarding the potential for 6th form students to park in the adjacent roads in Grove Green. To overcome this the applicant has proposed a Temporary Traffic Regulation Order to restrict parking within the nearby residential road for a limited time period during school hours to deter students from parking in the area. The number of cycle spaces is low (although there would be space to expand) and through negotiations the applicant

has agreed to increase the number of cycle parking spaces from the start of the first school year which would promote cycle usage and help reduce vehicle trips to the school. The exact number of cycle spaces to be provided from the start of the first school year would be secured by condition.

Pedestrian connectivity

- 6.17 The site is located less than 1 mile from Maidstone town centre and is bound by the east by New Cut Road which is a key distributor route, and to the south by Ashford Road which is a primary route between Maidstone and villages to the east.
- 6.18 The site is well connected to the town centre by pedestrian footpaths. The proposed layout includes a new footpath within the site which would connect the new school with Valley Park and Invicta Grammar schools to the west and, it is envisaged that pupils accessing the school from the west, town centre, train station, and central town centre bus depot, would access the site via Huntsman Lane and walk through the existing school sites. The site is therefore considered to offer sustainable, safe and accessible pedestrian and cycle access from the town centre.
- 6.19 There is a pedestrian footpath on the northern side of Ashford Road (and cycle path along part of the route) and along the eastern side of New Cut Road, and the junction at Ashford Road / New Cut Road is signalised to allow safe crossing. A new pedestrian / cycle path is proposed within the site to connect the school with the existing access gate in the southeast corner of the playing fields. The new path would need to have low level ecology lighting to ensure safe use and the path would link up to the existing footpath and cycle route at the Ashford Road / New Cut Road junction. This new internal path would follow the route of an existing unmade vehicle access road within the site and would allow pedestrians and cycles to enter the southeast corner of the site thus avoiding the busy New Cut Road. This access would also serve pupils using the bus stops near the signalised junction on Ashford Road.
- 6.20 The proposed roundabout design would include pedestrian puffin crossing to the north of the roundabout with a new section of pedestrian footpath on the western side of New Cut Road to enable safe pedestrian access into the school from pupils coming from Grove Green and the east and from the north along New Cut Road.
- 6.21 PROW KH2 runs along the northern boundary of the application site in a south-westerly direction connecting New Cut Road and Grove Green to Huntsman Lane, Vinters Park and Maidstone town centre. The PROW is currently used by pupils from Valley Park and Invicta travelling to school from the east. It is envisaged that the new internal pedestrian route linking the three schools would reduce the likelihood that KH2 would be utilised by the pupils from the new school as it would not form the most direct route to the town centre. A pedestrian connection could be provided to KH2 in the northeast corner of the site, however, a new internal access route would need to be provided and this would have an impact on the existing sports pitches and would also require the removal of existing boundary vegetation such that this has not been proposed by the applicant.
- 6.22 Overall, school site is considered to have good pedestrian accessibility to the surrounding area.

Access

- 6.23 Several different access options have been assessed by the school taking into account the impact on the tree lined boundary, ground levels, highways safety and congestion impacts, costings, deliverability and neighbouring amenity.

