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| Platt | 562307 | (A) 7 November 2011 | (A)TM/11/03061/FLX |
| Borough Green And Long Mill | 157438 | (B) 1 March 2012 | (B)TM/12/00690/RD |

Proposal: (A) Extension of time limit on planning permission
TM/07/01810/FL (Demolition of existing buildings and erection
of 11 dwellings with car ports and access road
(B) Details submitted pursuant to Condition 13 (affordable
housing) of planning permission TM/07/01807/FL (erection of 8
dwellings with private access)

Location: (A) Platt C Of E Primary School Maidstone Road Platt
Sevenoaks Kent TN15 8JY
(B) Playing Fields, Grange Road, Platt, Sevenoaks, Kent.

Applicant: Rydon Homes Ltd

1. Description:

(A) TM/11/03061/FLX: Platt C of E Primary School

- 1.1 Members will recall that application (A) for the extension of time to implement the residential redevelopment of Platt C of E Primary School, Maidstone Road was deferred from APC2 on 18 January 2012 for officers to:
- Provide information on any changes in circumstances in relation to all elements of the 3 related planning permissions for the existing school site, the existing playing fields and the replacement facilities north of the A25;
 - Consider whether a condition can be added to any planning permission for the redevelopment of the school site to secure a replacement school prior to the existing school site's redevelopment.
- 1.2 The original Main Report to APC2 on 18 January 2012 is provided as Annex 1 to this current Report, with the Supplementary Report to the same Committee provided as Annex 2.
- 1.3 Since that meeting, your Officers have undertaken a considerable exchange of correspondence with the applicants (Rydon Homes), Kent County Council (as the Local Education Authority), Platt C of E Primary School (through the Chair of Governors) and the Diocese of Rochester in respect of the following:
- The need for a replacement school;
 - The timescales for the provision of the replacement school and playing fields on the northern side of the A25;

- The financial arrangements for the provision of the replacement school and playing fields;
- The arrangements for alternative playing field provision.

1.4 I have summarised the information as received below.

Need for a replacement school

- 1.5 The Diocese and Platt C of E School Chair of Governors assert that the same reasons that a replacement school was deemed necessary at the time when planning permission was originally granted for the replacement school (and redevelopment/development of the existing school and Grange Road Playing Fields site) are still applicable now: the present school building is of such an age (Victorian), size and layout that the facilities are undersized, do not allow for optimum teaching practices, are located on separate sites (i.e. the Platt C of E Primary School and Grange Road Playing Fields) and has limited and difficult parking and turning arrangements. For example, the Chair of Governors advises that music lessons and guided reading are undertaken in corridors as there is not sufficient dedicated space.
- 1.6 The roll numbers at Platt C of E School from 2005 – 2006 to the present, and as projected by KCC until 2015 - 2016 are as set out in the following chart:

| Year | Number of Children |
|--|---------------------------|
| 2005 – 2006 | 138 |
| 2006 – 2007 | 141 |
| 2007 – 2008 | 143 |
| 2008 – 2009 | 151 |
| 2009 – 2010 | 143 |
| 2010 – 2011 | 149 |
| 2011 – 2012 | 143 |
| 2012 – 2013 (predicted) | 154 |
| 2013 – 2014 (predicted) | 145 |

| | |
|--|------------|
| 2014 – 2015 (predicted) | 138 |
| 2015 – 2016 (predicted) | 145 |

1.7 This information provides a good indication of consistent levels of need for school places looking forward into the foreseeable future and having regard to population and demographic characteristics and future developments.

Timescales and financial arrangements for Provision of Replacement School

1.8 The Chair of Governors of Platt C of E Primary School advises that it is proposed to construct the replacement facilities in two phases on the site to the north of the A25 as follows:

- Phase 1 comprises the provision of the access and parking infrastructure and provision of the new playing field. Works have been undertaken in respect of the access and it is anticipated that the other works will commence in May 2012. Given that it is necessary for the replacement playing field to “bed in” for a period of about 12 months, the overall timescale for the completion of Phase 1 is estimated by Platt C of E Primary School to be 18 months.
- Phase 2 comprises the construction of the replacement buildings. The Chair of Governors advises that “given the economic conditions it is difficult to provide certainty on timeframe but given the position of the funds and the overall school project it is fair to commit to achieving the funding needed to complete the construction of the new school within a 3 – 5 year period”.

1.9 KCC has advised in communication (15 March 2012) that “under no circumstances could we or the Diocese engage in a project whereby a school building closed before the next one was ready and the pupils were not able to attend class – we have a statutory duty to ensure all children are able to attend a school”.

1.10 The Chair of Governors advises that Phase 1 will be funded by the sale of the Grange Road Playing Fields site to Rydon. After the Phase 1 construction costs have been accounted for, it is estimated that there will be a sum of money left to transfer to Phase 2. Phase 2 itself will be funded from this sum of money, the value of the existing school for residential re-development (to be sold to Rydon) and through further funding from, potentially, the Diocese of Rochester or KCC.

1.11 Information was sought from KCC as to how finance would be provided to allow the construction of the replacement school whilst capital was still “tied up” in the

existing school (i.e. the school would remain operational during the construction of the replacement facility). KCC has commented as follows:

“The way such a process would need to be managed would be to seek sufficient funding from government and other sources to provide for the new build completely. Once the old school building sale receipt was received this would offset some of the "other sources" - often internal KCC borrowing.

