

Tonbridge
Medway

29 December 2016

TM/16/03716/FL

Proposal: A hybrid planning application comprising 1) application for outline planning permission for a permanent primary school including means of access from Tudeley Lane (all other matters reserved) 2) application for full planning permission for the installation of 1no temporary building to provide 2 form entry primary school, 1no administration block, hard standing including car parking, drop off / pick up, and erection of boundary fence

Location: Former Priory Works Tudeley Lane Tonbridge Kent TN11 0QL

Applicant: The Education Funding Agency

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1. Description:

- 1.1 This application has been submitted in 'hybrid' form, with outline permission being sought for a permanent 2 Form Entry (2FE) Primary School including means of access from Tudeley Lane (with all other matters reserved for future consideration). In addition, full planning permission is being sought for the installation of temporary school buildings, hard standings, car parking, drop off and pick-up areas and the erection of site boundary fencing.
- 1.2 By way of background, Bishop Chavasse School will be a Church of England 2FE primary school located in and serving South Tonbridge. It will be part of the Tenax School Trust also comprising Bennett Memorial Diocesan School, located in Tunbridge Wells. Bennett Memorial School will be the sponsor of the new school and provide capacity and support for its development. St. Stephen's Church (Tonbridge) will be the associated Church that will work closely with the school to support the Christian ethos.
- 1.3 The 2FE primary school will be a mainstream school catering for pupils aged 4-11 with a maximum pupil capacity of 420 pupils. It is intended that the primary school would open in temporary accommodation in September 2017 with 60 pupils (2x Reception intakes) before moving into permanent accommodation in September 2018 with 120 pupils. Pupil numbers would then build-up year by year until full capacity is reached in 2023.
- 1.4 The temporary and permanent school accommodation will be located on the same site. The temporary accommodation comprises a double Reception classroom teaching space (for 60 pupils) and an administrative building for an anticipated 15 staff, both comprising of temporary/modular buildings. The phase 1 temporary works includes a drop off/pick up area and 7 car parking spaces for staff and visitors. The phase 2 permanent school car parking details would be submitted as part of the subsequent "Reserved Matters" although at this stage confirmation is provided that a car park of approximately 74 spaces would be provided within the

site – this is currently understood to comprise of the main school car park (60 spaces), a pupil drop off/pick up area (4 spaces) and some flexible overflow car parking provision (10 spaces). It is also stated that as part of the reserved matters planning application for the full school build-out, the developer will apply for a Traffic Regulation Order (TRO) to install parking management measures (such as ‘School Keep Clear’ and/or yellow lining) on Tudeley Lane in proximity to the shared access with the school and new housing estate.

- 1.5 The submitted documents indicate that the permanent school would be two storeys in height with an indicative floorspace of up to 2,072 sq. m. This design is in accordance with the EFA’s specification for new primary schools. The permanent school building is shown to be located generally towards the western boundary of the site, with the northern part of the site be laid out with a combination of hard landscape (for playground and multi-use games areas) and soft landscape (playing fields, habitat margins and tree/shrub planting).
- 1.6 The application documents state that the primary school is proposed to be open between the hours of 07:30 and 18:00. This includes breakfast clubs prior to the start of the school day and a variety of after-school clubs.
- 1.7 Once the permanent school development is completed/becomes operational, it is intended that the temporary accommodation would be removed from the site.

2. Reason for reporting to Committee:

- 2.1 Locally significant development and Departure from the Development Plan.

3. The Site:

- 3.1 The site has an area of approximately 1.1 hectares and is located on the south-eastern tip of Tonbridge, within the urban confines. It comprises commercial land which currently has the benefit of outline planning consent (TM/13/02307/FL) for B1 and/or B8 uses. That extant consent, with all matters reserved except for access, includes a minimum footprint area of commercial buildings of 3,820 sq. metres and a maximum height of 13 metres. This forms part of a hybrid planning application on the site known as Priory Works where the residential development aspect is currently being built-out by Redrow Homes (Somerhill Green development).
- 3.2 The site is designated as safeguarded employment land by virtue of policies E1(k) and E3(m) of the DLA DPD. All buildings associated with the historic industrial use of the site have long since been demolished.
- 3.3 Part of the site lies within Flood Zones 2 and 3a, with the Somerhill Stream broadly defining the eastern boundary of the site. This stream also forms the Borough boundary with Tunbridge Wells BC.

- 3.4 The application site is accessed via Tudeley Lane which runs along the southern perimeter of the site. The land to the east of the site (within TWBC) is occupied by Mini and Porsche car dealerships with associated surface parking.
- 3.5 The boundary of the High Weald AONB runs to the south of the site (south of Tudeley Lane and Five Oak Green Road).

4. Planning History (most relevant):

TM/13/02307/FL Approved 30 January 2014

Hybrid Application: Development of Priory Works involving (A) Detailed Permission for the erection of two and two and a half storey houses and three and three and a half storey buildings of apartments comprising a total of 183 units with associated access roads, parking, landscaping and provision of open space and (B) Outline Permission with all matters reserved except for access for the development of part of the site for B1 and/or B8 use comprising a minimum footprint area of buildings of 3820 square metres and a maximum height of buildings of 13m

5. Consultees:

- 5.1 TWBC (neighbouring Authority): No objections.
- 5.2 KCC (H+T): I am grateful for the meetings that have been held with interested parties. I now appreciate the local engagement that has been undertaken and I am grateful for receipt of the Caneparo Associates Report (Ref: NO3-CC-Additional Information 170309) which outlines the consultations and research that has been undertaken and which substantiates the forecast uptake of before and after-school activities.
- 5.2.1 For further confidence regarding potential car parking accumulations I am also grateful for confirmation that, for the full school, use of the playground may prove necessary for overflow parking, during school pick up and drop off times, would be acceptable. This report helpfully confirms:
- That all car parking areas will be managed by staff;
 - Commitment to an active travel plan continuously reviewed and monitored via the County Council on line 'Jambusters' tool; and
 - Implementation of traffic management measures outside the school and at the approach to the Woodgate Way roundabout. The drawings at Appendix C are particularly helpful in this regard.
- 5.2.2 In view of the above additional information I would consider that a commitment to a 2FE Primary School through the full application element of this hybrid application would be acceptable.