- 6.24 The proposed vehicle access comprises a new 4-arm roundabout junction on New Cut Road, which will incorporate the main site access and the existing Grovewood Drive South junction.
- 6.25 Objections and concerns have been raised regarding the loss of trees due to the choice of a roundabout access in this location. Prior to this application being submitted none of the trees along the eastern boundary of the school playing field were protected by TPOs and could have been removed by the school without obtaining permission from the council.
- 6.26 The location of the school within site together with the highways safety / capacity impacts and ground level changes has largely dictated the choice and location of the proposed access point. The applicant has submitted an Access Options Assessment reviewing four potential access points along New Cut Road. A further option was reviewed on Ashford Road but this was discounted due to the significant loss of trees and highways impacts of providing a new junction along this primary route. All of the options along New Cut Road would result in a significant loss of trees, however, some options would require fewer trees or less mature trees to be removed. The different access options have varying impact on highways safety, free flow of traffic along New Cut Road and Ashford Road while some options are considered to be more deliverable than others. Taking all of these matters into consideration, on balance, the roundabout option was considered to be the most appropriate all round solution at this site. Option 2 relates to the proposed location of the roundabout.
- Option 1 – Southeast corner of the playing fields
- 6.27 The existing gated vehicle access in the southeast corner of the site was discounted as only a left in / left out access could be achieved. Further, a signalised junction would not be possible due to the proximity to the A20 / New Cut Road junction. This access point is also discounted from the school site and would require the loss of significant number of trees and the loss of a further sports pitch as a new internal access road would be required. This option has been discounted.
- Option 2 – Proposed location
- 6.28 This option provides the best connectivity to the car park and school building. The applicant has reviewed two junction options at this location, a signalised junction and the proposed roundabout. The signalised junction has been tested and shown to operate poorly in capacity terms and would also impact on the existing signalised junction at Ashford Road / New Cut junction, creating additional congestion. Both options would improve accessibility into Grove Green estate opposite the site and controlled pedestrian crossing could be provided on New Cut Road. The roundabout would result in betterment in terms of traffic flows and reduced congestion times along New Cut Road compared to the existing situation. It is noted that the proposed development is only required to mitigate its own impact in terms of additional traffic generation, however, with future growth in Maidstone proposed, a betterment in traffic flows along New Cut is considered a significant benefit of the roundabout option. The applicant has confirmed that both junction options would cost approximately the same to deliver. Both options would also require the removal of a significant number of trees to accommodate the new access. The signalised junction would require fewer trees to be removed along the New Cut Road boundary and would clearly be the less obtrusive option in terms of the visual impact on the streetscape / tree belt along the boundary of the site, however, this option would also require the removal of more trees within the site and would allow unobstructed views into the site along a straight internal access road. The signalised junction would

also require a revised internal parking / access layout to ensure cars do not queue and block traffic on New Cut Road, which in turn is likely to impact on more sports pitches and the existing tree belt to the south of the site. To my mind this is a clear case of balancing up between the loss of trees and the highways impacts / improvements between the two options. As both options would result in the significant loss of trees and therefore harmful visual impact along New Cut Road, overall on balance, it is therefore considered that the roundabout offers the better solution as this option would result in highway betterment along New Cut Road and would reduce congestion in the immediate and longer term.

Option 3 – northeast of site

- 6.29 This option is located to the northeast of the school site. An uncontrolled priority junction in this location could be provided, however, the applicant has advised that a right hand turning lane (additional lane) would need to be provided on New Cut Road to allow safe uncongested access into the site. Due to the location of private properties along the east side of New Cut Road the road would need to be widened on the west / school side which would result in a significant amount of tree removal along the boundary of the site and New Cut Road, although it would likely result in the loss of fewer mature / significant trees than the other options. This access option is also disconnected from the school site and the route of the internal access road would result in the loss of a further sports pitch and urbanising engineering works to deal with levels changes within the site. This option has been discounted.

Option 4 – far northeast corner of the site

- 6.30 This option is located to northeast corner of the site. Again, an uncontrolled priority junction in this location could be provided in this location. Again the likely inclusion of right hand turn lane would require road widening and the loss of trees, including in areas outside the schools ownership. This option is notably disconnected from the school building and the new internal road would require the loss of a further sports pitch and significant engineering works within the site to address the levels changes along the route of the internal access road. This option has been discounted.
- 6.31 KCC Highways raise no objections to the proposed roundabout access advising the crucial difference between the two junction types is that a roundabout provides a more effective means of maintaining traffic flow along New Cut Road and is less likely to result in queues that block back either to or from the Ashford Road/New Cut Lane junction. KCC also advise that the roundabout proposal would provide a physical means of reducing vehicle speeds in the vicinity of the site, which will be important in view of the pedestrian/cyclist activity generated by the school. A reduction in the speed limit on New Cut Road from 40 mph to 30 mph is also proposed, which will need to be secured via a Traffic Regulation Order.
- 6.32 The proposed roundabout access arrangements have been the subject of a Stage 1 Road Safety Audit, which takes account of the proposed controlled crossing. KCC Highways have advised that the majority of the auditors' recommendations have been satisfactorily addressed in the Designers Response. The outstanding point relates to the introduction of a shared cycle route to the north on New Cut Road and this will be investigated and, if appropriate, included within the scope of Section 278 Agreement works required for the proposed roundabout and crossing.

