
East Malling & Larkfield **569758 157770** **18 January 2007** **TM/07/00187/CR3**
East Malling

Proposal: Construction of a new 1FE primary school with nursery (KCC ref. TM/07/TEMP/0001)
Location: St James County Primary School Chapman Way East Malling West Malling Kent ME19 6SD
Applicant: KCC Education And Libraries

1. Description:

- 1.1 This proposal is for the construction of a new one form entry primary school with nursery to the northwest of the existing St James The Great Primary School on its playing field. The proposed building will be dug into the rising ground levels of the playing field.
- 1.2 The proposed new school will share the existing vehicular access off Chapman Way and will be provided by 36 separate parking spaces and its own turning areas. The existing trees fronting onto Chapman Way will remain and it is proposed to plant up the existing gaps. It is also proposed to create a link to the new community centre, as it is indicated that the existing school will be converted into a community centre.
- 1.3 The proposed building is a relatively modern building, which is an inverted T shaped structure. The building will be a single storey structure, with a small basement floor for plant and storage. Whilst the building will be dug into the changing ground levels, it will be connected by regrading slopes and the provision of ramps. The proposed building has a series of shallow undulating roofs with the central section higher than the two parallel side elements. The proposal includes a number of external decked areas outside each of the classrooms, as well as the nursery and library. The building will be approximately 63m long by 27m wide, whilst the building widens out by the staff room and nursery to 50.5m. The height of the building will vary from 3m to 6.8m high, with the central section of the building being the tallest.
- 1.4 The proposal also incorporates part of the playing fields associated with Malling School into the new primary school site. Here the proposal will provide a football pitch, which will back onto partly the existing school site and partly the new school site.
- 1.5 The applicant has also submitted a Design & Access Statement which is available for Members inspection prior to the meeting. The statement concludes "*The scheme has been carefully designed to create a contemporary and high quality learning environment whilst remaining sensitive to the site's rural surroundings. Well considered form, spaces, material palette and detailing enables the scheme*

to present an inspiring school for the pupils, teachers and community members alike. We believe the design provides an innovative and exciting building for its users with minimal impact to the surrounding area.”

- 1.6 Since the original submission the applicant has submitted amended plans, which include relocating the boundary fencing, lowering the building into the ground by a further 1m, the inclusion of 1m high earth bund, along with full details of external finishes. The applicant has also submitted additional supporting information, such as contextual photographs, historical maps, cross sections and justifications for the provision of the school on this site and for the loss of playing fields.

2. The Site:

- 2.1 The application site lies within the Clare Park and Blacklands Conservation Area, a Historic Park & Garden, the Green Wedge and an Area of Local Landscape Importance. The site lies outside the built confines of East Malling and is also identified on the Proposals Map as a recreation area under policies P8/2 & P8/3 of the TMBLP 1998.
- 2.2 The site lies to the north and west of the existing primary school building, but within the school grounds, apart from the new playing field. The proposal will be sited over the existing playground and playing fields. The land here significantly rises to the northwest. The boundary of the school grounds is formed by black railings and scrubs. The northeast section of the site has a large number of mature trees, including silver birch trees, whilst beyond the northwest boundary of the site lies an informal footpath and a group of trees. To the west of the school grounds lies the Malling School playing fields, this is also a public recreation area. In addition, to the west lies Clare House which is a Grade 1 Listed Building. The existing school building sits lower down and is a predominantly single storey structure, apart from a small two storey element.

3. Planning History:

TM/69/10725/OLD Grant with conditions 11 March 1968

New County Primary School.

TM/95/51379/CR3 Grant With Conditions 19 December 1995

Creation of outdoor nursery play area with 160m² of tarmac surface

TM/03/01966/CR3 Grant With Conditions 11 August 2003

Renewal of school frontage fencing.

TM/05/01527/CR3 Grant With Conditions 5 December 2005

Erection of two no. five bay mobile classrooms and one no. toilet block including additional car parking spaces to the front of the school.