- 5.2.3 With regard to the outline planning application for a permanent school this should be subject to a subsequent reserved matters application requiring at least 77 car parking spaces to be available. The reserved matters application will need to include an initial school travel plan. I understand that new transport analysis will also be provided covering not least, modal distributions/profiles, school catchment and any details regarding admissions policy(s), swept path analysis for servicing, school parking and drop off arrangements proposed in the detailed design.
- 5.2.4 Recommends conditions to cover the following aspects – provision of construction vehicle parking, prevention of mud and debris on the public highway, retention of on-site vehicle parking and turning spaces, bound surfacing adjacent to the main highway, provision and retention of cycle parking and entrance gates being set back from the edge of the main highway.
- 5.3 Highways England: Having examined the application, we are satisfied that on the basis of the information supplied and by virtue of the nature of the proposals, trips generated will be of a level and distribution that will not materially affect the safety and/or operation of the SRN. Therefore we do not offer any objections or requirements relating to the proposal.
- 5.4 EA: We have no objection to this proposal based on the additional information provided, and offer the following comments:
- 5.4.1 The Flood Risk Assessment (FRA) by Robert West (ref 5613/001/R01B dated February 2016) provides updated hydraulic modelling for the site in question. They have considered updated Climate change allowances (35% and 70%) into the modelling to ensure no internal flooding will occur. The detailed modelling results affect various aspects of the building's design; the design flood level identified by the modelling, will determine the required Finished Floor Level's (FFLs) to prevent internal flooding.
- 5.4.2 Appendix E of the FRA gives the extreme flood level (100 year 70% CC) across the site. As a result the applicant has stated that FFLs are to be set at 27.95m AOD for the permanent facility (which provides a minimum of 600mm (as per NPPF guidance) freeboard above the design flood level. FFLs are to be set at 27.93m AOD for the temporary building (which provides a minimum of 300mm (as per NPPF guidance). The finished floor levels stated in the FRA would be acceptable for both the temporary and permanent facilities, therefore internal flooding would be low risk.
- 5.4.3 However the design and access and egress for the permanent building does not demonstrate that it is above the flood level. You will need to be satisfied that they can manage safe evacuation, given the site entrance occupies the most vulnerable area of the site. Please note that we are also unable to offer a flood warning service for this watercourse which must be considered in the final decision.

5.4.4 We also consider that you consider this application alongside the previously consented Redrow housing development at Priory Works, and in the context of current application proposals for a new Jaguar/Land Rover dealership (TM/16/03530/FL). The implementation of this car showroom will likely result in a loss of storage and the displacement of flood water, causing an increase in flood levels to those residential houses and an increased flood level for the proposed school site.

5.4.5 The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to protect an 8 metre wide buffer zone around the Somerhill Stream (also known as the Southborough Stream).

5.4.6 **Condition:** No development shall take place until a scheme for the provision and management of an 8 metre wider buffer zone alongside the Somerhill Stream shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:

- plans showing the extent and layout of the buffer zone;
- details of any proposed planting scheme (for example, native species);
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer-term including adequate financial provision and named body responsible for management plus production of detailed management plan; and
- details of any proposed footpaths, fencing, lighting or other impacts within the buffer zone.

Reasons: To protect the ecological value of the river corridor and in accordance with the requirements of the NPPF.

5.4.7 Development that encroaches on watercourses has a potentially severe impact on their ecological value. Artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. Hard substrate and unsuitable or non-native planting can impact on bankside flora, aquatic and semi-aquatic fauna.

5.4.8 Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

5.4.9 This condition is supported by the NPPF paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local

environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contribution to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

- 5.4.10 Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. Such networks may also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the Thames River Basin Management Plan.
- 5.5 KCC (LLFA): Final views awaited based on additional information provided by the applicant in respect of proposed sustainable site drainage scheme [DPHEH: I shall update Members further on any additional views received within a Supplementary Report].
- 5.6 NE: Notes that the application is within 500m of the High Weald AONB. We note that the AONB Unit has submitted comments, and we defer to their knowledge of the area and the AONB Management Plan. Therefore, Natural England has no comments to make on this application. NE has not assessed the application for impacts on protected species and refers the LPA to its Standing Advice in this respect.
- 5.7 AONB Unit: Notes that the EA has raised no objection but recommend that the flood risk be looked at cumulatively with the housing development to the west and to the site to the south currently being proposed for the Jaguar/Land Rover dealership. I also note the EA's views that the access to the school site could be affected by flooding requiring evacuation plans for the school, and that the responsibility for flood prevention has now been passed to KCC (LLFA). I reiterate my support for the EA's comments on the need to retain land alongside the stream as a wildlife habitat and the use of native species in any new planting.
- 5.8 KCC (PROW): Notes that PROW MU39/WT405 runs along the southern boundary of the application site and should not be affected by the application. Also notes that no works on the PROW can be undertaken without the express consent of the Highway Authority.
- 5.9 Sport England: Satisfied that the proposals do not fall within our statutory or non-statutory remit and therefore has not provided a detailed response.
- 5.10 Kent Police (Crime Prevention Design Advisor): Notes that the permanent school proposals must be designed to take account of the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) and

recommend the imposition of a condition on any subsequent Reserved Matters application accordingly.

5.11 Southern Water: Should the LPA be minded to approve the application, recommend the imposition of a condition covering a suitable site drainage strategy detailing the proposed means of foul disposal and an implementation timetable.

5.12 Private Reps: 21 + site + press notice/0X/2R/7S. The representations received can be summarised as follows:

Support:

- This primary school is vital to the future of Tonbridge. For too long we have seen children travelling distances to obtain an education which is vital not only to the individual but also to the town as a whole. The ethos behind the school and its backer are outstanding;
- The site is perfect – easy access for drop off by car, and close walking distances for families where there is a need for this school;
- Over the last 2-3 years the development in Tonbridge has been admirable, with significant regeneration of the Town Centre and increased housing around Waitrose and along the River Medway. This has increased the pressure on public services, in particular schools which now have significantly reduced catchment areas. A new school is therefore highly welcomed; and
- Notes that the proposed Bishop Chavasse Primary School is actually a year behind schedule due to the struggle to secure land for the site – support the swift development of this much needed facility.