What tends to happen with government grants is that the funding is passed to the Local Authority as a non-ring fenced lump and the LA then allocates how it is to be spent. What this enables is for forward funding (or bridging) to be drawn from that initial grant and the capital receipt is then put back into the main "pot" later for use elsewhere. Funding is not allocated by government on a per-project basis”.

Arrangements for alternate playing field provision

1.12 The school has previously undertaken sport at the Grange Road Playing Fields, with some activities (for example weekly cross-country running) taking place at Stonehouse Field. Stonehouse Field is a large area of open space owned by Platt Parish Council, accessed from Long Mill Lane. It contains sports pitches, dedicated parking and an equipped play area, and is open to the public. As such, it is necessary for children to walk (accompanied by teachers) from Platt C of E Primary School to these sports fields.

1.13 Condition 15 of the planning permission for housing development at the Grange Road Playing Fields (TM/07/01807/FL) states the following:

“This permission shall not be exercised unless and until planning permission TM/07/01810/FL has itself been commenced or until playing fields of adequate size, quality, convenience and pedestrian safety have been made available to serve Platt Primary School, whichever is the earlier”.

1.14 Rydon and the Chair of Governors of Platt C of E Primary School have explained that the longer term arrangements for playing field provision are that the replacement fields will be provided next to the permitted replacement school at land opposite The Ferns (i.e. to the north of the A25). In the meantime (i.e. whilst the Primary School is operating from the existing Platt C of E Primary School site), two interim arrangements are proposed:

- Interim 1: to use Stonehouse Field for all sports activities. Children will be accompanied from the school to Stonehouse Field. Platt PC has confirmed that in principle it has agreed that Stonehouse Field could be used on this basis, although I understand that this has not, as yet been formalised;
- Interim 2: to use the playing field to be constructed at land opposite The Ferns. A signalised junction is proposed to be constructed across the A25, although I have not had sight of any detailed plans as to the signalised crossing

arrangements or design. Children will be accompanied by teachers as they travel along the southern side of the A25 before crossing the highway at the signalised crossing.

(B) TM/12/00690/RD: Grange Road Playing Fields

- 1.15 Condition 13 attached to the grant of planning permission TM/07/01807/FL (Grange Road Playing Fields) requires the following:

“Within one month of the implementation of this planning permission, a scheme shall be submitted to the Local Planning Authority for the provision of affordable housing which meets the requirements of the TMBC Local Development Framework Core Policy CP 17 and the Supplementary Planning Document on Affordable Housing. Such a scheme shall be implemented before 50% of the total number of market housing units permitted by this permission are constructed and the scheme shall be completed before 50% of the said market housing units are occupied”.

- 1.16 The affordable housing scheme as proposed indicates that units 1, 2 and 3 of the permitted redevelopment of that site (a terrace of three bedroom properties) would all be provided as shared ownership units. It is expected that the affordable housing provision to be made as part of the redevelopment of the Platt C of E Primary School would make the required provision of social rented units in relation to CS Policy CP17. A condition identical to that set out above applies to the existing planning permission for the re-development of the existing school site.

2. Reason for reporting to Committee:

(A) TM/11/03061/FLX: Platt C of E Primary School

- 2.1 The application was originally reported to APC2 at the request of Councillor Evans, who considers that there have been changes in circumstance since the original grant of planning permission: accordingly the development should be revisited.
- 2.2 As detailed above, the application was deferred from APC2 on 18 January 2012 for officers to provide further information and assess whether a condition can be added to secure a replacement school.

(B) TM/12/00690/RD: Grange Road Playing Fields

- 2.3 The application is reported due to the relationship of affordable housing provision at the Grange Road Playing Fields site and the Platt C of E Primary School site: namely that rather than providing a mix of both shared ownership and social rented housing on each site, all the shared ownership accommodation is proposed to be provided on the Grange Road Playing Fields.

3. The Site:

(A) TM/11/03061/FLX: Platt C of E Primary School

(B) TM/12/00690/RD: Grange Road Playing Fields

- 3.1 A description of the application sites, together with a description of the site land opposite The Ferns is provided at paragraphs 3.1 – 3.5 of the Report to APC2 on 18 January 2012 (Annex 1).

4. Planning History:

(A) TM/11/03061/FLX: Platt C of E Primary School

(B) TM/12/00690/RD: Grange Road Playing Fields

- 4.1 The relevant planning histories for Platt C of E Primary School and land opposite the Ferns are provided at paragraphs 4.1 – 4.6 of the Report to APC2 on 18 January 2012.

- 4.2 However, Members are advised that there have been several changes to the planning history for the Grange Road Playing Fields site since the publication of the January Report to APC2. The relevant planning history for this site is now:

| | | |
|----------------|------------------|--------------|
| TM/03/03647/OA | Refuse | 15 July 2004 |
| | Appeal dismissed | 28 June 2006 |

Outline Application: New replacement primary school with attached playing field, new replacement Memorial Hall, 20 affordable houses, 16 private houses and public open space.

| | | |
|----------------|----------|-------------|
| TM/07/01807/FL | Approved | 27 May 2009 |
|----------------|----------|-------------|

Erection of 8 dwellings with private access.

| | | |
|----------------|----------|-----------------|
| TM/11/02524/RD | Approved | 06 January 2012 |
|----------------|----------|-----------------|

Details pursuant to Conditions 2 (materials) and 17 (soft landscaping) of planning permission TM/07/01807/FL (erection of 8 dwellings with private access).

| | | |
|----------------|-----------------------|--|
| TM/11/02871/RD | Pending Consideration | |
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Details relating to (levels) of planning permission TM07/01807/FL (erection of 8 dwellings with private access).