4. Consultees:

4.1 KCC (Highways): No objections subject to the submission of School Travel Plan.

4.2 DL: The Council has been closely involved with KCC in the development of the site and in particular the future use of the existing building for a Children's Centre and additional community use.

4.2.1 The acquisition of additional land to accommodate the replacement of the existing playing fields is welcomed, which is in accordance with the Council's Playing Pitch Strategy.

4.2.2 Youth & Community: The community centre will have open access to everyone in the community and won't be focused necessarily around children. The security of the access link between the new school and community centre will be very important for the safety of the children in the school. Also there will be teenagers using the community centre, and schools are always a major target for vandalism. Also concern over lack of parking at the childrens/community centre.

4.3 Landscape Officer: No objections.

4.4 DHH: No objection. In order to safeguard the situation with regard to possible site contamination, I recommend that any approval be subject to the Council's standard contaminated land condition and informative.

The following responses have been received from formal consultations undertaken by Kent County Council:

4.5 East Malling & Larkfield PC: New built within existing school boundary. Edge of Clare House Park which is a Conservation Area. Existing school building to be converted for community use. When will this be done and will the existing school become a derelict site and a concern for the community. Proposed timescale for alterations.

4.5.1 The new building will be cut into the existing slope of the site to minimise impact with an undulating roof to blend into curves of the landscape. The design of the new school has considered the impact on its surroundings with reference to EMVDS. The materials include render and cedar cladding which in terms of security are claimed to be non climbable. It is hoped this is the case as the undulating roof looks superb for skateboarding!

- 4.5.2 External lighting is considered in the report. We do not want further light pollution but would it deter vandals. CCTV is also a considered option. The entire school perimeter will be enclosed including the new playing field. Will the link to proposed new Community Centre be locked during social hours?
- 4.5.3 The new school will share the existing car park entrance from Chapman Way with the new Community centre but there will be a security barrier on entering the new school car park. The pedestrian access runs alongside the vehicular entrance to the Community Centre. There will be a nursery entrance from the existing Clare park footpath that runs along the side of the site boundary. Is this footpath tarmaced or are there any proposals to do so?
- 4.5.4 The proposal suggests that “the school could also have a new pedestrian entrance off the existing footpath for pupils approaching the site from the west along Chapman Way. Good idea? Any reason why not?
- 4.5.5 The existing fence will be retained and defensive planting may be used in conjunction with the fence to restrict unauthorised access. Can it be suggested that the prickly defensive planting is on the outside the fence where children have access to play? Experience has it that children get caught or hurt by thorns and prickles when they run to the fence during play.
- 4.5.6 Due to the topography and the design of the new school there will be ramps and steps where necessary. It states “all playing fields/areas could be level”. Is it “should be “level. The staff room/offices appear to be in a raised pod with access underneath to the playground. Is this a vulnerable area for vandalism/graffiti? (south east elevation).
- 4.5.7 In the D&A Statement, sustainability details do not seem to be stated for colours for the render, cladding, supporting poles for outside covered areas or raised staff room. What are the materials for the roof? Will vandal proof paint/finished be used.
- 4.5.8 The design of the school is low impact and sensitive to its surroundings. Externally the sculpture, nature area, reading deck, field, playground and nursery covered play area are well designed. Could the Reception/Year 1 have a covered play areas as the Government are encouraging these children to have more plan, do, review activities outside. Internally the school appears to meet all the education needs of children and staff including reading areas, teachers pod, library, etc.
- 4.6 EA: Insufficient information submitted as to the impact on the major aquifer under the site. Require additional information relating to method of sewage and soakaways and sewage discharge.