Objection:

- Serious consideration needs to be made to the parking and daily access – with the proposed Jaguar/Land Rover dealership and completion of new Redrow Homes at Somerhill Green there will be a lot of pressure on Tudeley Lane. As it is a narrow winding road, precautions need to be made these are not blocked by parked cars or delivery lorries;
- Considers that the painting of yellow lines outside the school entrance to be a waste of paint – you only have to visit one of the nearby schools at drop off and collection time to see that they are totally ignored. Instead, what is needed is to ensure that there are decent alternatives – in this case a good footpath link to the west; and
- The current footpath from Somerhill Green to Lodge Oak Lane is due for an upgrade (money secured as part of the Priory Works development) but it is not possible to widen it sufficiently to accommodate passing push chairs, for

example. The solution is a connection to Farm Ground Close and Gorham Drive which will then connect the school to the larger residential area, the bus routes and the local shop. This must be put in place before the school opens.

6. Determining Issues:

- 6.1 Members will note that this is a hybrid application where detailed planning permission is being sought for the siting of temporary buildings (and other associated works such as temporary car parking, hard landscaping and perimeter fencing) and outline permission is sought for the development of a permanent school. In the case of the outline application, excluding the means of access, all other matters – those being Appearance, Scale, Layout and Landscaping of the permanent school development – are Reserved Matters which will be subject to further detailed consideration at a later stage.

Principle of development:

- 6.2 The site is safeguarded for employment purposes by Policies E1 (k) and E3 (m) of the DLA DPD. These policies state that except where otherwise specified, proposals for non-employment uses i.e. uses other than Business Use (B1), General Industrial Use (B2), or Storage and Distribution Uses (B8), will not be permitted. The application proposes that the site will be used as a primary school (D1 use) and therefore these proposals represent a Departure from the adopted Development Plan.
- 6.3 It is important to remember that the Council, in its role as Local Planning Authority, is required to determine planning applications in accordance with the Development Plan in force unless material considerations indicate otherwise.
- 6.4 Paragraph 22 of the NPPF, an important material consideration, advises that *“planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. [...] Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”*
- 6.5 With this in mind, the applicant has submitted a Site Sequential Assessment report which provides an overview of the site selection criteria undertaken by the applicant, together with a case demonstrating the educational need for a new 2FE primary school in South Tonbridge. In terms of the educational need for a new 2FE primary school the applicant has advanced the following information:
- The birth rate for Tonbridge & Malling is broadly in line with Kent and National statistics. Whilst these have fluctuated, the trend over the last 5 years is slightly upward. However, the number of births per year has significant increased over the last decade;

- Demographic pressures have arisen from sustained indigenous population growth, migration factors and the housing developments in central Tonbridge, Kings Hill and Leybourne Chase;
- Tonbridge has high targets for the delivery of new homes (associated with the progression of a new Local Plan). Furthermore, it is on a fast rail link to London and so attracts large numbers of commuter families. Accommodation costs are advantageous for young families in comparison with location closer to or in London and other nearby towns, such as Tonbridge Wells;
- Tonbridge, as defined by the postcode area TN9 does not have a C of E primary school. There is similarly no C of E primary school in the adjoining postcode TN10. There are 7 primary schools located in these two areas, which together comprise central Tonbridge. The proposed Bishop Chavassee Primary School will be a C of E school with a designated C of E character and serving the local community. Most places (75%) will be allocated on non-faith criteria. It will thus increase the range of choice for parents in the area; and
- The KCC '*Commissioning Plan for Education Provision in Kent 2017-2021*' recognises that this proposed 2FE Primary School will meet the demand for places in central Tonbridge when it opens in September 2017. This school was originally due to open in 2016 but was delayed due to not being able to identify a suitable site. Consequently, other local primary schools had to meet the forecast deficit of up to 60 Reception year places up until September 2017.

6.6 In determining the total land-take required for a new school, reference is made to the Department for Education's Building Bulletin 103 (*Area Guidelines for Mainstream Schools*). This sets out that a 2FE primary school (with 420 pupils) requires a minimum building area of 2,072 sq. metres and a minimum site area of 0.76 ha. It was on the basis of these *minimum* requirements that the applicant undertook a sequential site analysis to find a suitable site.

6.7 The proposed broad pupil catchment area for the new school is TN9 which broadly represents the urban area of South Tonbridge. This catchment will enable the school to meet the needs within Tonbridge, where it is aimed at enhancing the level of demand for school places and make it accessible to many families from a variety of backgrounds. Whilst the school would also draw from the rural area surrounding Tonbridge, I understand that the applicant's site search has focussed on the urban area as this was considered the most suitable location for the new school.

6.8 The applicant's sequential site assessment identified a total of 19 sites within the defined catchment area which met or exceed the *minimum* building and site area required for a 2FE primary school. These 19 sites were then assessed against appropriate criteria including, inter alia, current land uses, neighbouring land uses, site constraints, ownership/availability, planning risk and overall suitability. The

assessment identifies that only the application site – the land at the former Priory Works site – is the only *suitable* and *immediately available* site which is capable of accommodating the proposed new 2FE primary school and meeting the educational needs of the catchment population.