TM/12/00690/RD Pending Consideration

Details submitted pursuant to Condition 13 (affordable housing) of planning permission TM/07/01807/FL (erection of 8 dwellings with private access).

4.3 The changes in the planning history are summarised as follows:

- TM/11/02524/RD: Details pursuant to Conditions 2 (materials) and 17 (soft landscaping) of planning permission TM/07/01807/FL (erection of 8 dwellings with private access) was approved on 06 January 2012. This was reported in the Supplementary Report to APC2 on 18 January 2012 (Annex 2);
- TM/11/02871/RD formerly sought the discharge of details pursuant to Conditions 13 (affordable housing) and 14 (levels) of planning permission TM/07/01807/FL (erection of 8 dwellings with private access). However, the applicant formally withdrew the details pursuant to Condition 13 (affordable housing) from this application: the application therefore solely related to details of the levels. It is anticipated that this application will be approved imminently.
- TM/12/00690/RD seeks the discharge of details pursuant to Condition 13 (affordable housing) of planning permission TM/07/01807/FL. These details reflect those submitted under reference TM/11/02871/RD, prior to the applicant's withdrawal of them from that application.

4.4 In effect, following the likely imminent discharge of Condition 14, the only remaining details to be discharged in relation to the planning permission at Grange Road Playing Fields are in relation to Condition 13 (affordable housing). Members are reminded that the wording of this condition does not require these details be approved prior to implementation of the development, but for the submission of the affordable housing scheme within "one month of the implementation of this planning permission".

5. Consultees:

(A) TM/11/03061/FLX: Platt C of E Primary School

5.1 The consultation responses received in relation to the advertisement by Site and Press Notices and notification of neighbours are as detailed in the Main Report to APC2 on 18 January 2012.

5.2 However, a further letter has been received from Platt PC (10 February 2012) detailing:

- The PC supports the recommendation made to APC2 on 18 January 2012 to approve the application;

- The PC does not consider that there any factual changes since the original grant of permission, apart from the timing of implementation;
- The PC considers “the majority of Platt wish to see a new school with all its attendant planning permissions”;
- The PC confirms that Platt C of E Primary School already use Stonehouse Field for some sporting events, including cross-country running;
- Children are presently escorted from the school to Stonehouse Field by teachers and “manage to get there safely”: the PC assumes that the arrangement would continue if the School was to use Stonehouse Field on an interim basis;
- The PC considers “if the preparation works for the new site is completed together with its pedestrian crossing, then crossing the A25 will be safer than it is at present”;
- The PC has indicated that it considers that the School is nearly full at present and that the demolition of the existing School and building another 18 houses will only increase its numbers. It goes onto state that “at the recent rate of development in our village (some 21 new dwellings have been approved within the last three years alone, not counting the increased numbers of extensions to house larger families) more schooling capacity will be required”;
- The PC also considers that “with the possibility of some 200 additional homes being built in neighbouring Borough Green, their school will come under pressure for places and will perhaps look elsewhere to provide education facilities, i.e. Platt”.

5.3 An additional letter has also been received which explains that it is considered that additional houses at Platt C of E Primary School, Grange Road Playing Fields and potentially the Memorial Hall site would increase the number of pupils who would be likely to attend the School, there is nevertheless pressure on space at the existing school and there are presently problems with parents collecting and dropping off school children.

(B) TM/12/00690/RD: Grange Road Playing Fields

5.4 PC: Whilst we would query why this same form (submitted with application TM/11/02871/RD) is now being re-submitted, we still have no objections.

- 5.5 DHH: Comments have been received in respect of Housing, as detailed below. Any further comments received from DHH will be reported to Members in a Supplementary Report:

This scheme triggers affordable housing policy CP17 as it proposes more than 5 units in a rural area. The applicant has (through dialogue with the Housing Service and the Council's Preferred Register Provider Partner Russet Homes) proposed to comply with CP17 and the Affordable Housing SPD through three shared ownership properties. Given the unadopted access to the site the Housing Service and Russet Homes believed this to be a satisfactory solution, and sympathised with the more problematic notion of managing social rented units in this location. However, it is important to note that the monotenure approach was deemed acceptable in the context of the neighbouring school site in Platt "over-providing" with Russet in terms of the lost rented units at the playing field site. Historically the negotiations occurred with the understanding that both applications with Rydon Homes were being brought forward in parallel. Although it now appears that the applications are being sought to be delivered independently and in their own right the Housing Service would wish to maintain the original aspiration for the longer term and see the balance of tenure delivered at the school site at the time that this site is delivered, in recognition of the previous monotenure of shared ownership at the playing field site. However, Housing would not wish to see the playing field site and this application stalled in isolation. This is due to how it features in our Partner Housing Associations (Russet's) Affordable Housing Programme 2011-15 contract with the Homes & Communities Agencies for capital funding.

