

## APPENDIX 1 – 24 August committee report

### REPORT SUMMARY

<b>REFERENCE NO - 17/501471/FULL</b>		
<b>APPLICATION PROPOSAL</b> Erection of a three storey secondary school with associated access, car parking and landscaping.		
<b>ADDRESS</b> Land At Valley Park School, New Cut Road, Maidstone, Kent, ME14 5SL		
<b>RECOMMENDATION – Approved subject to conditions</b>		
<b>SUMMARY OF REASONS FOR RECOMMENDATION/REASONS FOR REFUSAL</b> The application is considered to comply with the relevant policies of the development plan and the approach of the National Planning Policy Framework (NPPF) and other relevant publications which represent material considerations in support of the application. The proposed school is considered to be acceptable having regard to the relevant matters including design and layout of the school, relevant standards, access to play space and open space, impact on amenity of neighbouring properties and highway matters.		
<b>REASON FOR REFERRAL TO COMMITTEE</b> Boxley Parish Council object to the proposed development and have called the application to committee.		
<b>WARD</b> Boxley	<b>PARISH/TOWN COUNCIL</b> Boxley	<b>APPLICANT</b> BAM Construction Ltd <b>AGENT</b> Vincent & Gorbing
<b>DECISION DUE DATE</b> 23/06/17	<b>PUBLICITY EXPIRY DATE</b> 24/05/17	<b>OFFICER SITE VISIT DATE</b>
<b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>  17/503510/REM – Approval of Reserved Matters for Access, Appearance, Landscaping, Layout and Scale following Outline Approval for 13/1687 - An outline application with all matters reserved for future consideration for a new 12 court sports hall and ancillary accommodation. To be completed in 2 phases – Pending  14/504158/FULL - Proposed new sports equipment storage building - Permitted  14/504161/FULL - Extended area of 3G pitch (with reference to planning application MA/13/1260) the size being increased to 100 x 64m in order to provide an FA adult pitch. Together with 2 additional tennis courts - Permitted  13/1687 - An outline application with all matters reserved for future consideration for a new 12 court sports hall and ancillary accommodation - Permitted  13/1260 - The construction of a new 3G sports pitch with floodlighting; 4 new tennis courts; the upgrading and extension of existing pedestrian access ways from the main school site; the refurbishment of existing tennis courts; and associated fencing – Permitted  13/2067 - An application for a non-material amendment to planning permission MA/13/1260 being: a) The removal of a retaining wall and replacement with banking; b) A simplification of the access and viewing arrangements; c) A reduction in the number of required floodlight		

columns from 8 to 6 - Permitted

13/2068 - An application to discharge conditions relating to MA/13/1260 - (The construction of a new 3G sports pitch with floodlighting; 4 new tennis courts; the upgrading and extension of existing pedestrian access ways from the main school site; the refurbishment of existing tennis courts; and associated fencing) - being details of condition 3 (walls and surfacing) and condition 4 (tree protection) – Permitted

12/0526 - Construction of new sports hall with changing rooms – Permitted

## **MAIN REPORT**

### **1.0 DESCRIPTION OF SITE**

- 1.1 The application site relates to a section of the shared school playing field at Valley Park Community School and Invicta Grammar School. The site is located on the west side of New Cut Road and to the north of Ashford Road. The site currently comprises three sports pitches for use of both schools. There is an existing vehicle access in the southeast corner of the site to the north of the junction at New Cut Road and Ashford Road with an unmade vehicle track running along the eastern boundary within the site. This existing vehicle access is primarily used to access the school playing fields and for maintenance of the grounds. The site can also be accessed on foot via the two schools to the west. The north, east and part of the south and west boundary of the site comprise mature tree and hedgerows along the boundary of the school playing fields. The remaining boundary of the site comprises the school playfields with no fixed or marked boundary treatment. The tree line boundary around the wider school playing field and the trees within the playfields has recently been designated as a group TPO - 5011/2017/TPO.
- 1.2 The application site slopes down gently from north to south while the ground levels within the eastern part of the school playfield fall from north to south by approx. 19m with two fairly significant changes in the ground levels.
- 1.3 The northern boundary of the school playing field abuts PROW KH2 which runs in a south-westerly direction connecting New Cut Road and Grove Green to Huntsman Lane, Vinters Park and Maidstone town centre. Beyond the PROW is Vinters Valley local nature reserve which contains several grade II\* listed ha-ha walls. Grove Lodge is a detached residential property located on the north side of PROW KH2. To the south and west of the site are playing fields and sports pitches utilised by Valley Park and Invicta Grammar schools, these schools are located further to the west and are accessed off Huntsman Lane. The playing fields include several grass pitches, tennis courts and an all-weather sports pitch (3G pitch). A third school, East Borough Primary School is located on Vinters Road further to the west. The southwest corner of the shared playing fields is the site for the new sports hall which has extant outline consent and the reserved matters application is currently being considered by the LPA (ref: 17/503510/REM). To the east of the site is New Cut Road with Grove Green housing estate beyond.
- 1.4 The site is located within the urban area of Maidstone and is designated as an Area of Local Landscape Importance in the 2000 Local Plan along with the Vinters Valley local nature reserve to the north of the site, although this designation has not been carried through into the emerging local plan. The proposed site lies within the Vinters Park Landscape Character Area.