Trip generation

- 6.33 The trip generation forecasts are founded on an assumption that the pupil mode share will reflect that of the nearby Valley Park School, including 53% walking, 2% cycling, 20% travelling by bus and 11% travelling by car. Using Valley Park as a comparator school site has been accepted by KCC and HE.

- 6.34 The trip distribution assumptions are based on the areas where housing growth is planned to take place (as identified in the emerging local plan) and the catchment areas served by the nearby Valley Park and Invicta Grammar Schools. This reflects the likelihood that the school will primarily cater for the demand associated with new areas of housing in and around Maidstone.
- 6.35 The resulting trip generation forecasts indicate that, in total, there will be 230 additional vehicle movements in the AM peak (08:00 – 09:00) and 195 additional vehicle movements in the PM peak (15:00 – 16:00), although this is outside the normal PM Peak rush hour. It is also of note that 240 pupils are expected to travel by bus.
- 6.36 The assumptions are that 55% of pupil trips will involve routes to/from the south, with 25% using Ashford Road (A20) to the east, 20% using Ashford Road to the west and 10% using Willington Street to the south. The remaining 45% of pupils will head to/from the northern part of New Cut Road. The staff distribution is weighted more towards the northern part of New Cut Road (59%).
- 6.37 The Transport Assessment identifies that the vehicle trips associated with the new school would result in a worsening of operating conditions and queuing delays at nearby junctions including the Bearsted Road/New Cut Road/Newham Court Way junction and the M20 Junction 7.
- 6.38 KCC advises that capacity modelling findings should be viewed in the context of the operational characteristics of the school. These mean that the impact of additional traffic on congestion will be limited to during school term-time and concentrated within short time periods at the beginning and end of the school day. In addition, Highways England has acknowledged that the proposed development will only impact the Strategic Road Network in one Peak Hour (AM Peak) and have included an allowance for the potential for linked trips and diverted trips.
- 6.39 The NPPF states that Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In this regard KCC Highways are not able to conclude that the development will result in conditions that could be described as a severe impact on congestion or safety. KCC do advise Members that the residual impact of this development is likely to be characterised by additional local traffic generation and some consequent increase in congestion, which the applicant cannot fully mitigate.
- 6.40 Highways England has confirmed that the school site would not be required to contribute towards improvements to M20 Junction 7 on the provision that there is a robust travel plan secured by S106 with contingency measures included should the school not meet the aims and objectives of the travel plan.
- 6.41 An updated Interim Travel Plan has been submitted in support of this application and this has been reviewed by KCC Highways and Highways England.
- 6.42 Highways England advise that in theory, if implemented and monitored appropriately, the Travel Plan should be capable of achieving the desired outcomes; in which case nothing more would need to be done. However, to ensure that Highways England requirements are met and vehicle trips to the school do not exceed the assumption in the TA and TP, they have requested that as a fall-back position and an incentive to the school, alternative mitigation should be secured via the TP and associated S106, should the desired outcomes of the TP not be achieved. The TP would therefore

need to be secured through an S016 agreement to secure an appropriate contingency contribution and monitoring fee for the TP.

