
Leybourne West Malling And Leybourne	567910 159021	12 June 2014	TM/14/02109/CR3
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Proposal:	Regulation 3 consultation for erection of a new school together with new car parking and associated playing field landscaping (KCC ref: KCC/TM/0173/2014)
Location:	Proposed School Site Leybourne Chase Leybourne West Malling Kent
Applicant:	KCC Property And Infrastructure Support

1. Description:

- 1.1 Since the original allocation of Leybourne Grange as a strategic housing allocation in the 1990s the opportunity/need for a primary school to support the housing development has been anticipated and was finally given approval in principle when the Secretary of State granted outline planning permission for the development in 2004.
- 1.2 Many Members will be aware of the Kent Basic Needs Programme for schools that is partly funded by the Department of Education in the form of basic need capital grant and an additional and separate "Targeted Basic Need" programme. The provision of "Targeted" monies by Government is an indication that there are specific existing localised needs to be met.
- 1.3 As a result of the above factors, KCC is proposing a new primary school at Leybourne Chase which, in order to benefit from the "Targeted Basic Need" programme grant, must aim to be open to receive reception classes by September 2015. This will make provision both for the "Targeted" need and also the emerging need derived from the Leybourne Chase development itself.
- 1.4 The proposal is to provide a new primary school at Leybourne Chase for September 2015. I understand that the national overall funding regime determines that this provision will be either an academy or free school admitting 30 Reception aged pupils per year. Intake will be gradual over a 7 year period. The school is designed to also host a specialist resourced provision (SRP) for pupils who have greater difficulty learning as a result of behavioural, emotional and/or social difficulties. The SRP will be inclusive provision for up to 8 pupils (usually 1 per year group). The latest forecast data indicates that the Local Authority, without the provision of the proposed new school, will be unable to provide Reception Year places in sufficient numbers for children to be educated locally, resulting in children having to travel further for their education. This concludes that Leybourne Chase is the only available option for the timely delivery of primary school places for that locality.

- 1.5 The application comprises the erection of a new 1FE primary school (210 pupils), with the potential capacity for expanding to 2FE (420 pupils) at a future date. The site will accommodate hard standing play courts, formal and informal hard and soft play spaces, habitat areas, a sports pitch (to be upgraded to all-weather if the school is expanded to 2FE) and a car park/drop-off area.
- 1.6 The application intention is for the school to also act as a civic focus for the Leybourne Chase community.
- 1.7 It is proposed that vehicle access to the site will be achieved via Hawley Drive to the west of the school building. This will provide an access into the proposed car parking area located directly to the south of the access road. A separate access, which will provide the main route towards the school buildings and a link for service vehicles, is also proposed via the access road located to the east of the access to nearby housing. The new car park and drop off area at the western end of the site would accommodate 83 cars.
- 1.8 Pedestrian access to the school will be provided via a gated entrance to the south of the main route into the school, segregated from the vehicle access and the service access to ensure pedestrian safety. This will be linked to a section of footway provided to the south of the access road.
- 1.9 Bicycle storage is situated just inside this gated access.
- 1.10 The proposed new school building is arranged over two-storeys. The hall parapet level is at 8.9m above the finished ground level, while the teaching accommodation parapet terminates at 7.5m above the finished ground level. This extended parapet also acts as a screen to the ventilation plant.
- 1.11 As the school needs to be opened for September 2015, the use of offsite construction and standardized prefabricated components are to be utilized as much as possible to reduce material waste and increase the speed of construction. The proposal for the school is to use two different types of profiled cladding panels to help reduce the overall mass of the building. The ground floor external walls are clad using grey panels, while the upper floor, in response to the design of the adjacent housing, is clad using black panels. The external walls are punctured by a series of powder coated fixed windows, louvres and doors. The vertically arranged yellow coloured louvre panels and the coloured window reveals are intended to help to break down the linear form of the building by adding rhythm to the elevations.
- 1.12 A bin store has been located at the front of the site, which will accommodate all of the school's refuse (domestic and recycling). A refuse vehicle would need to enter the site, turn through the service yard and exit in forward gear.
- 1.13 The application includes submissions on trees, ecology, drainage, Flood Risk and contamination.

1.14 The plans give no details as to external lighting but indicated lighting will be during opening hours only.

2. Reason for reporting to Committee:

2.1 The level of local interest and the relationship with the pending renewal outline application TM/12/03238/FLEA.

3. The Site:

3.1 This site is Green Belt land. There are no Listed Buildings, Conservation Areas or Tree Preservation Orders in the red line application site but there are TPO trees close to the northern boundary with root protection zones being within the application site.