- 4.7 Sports England: It is understood from the information received the new school will be developed on the existing playing field. This playing field will be replaced from land reclaimed from the Malling School. Sport England would wish to ensure that the new playing pitch is available for use before the commencement of works on the new school buildings and a condition to this effect should be placed on any planning approval. Consequently, Sport England does not wish to raise an objection to the proposed development.
- 4.8 EH: Clare House is a house of 1793 in a neoclassical style, listed Grade 1. The proposed school would impact seriously on the setting within what remains of its small park, by doubling the amount of school building within the park and encroaching closer to Clare House. Clare Park is a Conservation Area, as well as a historic park listed in the Kent Gardens Compendium and an Area of Local Landscape Importance. Various policies at national, structure and local plan level therefore apply, all of which require the protection of the park from development and/or the preservation of the setting of the house. None of this is addressed in the Design and Access Statement (aside from brief mentions) which, even with the extra information submitted, is in this respect seriously deficient. It is therefore very difficult to judge whether the case for the building of a new school on this site has been made. Given the strong policy presumption against development, English heritage strongly opposes this application for planning permission as it currently stands. We recommend the preparation of further and better information by way of justification, including information on how this site has been chosen for the new school; how the proposed new school would impact on the setting of the Grade I Listed Building and green space in this part of East Malling, including drawn sections through the site, and what mitigation is proposed, an appraisal of the significance of the historic landscape and setting of Clare House; and a full appraisal of the policy background to the proposal.
- 4.8.1 EH considers this application to be seriously deficient in supporting information and we therefore recommend that an early meeting, including both County and Borough planning officers is convened to consider what further information is necessary to assess the application.
- 4.9 Jacobs (Landscape): The proposals are acceptable in terms of size, scale, siting, design and material use. Visual impacts from the construction of new built structures as a result of the development are slight. In order to provide a more detailed assessment of the full extent of impact on the landscape and trees, we require the following information:
- Full landscape details to include all proposed materials, plant species, numbers and sizes;
 - Tree survey and tree protection plans.

- 4.10 East Malling Conservation Group: Location: The proposed location is in the Clare Park Conservation Area, which is also an area of local landscape importance, historic parks and gardens and not ***near the edge*** as stated in the Design Statement. This special status requires additional factors to be considered when evaluating this proposal.
- 4.10.1 It is fully understood that a large area of the park is currently used as school playing fields but has an open appearance, especially when viewed from Clare House which is a Grade 1 Listed Building.
- 4.10.2 As stated by the Applicant the impact on the views from Chapman Way will be screened by the existing line of mature trees, which will result in an interesting if not pleasing vista. Our main concern is the impact on the views from Clare House. It must be noted that the area of local landscape importance, historic parks and gardens was designated to protect the vista from Clare House and this vista must be maintained. The area where it is proposed to build the school is currently an open green area which has no, or little impact on the views from Clare House. But any building would, therefore the design, selection of materials and colours must be sensitively selected.
- 4.10.3 Design: The proposal fails to advise any details of the design. For example it states that materials such as a render and cedar cladding offer the building a contemporary aesthetic which is sensitive *to its surroundings*. But it fails to demonstrate how this would be achieved, so how can this be assessed? I quote from a recent appeal hearing (Appeal Ref APP/H2265/A/06/2018530 24 Houses Mill St East Malling 24 Jan 07), which was dismissed when the Inspector appointed by the Secretary of State for the Communities and Local Government stated that the “devil is in the detail” and he then went on to state that “how can an application be assessed if it is not sufficiently detailed to allow the intent of the Architect to be fully appreciated and understood”. For instance, the materials and finish of the roof have not been advised which is an important feature that could be clearly seen from Clare House.
- 4.10.4 Topography: The Design Statement advises that a key principle of the design is to minimise impact upon the surrounding area by cutting the building into the existing slope and creating a low profile form with undulating roof that blends into curves of the landscape. But the drawings fail to demonstrate this intent. We estimate that due to the local topography, the slab height from the existing school to the top tier, where the new building is situated, could be as much as 5m.
- 4.10.5 The Design Statement advises under DDA Access that the proposal is predominantly single storey, thus avoiding problems for disabled users, but goes on to state the external access throughout the site is to be via level access paths

with ramps and steps. The ramps would be designed to fall at 1:15 with level rest-points; steps would be maximum a rise of 170mm, and handrails would be fitted along both sides of the ramps. These two statements appear to advise that the interior will be usable for wheelchair use, but not the exterior.

