

Hadlow (Hadlow)
Hadlow And East
Peckham

562446 149512 29 May 2015

TM/15/01777/FL

Proposal: Variation of conditions 1 and 6 to planning permission TM/14/02774/FL (Demolition of goat shed and siting of two new temporary buildings onsite, move proposed school fence south into Faulkners Farm courtyard (amended scheme to that previously approved under planning permission TM/14/00114/FL)) to enable the temporary school to operate until 30th December 2016 and to increase the number of pupils attending it from 158 to 185

Location: Faulkners Farm Ashes Lane Hadlow Tonbridge Kent TN11 9QU

Applicant: Hadlow College

1. Description:

- 1.1 This application seeks planning permission to extend the time the temporary school can operate at the Faulkners Farm site from 30 September 2015 until 30 December 2016, allowing for the permanent school on the main campus to be constructed and ready for use. The applicant has stated that:

“The construction programme suggests that the permanent school will be ready 14 months after final confirmation of funds. It should therefore be ready by September 2016. For reasons of flexibility it is suggested that this final period be extended to 30 December 2016.”

- 1.2 The application also seeks planning permission to increase the number of pupils on the school roll during this period from 158 to 185, an increase of 27. An additional 5 members of staff would be employed to cater for the enlarged pupil roll (3 teachers and two administration staff).

- 1.3 No new buildings are proposed to be constructed in connection with the increased time period and in this regard the applicant states that:

“For cost reasons HRCS has decided not to increase its temporary accommodation at Faulkners Farm in its third year starting in September 2015 but to use the buildings more intensively and if necessary to use existing College classroom accommodation on a pre-booked basis. The third year will need closer timetabling in order to manage the increased numbers.”

- 1.4 The submitted layout plan shows the same provision and arrangement of car parking spaces (54). A bus drop off zone is also still shown to be retained alongside the south east side of the lambing shed.

2. Reason for reporting to Committee:

2.1 Significant local interest and complex planning history.

3. The Site:

- 3.1 Faulkners Farm currently accommodates the Hadlow College AMU, a lambing shed, various outdoor animal enclosures, an atrium and other outbuildings in addition to additional teaching accommodation used by the College.
- 3.2 Faulkners Farmhouse belongs to Hadlow College but is privately let for office use.
- 3.3 Immediately adjacent to Faulkners Farm are four maisonettes (let to Hadlow College staff) and two privately owned semi-detached cottages (3 and 4 Faulkners Farm Cottages).
- 3.4 The Hadlow Grill restaurant (previously known as the Spice Lounge and before that the Rose Revived Public House) is located on the opposite side of Ashes Lane (to the west of the application site) and is a Grade II listed building. Old Chegs (also Grade II Listed) is located some distance to the north of Faulkners Farm. To the south lies The Ashes, a detached private dwellinghouse.
- 3.5 Access to the site is taken from Ashes Lane via the A26 to the south. The site currently has a separate 'in/out' access.
- 3.6 Hadlow College facilities are provided, in addition to Faulkners Farm itself, within the main campus to the north east and Blackmans Dairy to the south east.

4. Planning History (most recent/relevant):

TM/13/01705/FL Approved 10 October 2013

Demolition of existing stores; external alterations to existing classroom building; provision of a new temporary building; play area; perimeter fence; associated parking and pedestrian path to form a Free School for a temporary period

TM/14/01114/FL Approved 23 June 2014

Demolition of two existing College buildings and construction of one additional temporary building to be used in connection with the Free School; variation of condition 1 of planning permission TM/13/01705/FL to allow temporary Free School to continue until 30.09.2015; plus variations of conditions 3 and 5 of planning permission TM/07/00482/FL to revise the approved parking layout and landscaping scheme respectively in connection with the adjoining animal management unit.