3.2 The proposed site for the new school covers an area of approximately 1.78ha and is situated to the south east of the Leybourne Grange development, approximately 1.2km to the north of West Malling and 1.4km to the north west of Leybourne. The Leybourne Grange development as a whole was previously granted outline planning permission for up to 702 dwellings together with an access road, community hall, shop, primary school and lay-by (planning reference TM/94/01253/OA, revised by TM/08/00757/FL). Some of the development has been implemented (phases 1, 2 and 3b).

3.3 The proposed school site is located at the southern end of the development, and contains a substantial belt of mature trees running through the site. The site is bounded by phase 2 and the, as yet, unbuilt phase 3a of the Taylor Wimpey residential development to the north, by the West Kent Health Needs Education Service main site and administration centre to the west and by further open land to the east and south. There are football pitches to the south.

3.4 The area proposed for development is currently composed of an open grass paddock and is not used for general recreation. A footpath runs along the site's southern boundary adjacent to the line of mature trees, although that is not the definitive route, the definitive route of the PROW runs through the site itself. KCC will need to resolve this particular issue under its own powers as a planning authority and as the highways authority.

4. Planning History:

4.1 Planning permission was initially granted for 702 dwellings plus additional units in the conversion of the Listed Building in 2004. That permission has been renewed and details approved against the original permission and the renewal. TMBC currently holds an undetermined application to extend the period for the submission of Reserved Matters – it is intended to approve this renewal in the near future; this requires the completion of a S106 planning obligation, which is currently being concluded.

5. Consultees:

- 5.1 Statutory consultations, including notification of local residents, are carried out by KCC.

6. Determining Issues:

- 6.1 This is a KCC application and it is KCC's role to assess the case in all policy and technical aspects.
- 6.2 The issues to be focused on are the principle of the development, the impact on Green Belt and the impact on the local road network. The latter is important in this regard as the school is shown to be accessed off roads built to serve a small number of houses in Phase 2 which, we understand, were not consciously designed to serve a primary school.
- 6.3 In terms of the principle of development, the conclusion of the Secretary of State in 2004 establishes that a school is acceptable in this location. This reflected a Local Plan allocation dating back to the 1990s. The Government has pledged its support, in general, for the development of schools by producing the Planning or Schools Development Policy Statement in August 2011. The Statement requires Local Authorities to apply a presumption in favour of the development of state-funded schools, as expressed in the NPPF paragraph 72. Local authorities are required to give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions and it is confirmed that the Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining appeals that come before him for decision. The Policy Statement requires Local Authorities to make full use of their planning powers to support state-funded schools applications.
- 6.4 KCC as the Strategic Commissioner of Education Provision in the County is responsible for ensuring there are sufficient places of high quality for all learners. The development of over 700 homes at Leybourne Grange is expected to produce additional demand for primary school places that cannot be met locally.
- 6.5 For 2013/14 and 2014/15 the Local Education Authority has received a basic need capital grant of £38.6 million from the Department for Education (DfE), to fund additional school places. The DfE retained a further £982 million to allocate nationally under the 'Targeted Basic Need' programme. KCC has been successful in securing Targeted Basic Need funding to manage the increased need and future need in Leybourne.
- 6.6 Policy CP3 states that national Green Belt policy will be applied. NPPF paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 confirms that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is

clearly outweighed by other considerations. The school development would be inappropriate development within the Green Belt for the purposes of the NPPF. KCC will have to consider whether there are “Very Special Circumstances” which are considered to be of sufficient weight as to outweigh the broad policy objection in the context of the Government policy position, and the fact that there have been two previous planning permissions (one from the Secretary of State) on part of the current application site. The following matters might be considered to constitute ‘very special circumstances’ that cumulatively outweigh any policy Green Belt objection:

- Acceptance of the need for a new school in this location at original outline stage and the grant of outline planning permission on two occasions.
- The need for the new school to address current need as well the additional demand arising from the Leybourne Chase housing provision and also to seek to meet the needs of the wider area.
- The benefits of the new primary school to the wider community.
- The whole site has previously been granted planning permission for a mixture of residential and community uses, all within the Green Belt, and as such, there are no practical alternatives within the application boundary (for the original or renewed outline consent) that would fall outside the Green Belt.

6.7 Policy SQ1 (Landscape and Townscape Protection and Enhancement) seeks to ensure that new development protects or enhances the distinctive setting of, and relationship between, the pattern of settlement, roads, and the landscape, urban form and important views’.