4.10.6 Boundary Treatment: Part of this proposal is currently outside the perimeter of the existing school and contributes to the open vista from Clare House, it is proposed that the existing fencing is extended around this play area and therefore compromising the open vista from Clare House.

4.10.7 Recommendations: Taking the above into consideration we strongly recommend the following to ensure that the proposed building would have the minimum impact on the Conservation Area, improve the local environment, which could be used as an educational tool and improve safety on the site: -

4.10.8 Roof: Install a living Sedum roof, this would minimise the impact of the vista when viewed from Clare House. It would assist in the heat management of the building. It would be a good educational tool for the children - what should we be doing to reduce the impact of global warming, encourage local wildlife etc. We believe that Sedum roofs are already being used for schools in the area, so why not ours? We are sure that you are fully aware of Sedum roofs.

4.10.9 Slab Height: Bring the finished floor level more inline with the existing school, which with the Sedum roof would minimise the impact of the vista when viewed from Clare House. This reduction would allow the ramps to be removed and allow free wheelchair access. The removal of ramps would also remove the danger of small children running down slopes let alone the steps and falling over.

4.10.10 Boundary Treatment: The need for security is regrettably understood, but the site is secure in its present condition. If a lockable gate was to be fitted into the existing fence, then access could be given to the new play area without fencing it off and the main site could still be secured. If this was not found to be acceptable, then the new fence should be moved to the bottom of the embankment around the play area, minimising the impact on the vista from Clare House.

4.11 Private Reps: Three letters received objecting on the following grounds:

- There is no site elevation profile provided;
- The site lies within a CA and within the curtilage of a Grade 1 Listed Building and the proposal should minimise its impact on the surroundings;
- External materials should blend into the parkland setting and in particular the undulating roof as well as boundary fences;
- Support the views expressed by EMCG;

- Boundary fences should be sited of the bottom of the escarpment, rather than at the top as proposed;
- Trees should be planted to obscure views of the new school building;
- The proposed school building should be lowered further.

5. Determining Issues:

- 5.1 The main issues to be considered are whether it is appropriate development in this location, whether the proposal will harm the visual amenities of the locality and whether the proposal will provide community benefits.
- 5.2 The proposed location of the new school lies outside the built confines of East Malling, within the Clare Park & Blacklands Conservation Area, a Historic Park & Garden, the Green Wedge, an Area of Local landscape Importance and is also a playing area. The associated policies in the TMBLP 1998 and KMSP 2006 are very restrictive and would not normally permit any new development unless exceptional justified.
- 5.3 Policy P6/22 of the TMBLP 1998 lends support for local community facilities outside the built confines. However, it will only support new development where it can be demonstrated that there is no alternative accommodation available either within the confines of the urban areas and proposal is essential to serve the settlement to which it relates.
- 5.4 The applicant has submitted a justification for the new school in this location as being the most appropriate location. The applicant has discounted the former Mill Stream School site as it is being disposed in order to fund this new school project. The existing St James school site is also discounted as it is to be retained as a children's centre and community centre, which it will benefit the local community. The applicant has also examined siting the new school building to the southeast of the existing St James school building, however, this location was also discounted on the basis of the detrimental impact on the woodland belt, which is well used habitat area, with possible nature conservation interests such as slow worms and common lizard. The community benefits of a new school and creation of a childrens centre/community centre will be significant and the support for such development needs to be weighed against the impact of the development.
- 5.5 The proposal will undoubtedly have an impact on the Historic Park and Garden of Clare House which the proposal falls within. Policy P4/6 of the TMBLP 1998 will not permit development where it would harm the overall character, integrity or setting of this Historic Park and Garden. More importantly, the proposal will affect the setting of the Grade 1 Listed Clare House. It should be noted that the Historic Park and Garden status in the TMBLP is based upon the on Clare House's parkland. Since the initial submission and the strong objections raised by English Heritage, the applicant has submitted a series of cross sections over Clare Park,