- 5.6 Private Reps (22/0X/0R/0S): None received at time of writing report. Any representations received prior to APC2 will be reported to Members in a Supplementary Report.

6. Determining Issues:

(A) TM/11/03061/FLX: Platt C of E Primary School

- 6.1 The Main Report to APC2 on 18 January 2012 detailed the changes which have occurred in the planning policy framework (including the adopted Development Plan) since the original grant of planning permission. The Government published the National Planning Policy Framework on 27 March 2012. An update to the national planning policy situation as it affects this case will be included in a Supplementary Report to Members.
- 6.2 The January Report also explained that there have been no material changes in circumstances in terms of the physical context of the site, such as alterations to the relationship of neighbouring buildings to the application site, for example through grants of planning permission for extensions to neighbouring houses.

- 6.3 The Main Report to APC2 on 18 January 2012 also detailed that, having regard to the above (i.e. a similar physical context but alterations to the changes in planning policy framework), the conclusion was that, subject to the imposition of certain conditions, the scale, density and design of the proposal were still considered to be acceptable, would not cause material harm to highway safety, arboriculture and residential amenity and the proposal was acceptable in terms of parking provision, the aural environment and sustainable construction. My conclusions in respect of these considerations remain as set out in that Report and I would not wish to change the advice to Members on these matters.
- 6.4 When Members considered the original application for planning permission, I advised Members in my report to APC2 on 13 May 2009 that those considerations were the main Determining Issues.
- 6.5 Members are reminded that at the time of the original application, the principle of developing this site was fully assessed having regard to the planning history of the three sites. In particular, at that time, planning permission had already been granted for the replacement primary school, nursery, playing field etc on land opposite The Ferns (TM/05/01328/CR3) and a decision had been made by the Secretary of State on application TM/03/03647/OA (for Outline planning permission for a new replacement primary school with attached playing field, new replacement Memorial Hall, 20 affordable houses, 16 private houses and public open space). The Secretary of State stated at paragraph 30 of this decision that “both sites [the Platt C of E Primary School and Grange Road Playing Fields] are within the village boundary and there is no policy objection to housing”.
- 6.6 Having regard to Members’ resolution of 18 January 2012, I have revisited the principle of redeveloping the site for housing, as proposed. In this respect it is appropriate to consider CS Policies CP13 and CP26 to assess whether the grant of permission remains sound in view of the passage of time, the information now gathered, the provisions of the Development Plan and other material considerations.
- 6.7 CS Policy CP13 sets out that the re-development of an existing building within Platt will only be permitted if the overall trip generation is projected to be lower than that associated with the former use, if there is some significant improvement to the appearance, character and functioning of the settlement, or if there is an exceptional local need for affordable housing.
- 6.8 I remain satisfied that the overall trip generation is projected to be lower than the current use of the site as a school and that the redevelopment of the site, when taken together with the provision of a new school, nursery and playing fields as permitted at land opposite The Ferns will provide a significant improvement to the functioning of Platt. Therefore, subject to the provision of a replacement school, I am of the opinion that the re-development of the Platt C of E Primary School site will be in accordance with CS Policy CP13.

- 6.9 CS Policy CP26 requires that proposals that would result in the loss of sites and premises currently or last used for the provision of community services, recreation, leisure or cultural facilities will only be permitted if, *inter alia*, an alternative facility of equivalent or better quality and scale and to meet the identified need is either available, or will be satisfactorily provided at an equally accessible location.
- 6.10 From the information provided to Case Officers since the 18 January 2012 APC2, it is apparent that:
- Platt C of E Primary School considers that there is a considerable need for a replacement school, due to the fact that the existing premises are old, undersized, lacking in modern facilities and are divided over two sites;
 - KCC Education indicates that the school roll has not fallen in terms of the number of children enrolled at the Primary School (between 2005 and present the number of children enrolled has remained at 138 – 151), and that the roll numbers are projected to remain at approximately this level between 2012 – 2016 (138 – 154 children);
 - KCC has confirmed that “under no circumstances could we [KCC] or the Diocese engage in a project whereby a school building closed before the next one was ready and the pupils were not able to attend class – we have a statutory duty to ensure all children are able to attend a school”.
- 6.11 Accordingly, from the information provided since the last Committee, I consider that the roll numbers at the Primary School have remained consistent, there is a clear need for replacement facilities (which have been already been permitted and the planning permission implemented) and there is an intention to provide these replacement facilities in due course. At the same time, it is also apparent that the replacement school will not be provided for at least several years: the Chair of Platt C of E Primary School has estimated that the timescale for achieving funding is 3 – 5 years.
- 6.12 In terms of CS Policy CP26, it is apparent that at present there is not an alternative facility available, but the stated intention of the appropriate authorities is that an alternative will be “satisfactorily provided at an equally accessible location”. However, the funding for the replacement school has not yet been guaranteed and secured, although Platt C of E Primary School and KCC have indicated the sources where they consider that such funding could be achieved. Having given very careful consideration to the current situation, the information now received and the advice provided in Circular 11/95: The Use of Conditions in Planning Permission, I consider that it is appropriate to attach a condition to any grant of planning permission for the redevelopment of the existing School site in order to ensure that the alternative facility will be satisfactorily provided prior to the loss of the existing School. I am of the opinion that the condition recommended below satisfies the six tests for conditions as detailed in the Circular.