- 6.43 HE has suggested that one way to achieve the contingency could be to align the school to the “managed approach” to the required M20 Junction 7 mitigation scheme works. In this case, the further mitigation would be a payment in line with the “managed approach” methodology, calculated based on the additional vehicles generated above the levels presented within the Transport Assessment. The sums contributed would go towards sustainable transport scheme benefitting the area. Using formulae aligned with a “managed approach” the school would have absolute clarity of what the penalty would be for any given level of exceedance over the mode share targets. Alternatively, HE would be content to negotiate an acceptable “Trip Mitigation Sum” (as referenced in Transport for London Travel Plan sanction guidance).
- 6.44 Therefore, should the school fail to meet the objectives of the TP alternative mitigation will be secured through the S106 to be used on sustainable transport scheme(s) benefitting the area and relevant to the proposed development which could include, but not necessarily limited to:
- Upgrading cycle routes.
 - Illumination of PROWs
 - Bus contributions
 - Bus discounts / tickets for pupils
 - Bike tokens for pupils
 - Pedestrian crossing points
 - Additional electrical vehicle charging points
- 6.45 The total capped figure for the TP mitigation has not been determined yet and until a fully justified and reasonable figure has been provided the school will not be will not be in a position to agree. To allow further negotiations and to agree an appropriate contingency figure and TP monitoring fee Members are asked to give the Head of Planning and Development full delegated powers to secure the details of the Travel Plan, the monitoring contribution and level of the contingency contributions and triggers.
- 6.46 To promote sustainable travel and support a robust travel plan, additional cycle parking (more than 30 spaces) will be provided when the school first opens and it is also proposed to reduce the amount of on-site car parking from that shown on the current plans in order to promote car sharing, bus use and other sustainable modes of transport. This has been agreed by the applicant and would be secured by condition, including the number of spaces that would need to be omitted in order to promote sustainable travel.
- 6.47 KCC Highways have acknowledged that schools by their nature tend to benefit from a high proportion of sustainable journeys on foot, by bicycle and by bus compared to other land uses. However, KCC has advised that the proposed new school would have an impact on the existing bus network as a result of the additional 240 pupils that are expected to travel by bus. In order to mitigate the potential impact on the existing bus network KCC have requested an annual contribution from the school £139,080, to provide for additional bus capacity in perpetuity. This contribution request is not considered to meet the relevant CIL tests and given that a robust travel plan would be secured by a S106 this open-ended contribution towards local bus services is not deemed to be reasonable or necessary.
- 6.48 To conclude

Highways England and KCC Highways advise that they would not raise an objection to the planning application subject to a Section 106 Agreement to secure the revised Travel Plan to include contingency mitigation as set out above.

Residential Amenity

- 6.49 The new school building, car park and vehicle access would be located a sufficient distance from neighbouring residential properties such that there would be no unacceptable impact in terms of loss of light, privacy or outlook. The proposed roundabout layout would not relocate the highway any closer towards the rear gardens / properties backing onto New Cut Road than the current arrangement.

Sports pitch provision

- 6.50 The existing shared playing fields consist of 10 marked out sports pitches, a 3G pitch, an astro turf pitch (located between Valley Park and Invicta School) and 8 tennis / netball courts and cricket nets. The grass sports pitches are of varying quality depended on the size and gradient of the land. The best grass sports pitches comprise the 2 x rugby pitches and a football pitch located in the southeast part of the playing fields and would be retained as part of the proposal. The loss of the best playing surfaces on the site would not be supported by Sport England. The other remaining grass pitches are not drained and all slope to varying degrees.
- 6.51 The proposed school site would result in the loss of three football pitches and one tennis court (which would be replaced). It is necessary to assess whether the loss of these three pitches would be acceptable, and more importantly whether the shared playing fields / sports pitch provision at the overall site would provide sufficient sports pitch provision for all three schools (Valley Park, Invicta Grammar and the proposed Free School).
- 6.52 Due to the loss of sports pitches there is a statutory requirement to consult Sport England and they have confirmed that they have no objections to the proposed development in terms of sports pitch provision and shared facilities subject to a community use agreement being secured via a planning condition.
- 6.53 SE has confirmed that the new artificial (3G) pitch on the site mitigates the loss of three grass pitches. The 3G pitch is floodlit and is a versatile playing surface and has the benefit that it can be used continually throughout the day and all year round, whereas grass pitches can only be used for a limited period of time and are therefore less versatile.
- 6.54 In addition to the existing sports pitch provision on the site, there is an outline planning consent on the school playing fields for a new sports hall which would provide indoor sports provision and would be shared by the three schools. The current school planning application would secure the new access road and car parking for the proposed sports hall and existing 3G pitch. The reserved matters application for the new sports hall is currently being considered by the LPA and a condition is recommended to ensure the first phase of the new sports hall is provided at the same time as the new school. Subject to such a condition SE has confirmed that sufficient sports pitch provision would be provided for the three schools through the existing play pitch provision and proposed indoor sports hall. SE therefore advise that the proposed development would be in accordance with SE policies and SE do not raise any objections subject to conditions, including a condition to secure a community use agreement which would be in accordance with emerging policy DM23 which advises (inter alia) that *'The council will seek to ensure, where appropriate, that providers of education facilities make provision for dual use of facilities in the*

design of new schools, and will encourage the dual use of education facilities (new and existing) for recreation and other purposes’.