lowered the new school building further into the ground by 1m, repositioned the boundary fences to the lower embankments of the playing fields and also proposed a grassed earth bund to the side of the new school in order to limit the impact of the proposed development. Whilst no further representations have been received from EH, a meeting is planned towards the end of April with EH, KCC and BC. Notwithstanding this and the lack of EH comments, I am now satisfied that the amendments and submission of additional information ensures that the proposed development will have very limited impact upon the setting of Clare House. In particular, the new school will be a relatively low level building and constructed 3m lower in the ground than Clare House. In addition, the introduction of the 1m high grass earth bund between Clare House and the new school will further limit any visual intrusion. Whilst the new school building will not be completely screened from Clare House, I am satisfied that the proposed measures will ensure that the actual impact onto the setting of the Grade 1 Listed Building and its parkland will be negligible.

- 5.6 The site lies within a Conservation Area and is subject to policy P4/4 of the TMBLP 1998 and as detailed above the applicant has submitted additional information to assist in assessing the impact of the development upon the character and integrity of the Conservation Area. The proposed building is a relatively modern low level structure with an undulating roof form, set within the raising ground levels. The proposed building will be finished in an off white render and cedar cladding for external wall finishes under a grey ply membrane roof. The proposed building will be high quality and whilst not a traditional building within the Conservation Area, but will be more visually and aesthetically pleasing than the existing school building, which also lies within the Conservation Area. The bulk, form, and scale are similar to the adjacent school building. The provision of a series of cross sections through the Conservation Area also helps to indicate that the proposed new building will have a minimal impact upon the character and integrity of the Conservation Area subject to the provision of the additional landscaping planting and grassed earth bund. The proposal will not involve the loss of any important hedges, walls or other means of enclosures which contribute to the character or appearance of the CA.
- 5.7 The impact on the functioning of the Green Wedge pursuant to policy P2/19 of the TMBLP 1998 and the landscape character of the Area of Local Landscape Importance pursuant to policy P3/7 of the TMBLP 1998 will be minimal.
- 5.8 In terms of the loss of the existing school playing fields and the need to address policies P8/2 and P8/3 of the TMBLP 1998, the applicant has indicated that the new playing fields will be provided by utilising part of the Malling School playing fields. The applicant also indicates that "*the overall provision of school playing fields within the whole site (of the two schools) is considerably in excess of Dfes requirements and will remain so after the development*". Sport England raises no objection, as the playing fields will be reclaimed from Malling School. These

playing fields also enjoy joint public use, as well as forming part of the Borough Council's Playing Pitch Strategy. The proposal will not significantly harm the overall provision of public playing space or school playing fields.

- 5.9 A large number of other matters have also been raised over how the school building will function, such as access arrangements to the possible community centre and deterring vandalism. However, these are essentially operational matters for the County Council and not material planning considerations.
- 5.10 In highway terms, the proposal will share the existing access off Chapman Way, but will be served by its own parking area. The level of parking provided appears to be adequate and will not result in adverse highway conditions.
- 5.11 In light of the above considerations, I consider that the special circumstances of the community benefits of a new school and the minimal impact onto the setting of the Grade 1 Listed Building, Historic Park and Garden and Conservation Area justify this development and therefore, I raise no objections to the proposal.

6. Recommendation:

KCC be advised that TMBC raises no objection to the proposal subject to following matters being addressed or covered by condition:

- Any matters arising from discussions with English Heritage;
- The imposition of the following conditions covering the following matters:
- Contamination;
- School Travel Plan;
- Landscaping scheme;
- The new playing field should be provided before works commence on new school.

Contact: Aaron Hill