- 6.13 I have also given careful consideration to the timescales detailed by Platt C of E Primary School for the provision of Phase 2 at land opposite The Ferns. This will clearly be longer than three years, which is the usual time limit imposed for implementation when granting planning permission. Section 91 of the Town and Country Planning Act 1990 details that a longer or shorter period (than the three years) may be specified, subject to it being “a period which the Authority consider appropriate having regard to the provisions of the Development Plan and to any material considerations”. Having regard to the upper limit of the estimated timescale detailed by Platt C of E Primary School to achieve funding and a further period of time to commence and complete construction of the replacement school and the requirement of CS Policy CP26 that the alternative facility be satisfactorily provided, I recommend that in the circumstances of this particular case the relevant condition should specify a time limit of 6 years.
- 6.14 At paragraphs 6.20 – 6.22 in my report to APC2 on 18 January 2012 I addressed the relationship between the proposed re-development of Platt C of E Primary School and playing field provision within Platt. Members’ attention was drawn to the wording of condition 15 of the Grange Road Playing Fields permission (TM/07/01807/FL), as repeated at paragraph 1.12 of this Report.
- 6.15 As detailed above in Section 1, the further information provided to Case Officers since the January Committee meeting indicates that the developers intend to commence construction of the re-development of the Grange Road Playing Fields site in May 2012: the interim arrangements which are proposed to be used in order to provide alternative playing field provision are those set out at paragraph 1.13 of this Report. Members are advised that the wording of condition 15 of TM/07/01807/FL does not require the formal submission and approval of details of alternative playing field provision. The condition also does not “bite” until this grant of planning permission is implemented. At the time of writing of this Report, the permission had not been implemented. Nevertheless, I have given detailed consideration as to whether, in the event that the proposed interim arrangements are secured and finalised, these arrangements would be likely to satisfy the requirements of condition 15.

Interim Arrangement 1: Use of Stonehouse Fields

- 6.16 Although it would be for the Borough Council to assess whether any arrangements for alternative playing field provision satisfy the requirements of Condition 15 of TM/07/01807/FL, I have nevertheless requested KCC’s views on this matter. KCC as the Local Education Authority has stated:

“While the planning condition indicates it is for Rydon to ensure the school has adequate temporary playing fields, it is KCC’s statutory responsibility to ensure this, and we are engaging with the Parish Council to arrange for use to be made of Stonehouse Field. We will ensure that the school is happy with these arrangements and that they are sufficient for the school’s use”.

6.17 I also requested that a panel of TMBC Officers with expertise in leisure provision and highway and pedestrian safety assessed the alternative playing field provision as proposed and provide their comments. The assessment included a site visit where the panel walked a route between Stonehouse Field and Platt C of E Primary School (and back) which involved travelling along the southern side of the A25 to the junction with Long Mill Lane, and a route between Grange Road Playing Fields and the Primary School along the southern side of the A25. These routes are indicated on the plan provided at Annex 3. This panel comprised Mike O'Brien (Chief Engineer), Darren Lanes (Leisure Services Manager) and Bill Parkinson (Health and Safety Officer). The comments of this panel are provided below:

"It is our understanding that the school currently uses the nearby Grange Road Playing Field and the more distant Stonehouse Field in Long Mill Lane for its sports activities. There is a wish to move all such activities to Stonehouse Field until the new playing fields are built on the other side of the A25 and to release Grange Road Playing Fields for immediate development.

The school is therefore already walking the children to the Stonehouse Field and the only real change would be the frequency that this is done. We understand that the Borough Council has requested sight of the school's risk assessment for this activity and we would be happy to look at it when received.

From our site visit the A25 is obviously an extremely busy road with fast moving and heavy traffic, particularly at the junction of the industrial estate opposite Grange Road. There is evidence of the recent installation or renewal of bollards and railings at this junction to protect the pavement where children already pass on their way to the playing fields.

The journey between the school and Stonehouse Field is a 10-15 minutes walk along the same side of the A25 with no need to cross it at any point. Road crossings of Long Mill Lane and Grange Road are of a much more minor nature and can be easily carried out under supervision. The pavements along the main road are wide but have no edge protection from traffic and it would be prudent for children to walk single file on the side furthest away from the traffic.

The existing route to Grange Road Playing Fields does in fact have some issues itself in that it has no pavements and has a blind bend just past the entrance to the field. Removing the need for children to walk down this road would therefore be of benefit.

In summary the school should be able to use Stonehouse Field for sports activities as long as it has carried out an effective risk assessment and has implemented a supervised and managed system to walk the children along the road. In our opinion this should continue until both the new school and its playing fields are re-built unless provision is made for traffic control to allow safe access across the main road (A25) to any new facilities.

In regard to the quality and scale of provision it is apparent that superior facilities are provided at Stonehouse Field as opposed to Grange Road Playing Fields and it is understood that the school are already utilising Stonehouse Field. Provided both the school and the Parish Council are happy with the new proposed arrangements there would be no objections to their temporary extended use. It is assumed that the Parish Council, as owners and managers of Stonehouse Field, will monitor any future impact”.