- 6.9 Having reviewed this sequential site assessment I am satisfied that it is sufficiently comprehensive and robust in its conclusions that there are no other suitable sites (other than the application site) within the catchment area. This conclusion was not dissimilar from the general lack of suitable sites identified within a recent search for a new suitable school site for Ridgeview Primary School; in that case the lack of suitable sites led to the development of a new school outside of the urban area of Tonbridge, within the Metropolitan Green Belt.
- 6.10 On the basis of the information before me, including KCC's Commissioning Plan for Education (2017-2021), I am entirely satisfied that there is an acute education need for a new 2FE primary school within this part of South Tonbridge. These conclusions in respect of a lack of suitable sites and the acute educational need for a new school are, in my view, important material considerations in the determination of this application.
- 6.11 It is also necessary to consider whether there is a *reasonable* prospect of the site being used for its allocated employment use in the context of the advice contained in paragraph 22 of the NPPF. In this respect, the site benefits from an extant outline permission (with all matters reserved) for B1 and/or B8 use comprising a minimum footprint area of buildings of 3820 sq. metres and a maximum height of buildings of 13m. That permission was granted in January 2014, and whilst the residential aspect of the hybrid permission is well underway in the process of being built-out, no Reserved Matters application for the commercial aspect has come forward in the intervening period. Whilst I understand that the site has been marketed for commercial purposes in accordance with the outline permission, market signals indicate that there is no reasonable prospect of the site being built out for B1 and/or B8 uses – something which is backed up by no firm approaches being made to the LPA by interested parties since the permission was granted.
- 6.12 Whilst I accept that the school development does not propose a typical employment type use (i.e. a B1, B2 or B8 use), it does nonetheless result in employment opportunities for approximately 50 staff (including full time and part-time positions) once the full 2FE entry school is filled. The development of this safeguarded employment land as a school will therefore deliver a good number of jobs, including both full time and part time positions across a range of levels.
- 6.13 I am also mindful that the advice set out in paragraph 72 of the NPPF which states that *“the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will*

widen choice in education. They should: give great weight to the need to create, expand or alter schools; and work with schools promoters to identify and resolve key planning issues before applications are submitted.” Furthermore, the Government’s Policy Statement – Planning for Schools Development (August 2011) gives strong support to school proposals, emphasising that there should be a presumption in favour of the development of schools and that LPA’s should make full use of their planning powers to support state-funded school applications. These are, of course, important material considerations to take into consideration in the determination of this departure application.

- 6.14 To conclude on this matter, I am satisfied that there are overriding material considerations which weigh heavily in favour of the development of the new school on this safeguarded employment land. I consider that there appears to be no reasonable prospect of the extant commercial development coming forward and, when considering the emphasis the NPPF places on not seeking to protect such allocations in the long term, the evidence put forward by the applicant in terms of sequential site assessment and educational need, and the strong Government support for new state-funded schools, I do not consider there to be any justification to resist the principle of the proposed hybrid primary school development in this instance.

Location, design and character considerations:

- 6.15 The core planning principles of the NPPF (paragraph 17) states that planning should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. This is generally supported by TMBCS Policy CP1 which states that development should be concentrated at the highest density compatible with the local built and natural environment mainly on previously developed land and served by sustainable modes of transport. Furthermore, TMBCS Policy CP11 states that new development should be concentrated within the urban confines of Tonbridge. This site is clearly previously developed land – which comprised a series of industrial buildings until around 2012 when the site was cleared pending redevelopment. It is also well-related to the urban confines of South Tonbridge, including the new housing currently under construction by Redrow Homes at Somerhill Green.
- 6.16 Another of the core principles contained within the NPPF centres on the need to always seek high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments respond to local character and history and reflects the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Similarly, TMBCS Policy CP24 sets out the general criteria for all new development including a provision that development must respect the site and its surroundings and that it will not be permitted where it would be detrimental to the built environment and

amenity of a locality. This is supported by MDE DPD Policy SQ1 which states that all new development proposals should protect, conserve and where possible enhance:

- the character and local distinctiveness of the area including any historical and architectural interest and the prevailing level of tranquillity; and
- the distinctive setting of and relationship between, the pattern of settlement, roads and the landscape, urban form and important views.

6.17 The proposals represent a hybrid form of development with full planning permission being sought for the development of a temporary school and outline permission for a permanent 2FE school. The temporary works comprise two mobile buildings (comprising 2x Reception classrooms, toilets and staff/administrative space) situated towards the southern end of the site near to the main entrance, finished externally in a light grey colour. Other works associated with the temporary school include a 7 space staff and visitor car park, a drop off/pick up area, external hard and soft landscaping works and site perimeter fencing. The temporary mobile classroom buildings are anticipated to be on site from September 2017 until September 2018 when the permanent school is intended to become operational. Once the permanent school becomes operational it is intended to remove the mobile buildings from the site.

6.18 It is considered that the layout and appearance of the temporary school buildings, and other associated works – including car parking, drop off areas and perimeter fencing – are entirely appropriate for this urban location. There is an acceptable relationship between these temporary buildings and the new residential dwellings to the west (within Redrow's Somerhill Green development), and the temporary nature of the buildings strikes both a sympathetic and pragmatic way to ensure that the school can become operational from September 2017 to meet the wider educational demand for Reception school places in South Tonbridge.

6.19 The outline proposals submitted in respect of the permanent 2FE school indicate a two storey building of approximately 2,072 sq. metres to meet DfE design requirements. The building is indicatively positioned towards the western site boundary and roughly in the centre of the site (in terms of its north-south axis). Although consideration of the permanent school building is being given at outline stage only, the indicative layout plans demonstrate a minimum 26m separation distance from the western flank elevation of the new school building and the eastern flank elevations of recently constructed properties within the Redrow Somerhill Green development to the west. I am therefore satisfied that a two storey school building, to cater for the minimum size required for a 2FE school could, *in principle*, be sited so as to ensure an acceptable relationship with surrounding residential property.