### **2.0 PROPOSAL**

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- 2.1 Erection of a three storey secondary school with associated access, car parking and landscaping. The new school would accommodate 1,200 pupils equating to 6 forms of entry (11-18yrs) and 100 full-time equivalent staff. The proposed school would specialise in Science and Technology for students interested in engineering based subjects and would become a member of the Valley Invicta Academies Trust along with Valley Park and Invicta Grammar.
- 2.2 The new school building would be located east of the centre of the existing playing fields with a proposed parking area to the east of the new school adjacent the New Cut Road boundary. A new roundabout access is proposed and would incorporate the opposite New Cut Road and Grovewood Drive South junction. The school building would be three storeys high with a flat roof with a u-shaped footprint of some 3030 sqm with a central courtyard open to the south. The gross floor area of the building would measure some 9188 sqm and the school would have a maximum height of some 12.6m. The building would be formed of two main materials a light grey facing brickwork and darker grey render. The main school entrance would be on the eastern elevation adjacent the parking area and site entrance with a secondary student entrance in the southern elevation via the open courtyard. PV panels are proposed on the roof of the school building.
- 2.3 The proposed roundabout junction would replace the existing junction at New Cut Road and Grovewood Drive South. The roundabout would comprise four arms serving New Cut Road, the new school site and Grovewood Drive South. The vehicle access would require the removal of a number of significant trees along the eastern boundary of the site. The access would serve the proposed school and new sport hall, forming a loop around the proposed parking area and running to the north of the 3G pitch to the new sports hall site.
- 2.4 The proposed parking area incorporates 104 parking spaces for staff and visitors, 7 disabled spaces and 18 drop off bays. Some 30 cycle parking spaces are proposed with sufficient space to accommodate additional cycle storage if the need arises to provide total number of 172 spaces. The exact number of spaces provided at the start of first school year would be secured and determined via condition.
- 2.5 The roundabout and required visibility would result in the loss of approx. 32 trees, some of which are significant mature species, and a 20m stretch of a group of trees. It is proposed to mitigate for the loss of trees with additional tree planting and landscaping within the site. The north and east edge of the car park and vehicle access would include a landscape buffer incorporating new tree planting to screen the parking area. Some 90 new trees would be planted within the site, a majority of which would be located within and around the proposed parking area and adjacent the new roundabout junction to soften the approach into the site and help screen the parking and vehicle access road.
- 2.6 It is proposed that the new school would share the existing playing fields and sports facilities, including the new sports hall (see history), with the two existing schools.

### **3.0 POLICY AND OTHER CONSIDERATIONS**

The National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Development Plan: ENV6, ENV35, CF1  
Emerging Local Plan; DM1, DM3, DM23, DM27  
Supporting Documents: Area guidelines for mainstream schools BB103

#### 4.0 LOCAL REPRESENTATIONS

4.1 Some 34 local residents have responded to the public consultation with 31 objections received and 3 comments. The neighbour representations are summarised below.