6.18 Since the site visit, Platt C of E Primary School has confirmed that they already use Stonehouse Field for some sporting activities, including cross-country running. A copy of the School's risk assessment and risk management record for the use of Stonehouse Field has been provided. The panel will provide its comments on this risk assessment in a Supplementary Report. The assessment indicates that the route which is and has been used is as follows (please refer to the plan at Annex 3):

- Exit the school from the side entrance to Platt Common Road;
- Walk southwards along Platt Common Road to the PROW to Grange Road. Platt Common Road is a private road with speed restrictions (speed humps) but no dedicated pavement. The number and speed of vehicle movements observed along Platt Common Road are both low;
- Walk along the PROW to the point where it joins Grange Road. The PROW is fenced on both sides, and runs alongside what appears to be the boundaries of gardens to houses located on Platt Common Road, Grange Road and St Marys Close;
- At this location it is necessary to cross Grange Road to the garden to the Blue Anchor Pub: the landlord of the pub has apparently granted permission for access through the garden. It will be necessary to walk for approximately 10 – 20 metres along a section of Grange Road without dedicated pavements or footways;
- After walking through the garden to the Blue Anchor, the route then crosses Long Mill Lane to the dedicated footway on the south-western side of this highway, which leads to the vehicular access to Storehouse Fields. It is necessary to cross Greenlands, which is the highway to a cul-de-sac of residential houses on the south-western side of Long Mill Lane.

6.19 Your Officers have walked the route to Stonehouse Field. Although Platt Common Road does not have a dedicated footway, the observed vehicle movements along this private road were rare and vehicles travelled at a slow speed. The dedicated PROW is fenced and not subject to any vehicle movements, and the footway along Long Mill Lane is well defined and relatively broad. Accordingly the majority of this route is away from vehicles travelling at speed (particularly compared to the route along the southern side of the A25), with the chief areas where children

would encounter traffic being at the points where it is necessary to cross Grange Road and Long Mill Lane. The risk assessment and risk management record indicates that these crossing points are made under close supervision by leading teachers and supported by other staff.

- 6.20 Having regard to the above comments made by the panel in respect of the route along the southern side of the A25 and the size and quality of playing field provision at Stonehouse Field and your Officer's observations of the route detailed in Platt C of E Primary School's risk assessment (which is largely on enclosed PROWs and private roads), it is my opinion that the proposed use of Stonehouse Field would satisfy the criteria and requirements of condition 15 of TM/07/01807/FL.

Interim Arrangement 2: Use of playing field at land opposite The Ferns (including provision of signalised crossing)

- 6.21 Having reviewed the playing field provision as granted consent at land opposite The Ferns, subject to their suitable construction, I am of opinion that these replacement playing fields are of an improved quality and size compared to the existing provision at the Grange Road Playing Fields site. As detailed in Section 1.0 of this Report above, the design and configuration of the signalised crossing of the A25 to land opposite The Ferns has not yet been finalised. Any works will be pursuant to Section 278 of the Highways Act, and the design of any such signalised crossing will need to be in accordance with Department for Transport requirements and will be subject to a full safety audit (Stage 1 at design stage and Stage 2 following construction) by KCC as local Highway Authority. Given the need to satisfy Department for Transport requirements and safety audit, it is my view that the use of replacement playing fields at land opposite The Ferns as an interim measure prior to completion of the replacement school is also likely to be considered to be of adequate convenience and pedestrian safety in respect of condition 15.

Conclusion

- 6.22 I have set out the information which was provided to Case Officers following APC2 on 18 January 2012 within Section 1 above, and have reassessed the proposal to extend the time limit on planning permission TM/07/01810/FL in light of this information.
- 6.23 It is the stated intention of the various parties involved in the three sites to provide a replacement school at land opposite The Ferns and to bring about the residential re-development of the existing Platt C of E Primary School site. However, it is apparent that there will be a delay in realising both compared to the expected development of the Grange Road Playing Fields site. Having regard to this, I am of the opinion that the changes in circumstances which have occurred since the original grant of planning permission do not indicate that the development should no longer be treated favourably, but that it is necessary to attach an additional

condition in order to require the provision of the alternative school prior to the commencement of the re-development of the Platt C of E Primary School site. I also consider that it is appropriate to alter the time limit for the commencement of the re-development of the Platt C of E Primary School site in order to provide sufficient time for funding for the replacement school to be achieved and the construction of these buildings to be undertaken.

6.24 I am also of the opinion that the arrangements for interim playing field provision as indicated by Platt C of E Primary School for the period of time the School remains at the existing site could, subject to the permitted new playing fields being suitably and properly constructed and having regard to the fact that any detailed signalised crossing will need to be approved and audited by Kent Highways and Transportation pursuant to Section 278 of the Highways Act, be considered to satisfy the requirements of condition 15 attached to permission TM/07/01807/FL.

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6.25 CS Policy 17 requires that in the rural areas of the Borough, affordable housing provision will be sought on all sites of 5 dwellings or above, at a level of 40% of the number of dwellings in any scheme and that “unless circumstances dictate otherwise, 70% of the affordable dwellings provided on each site should be social rented housing with the remainder being intermediate housing”.