- 6.20 Quite clearly, the precise architectural detailing of the school building, including overall height and massing, window locations and façade treatment will all be matters of Appearance that would be considered at the Reserved Matters stage. I am nonetheless satisfied that an acceptable palette of materials can be utilised to secure a high quality and complimentary form of development which responds positively to the surrounding urban form and land uses, including the under-construction homes within the Redrow site.
- 6.21 It is appropriate at this juncture to consider the relationship of the proposed temporary and permanent developments with the High Weald AONB designation, which lies just south of Tudeley Lane and Five Oak Green Road. The NPPF (at paragraph 115) states that great weight should be given to conserving landscape beauty and scenic beauty in AONBs which have the highest status of protection in these respects. Moreover, under Section 85 of the Countryside and Rights of Way Act 2000 there is a duty on an LPA when exercising or performing any functions in relation to, or so as to affect land in an AONB, to have regard to the purpose of conserving and enhancing the natural beauty of the AONB.
- 6.22 The application site boundary lies approximately 30m to the north of the AONB designation, with the temporary school buildings approximately 50m to the north and the indicative location of the permanent school accommodation some 100m north of this designation. I am quite satisfied that the temporary and indeed permanent school building would be viewed from the surrounding AONB land to the south in the context and against the urban backdrop of Tonbridge – taking into account the currently under construction housing development at Somerhill Green, the surrounding Porsche and Mini car dealership garages and the Somerhill Business Park development.
- 6.23 Crucially, in this context I am mindful that the site benefits from an extant permission for commercial warehousing – totalling some 3,820 sq. metres of floorspace with a maximum height of buildings of 13m. The proposed school building would be significantly smaller in floorspace terms (at approximately 2,072 sq. metres as per indicative DfE guidelines) and the overall height of a two storey building would, arguably, be significantly lower than the maximum permitted 13m ridge height of extant commercial buildings.
- 6.24 I am satisfied that subject to appropriate design, layout and landscaping of the permanent school development – all of which will be considered at the subsequent Reserved Matters stage – that the proposals would not result in an unacceptable or harmful relationship with the High Weald AONB designation just south of Tudeley Lane and Five Oak Green Road.
- 6.25 In conclusion, I consider that the temporary school development represents an acceptable, albeit short-term solution to deliver an initial 2FE primary school, and that the site is capable *in principle* of accommodating a permanent 2FE school in a manner which would not result in an unacceptable relationship with surrounding

residential and commercial developments, and in the context of the AONB designation. I am mindful, of course, that the design of the permanent 2FE school is subject to detailed considerations of appearance, layout and landscaping as part of a subsequent Reserved Matters application.

Accessibility, highway and parking considerations:

- 6.26 Firstly, it is important to note that the proposed 2FE primary school is located within the pupil catchment area of South Tonbridge that it is intended to serve. I have already given consideration to the applicant's site selection process to find a suitable site within paragraphs 6.5 – 6.9 above and concluded that that process has been sufficiently robust to ensure that there are no other available or preferable locations for this school development within the intended pupil catchment area. I am also mindful that the site is well located to the urban confines of Tonbridge, being located just south of a development of some 180 new homes and close to the main residential wards of Medway, Vauxhall and Judd which broadly match those of the "TN9" South Tonbridge postcode area which would predominantly be the principle catchment area for the new school.
- 6.27 Members will note that some concerns have been expressed about the need to ensure that suitable footpath links are developed and/or upgraded to ensure that the proposed school integrates successfully into the surrounding urban area. I entirely agree that it is important to ensure a suitable network of public footpath opportunities are available to school users which will, in turn, seek to reduce overall car journey dependence. In this respect, I can advise Members that as part of the development of the Priory Works site (which included the currently under construction Redrow housing and the extant commercial buildings) contributions were secured as part of a Section 106 Agreement for the upgrading of surrounding local footpaths. Specifically, I can advise that a highway works contribution of just over £35,000 was secured to make improvements to footpath MU39 (between Lodge Oak Lane and the main site entrance off Tudeley Lane) by way of resurfacing, street lighting, removal of old fences and the cutting back of vegetation. This obligation has now been met by the developer, with the relevant improvement works now under consideration by the Highway Authority (KCC).
- 6.28 I am satisfied that the previously secured footpath upgrading works will provide an appropriate degree of pedestrian connectivity for the new school, ensuring its successful integration into the surrounding residential area. Crucially, I can advise that it would not be appropriate to secure additional funding for further footpath improvements as part of this application since such footpath improvements would not be necessary to make the development acceptable in planning terms, and would not be fairly and reasonably related in scale and kind when having regard to the statutory tests set out in the CIL Regulations 2010 and paragraph 204 of the NPPF.

- 6.29 Turning to highway safety matters I am mindful that the NPPF makes it very clear (at paragraph 32) that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are **severe** [*my emphasis added*]. It is important to note that the site benefits from an extant permission for commercial development comprising of employment B1 (office) and/or B8 (storage distribution/warehouse) buildings totalling a *minimum* footprint area of 3,820 sq. metres which, inevitably, would result in traffic generation attributed to that use. The presence of an existing lawful use at a site is well established in planning terms as being the appropriate datum against which to assess any new planning proposals.
- 6.30 In this case I am mindful that KCC (H+T) has confirmed it has no objections to the proposals, based on further information provided by the applicant to substantiate its anticipated take-up of before and after school clubs/activities and in respect of the level of on-site parking which can be accommodated as part of the permanent 2FE school development. The applicant has also provided confirmation that all car parking areas will be managed by school staff, that a school travel plan will be produced and continuously reviewed/monitored (in accordance with the KCC 'Jambusters' tool) and that traffic management measures would be introduced (subject to a TRO) outside the school and at the approach to the Woodgate Way roundabout. On this basis I am confident that the temporary and permanent 2FE school proposals will not result in a severe cumulative transport impact when considered against the lawful commercial site use.
- 6.31 In respect of on-site parking provisions, it is considered that staff and visitor car parking arrangements for the temporary school are appropriate. Whilst the development of the permanent school is submitted in outline form at this stage, it is nevertheless considered appropriate to set the level of on-site parking that would be expected at the reserved matters stage. In this context, discussions between the applicant and Highway Authority have established that the site is capable of accommodating a minimum of 74 parking spaces – comprising 60 spaces within the main car park, 4 spaces associated with a pupil drop-off and pick up area and 10 overflow spaces. It is therefore quite appropriate to set this *minimum* level of on-site parking within a planning condition [condition 13] such that it forms part of the detailed parking and layout designs for the permanent school development.
- 6.32 Quite clearly, the precise details of the on-site parking arrangements will have to be fully worked-up into a formal layout plan and subsequent site management plan (including School Travel Plan) as part of any subsequent reserved matters application. Nevertheless, I am satisfied that condition (13) seeks to strike an appropriate level of assurance that on-site parking provisions would be acceptable for the permanent 2FE school.

6.33 I can also advise that the proposals do not raise any wider safety or capacity transport concerns for the strategic road network, a position that has been confirmed by the advice received from Highways England.