6.8 In terms of Policy CP24 which seeks to promote a high standard of design quality , it is claimed that the proposal has been designed in such a way as to minimise the impact upon the character and appearance of the Green Belt, and in particular, its openness. The school site would be seen against the backdrop of the Leybourne Chase development but it has always been recognised that it occupies a transitional position between open undeveloped fields to the south and the residential development of Leybourne Chase to the north. I am satisfied that the balance of black/grey colour of the elevations, a subtle combination of colours in landscape terms, and the use of yellow accents to the windows, strikes a reasonable balance between restraint and the creation of a visually stimulating environment for the pupils.

6.9 Paragraph 125 of the NPPF 2012 confirms that by encouraging good design, planning decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The new school development will require external lighting, which will be designed to comprise low-level lighting to the primary external circulation areas, access ways and car park. It is not, at this stage, proposed to introduce floodlighting to the

existing MUGA or any of the new external playing pitches, and the lighting that is installed around the school will be the minimum necessary to allow safe access in the evenings.

- 6.10 NPPF Paragraph 32 states that a transport statement or Transport Assessment should support all developments which generate significant amounts of movement. Paragraph 36 of the NPPF recognises that the key tool in achieving its Highways Strategy is the completion, monitoring and management of a Travel Plan. Policy CP2 (Sustainable Transport) requires that new development that is likely to generate a significant number of trips should be well located relative to public transport, cycle and pedestrian routes and with good access to local service centres; minimise the need to travel through the implementation of Travel Plans and the provision or retention of local services and facilities; either provide or make use of, and if necessary enhance, a choice of transport modes, including public transport, cycling and walking; be compatible with the character and capacity of the highway network in terms of the volume and nature of traffic generated; provide for any necessary enhancements to the safety of the highway network and capacity of transport infrastructure and ensure accessibility for all.
- 6.11 Policy SQ8 (Road Safety, Transport and Parking) states that development proposals will only be permitted where they would not significantly harm highway safety and where traffic generated by the development can adequately be served by the highway network.
- 6.12 Parking will be provided to the south west of the school comprising a total of 42 parking spaces for staff, 31 parental spaces, 6 drop-off bays, 4 disabled parking spaces and 2 spaces for minibuses. This provision has been based on the demand generated by school with full 2FE. The level of car parking complies with Kent SPG4 Parking Standards (which is staff plus 10%). However, there are concerns that these standards do not allow for significant parental dropping off by car and further analysis on the appropriate level of parking has been carried out by the applicant's transport consultants.
- 6.13 Existing data sourced from six primary school Travel Plans has been averaged to determine the likely pupil mode split associated with the new school at Leybourne Chase. It is assumed by the consultants that around 60 per cent of those pupils who travel by car would travel with a sibling. This sibling rate appears to be much higher than quoted in other school transport statements and needs further justification.
- 6.14 The trip assessment for parental vehicles concludes that at 1FE capacity peak would be 139 vehicle trips in the morning/afternoon peak periods with 278 at 2FE capacity.
- 6.15 SPG4 Vehicle Parking standards would require 28 staff/visitor spaces for a 1FE School and 55 staff/visitor spaces for a 2FE. The proposals provide a total of 42 spaces allocated to staff which would generally comply with the standards for a

2FE and exceeds the maximum for a 1FE by 14 spaces. This is considered to be acceptable given that the school will increase to a 2FE in the future and over provision initially in parking spaces will prevent overflow onto narrow local roads in the short term if the school opens as 1FE.

- 6.16 The proposals provide a total of 42 parking spaces on-site for staff use. With the school at 1FE capacity it is envisaged that the demand for staff parking would be for around 17 spaces and assuming a total of 25 staff. As the school increases to a 2FE the demand associated with 50 staff would be 34 spaces. The applicant's consultants state that parking provision can therefore accommodate the likely staff parking demand without overflow onto the local highway.
- 6.17 The applicant's consultants propose that parents will use the on-site facilities for pupil pick up and drop off and not have to rely on local roads to do so. A total of 31 'parking and stride' spaces and 6 drop off bays are provided within the car park to accommodate this. The TS says it can be expected that with a 1FE (210 pupil) capacity, the demand for the 'park and stride' spaces would be approximately 26, and for the drop off bays the demand would be around 35. The demand for the drop off bays can be accommodated within the proposed facilities. With the school at full 2FE capacity (420 pupils) the demand for the 'park and stride' spaces would be approximately 52, and for the drop off bays the demand would be around 70.
- 6.18 In light of the existing intimate residential road layout surrounding the proposal site, it is proposed by the applicant's consultants that, in the first instance when the school is created as a 1FE capacity, the on-site parking provision for staff and pupil drop-off would over-provide to the full standards required by a 2FE. This is intended to ensure that any desire for pupil pick-up/drop-off to take place on the local roads is minimised from the outset and that parental behaviour can be encouraged to utilise the on-site facilities from the outset.
- 6.19 To ease the flow of traffic outside of the school and on the local road network it has been suggested that the school implements an informal one-way route around the site as a whole, controlled through a Traffic Management Plan. However, the shared surface *in situ* may not be due for adoption in the near future and the enforceability of a one way route needs further analysis. KCC should be encouraged to plan for this, monitoring from the opening of the school.
- 6.20 It is acknowledged by the applicant's consultants that some aspects of the access layout will need to be confirmed at the detailed design stage prior to construction. This will include the relocation of two unallocated parking spaces at the site access, minor realignment of the carriageway and the consideration of access radii.
- 6.21 The road immediately outside the school is a shared surface without footway and has narrow pinch points intended to calm traffic in a residential environment. It was not designed to serve a school and the applicant's consultants have not appeared to take account of this factor nor have they detailed clearly the extent of the