Ecology

- 6.55 The application site located adjacent to Vinters Park nature reserve and reptiles are known to be present within this area. The application is accompanied by an ecology scoping survey that identifies that a majority of the application site is unsuitable for reptiles being managed playing field and tree cover. KCC ecology has advised that there is no requirement for a specific reptile survey and raise no objections in terms of impact on reptiles.
- 6.56 KCC Ecology has confirmed that all the trees to be felled (for the access road) have a low/negligible potential to be suitable for roosting bats and KCC are satisfied that no additional emergence surveys are required to determine the planning application. A condition is recommended to secure a soft fell technique under the watching brief of a licenced ecologist.
- 6.57 The site is bounded by a mature tree belt and a lighting scheme has been provided which demonstrates that the applicant is taking steps to minimise impacts on foraging/commuting bats. KCC has advised that they are satisfied that the finalised lighting scheme can be submitted as a condition of planning permission which shall be informed by a bat activity survey. The school have also indicated that the lighting will be turned off by 10pm every night and this would be secured by condition.
- 6.58 The ecology scoping survey advises that there are opportunities to incorporate biodiversity within the site in accordance with the NPPF and KCC ecology has confirmed that the enhancements can be secured by condition which would ensure that the ecological enhancements are over and above any ecological mitigation which is required.

Landscape

- 6.59 The proposed roundabout access would result in a loss of a significant number of trees along New Cut Road. However, as advised above the Access Options Assessment indicates that a significant number of trees would need to be removed for any new access along New Cut Road and the proposed location and roundabout access have been proposed due to a number of determining factors as described above.
- 6.60 The submitted arboricultural report considers the roundabout option in detail. The roundabout proposal will cut through the existing belt of mixed woodland, which contains a wide range of species of varying age up to over-mature specimens. There are direct losses to accommodate the junction and associated works, including footpaths and visibility splays, which includes a large A graded Oak tree and 12 B graded trees, together with 17 C graded trees and a group of trees also graded C. Two U grade trees would also be removed - trees of a condition that they should be removed irrespective of this proposal.
- 6.61 The council's tree officer has advised that in general, the submitted tree surveys are an accurate assessment of the trees present and the reasoning behind the proposed removals based on sound arboricultural judgement in the context of the proposal. However, the tree officer has advised that whilst the assignment of tree categories appears to be in line with the recommendations of BS5837, it should be noted that some of the trees assigned lower gradings based on their arboricultural condition may be considered of higher value for other reasons – for example, it has been suggested that the C graded Holly T38 may be a veteran tree. The tree officer has

advised from his own assessment of this is that it may be considered an early veteran based on its stem diameter and because it is beginning to develop features of a veteran. Other mature trees that are in poor condition might also be potential veterans and provide habitat.

- 6.62 It is acknowledged that the proposal will result in tree removals that will include a number of mature specimens, some of which are high value, together with lower value trees. Visually, the existing tree belt will be split by a significant gap. The loss of trees along New Cut Road does clearly weigh against the proposal and would need to be considered in the balancing exercise when determining this proposed development. In addition, the scheme proposes a comprehensive landscaping and tree planting plan which proposes to replant some 90 new trees on the site which equates to more trees than would need to be removed to facilitate the site access, which would in part mitigate the impacts of the roundabout and tree loss in accordance with saved policy ENV6.