Flooding and drainage considerations:

6.34 The application site lies within Flood Zones 2 and in parts within Zone 3a. The aim of national flood risk policy, as set out in the NPPF and the accompanying Technical Guidance, seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. The overall aim is to steer new development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, LPAs determining planning applications for development at any particular location should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2, applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test.

6.35 In this instance, I have already outlined the applicant's sequential site selection process above and concluded that it is sufficiently robust. Quite simply, it is accepted that there are no alternative sites suitable for the proposed Primary School within or near to the school catchment area. On this basis I must conclude that there are no reasonably available sequentially preferable sites for the new school located within Flood Zone 1.

6.36 The proposed development of a school falls into the "more vulnerable" flood risk classification where development in Flood Zone 2 would be acceptable, but development in Zone 3a requires the Exception Test to be passed. Returning to sequential site assessment process undertaken by the applicant, I am satisfied that there are no reasonably available sites for the proposed primary school which would be entirely within Flood Zone 2. It therefore falls to determine whether the proposals for the development of this site, within Flood Zones 2 and 3a are acceptable in the context of the Exception Test.

6.37 NPPF paragraph 102 states that "*If, following the application of the sequential test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception test to be passed:*

- *it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh the flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and*
- *a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users,*

without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.”

- 6.38 The NPPF also makes it clear that both elements of the test will have to be passed for the development to be permitted. In this instance, the proposed new primary school will meet a well-evidenced and acute primary educational need for South Tonbridge. It would clearly deliver wider public sustainability benefits to the community which, in my view, outweigh the flood risk in this instance. On this basis, I am satisfied that the first part of the test is passed.
- 6.39 The applicant has prepared a site specific flood risk assessment which has been reviewed by the EA. It has raised no objection to the proposals, noting that the applicant has been able to demonstrate that taking into account climate change allowances, the finished floor levels for both the temporary and permanent school buildings would be above the design flood level, therefore representing a low risk of internal flooding to the new buildings. This view is given on the basis of the stated finished floor levels (27.95m AOD for the permanent building and 27.93m AOD for the temporary building) being secured by planning condition.
- 6.40 In terms of the safety of the school over its lifetime, the EA has stated that the LPA should be satisfied that the school can manage safe evacuation, given that the site entrance occupies the most vulnerable area (i.e. lowest part) of the site. In this respect, the applicant has demonstrated that safe evacuation could be achieved by providing a map showing a safe egress route from the site, taking into account an extreme flood event (1:100 year + 70% cc) where the maximum depth of flooding is approximately 190mm. Taking into account this relatively low depth, the short distance it last for (before reaching higher ground), and this modelling being based on a 'worst-case' extreme event, I am satisfied that an acceptable means of access for the temporary and permanent school building can be considered safe *in principle*. Nevertheless, I will require a detailed scheme, including appropriate flood evacuation plans to be required by condition for both the temporary and permanent school developments (as per conditions 11 and 15 below).
- 6.41 Discussions remain on-going with KCC (LLFA) regarding a suitable sustainable site drainage scheme, taking into consideration the flooding conditions of the site. The applicant has recently provided additional hydraulic modelling information and I will update Members on the outcome of those conclusions within a Supplementary Report.

Ecology and trees:

- 6.42 The application is accompanied by an Ecological Appraisal, Reptile Survey and Arboricultural Impact Assessment. These reports conclude that the proposed development will not adversely affect statutory or non-statutory protected sites, however notes that the trees and semi-improved grassland along the eastern site boundary (in close proximity to the Somerhill Stream) provide suitable nesting habitat for breeding birds, for reptiles (slow worms) and foraging bats. The Reptile

Survey recorded slow worms within this eastern Somerhill Stream corridor and makes recommendations for translocation mitigation works within the application site as part of the proposals.

- 6.43 In considering ecological impacts, I am mindful of the requirements for an 8m wide 'buffer zone' along the eastern site boundary from the Somerhill Stream as requested by the EA. This would ensure that the development does not encroach on the watercourse or its ecological value; something that is consistent with the requirements of NPPF paragraphs 109 and 118 which recognise that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Moreover, I am also mindful that the translocation of protected species (in this case slow worms) would be subject to a licence which the applicant would need to obtain separately to the planning process from Natural England.
- 6.44 The proposals do not include any tree removal within the application site, with the belts of tree screening along the eastern site boundary being afforded adequate protection during construction works. Moreover, the permanent school development will include site landscaping proposals, with the precise details being secured as part of the reserved matters.

Conclusions:

- 6.45 In light of the above assessment, it is my conclusion that the proposed scheme would represent an acceptable form of development both in principle and detail when considering the various requirements of the NPPF and Development Plan. I have found there to be overriding material considerations which weigh heavily in favour of the grant of planning permission for this non-traditional employment use, and consider that both the temporary and permanent school accommodation would meet an acute educational need for this part of the Borough which would undoubtedly be of benefit to the wider community. I am also satisfied that the proposals represent an acceptable form of development within this flood risk area, subject to conditions setting minimum finished floor levels for both the temporary and permanent school buildings and the production of a detailed flood evacuation plan.
- 6.46 Whilst Members will note that discussions are still on-going with KCC (LLFA) regarding an appropriate site sustainable drainage strategy, I am confident that an appropriate technical solution can be found. Subject to the conclusion of those discussions, and an appropriate update to Members within a Supplementary Report, I recommend that the proposal be strongly welcomed and planning permission be granted subject to those conditions set out below.