6.26 As detailed in Section 1 to this Report, the scheme of affordable housing as submitted in relation to condition 13 of permission TM/07/01807/FL indicates the provision of 3 no. three bedroom dwellings to be provided as shared-ownership (i.e. intermediate) housing. The overall amount of affordable units amounts to 37.5% of the housing to be provided at the Grange Road Playing Fields site, which given the relatively small number of units within the development is considered to be broadly in accordance with this section of CS Policy CP17. However, the single-tenure nature of the mix proposed is not, when assessed in relation to the Grange Road Playing Fields site as a single site (rather than together with Platt C of E Primary School), in accordance with the broad tenure mix requirements of that Policy. It is therefore, in my opinion, necessary to assess whether there are circumstances to “dictate otherwise” and whether there has been any material change in circumstances since the condition was applied.

6.27 The access to the Grange Road Playing Field site will not be adopted, and I am advised by colleagues in TMBC’s Housing Service that this can create problems for managing socially rented properties by RSLs. Historically, discussions between Rydon, Russett Homes and the Housing Service have taken place that would see the provision solely of shared ownership dwellings at Grange Road Playing Fields, with an over-provision of social rented affordable housing as part of the redevelopment of Platt C of E Primary School. As indicated by DHH’s comments, these discussions were based on the understanding that both sites would be brought forward in parallel.

6.28 As indicated by the information provided to Case Officers, it is clear that the two sites will not be brought forward on such a basis: indeed, there could be a lag of up to approximately 5 years between delivery of the two sites being realised. However, at the same time the information provided indicates that the long-term aspirations of Platt C of E Primary School, the Diocese of Rochester, KCC and Rydon are to realise the provision of the replacement school at land opposite The Ferns and the re-development of Platt C of E Primary School.

6.29 DHH advises that the longer-term aspiration of delivering shared ownership housing at the Grange Road Playing Field site with the balance to be provided at Platt C of E Primary School remains and that they would not wish the delivery of affordable housing at the Playing Field site to be stalled. Having regard to this, and the stated intentions that the redevelopment of Platt C of E Primary School will take place (albeit at a later date to that of the Playing Field site), I am of the opinion that the provision of a single-tenure mix of affordable housing at the Playing Field site amounts to circumstances which could, in this instance, provide for the provision of a mix of affordable housing which differs from the mix set out in CS Policy CP17. The need to ensure the cost-effective development in provision of affordable housing, bearing in mind the additional costs imposed by the fact that the access road will be unadopted (and therefore add a further cost to bear on any rental levels), has only been made more difficult by the latest provisions of public funding for rental property. HCA funding support for rental property is less than at the time of the original permission. Accordingly, it is my opinion that the details submitted to condition 13 of planning permission TM/07/01807/FL are satisfactory.

7. Recommendation:

(A) TM/11/03061/FLX: Platt C of E Primary School

7.1 **Grant Planning Permission**, subject to the following:

Conditions

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

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2 No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

- 3 The access shall not be used until the area of land within the vision splays shown on the approved plans has been reduced in level as necessary and cleared of any obstruction exceeding a height of 1.05 metres above the level of the nearest part of the carriageway. The vision splay so created shall be retained at all times thereafter.

Reason: To ensure the safe and free flow of traffic.

- 4 No building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure the safe and free flow of traffic.

- 5 The access drive shall be constructed no steeper than 1 in 14.3 for the first 4.5 metres from the edge of the highway and no steeper than 1 in 8 on any other part.

Reason: To ensure the safe and free flow of traffic.

- 6 The access shall not be used until vision splays of 2m x 2m x 45° between the driveway and the back of the footway have been provided. The area of land within these vision splays shall be reduced in level as necessary and cleared of any obstruction exceeding a height of 0.6m above the level of the nearest part of the carriageway. The vision splays so created shall be retained at all times thereafter.

Reason: In the interests of highway safety.

- 7 The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

- 8 No building shall be occupied until the area shown on the submitted plan as turning area has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking and re-enacting that Order), shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved turning area.

Reason: Development without provision of adequate turning facilities is likely to give rise to hazardous conditions in the public highway.

- 9 The development shall be undertaken in strict accordance with the tree protection measures specified in arboricultural report by Broad Oak Tree Consultants Limited dated 25.03.2008 ref. J 37.12-SCHOOL, unless otherwise agreed in writing with the Local Planning Authority.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect the appearance and character of the site and locality.

- 10 No development shall be commenced until full details of a scheme of acoustic protection of habitable rooms having windows that will be exposed to a level of road traffic noise in Noise Exposure Category B or C as set out in Policy SQ6 and Policy Annex SQ6 of the Managing Development and the Environment Development Plan Document have been submitted to and approved in writing by the Local Planning Authority. The scheme of acoustic protection shall be sufficient to secure internal noise levels no greater than 30 LAeq dB in bedrooms and 40 LAeq dB in living rooms with windows closed. Additionally, where the internal noise level will exceed 40 LAeq dB in bedrooms or 48 LAeq dB in living rooms with windows open the scheme for acoustic protection should incorporate appropriate acoustically screened mechanical ventilation. Mechanical ventilation should also be provided to bedrooms having openings onto facades that will be exposed to a level of road traffic noise in excess of 78 L_{Amax} (slow) time weighting. The approved scheme shall be implemented prior to the first occupation of the dwelling to which it relates and maintained at all times thereafter.