- Increase traffic on New Cut Road.
- Traffic congestion.
- Noise and pollution from additional traffic.
- Views from rear gardens.
- Noise and light pollution from the school.
- Disturbance during construction works (*non material planning consideration*)
- Parking pressures on surrounding streets, including Grovewood Drive South.
- Negative impact on wildlife.
- Safety and/or traffic calming measures.
- Impact on nearby residential properties.
- Loss of trees.
- Increased litter.
- Loss of privacy, overshadowing.
- Development of the site would detract from the green open space between Maidstone and Weaving.
- Alternative access should be considered opposite Turkey Mill on the A20.
- Consultation by the developer should have covered a wider area.
- Questions whether a new school is required in Maidstone with existing schools undersubscribed.
- Proposed school would not be serving local children.
- Pupils likely to be driven to school rather than catch the bus.
- Traffic safety along New Cut Road.
- Insufficient on-site parking proposed.
- The application fails to take into account the cumulative impact of other developments in the area and impact on the highway network.
- Proposed entrance is dangerous.
- Request lighting is switched off in the evening if proposal is granted.
- The Travel Plan will not resolve the issue of inadequate parking provision.
- Requests for parking restrictions implemented on nearby roads and speed restrictions if the proposal is approved.
- Lack of consultation by the LPA.
- The catchment area will be bigger than indicated on the TA.
- The figures on the TA are inaccurate.
- The development would extend the urban sprawl of Maidstone.
- Increased congestion along New Cut Road would cause rat running via other roads.
- Impact of new roundabout and traffic lights on residential amenity.
- The Integrated Transport Strategy for Maidstone has an overarching objective to reduce transport impacts and the demand for travel.
- There is to be a new school at the Kent Medical Campus.
- No indication of heating proposed for the building.
- Additional ecology (bat / reptile) surveys are required.
- The new school should be built in east Maidstone in proximity to new housing developments.
- Loss of existing playfields at the site including football pitches currently used by Vinters Football Club.

4.2 **Boxley Parish Council:** Raise an objection for the following summarised reasons:

- Consider that an incorrect baseline for vehicle usage assessment. The comparator used for these calculations is Valley Park Community School, which is a comprehensive. The PC believes Invicta Grammar School should be used as a comparator which is also STEM.
- Insufficient car parking.
- Parking pressure in Grove Green from overspill parking and drop off for school children.
- The evidence on committed development in the TAD is incomplete.
- Road safety concerns.
- Traffic congestion.
- Noise, light and air pollution.
- Loss of some very prominent TPO trees.
- The parish council would like to see grey water and PV panels in the design.
- Impact on Vinters Valley nature reserve.
- Cumulative effect of the schools adjacent the site including; highways infrastructure, public transport, litter and local community.
- Should the application be approved the PC request conditions for; parking restrictions in Grovewood Drive South and in the adjacent roads; indigenous trees planting should be used in the landscaping proposals; consideration is given to having a different finishing time to the other schools.

## 5.0 CONSULTATIONS

- 5.1 **Natural England:** No objections. Recommends following NE Standing Advice and providing biodiversity enhancements.
- 5.2 **KCC Drainage:** No objections regarding the site's drainage design and proposed discharge rates. Recommend conditions.
- 5.3 **Nu-venture buses:** Advise that bus stops should ideally be created on the site. Bus stops nearby the site on main roads should also be considered as not all buses serving schools will be dedicated to that school.
- 5.4 **Arriva buses:** No comments received.
- 5.5 **KCC Archaeology:** No objections. Remains associated with prehistoric and Roman activity may survive on the site. Recommend a condition for archaeological field evaluation prior to commencement of development.
- 5.6 **KCC Ecology:** No objections. Are satisfied the submitted information provides a good overview of the ecological interest of the site. The majority of the site is unsuitable for reptiles. Recommend biodiversity enhancements and a bat scoping survey prior to any trees works.
- 5.7 **Highways England:** Would not raise an objection in respect of this planning application, subject to; a Section 106 agreement being entered into to secure the revised Travel Plan, to include contingency mitigation.
- 5.8 **MBC Environmental Health:** No objections. Recommend conditions to ensure suitable sound insulation and electric car charging conditions to promote sustainable travel. A condition has been requested regarding a code of construction practice,

however, the Construction Methodology by Bam has now been updated to include the relevant information therefore a condition is not necessary.