7. Recommendation:

7.1 Grant Planning Permission in accordance with the following details:

Topographical Survey 23905_T REV 0 dated 20.12.2016, Tree Plan P2679.4.001 Tree Constraints (North) dated 20.12.2016, Tree Plan P2679.4.002 Tree Constraints (South) dated 20.12.2016, Design and Access Statement dated 20.12.2016, Notice dated 22.12.2016, Notice dated 22.12.2016, Assessment LEVEL 2 FRA DECEMBER 2016 dated 20.12.2016, Noise Assessment ADT 2411 dated 20.12.2016, Assessment SITE SEQUENTIAL ASSESSMENT dated 20.12.2016, Planning Statement STATEMENT COMMUNITY INVOLVEMENT dated 20.12.2016, Appraisal ECOLOGICAL APPRAISAL dated 20.12.2016, Report REPTILE SURVEY REPORT dated 20.12.2016, Assessment GROUND INVESTIGATION P2679.5.0 dated 20.12.2016, Letter dated 22.12.2016, Desk Study Assessment GROUND CONTAMINATION P2679.3.0 dated 23.01.2017, Transport Statement December 2016 dated 20.12.2016, Travel Plan December 2016 dated 20.12.2016, Tree Report P2679.4.0 15 December 2016 dated 20.12.2016, Location Plan 28261129-OPL-01-A dated 20.12.2016, Site Plan 28261129-OPL-02-A Existing Site Plan dated 20.12.2016, Proposed Floor Plans 28261129-OPL-04-A General Arrangement dated 20.12.2016, Proposed Elevations 28261129-OPL-05-A Phase 1 Temp Works dated 20.12.2016, Proposed Elevations 28261129-OPL-06-A Phase 1 Temp Works dated 20.12.2016, Flood Risk Assessment 5613/001/T01B Level 2 FRA dated 09.02.2017, Other TRANSPORT NOTE dated 08.02.2017, Block Plan 28261129-OPL-03 C Proposed Block Plan dated 23.02.2017, Site Plan 28261129-OPL-07 C Proposed Site Plan dated 23.02.2017, Email dated 13.03.2017, Drainage Statement MICRO DRAINAGE CALCULATIONS dated 13.03.2017, Drainage Layout 502 REV P2 dated 13.03.2017, Drainage Layout 501 REV P2 dated 13.03.2017, Drainage Layout 500 REV P2 dated 13.03.2017, Drainage Layout SKETCH 5613/001/RMB/140317 Flood Evacuation Details dated 15.03.2017, Transport Statement N03-CC-ADDITIONAL INFORMATION dated 15.03.2017, subject to:

7.2 The following conditions and any others required by the LLFA (to be reported as a supplementary matter):

Conditions:

General Controls (covering all development):

1. The development hereby permitted in respect of the temporary school works (as detailed on drawing numbers 28261129-OPL-03 Revision C, 28261129-OPL-04 Revision A, 28261129-OPL-05 Revision A and 28261129-OPL-06 Revision A) shall be begun before the expiration of three years from the date of this permission. The development hereby permitted in respect of the permanent school works (as detailed on drawing number 28261129-OPL-07 Revision C) shall be begun before the expiration of three years from the date of this permission, or

before the expiration of two years from the date of approval of the of the reserved matters to be approved, whichever is the later.

Reason: In pursuance of Sections 91 and 92(2) of the Town and Country Planning Act 1990.

2. Approval of details of the Layout and Appearance of the development, Access to and within the site, the Landscaping of the site, and the Scale of the development in respect of the permanent school works (hereinafter called the "Reserved Matters") shall be obtained from the Local Planning Authority.

Reason: No such approval has been given.

3. The development shall be carried out in accordance with the following plans and documents: Topographical Survey 23905_T REV 0 dated 20.12.2016, Tree Plan P2679.4.001 Tree Constraints (North) dated 20.12.2016, Tree Plan P2679.4.002 Tree Constraints (South) dated 20.12.2016, Design and Access Statement dated 20.12.2016, Notice dated 22.12.2016, Notice dated 22.12.2016, Assessment LEVEL 2 FRA DECEMBER 2016 dated 20.12.2016, Noise Assessment ADT 2411 dated 20.12.2016, Assessment SITE SEQUENTIAL ASSESSMENT dated 20.12.2016, Planning Statement STATEMENT COMMUNITY INVOLVEMENT dated 20.12.2016, Appraisal ECOLOGICAL APPRAISAL dated 20.12.2016, Report REPTILE SURVEY REPORT dated 20.12.2016, Assessment GROUND INVESTIGATION P2679.5.0 dated 20.12.2016, Letter dated 22.12.2016, Desk Study Assessment GROUND CONTAMINATION P2679.3.0 dated 23.01.2017, Transport Statement December 2016 dated 20.12.2016, Travel Plan December 2016 dated 20.12.2016, Tree Report P2679.4.0 15 December 2016 dated 20.12.2016, Location Plan 28261129-OPL-01-A dated 20.12.2016, Site Plan 28261129-OPL-02-A Existing Site Plan dated 20.12.2016, Proposed Floor Plans 28261129-OPL-04-A General Arrangement dated 20.12.2016, Proposed Elevations 28261129-OPL-05-A Phase 1 Temp Works dated 20.12.2016, Proposed Elevations 28261129-OPL-06-A Phase 1 Temp Works dated 20.12.2016, Flood Risk Assessment 5613/001/T01B Level 2 FRA dated 09.02.2017, Other TRANSPORT NOTE dated 08.02.2017, Block Plan 28261129-OPL-03 C Proposed Block Plan dated 23.02.2017, Site Plan 28261129-OPL-07 C Proposed Site Plan dated 23.02.2017, Email dated 13.03.2017, Drainage Statement MICRO DRAINAGE CALCULATIONS dated 13.03.2017, Drainage Layout 502 REV P2 dated 13.03.2017, Drainage Layout 501 REV P2 dated 13.03.2017, Drainage Layout 500 REV P2 dated 13.03.2017, Drainage Layout SKETCH 5613/001/RMB/140317 Flood Evacuation Details dated 15.03.2017, Transport Statement N03-CC-ADDITIONAL INFORMATION dated 15.03.2017.

Reason: To ensure that the development is carried out in accordance with the plans and documents hereby approved.

4. The development shall be undertaken in strict accordance with the Recommendations for Mitigation and Enhancement (Chapter 6) as set out in the Preliminary Ecological Appraisal prepared by Geosphere Environmental Ltd dated 6 July 2016 and the Recommendations (Chapter 6) set out in the Reptile Survey Report prepared by Thomson Ecology dated October 2016.

Reason: In accordance with the requirements of the National Planning Policy Framework 2012 and the Managing Development and the Environment DPD 2010.