adopted highway or that due for adoption. KCC need to be urged to ensure that the addition of a school at this location does not unduly burden either local residents with congestion at peak periods nor TMBC in its parking control role. In particular, there should be investigation as to moving the main vehicular access to the east so as to minimise as far as practicable 2 way traffic in front of phase 2 houses.

- 6.22 A further key factor has been omitted by the applicant's consultants. That is, that a wider Traffic Management Plan is needed which should factor in the existence of a bus gate which is currently still a requirement for the Leybourne Chase development permission. However, as the Inspector indicated in his report to the Secretary of State in 2004, the use of a bus gate was justified in the context of the then Inquiry but that the matter would better be reviewed in light of contemporary circumstances during the development process. The bus gate, if it were to be installed, will prevent the northern part of the development from directly accessing the School and similarly for any traffic seeking to enter Leybourne Chase from the Birling Lane access. It is understood that Taylor Wimpey are again looking at the potential that the bus gate is no longer needed (KCC appears to accept this and discussions are actively in hand with the Highways Agency with regard to impacts on M20/J4) but, at this point in time, it is a planning requirement and its implications in terms of access to school facilities serving the area needs to be considered in much greater detail than has been included in this application. However, in this latter regard, this Council is in discussion with Taylor Wimpey with regard to the development of the nearby Community/retail/health facilities where there will be associated parking which should be able to provide some drop-off parking even if the bus gate remains.
- 6.23 KCC should be encouraged to define the construction access and routing arrangements at the start of the project.
- 6.24 At this stage, there are no bus services that route through the Leybourne Grange development; however bus services will route to/from the site in the future as more of the residential development comes forward.
- 6.25 With regard to cycles, the standards provided in SPG4 require a minimum of one cycle space per 50 pupils. As with the mode shift towards walking once the school is increased to a 2FE capacity, it is likely that there would be more opportunity for pupils to cycle to school once the surrounding residential development is complete. The TS envisages that with the school at 1FE capacity there would be 8 trips made by bicycle, and following the increase to a 2FE there would be 16 pupil trips. It is proposed that 5 cycle stands (10 cycle spaces) will be provided in accordance with the SPG4 minimum standards.

- 6.26 Notwithstanding the matters set out above with regard to access and transport, these need to be resolved during the construction period, but should not hold-up the overall project for fear of leaving the local community bereft of adequate primary schooling for the current and emerging children of the community.
- 6.27 The rationale for a new school is appreciated and indeed has enjoyed planning permission in the past. KCC is the applicant and determining authority and will consider all the material issues. No objections should be raised in the light of the current Government Schools policy but there are some issues which might usefully be highlighted as worthy of further analysis.

7. Recommendation:

7.1 **No Objections.** KCC should consider the following points:

- 1 A Traffic Management Plan is required for a wider area to the extent of the adopted highway. This should factor in the existence of a bus gate while this is a planning requirement for the Leybourne Chase development.
- 2 Consideration should be given to the provision of a segregated footway access all the way to the entrance from any potential walking routes, including any potential drop off from the northern part of the site if the bus gate were to be installed as currently required.
- 3 Consideration should be given to the widening of highway pinch points to better allow 2 way traffic flows all the way to the adopted highway.
- 4 There should be investigation as to moving the main vehicular access more to the east, so as to minimise as far as practicable school related traffic in front of phase 2 houses.
- 5 Review the level of proposed cycle/scooter racks based on evidence of likely use from *similar* schools in the Borough.
- 6 Develop construction access and routeing arrangements as early as possible and engage local residents on the subject.
- 7 The submitted application omits consideration of the definitive line of the Public Right of Way.
- 8 Note that the Root Protection Zones of nearby TPO trees fall into the northern part of the site.
- 9 Consideration should be given to the control of external lighting operation hours to minimise impact on the Green Belt.

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