- 5.9 **SGN:** No objections. Advise of pipelines in the area owned by SGN.
- 5.10 **MBC Parks and Open Space:** No objections.
- 5.11 **KCC Highways:** KCC Highways would not raise an objection in respect of this planning application, subject to the applicant being required to enter into a Section 278 Agreement to secure the highway works on New Cut Road (including the upgrade of the New Cut Road/Ashford Road junction) and a Section 106 Agreement to secure the Travel Plan and its associated financial contribution towards additional bus capacity.
- 5.12 **Southern Water:** Advise that there is currently inadequate capacity in the local network to provide foul sewage disposal to service the proposed development. SW has advised that additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Any improvements required will need to be agreed between the developer and SW and Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be provided. An informative would be attached to the decision to ensure the developer is aware of their responsibility and to contact SW.
- 5.13 **Sport England:** Sport England does not wish to raise an objection to this application as it is considered to meet a mixture of exceptions of policy E4 and E5. Sport England has consulted the FA and they have confirmed that they do not object subject to a community use agreement being secured via a planning condition.
- 5.14 **Natural England:** No objections. Recommend applying standard advice and biodiversity enhancements.
- 5.15 **Kent Police:** No objections. Following initial consultation the applicants have met with Kent Police and an additional drawings has been provided showing the location of CCTV on the site. Request a formal application for BREEAM and Secured By Design (SBD) will be required if appropriate.
- 5.16 **KCC PROW:** No objections. PROW KH2 runs along the northern boundary and should not affect the application.
- 5.17 **MBC Landscape:** The proposal will result in tree removals that will include a number of mature specimens, some of which are high value, together with lower value trees. Visually, the existing tree belt will be split by a significant gap.

## 6.0 APPRAISAL

### Principle of Development

- 6.1 The application proposes a new 1200 student free school within the existing playing fields of Invicta Grammar and Valley Park School. Maidstone Local Plan 2000, the relevant policy is CF1 which relates to new community facilities, including educational facilities. Policy CF1 advises new facilities should be provided to meet future need which is generated by new development. Policy CF1 is taken forward in policy DM23 of the emerging plan which again recognises the need to provide community facilities to meet the needs of new residential development. Emerging local plan policies are considered to have full weight at this stage of the local plan process. As

set out below, there is currently a deficit of school places within Maidstone and thus there is a context where further education provision is necessary.

- 6.2 Of relevance to this point is that this site and proposed school is included in the KCC Commissioning Plan 2017-2021 to provide secondary school places within the Maidstone area. The Commissioning report states that Secondary School forecasts indicate that from 2017-18 the surplus capacity for Year 7 places will be below the operating guideline of 5% and a substantial deficit of Year 7 places is anticipated from 2018-19 and beyond. The KCC Plan acknowledges that the opening of the new proposed Secondary Free School, the Maidstone School of Science and Technology has been delayed to September 2018. Consequently the number of Year 7 places in Maidstone will be below the target of 5% surplus capacity in 2017-18. KCC anticipate that the proposed 180 Year 7 places at the Free School will meet the majority of the forecast demand for non-selective places in Maidstone town from 2018-19. The Commissioning Plan advises that any further delay in the opening of the school would lead to a significant shortfall in places and little time in which to respond.
- 6.3 The Commissioning report acknowledges that there will also be significant pressure for additional Year 7 places elsewhere in the Borough, which could not reasonably be met by a Free School in central Maidstone and KCC propose to expand Cornwallis Academy to address the demand.
- 6.4 Even with the a new Free School in the borough and expansion of Cornwallis Academy the Commissioning report advises that beyond 2021-22 the pressure on Secondary school places is forecast to increase further.
- 6.5 At a national level, the policy relating to the provision of school development remains a positive one with paragraph 72 of the NPPF stating; *“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’*
- 6.6 There is significant support offered by national and local policy for new schools and school expansions. The Communities and Local Government Policy Statement on Planning for Schools Development (Aug 2011) sets out the Government’s Commitment to support the development of state-funded schools and their delivery through the planning system. The policy statement advises that *“it is the Government’s view that the creation and development of state-funded schools is strongly in the national interest and that planning decision makers can and should support that objective, in a manner consistent with their statutory obligations”*. It encourages collaborative working, which *“would help to ensure that the answer to proposals for the development of state-funded schools should be, wherever possible, “yes” ”*. It states that *“the Government believes that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools, and the following policies should apply with immediate effect:*
- *There should be a presumption in favour of the development of state funded schools, as expressed in the National Planning Policy Framework.*

- *Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions. The Secretary of State will attach significant weight to the need to establish and develop state-funded schools when determining applications and appeals that come before him for decision.*
- *Local authorities should make full use of their planning powers to support state-funded schools applications. ...*
- *A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority. Given the strong policy support for improving state education, the Secretary of State will be minded to consider such a refusal or imposition of conditions to be unreasonable conduct, unless it is supported by clear and cogent evidence.”*