5. The existing trees and shrubs shown in the Arboricultural Impact Assessment (prepared by AGB Environmental reference P2679.4.0 and dated 15 December 2016), other than any specifically shown to be removed, shall not be lopped, topped, felled, uprooted or wilfully destroyed without the prior written consent of the Local Planning Authority, and any planting removed with or without such consent shall be replaced within 12 months with suitable stock, adequately staked and tied and shall thereafter be maintained for a period of 10 years.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990.

6. The development hereby approved shall be carried out in accordance with the tree protection measures (for Phase 1 and Phase 2 works) set out in the Arboricultural Impact Assessment prepared by AGB Environmental (Reference P2679.4.0 dated 15 December 2016) so as to avoid damage to the existing trees, including their root systems as part of the landscaping scheme.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990.

7. Prior to the installation of any external lighting serving either the temporary or permanent school developments, full details of the lighting for that phase shall be 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 visual amenity of the locality.

8. If, during development work, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: In the interests of protection of the environment and harm to human health in accordance with paragraph 121 of the National Planning Policy Framework 2012.

Temporary School:

9. The temporary school buildings shall not be first occupied until the area shown on drawing 28261129-OPL-03 Revision C as staff and visitor parking and turning areas have 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 2015 (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 parking and turning area.

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

10. The temporary school buildings (as shown on drawing 28261129-OPL-03 Revision C) shall be constructed at a Finished Floor Level of no lower than 27.93m AOD.

Reason: To reduce the risk and impact of flooding on the proposed development and future school occupants, in accordance with Policy CP10 of the Core Strategy 2007 and paragraphs 100-104 of the National Planning Policy Framework 2012

11. Within 1 month of the first occupation of the temporary school buildings, details of a Flood Evacuation Plan including means of safe access and egress to/from the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the Flood Evacuation Plan shall be implemented as approved at all times for the life of the temporary school buildings hereby permitted.

Reason: To reduce the risk and impact of flooding on the proposed development and future school occupants, in accordance with Policy CP10 of the Core Strategy 2007 and paragraphs 100-104 of the National Planning Policy Framework 2012.

12. The temporary school buildings (as shown on drawing 28261129-OPL-03 Revision C) shall be removed from the site within 2 months of the opening of the permanent school accommodation.

Reason: To ensure that the development does not harm the visual amenity of the locality and compromise the layout and parking arrangements for the permanent school development.

Permanent School:

13. The permanent school buildings shall not be first occupied until details of car parking (in accordance with Access details to be provided as part of Condition 2) for a minimum of 60 spaces plus a minimum of 10 overflow spaces and a drop-off area to accommodate a minimum of 4 spaces has been provided, surfaced and drained in accordance with a layout and management plan which has first been submitted to and approved in writing by the Local Planning Authority. Thereafter,

the approved parking and turning areas shall be kept available for such use and be managed in accordance with the approved management plan, and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (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 parking and turning area.

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

14. The permanent school buildings shall be constructed at a Finished Floor Level of no lower than 27.95m AOD.

Reason: To reduce the risk and impact of flooding on the proposed development and future school occupants, in accordance with Policy CP10 of the Core Strategy 2007 and paragraphs 100-104 of the National Planning Policy Framework 2012.

15. Prior to the first occupation of the permanent school buildings, details of a Flood Evacuation Plan including means of safe access and egress to/from the site shall be submitted to and approved by the Local Planning Authority. Thereafter, the Flood Evacuation Plan shall be implemented as approved at all times for the life of the permanent school development hereby permitted.

Reason: To reduce the risk and impact of flooding on the proposed development and future school occupants, in accordance with Policy CP10 of the Core Strategy 2007 and paragraphs 100-104 of the National Planning Policy Framework 2012.

16. Within 3 months of the commencement of development of the permanent school buildings, a scheme for the provision and management of an 8 metre wide buffer zone alongside the Somerhill Stream shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

(a) plans showing the extent and layout of the buffer zone;

(b) details of any proposed planting scheme (for example, native species);

(c) details demonstrating how the buffer zone will be managed/maintained over the longer term including a detailed management plan; and

(d) details of any proposed footpaths, fencing, lighting or other impacts within the buffer zone.

Thereafter the approved buffer zone scheme shall be implemented as approved prior to the first occupation of the permanent school buildings.

Reason: To protect the ecological value of the Somerhill Stream river corridor, in accordance with the requirements of the National Planning Policy Framework 2012.

17. Within 3 months of the commencement of development of the permanent school buildings, a scheme to incorporate measures to minimise the risk of crime, according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED), shall be submitted to and agreed in writing by the Local Planning Authority. The approved measures shall be implemented before the permanent school is occupied and thereafter retained.

Reason: In the interests of security, crime prevention and community safety.

Informatives:

1. With regard to the construction phase of the development, the applicant is asked to take all reasonable steps to mitigate any impact upon surrounding residents. With this in mind, they are strongly encouraged to apply for a Section 61 Control of Pollution Act 1974 'prior consent' notice to regulate working hours/methods. It is recommended that you contact the Environmental Protection Team on pollution.control@tmhc.gov.uk in advance of the commencement of works to discuss this further. The applicant is also advised not to undertake construction works outside the hours of 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 on Saturdays and to not undertake works on Sundays, Bank or Public Holidays. Furthermore, arrangements for the management of demolition and construction traffic to and from the site should be carefully considered in the interests of residential amenities and highway safety.
2. In respect of highway matters (as required as part of any subsequent Reserved Matters application) the applicant is expected to address the following – an initial School Travel Plan and a commitment for continuous review and monitoring via the KCC 'Jambusters' tool; swept path analysis for servicing; school parking and drop off arrangements; details of traffic management measures for outside the school and at the approach to Woodgate Way including a timescale for a TRO; details of cycle parking provisions; and details of the management of all car parking areas by school staff.
3. The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. The applicant/developer should contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk in order to progress the required infrastructure.
4. Prior to the submission of any Reserve Matters application, the applicant is encouraged to undertake discussions with Kent Police Crime Prevention Design Advisors to ensure that a comprehensive approach is taken to Crime Prevention and Community Safety. The relevant contact details are John Grant and Adrian Fromm, Kent Police Headquarters, Sutton Road, Maidstone, ME15 9BZ (Tel: 01622 653209)

or pandcr@kent.pnn.police.uk

Contact: Julian Moat