TM/14/02774/FL Approved 27 October 2014

Demolition of goat shed and siting of two new temporary buildings onsite, move proposed school fence south into Faulkners Farm courtyard (amended scheme to

that previously approved under planning permission TM/14/00114/FL)

5. Consultees:

5.1 PC: Object for the reasons previously set out in respect of the temporary school.

5.2 KCC (H+T): No objections.

5.3 Private Reps: 92 + site notice/1X/0S/19R. The objections focus on the following issues:

- Impact upon the Green Belt.
- Absence of very special circumstances.
- The college has a history of failing to carry out their commitments in relation to planning permissions.
- Please re-assess the highway safety concerns in light of the significant increase in road traffic incidents that have occurred in the vicinity – namely Ashes Lane and the A26.
- Further extension/expansion will make a mockery of the process.
- Residential amenity has been greatly impacted by the temporary school for the past 2 years and no end is in sight.
- This is a delaying tactic by the college.
- There is no sign of building activity for the permanent school.
- It is feared that the permanent school will never be built and the college will gradually enlarge the temporary one and then ask to make it permanent.
- This proposal is directly contrary to the views of Council members when determining the original application for the temporary school, which was granted reluctantly.
- If there is the ability to use college classrooms as suggested, this should be the solution, not an option.
- We challenge the traffic survey that states that only 9% of pupils travel by car. The level of vehicle disruption and noise do not match this.
- Coaches are too large for Ashes Lane and are a significant highway hazard.

6. Determining Issues:

6.1 Members will be acutely aware of the recent planning history in respect of this site. The key consideration in respect of this latest application is whether the development is, *in its own right*, acceptable in terms of its impact and not whether specifically it is materially different in its impact when compared to the last scheme approved for this site. It is quite correct that the earlier temporary permission does set a datum for acceptability but ultimately this scheme must be judged on its own merits. In this regard, Members will also be familiar with the overt Government support for the development of schools, including paragraph 72 of the NPPF which states:

“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.”

6.2 Further national policy guidance is contained within the Government’s “Policy Statement – Planning for Schools Development” - a joint statement issued by the then Secretaries of State for Education and Communities and Local Government. I am conscious that I have referred to this in previous reports on applications concerning this site but it must be emphasised that it states:

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

“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.”

6.4 It is apparent that a significant concern of local residents is the fear that the Faulkners Farm site is turning into a permanent rather than a temporary site for the school and that there is no guarantee that the permitted site of the permanent

school will be developed. At the time of writing this report, I have not been provided with documentary evidence from the applicant that unequivocally confirms that the full funding of the permanent school development has been secured. However, I have been assured that the confirmation of this is imminent and I hope to report further on this matter in a supplementary report. Furthermore, works have actually commenced on the construction of the permanent school within the College grounds. Specifically, the access route is in the process of being created. Trenches have been dug for foundations and drainage for the school building and, and, I understand, foundations have also now been laid. An area shown on the approved plan to be used for vehicle car parking has been laid with tarmac over a sub base.

- 6.5 It is my view that the commencement of construction works for the permanent school shows, albeit frustratingly later than originally envisaged/intended, a clear commitment to this development by the applicant and, if the school is built as currently planned, this would be the last application to extend the life of the temporary school.
- 6.6 I am advised that, in relation to the new crossing, the school will be providing across the A26, that Kent County Council (as local highway authority) is currently processing a Traffic Regulation Order and a S278 agreement with the applicant to provide this crossing facility. I am advised that approval for this work should be granted by the end of July and I understand that 3 separate contractors have now been approached for expressions of interest regarding this work. Again, I consider this demonstrates a clear commitment to the provision of the permanent school. Any further updates regarding the crossing will be reported as a supplementary matter.
- 6.7 The main issues to consider in connection with this application are the impacts arising from the proposed increase in pupil numbers and prolonging the temporary school use upon the openness of the Green Belt, the residential amenities of the nearby neighbours and on highway safety. I will address each of these issues in turn.
- 6.8 Dealing firstly with the potential impact on the Green Belt and the principle of the increased time period proposed, it is important to recognise that there are no additional new buildings proposed to be constructed in connection with the continued temporary use of the site by the school. This means that there would be no further physical impact upon the Green Belt beyond that previously assessed and deemed to be found acceptable. Of course, prolonging the temporary period of operation for the school would mean that the buildings already in situ (and due to be removed once the temporary use ceases) would continue to be present for a longer period but that would not cause any further harm to the Green Belt such as to prevent the continued use of the site by the school, given the previous conclusions drawn in respect of the physical impact of the school buildings on the Green Belt. There would still be a requirement for the buildings to be removed

after this further temporary period in the interests of preserving the openness of the Green Belt.