6.7 The Plain English Guide to Planning for Free Schools, produced by the Department for Communities and Local Government in January 2015, reinforces and strengthens earlier advice. It sets out in paragraph 2 that *“the Government is committed to ensuring there is sufficient provision to meet growing demand for state-funded school places, increasing choice and opportunity in state funded education, and raising educational standards. Free schools have an important part to play in delivering this challenge.”*

6.8 Therefore it is clear the position of the NPPF, wider government policy, the council's existing and emerging policy and KCCs Commissioning Plan, presents strong support for school related development where this can deliver quality school places to meet the needs of the local community. However, it is recognised that the impacts of the new school need to be properly assessed in order to ensure there is no unacceptable harm that would outweigh this strong presumption that weighs heavily in favour of the scheme.

### **Visual Impact / Design**

6.9 At some 12.6m high with a gross floor area of some 9188 sqm the proposed building, associated parking and turning areas would undoubtedly have a visual impact on the existing site and surrounding area. However, the school building would be set well back within the site away from the New Cut Road and Ashford Road frontage and the palette of materials and colours proposed would have a muted appearance and proposed landscaping would soften the impact of the building and parking area. Glimpses of the new building would be afforded through the new entrance, however, the proposed alignment of the new access road and additional tree planting to the north and south of the access would limit views into the site. With the exception of the area required for the new access the existing tree belt along the boundary of the playing field would be retained and there would be additional tree planting around the east and northern parts of the parking area and further tree planting would reinforce the existing tree belt to the north of the existing rugby pitch and south of the parking area.

6.10 Mid-long range views towards the school site are afforded from the higher ground in the neighbouring Vinters Valley nature reserve and glimpses of the top of the floodlights on the 3G pitch are visible in the distance. However, the school building would be bounded by dense mature woodland to the north and northwest and the north part of the building would be recessed to take account of the slope in the ground levels. As such the building would be screened from mid-long range views and would not appear significantly prominent or obtrusive from the nature reserve.



- 6.11 Overall it is therefore considered that the school building and associated parking area would not appear significantly prominent
- 6.12 The main visual impact would arise from the creation of a new roundabout along New Cut Road which would require a significant number of trees to be removed to accommodate the new entrance, roundabout junction and necessary visibility splays. The removal of trees along the eastern boundary of the site would clearly be regrettable and does weigh against the proposal, but would be an inevitable requirement of any new access along this site boundary. The various access options will be reviewed in greater detail below. In terms of the visual impact of the proposed roundabout, New Cut Road is a busy through road in the urban area of Maidstone and there are three existing roundabouts on New Cut Road to the north of the site such that I do not consider the introduction of a new roundabout here would appear incongruous in this location.
- 6.13 The proposed location of the school has been determined by a number of factors including (inter alia) ground levels, retention of playing pitches, vehicle access, loss of trees and deliverability. The proposed location of the school and car park is considered to be the most appropriate location on site in terms of deliverability which is affected by fairly significant changes in ground level across the eastern part of the shared playing fields. A requirement by Sport England to retain the best sports pitches at the southern end of the playing fields has been a key determining factor in choosing the proposed location. The impact on playing pitches will be looked at in greater detail below.
- 6.14 In terms of the design and layout, the school building would be three storeys with a flat roof with a u-shaped footprint of some 3030 sqm with a central courtyard open to the south. The flat roof would have space to facilitate PV panels, the design and location of which would be secured by condition. The gross floor area of the building would measure some 9188 sqm and have a maximum height of some 12.6m. The building would be formed of two main materials a light grey facing brickwork and darker grey render with recessed windows framed by coloured (dark grey and light blue) panels. The main school entrance would be on the eastern elevation adjacent the parking marking a clear entrance / focal point on the front elevation of the building. There would be a secondary student entrance in the southern elevation via a south facing courtyard which would form as a key focal point for students and would benefit from grassed areas, planters and seating making this an attractive open space. Landscaping would be located at the front the school, along the boundaries and within the car park to soften the impact of the built development.
- 6.15 Subject to suitable conditions relating to materials, landscaping, it is considered from a design and layout perspective, the development would constitute good design and would accord with policy DM1 and Section 7 of the NPPF.