Other matters

- 6.63 KCC Drainage have confirmed that the proposed drainage design / strategy is acceptable subject to further details being submitted by condition to secure the necessary drainage rates and to ensure there is no pollution risk. The site is located in flood zone 1 with a low risk of flooding and the EA has raised no objections.
- 6.64 The application site lies in an area of archaeological potential and KCC Archaeology have advised that remains associated with prehistoric and roman activity may survive on site and therefore recommend an archaeological field evaluation and recording condition.
- 6.65 An Environmental Noise Impact Assessment has been submitted in support of this application. The EHO has advised that potential noise nuisance from plant equipment should be guarded against through relevant conditions attached to any planning permission granted. The impact of existing traffic noise on the proposed development has also been assessed and the EHO has advised that acceptable indoor noise levels would be achieved with natural ventilation as the proposed layout has the most sensitive teaching rooms in acoustically sheltered locations. The site is within the Maidstone Town Air Quality Management Area. In this regard the EHO does not consider the scale of this development and/or its site position warrants an air quality assessment or an Air Quality Emissions Reduction condition. Electric Vehicle charging points would be installed at the site and a travel plan would promote sustainable travel such that there is not considered to be an unacceptable increase in air pollution from the proposed development. The EHO has confirmed that there is no indication of land contamination or high radon concentrations at the application site.
- 6.66 Southern Water has confirmed that there is currently inadequate capacity in the local network to provide foul sewage and, additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location. Southern Water has a legal obligation to provide capacity and an informative will be added to the decision notice advising the developer to contact SW.

7.0 CONCLUSION – PLANNING BALANCE

- 7.1 The relevant planning and government guidance set out strong support for new school facilities and there is an identified current and future need in the area for a new secondary school and the school itself is identified within the KCC Commissioning Plan for the area. In light of NPPF guidance and significant government support, such considerations must be given significant weight in any decision.
- 7.2 The proposal would constitute a good standard of design and would not appear significantly prominent within the site due to the boundary screening and set back from the road. The proposal would meet the relevant government standards for a new school and will ensure sufficient sports provision on the site for the three schools as confirmed by Sport England and a Community Use Agreement would ensure the sports pitches are available to the local community.
- 7.3 Against the proposal is the loss of a significant number of trees along the New Cut Road frontage. However, as identified above the proposed location of the school building and the roundabout has been determined by a number of factors, including highways capacity and safety, retention of the best sports pitches on the site and ground levels and, it is noted that any new access point along New Cut Road would result in the loss of a significant number of trees. Other access locations / designs would result in the loss of less mature / significant trees than the proposed access, however, the roundabout access and location has been led by a number of factors including Sport England's requirement to retain the best / most grass playing pitches within the site, the ground level changes and the fact that the roundabout would result in a betterment in terms of traffic flows and reduced congestion times along New Cut Road compared to the existing situation. In addition, the scheme proposes a comprehensive landscaping and tree planting plan which proposes to replant some 90 new trees on the site which is more trees than would need to be removed to facilitate the site access, which would in part mitigate the impacts of the roundabout and tree loss in accordance with saved policy ENV6.
- 7.4 The new school would result in additional traffic flows and congestion at nearby junctions, a point which does weigh against the proposed development. However, the impacts of the scheme on the wider Highway network including the M20 Junction 7 are not considered to cause a severe impact subject to a robust Travel Plan being secured by a S106 which would include contingency funding and appropriate mitigation measures to be used on sustainable transport scheme(s) benefitting the local area and relevant to the proposed development. Although Highways England do note that if the TP is implemented and monitored appropriately, the mitigation would not be required.
- 7.5 The scheme is acceptable in all other regards including that relating to neighbour amenity, drainage, air quality and heritage.
- 7.6 Therefore, on balance, it is considered that the strong educational support in government guidance and local policy, the identified need in the KCC Commissioning Plan and the lack of alternative sites, represent material considerations and together with the ecological enhancements, traffic flow and reduction in congestion and other factors, would outweigh the harm caused resulting from the loss of the trees along the east side of New Cut Road.

8.0 RECOMMENDATION – Approval subject to planning conditions and to the prior completion of a legal agreement, in such terms as the Head of Legal Services may advise, to provide the following:

- Travel Plan, including a monitoring fee and contingency funding to provide appropriate mitigation measures to be used on sustainable transport scheme(s) benefitting the local area and relevant to the proposed development

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The premises shall be used for a school and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: Unrestricted use of the building or land would cause demonstrable harm to the character, appearance and functioning of the surrounding area and/or the enjoyment of their properties by adjoining residential occupiers.