- 6.9 I appreciate that the school has previously submitted applications for additional buildings on site to allow for ease of operation and timetabling issues and the suggestion by the school now that they do not require any additional buildings to accommodate the increase in pupil numbers may be questioned. However, the current application must be judged on its own merits and no additional buildings are proposed.
- 6.10 I will now turn to matters of residential amenity and highway safety which are related to the increased numbers of pupils and staff and the associated levels of activity on the site and the surrounding road network.
- 6.11 The continued use of the site for the temporary school until December 2016 would add a further 27 pupils and 5 staff into the existing situation. It is my view that it would be very difficult to discern the additional activity arising from the additional 27 pupils for this period from the activity arising from the existing number of pupils attending this school currently. Consequently, I do not consider that the proposed increase in pupil numbers would cause harm to residential amenities in terms of general activity taking place across the site.
- 6.12 The majority of the school pupils arrive by coach and this arrangement will continue to operate if permission is granted for the current application. Furthermore, the applicant considers that only 5 of the additional 27 children would travel by car to the school. Local residents have referred to a significant increase in accidents in the locality, most notably within Ashes Lane and the A26. However, no documentary information has been submitted to corroborate this and Kent (H+T) has not objected to this planning application.
- 6.13 Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. With this in mind, the proposed increase in pupil numbers, when compared to the current numbers, would not cause a severe impact upon highway safety. There is sufficient space within the Faulkners Farm site to accommodate the car parking associated with the 5 additional members of staff.
- 6.14 In conclusion, whilst I can fully appreciate the frustrations felt by local residents regarding the protracted delay in providing the permanent school and the other concerns they have expressed regarding the continued use of the site for the temporary school, these are not considered to be sound reasons for refusing planning permission on this occasion. The absence of additional demonstrable harm to residential amenity and highway safety, coupled with the strong support from central Government to school development, all point towards a recommendation to grant permission. The fact that physical works have commenced on the construction of the permanent school only strengthens this

position. In light of these considerations, the following recommendation is put forward:

7. Recommendation:

7.1 Grant Planning Permission in accordance with the following submitted details: Planning Statement dated 29.05.2015, Proposed Layout DHA/10125/03 C dated 29.05.2015, Location Plan DHA/10125/01 A dated 29.05.2015, subject to the following conditions:

Conditions:

- 1 The temporary school use hereby permitted shall be discontinued, the buildings hatched on plan number DHA/10125/03 C attached to this decision notice removed from site, and the land restored to its former use on or before 30 December 2016 or at the opening of any permanent school at Hadlow College, whichever is the earlier.

Reason: In the interests of preserving the open nature and function of the Metropolitan Green Belt.

- 2 The development hereby approved shall be used solely as a Secondary School providing a land-based curriculum in association with the facilities available at Hadlow College.

Reason: To enable the Local Planning Authority to regulate and control the future use of the site in the interests of preserving the open nature and function of the Metropolitan Green Belt and in the interests of highway safety.

- 3 No external lighting shall be installed in connection with the buildings, car park or associated areas until such details 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 visual amenity of this rural locality and in the interests of residential amenity.

- 4 The staff parking spaces shall be kept available for such use for the duration of the use of the site for the temporary school and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (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

- 5 The turning area shall be kept available for such use for the duration of the use of the site for the temporary school and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (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.

- 6 The number of pupils shall not exceed 185 at any time.

Reason: In the interests of pedestrian and traffic safety and residential amenity.

Informatives:

- 1 The applicant is strongly encouraged to liaise with local residents on an ongoing basis regarding on-site school activities should the need arise.
- 2 The applicant is asked to regularly update the Local Planning Authority with regards the construction timetable concerning the provision of the permanent school.

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