### **Highways**

- 6.16 The proposed parking area incorporates 104 parking spaces for staff and visitors, 7 disabled spaces and 18 drop off bays. Some 30 cycle parking spaces are proposed with sufficient space to accommodate additional cycle storage if the need arises to provide a policy compliant total number of 172 spaces. KCC Highways have not objected to the car parking provision which would be in accordance with guidance and the internal loop road within the site would accommodate sufficient space to allow vehicle pick up and drop off within the site so as not to disrupt the surrounding road networks. Concerns have been raised by local residents regarding the potential for 6<sup>th</sup> form students to park in the adjacent roads in Grove Green. To overcome this the applicant has proposed a Temporary Traffic Regulation Order to restrict

parking within the nearby residential road for a limited time period during school hours to deter students from parking in the area. The number of cycle spaces is low (although there would be space to expand) and through negotiations the applicant has agreed to increase the number of cycle parking spaces from the start of the first school year which would promote cycle usage and help reduce vehicle trips to the school. The exact number of cycle spaces to be provided from the start of the first school year would be secured by condition.

*Pedestrian connectivity*

- 6.17 The site is located less than 1 mile from Maidstone town centre and is bound by the east by New Cut Road which is a key distributor route, and to the south by Ashford Road which is a primary route between Maidstone and villages to the east.
- 6.18 The site is well connected to the town centre by pedestrian footpaths. The proposed layout includes a new footpath within the site which would connect the new school with Valley Park and Invicta Grammar schools to the west and, it is envisaged that pupils accessing the school from the west, town centre, train station, and central town centre bus depot, would access the site via Huntsman Lane and walk through the existing school sites. The site is therefore considered to offer sustainable, safe and accessible pedestrian and cycle access from the town centre.
- 6.19 There is a pedestrian footpath on the northern side of Ashford Road (and cycle path along part of the route) and along the eastern side of New Cut Road, and the junction at Ashford Road / New Cut Road is signalised to allow safe crossing. A new pedestrian / cycle path is proposed within the site to connect the school with the existing access gate in the southeast corner of the playing fields. The new path would need to have low level ecology lighting to ensure safe use and the path would link up to the existing footpath and cycle route at the Ashford Road / New Cut Road junction. This new internal path would follow the route of an existing unmade vehicle access road within the site and would allow pedestrians and cycles to enter the southeast corner of the site thus avoiding the busy New Cut Road. This access would also serve pupils using the bus stops near the signalised junction on Ashford Road.
- 6.20 The proposed roundabout design would include pedestrian puffin crossing to the north of the roundabout with a new section of pedestrian footpath on the western side of New Cut Road to enable safe pedestrian access into the school from pupils coming from Grove Green and the east and from the north along New Cut Road.
- 6.21 PROW KH2 runs along the northern boundary of the application site in a south-westerly direction connecting New Cut Road and Grove Green to Huntsman Lane, Vinters Park and Maidstone town centre. The PROW is currently used by pupils from Valley Park and Invicta travelling to school from the east. It is envisaged that the new internal pedestrian route linking the three schools would reduce the likelihood that KH2 would be utilised by the pupils from the new school as it would not form the most direct route to the town centre. A pedestrian connection could be provided to KH2 in the northeast corner of the site, however, a new internal access route would need to be provided and this would have an impact on the existing sports pitches and would also require the removal of existing boundary vegetation such that this has not been proposed by the applicant.
- 6.22 Overall, school site is considered to have good pedestrian accessibility to the surrounding area.