Reason: To safeguard the aural amenity of the occupiers of the dwellings hereby approved.

- 11 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the west (flank) elevation of the dwelling within plot 9, without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

- 12 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking and re-enacting that Order), no windows or similar openings shall be constructed in the rear (south facing roof slope) of the dwellings within plots 4-9 inclusive without the prior written consent of the Local Planning Authority.

Reason: To enable the Local Planning Authority to regulate and control any such further development in the interests of amenity and privacy of adjoining property.

- 13 Within one month of the implementation of this planning permission, a scheme shall be submitted to the Local Planning Authority for the provision of affordable housing on-site which meets the requirements of the TMBC Local Development Framework Core Policy CP 17, the Supplementary Planning Document on Affordable Housing and PPS3 (Housing). Such a scheme shall be implemented before 50% of the total number of market housing units permitted by this permission are constructed and the scheme shall be completed before 50% of the said market housing units are occupied.

Reason: In order to comply with Policy CP 17 of the Tonbridge and Malling Borough Core Strategy 2007 and the Affordable Housing Supplementary Planning Document adopted 2008.

- 14 No development shall take place until details of the levels of the slabs, finished floors and ridges of the dwellings hereby approved have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order amending, revoking and re-enacting that Order) no development shall be carried out within Class A, of Part 1 of Schedule 2 to that Order unless planning permission has been granted on an application relating thereto.

Reason: In the interests of residential and visual amenity.

- 16 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

- 17 Prior to the commencement of development, details of a scheme to demonstrate that the development hereby approved will incorporate appropriate measures to contribute to a sustainable environment shall be submitted to the Local Planning Authority for approval. The scheme shall include measures to minimise waste generation, and to minimise water and energy consumption, having regard to the need for 10% of energy consumption requirements to be generated on-site from alternative energy sources and the potential for recycling water. The approved scheme be implemented prior to the first occupation of any of the units hereby approved.

Reason: In accordance with Core Strategy policy CP1 and Managing Development and the Environment Development Plan Document policy CC1 of the Tonbridge and Malling Borough Council Local Development Framework.

- 18 The development hereby approved shall be undertaken in accordance with the following plans submitted and approved under planning permission TM/07/01810/FL:

Design and Access Statement received 27.03.2008, Acoustic Assessment received 20.06.2007, Letter received 16.04.2009, Site Plan SMP/PS/01 received 16.04.2009, Site Survey SMP/PS/02A received 16.04.2009, Site Layout SMP/PS/03C received 16.04.2009, Landscaping SMP/PS/04 tree removal received 16.04.2009, Floor Plan SMP/PS/05A received 16.04.2009, Drawing SMP/PS/06A development grain received 16.04.2009, Floor Plan SMP/PS/10A received 16.04.2009, Elevations SMP/PS/11A received 16.04.2009, Floor Plan SMP/PS/12C received 16.04.2009, Elevations SMP/PS/13B received 16.04.2009, Elevations SMP/PS/14C received 16.04.2009, Floor Plan SMP/PS/15B received 16.04.2009, Elevations SMP/PS/16B received 16.04.2009, Floor Plan SMP/PS/17A received 16.04.2009, Elevations SMP/PS/18B received 16.04.2009, Floor Plans And Elevations SMP/PS/19B received 16.04.2009, Elevations 143/PS1-20D received 06.05.2009, Section 143/PS1-21B received 16.04.2009, Section 143/PS-22E received 30.04.2009, Section 143/PS1-23A received 16.04.2009, email (Paul Hicks) received 10.07.2008, Arboricultural Assessment J 37.12-SCHOOL received 27.03.2007, and Email (Peter Smith) received 10.07.2008.

Reason: In order to ensure that the development is undertaken in accordance with the approved plans.

- 19 No development shall take place until the replacement primary school at Land opposite The Ferns, as permitted under planning permission TM/05/01328 (dated 23 August 2005) or any planning permission granted as an amendment or alternative to this permission, has been constructed and is in operational use.

Reason: In order to ensure that an alternative community facility of equivalent or better quality and scale will be provided, in accordance with Tonbridge and Malling Borough Core Strategy Policy CP26.

Informatives

- 1 The applicant is advised to contact the Chief Administrator, Tonbridge & Malling Borough Council, at an early stage to discuss the appropriate road naming regime for the development hereby permitted.
- 2 You are advised to discuss the scheme submitted pursuant to condition 13 with the Borough Council's Development Control and Housing Services prior to submission to ensure that local affordable housing needs are adequately met.
- 3 You are advised that construction parking should not cause detriment to the safety/amenities of Maidstone Road or Whatmore Cottages and are advised to institute joint discussion between yourselves and nearby residents in an endeavour to avoid such difficulties.
- 4 When preparing the landscaping scheme as required by condition 16 of this planning permission, the applicant must consider visibility from Platt Common and also the introduction of a small area of hard surfacing in the north west corner of the site adjacent to the junction of the Maidstone Road with Platt Common to provide greater room for vehicles to pass one another at this junction.

(B) TM/12/00690/RD: Grange Road Playing Fields

- 7.2 **Approve** the discharge of details submitted pursuant to condition 13 (affordable housing) of TM/07/01807/FL.

Contact: Steve Baughen