3. Prior to the commencement of development, a phasing strategy for the delivery of the development hereby approved, including condition discharge, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the scheme shall include, but not be limited to:

- Key milestones in the development of the site;
- Commencement on site;
- Timescales for installation of utilities;
- Phases of development of the building;
- Timings for hard and soft landscaping;
- Associated timings for discharge of conditions.

The development shall thereafter be carried out in accordance with the approved phasing strategy.

Reason: To ensure satisfactory progression of the development.

4. The erection of fencing for the protection of any retained tree or hedge shall be carried out in complete accordance with BS5837:2012 and as shown on plan reference TPP01, before any equipment, machinery, or materials are brought onto the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this

condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

5. In accordance with the phasing strategy, as approved under condition 3, a construction specification/method statement for the delivery of any aspect of the development hereby permitted, falling within 5m of the Root Protection Area, approved under condition 4, shall be submitted to and approved in writing by the Local Planning Authority, prior to the works being undertaken. The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the trees on the site.

6. In accordance with the phasing strategy, as approved under condition 3, details of all the external materials, including samples, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development.

7. In accordance with the phasing strategy, as approved under condition 3, details of all the external windows and door, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development.

8. In accordance with the phasing strategy, as approved under condition 3, a detailed sustainable surface water drainage scheme for the site shall be submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of at a rate not exceeding 3.9l/s. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

9. In accordance with the phasing strategy, as approved under condition 3, details of both the hard and soft landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- Proposed finished levels or contours
- Means of enclosure
- Car parking layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting)
- Proposed and existing functional services above and below ground.

Soft Landscaping details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate.
- Implementation timetables.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

10. The use or occupation of the development hereby permitted shall not commence until all hard and soft landscaping specified in the approved landscape details has been completed. All soft landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

11. The external lighting shall be implemented in accordance with the details shown with the Lighting Assessment Statement (SSt-BMD-ZZ-XX-RP-M-48700) and associated plan reference SST-BMD-ZZ-XX-DR-E-40901-P02. The lighting shall thereafter be retained in the approved form.

Reason: To ensure a satisfactory appearance to the development and to safeguard neighbour amenity and ecology.

12. All external lighting shall be turned off by no later than 22:00 on any given day.

Reason: To safeguard neighbour amenity and ecology.

13. In accordance with the phasing strategy, as approved under condition 3, details of the proposed cycle parking enclosures shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be installed in accordance with the details approved and retained thereafter.

Reason: To promote sustainable travel.

14. In accordance with the phasing strategy, as approved under condition 3, a landscape management plan, including long term design objectives (10 years), management responsibilities and maintenance schedules for all hard and soft landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: In the interests of biodiversity, landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

15. In accordance with the phasing strategy, as approved under condition 3, details of the proposed car parking spaces and drop off / pick area shall be submitted to and approved in writing by the Local Planning Authority. The agreed car parking shall be installed in accordance with the details approved and retained thereafter.

Reason: To ensure adequate parking provision is provided to promote sustainable modes of travel in accordance with the travel plan

16. Any facilities used for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the tanks.

Reason: To prevent pollution of the site.

17. In accordance with the phasing strategy, as approved under Condition 3, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. This will include clear ecological enhancement for breeding birds, bats and reptiles and shall include provision of bat boxes, bird boxes and native planting. The enhancement plan must provide details on how the enhancements will be managed long term. The approved details will be implemented and thereafter retained.

Reason: To enhance biodiversity.

18. In accordance with the phasing strategy, as approved under Condition 3, a bat scoping survey shall be carried out prior to any works commencing within 10metres of the trees on the site. The bat scoping survey, emergence survey (if required) and details of any bat mitigation required must be submitted for written approval by the LPA. The removal of the tree must be carried out as detailed within the submitted documents.

Reason: In the interest of ecology and bat protection.

19. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

i) Archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

ii) Further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded.

20. In accordance with the phasing strategy, as approved under condition 3, details of any plant (including ventilation, refrigeration and air conditioning) or ducting system to be used in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The scheme shall ensure that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 (*in areas of low background sound levels a target of NR30 shall be achieved*) as defined by BS8233: 2014 Guidance on sound insulation and noise reduction for buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The equipment shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it's operating. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority;

Reason: To protect occupants from noise and disturbance.

21. In accordance with the phasing strategy, as approved under condition 3, details of a minimum of two electric vehicle charging points, including a programme for their installation, maintenance and management, shall be submitted to and approved in writing by the local planning authority. The electric vehicle charging points as approved shall be installed prior to occupation of the building(s) hereby permitted and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

22. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the playing field and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review [, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facility]. The development shall not be used at any time other than in strict compliance with the approved agreement;

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport;

23. Prior to the first occupation of the school hereby permitted, the sports hall access road and car parking, replacement tennis court and long jump facility shall be constructed and made available for use.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use.

24. Prior to the first occupation of the school hereby permitted, a six court sports hall, pursuant to application 12/0526 "Construction of new sports hall with changing rooms", or any subsequent planning application approved by the Local Planning Authority, shall be constructed and made available for use.'

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use.

25. The development hereby permitted shall be carried out in accordance with the following approved plans:

1	A,	11408-H-01	P3,	11408-H-02	P3,	11408-H-03	P3,
16777-KSS-00-00-DR-A-01001			P7,	16777-KSS-00-01-DR-A-01001			P7,
16777-KSS-00-02-DR-A-01001			P7,	16777-KSS-00-03-DR-A-01001			P3,
16777-KSS-00-XX-VS-A-70001			P1,	16777-KSS-00-XX-VS-A-70002			P1,
16777-KSS-00-XX-VS-A-70003			P1,	16777-KSS-00-Z0-DR-A-00001			P4,
16777-KSS-00-Z0-DR-A-00002			P3,	16777-KSS-00-ZZ-DR-A-02001			P3,
16777-KSS-00-ZZ-DR-A-02002			P3,	16777-KSS-00-ZZ-DR-A-03010			P3,

6418-MST-KSA-Z0-ZZ-DR-C-6000-S2-P1; received 15.03.2017

LP2073-FIRA-LA-WS-L-93-01, LP2073-FIRA-LA-WS-L-93-02, NBMC102/23044/1 - 3a, NBMC102/23045/1 - 3b, NBMC102/23101/1 - 3a, NBMC102/23102/1 - 3b, SST-BMD-ZZ-XX-DR-E-40901-P03, SST-BMD-ZZ-XX-DR-E-40902-P03, SST-BMD-ZZ-XX-DR-E-40903-P03, SST-BMD-ZZ-XX-DR-E-40904-P03; received 24.03.2017 and LP2073-FIRA-LA-WS-L-90-01G, LP2073-FIRA-LA-WS-L-90-02G, LP2073-FIRA-LA-WS-L-90-03; received 27.03.2017 and SSTM-BHD-BG-XX-DR-E-49050-P03; dated April 2017

Supporting Documents: Acoustic Report by ADT; dated 6 March 2017, Arboricultural Impact Assessment and Method Statement (ref:NBMC102/002) by Thomson Ecology; dated March 2017, Archaeological Desk Based Report by ARS Ltd; dated March 2017, Flood Risk Assessment by Kirksaunders; dated March 2017, External Lighting Assessment (SST-BMD-00-XX-RP-M-48700-S2) by Bam; dated 22.02.2017, Interim Travel Plan and Transport Assessment by DHA Transport (PL/HA/11408); dated March 2017, Planning Statement by Vincent+Gorbing; dated March 2017, Primary Ecological Assessment by Thomson Ecology; dated March 2017, Landscape & Visual Impact Assessment by fra; dated March 2017 and Heritage Statement by Archaeological Research Service Ltd, Construction Methodology by Bam; received 15.05.2017.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

INFORMATIVES

No demolition/construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".

A wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

Case Officer: Andrew Jolly

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.