*Access*

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- 6.23 Several different access options have been assessed by the school taking into account the impact on the tree lined boundary, ground levels, highways safety and congestion impacts, costings, deliverability and neighbouring amenity.
- 6.24 The proposed vehicle access comprises a new 4-arm roundabout junction on New Cut Road, which will incorporate the main site access and the existing Grovewood Drive South junction.
- 6.25 Objections and concerns have been raised regarding the loss of trees due to the choice of a roundabout access in this location. Prior to this application being submitted none of the trees along the eastern boundary of the school playing field were protected by TPOs and could have been removed by the school without obtaining permission from the council.
- 6.26 The location of the school within site together with the highways safety / capacity impacts and ground level changes has largely dictated the choice and location of the proposed access point. The applicant has submitted an Access Options Assessment reviewing four potential access points along New Cut Road. A further option was reviewed on Ashford Road but this was discounted due to the significant loss of trees and highways impacts of providing a new junction along this primary route. All of the options along New Cut Road would result in a significant loss of trees, however, some options would require fewer trees or less mature trees to be removed. The different access options have varying impact on highways safety, free flow of traffic along New Cut Road and Ashford Road while some options are considered to be more deliverable than others. Taking all of these matters into consideration, on balance, the roundabout option was considered to be the most appropriate all round solution at this site. Option 2 relates to the proposed location of the roundabout.
- Option 1 – Southeast corner of the playing fields
- 6.27 The existing gated vehicle access in the southeast corner of the site was discounted as only a left in / left out access could be achieved. Further, a signalised junction would not be possible due to the proximity to the A20 / New Cut Road junction. This access point is also discounted from the school site and would require the loss of significant number of trees and the loss of a further sports pitch as a new internal access road would be required. This option has been discounted.
- Option 2 – Proposed location
- 6.28 This option provides the best connectivity to the car park and school building. The applicant has reviewed two junction options at this location, a signalised junction and the proposed roundabout. The signalised junction has been tested and shown to operate poorly in capacity terms and would also impact on the existing signalised junction at Ashford Road / New Cut junction, creating additional congestion. Both options would improve accessibility into Grove Green estate opposite the site and controlled pedestrian crossing could be provided on New Cut Road. The roundabout would result in betterment in terms of traffic flows and reduced congestion times along New Cut Road compared to the existing situation. It is noted that the proposed development is only required to mitigate its own impact in terms of additional traffic generation, however, with future growth in Maidstone proposed, a betterment in traffic flows along New Cut is considered a significant benefit of the roundabout option. The applicant has confirmed that both junction options would cost approximately the same to deliver. Both options would also require the removal of a significant number of trees to accommodate the new access. The signalised junction would require fewer trees to be removed along the New Cut Road boundary and would clearly be the less obtrusive option in terms of the visual

impact on the streetscape / tree belt along the boundary of the site, however, this option would also require the removal of more trees within the site and would allow unobstructed views into the site along a straight internal access road. The signalised junction would also require a revised internal parking / access layout to ensure cars do not queue and block traffic on New Cut Road, which in turn is likely to impact on more sports pitches and the existing tree belt to the south of the site. To my mind this is a clear case of balancing up between the loss of trees and the highways impacts / improvements between the two options. As both options would result in the significant loss of trees and therefore harmful visual impact along New Cut Road, overall on balance, it is therefore considered that the roundabout offers the better solution as this option would result in highway betterment along New Cut Road and would reduce congestion in the immediate and longer term.

Option 3 – northeast of site

- 6.29 This option is located to the northeast of the school site. An uncontrolled priority junction in this location could be provided, however, the applicant has advised that a right hand turning lane (additional lane) would need to be provided on New Cut Road to allow safe uncongested access into the site. Due to the location of private properties along the east side of New Cut Road the road would need to be widened on the west / school side which would result in a significant amount of tree removal along the boundary of the site and New Cut Road, although it would likely result in the loss of fewer mature / significant trees than the other options. This access option is also disconnected from the school site and the route of the internal access road would result in the loss of a further sports pitch and urbanising engineering works to deal with levels changes within the site. This option has been discounted.

Option 4 – far northeast corner of the site

- 6.30 This option is located to northeast corner of the site. Again, an uncontrolled priority junction in this location could be provided in this location. Again the likely inclusion of right hand turn lane would require road widening and the loss of trees, including in areas outside the schools ownership. This option is notably disconnected from the school building and the new internal road would require the loss of a further sports pitch and significant engineering works within the site to address the levels changes along the route of the internal access road. This option has been discounted.

- 6.31 KCC Highways raise no objections to the proposed roundabout access advising the crucial difference between the two junction types is that a roundabout provides a more effective means of maintaining traffic flow along New Cut Road and is less likely to result in queues that block back either to or from the Ashford Road/New Cut Lane junction. KCC also advise that the roundabout proposal would provide a physical means of reducing vehicle speeds in the vicinity of the site, which will be important in view of the pedestrian/cyclist activity generated by the school. A reduction in the speed limit on New Cut Road from 40 mph to 30 mph is also proposed, which will need to be secured via a Traffic Regulation Order.

- 6.32 The proposed roundabout access arrangements have been the subject of a Stage 1 Road Safety Audit, which takes account of the proposed controlled crossing. KCC Highways have advised that the majority of the auditors' recommendations have been satisfactorily addressed in the Designers Response. The outstanding point relates to the introduction of a shared cycle route to the north on New Cut Road and this will be investigated and, if appropriate, included within the scope of Section 278 Agreement works required for the proposed roundabout and crossing.

*Trip generation*

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- 6.33 The trip generation forecasts are founded on an assumption that the pupil mode share will reflect that of the nearby Valley Park School, including 53% walking, 2% cycling, 20% travelling by bus and 11% travelling by car. Using Valley Park as a comparator school site has been accepted by KCC and HE.
- 6.34 The trip distribution assumptions are based on the areas where housing growth is planned to take place (as identified in the emerging local plan) and the catchment areas served by the nearby Valley Park and Invicta Grammar Schools. This reflects the likelihood that the school will primarily cater for the demand associated with new areas of housing in and around Maidstone.
- 6.35 The resulting trip generation forecasts indicate that, in total, there will be 230 additional vehicle movements in the AM peak (08:00 – 09:00) and 195 additional vehicle movements in the PM peak (15:00 – 16:00), although this is outside the normal PM Peak rush hour. It is also of note that 240 pupils are expected to travel by bus.
- 6.36 The assumptions are that 55% of pupil trips will involve routes to/from the south, with 25% using Ashford Road (A20) to the east, 20% using Ashford Road to the west and 10% using Willington Street to the south. The remaining 45% of pupils will head to/from the northern part of New Cut Road. The staff distribution is weighted more towards the northern part of New Cut Road (59%).
- 6.37 The Transport Assessment identifies that the vehicle trips associated with the new school would result in a worsening of operating conditions and queuing delays at nearby junctions including the Bearsted Road/New Cut Road/Newham Court Way junction and the M20 Junction 7.
- 6.38 KCC advises that capacity modelling findings should be viewed in the context of the operational characteristics of the school. These mean that the impact of additional traffic on congestion will be limited to during school term-time and concentrated within short time periods at the beginning and end of the school day. In addition, Highways England has acknowledged that the proposed development will only impact the Strategic Road Network in one Peak Hour (AM Peak) and have included an allowance for the potential for linked trips and diverted trips.
- 6.39 The NPPF states that Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In this regard KCC Highways are not able to conclude that the development will result in conditions that could be described as a severe impact on congestion or safety. KCC do advise Members that the residual impact of this development is likely to be characterised by additional local traffic generation and some consequent increase in congestion, which the applicant cannot fully mitigate.
- 6.40 Highways England has confirmed that the school site would not be required to contribute towards improvements to M20 Junction 7 on the provision that there is a robust travel plan secured by S106 with contingency measures included should the school not meet the aims and objectives of the travel plan.
- 6.41 An updated Interim Travel Plan has been submitted in support of this application and this has been reviewed by KCC Highways and Highways England.
- 6.42 Highways England advise that in theory, if implemented and monitored appropriately, the Travel Plan should be capable of achieving the desired outcomes; in which case nothing more would need to be done. However, to ensure that Highways England

requirements are met and vehicle trips to the school do not exceed the assumption in the TA and TP, they have requested that as a fall-back position and an incentive to the school, alternative mitigation should be secured via the TP and associated S106, should the desired outcomes of the TP not be achieved. The TP would therefore need to be secured through an S016 agreement to secure an appropriate contingency contribution and monitoring fee for the TP.

- 6.43 HE has suggested that one way to achieve the contingency could be to align the school to the “managed approach” to the required M20 Junction 7 mitigation scheme works. In this case, the further mitigation would be a payment in line with the “managed approach” methodology, calculated based on the additional vehicles generated above the levels presented within the Transport Assessment. The sums contributed would go towards sustainable transport scheme benefitting the area. Using formulae aligned with a “managed approach” the school would have absolute clarity of what the penalty would be for any given level of exceedance over the mode share targets. Alternatively, HE would be content to negotiate an acceptable “Trip Mitigation Sum” (as referenced in Transport for London Travel Plan sanction guidance).
- 6.44 Therefore, should the school fail to meet the objectives of the TP alternative mitigation will be secured through the S106 to be used on sustainable transport scheme(s) benefitting the area and relevant to the proposed development which could include, but not necessarily limited to:
- Upgrading cycle routes.
  - Illumination of PROWs
  - Bus contributions
  - Bus discounts / tickets for pupils
  - Bike tokens for pupils
  - Pedestrian crossing points
  - Additional electrical vehicle charging points
- 6.45 The total capped figure for the TP mitigation has not been determined yet and until a fully justified and reasonable figure has been provided the school will not be in a position to agree. To allow further negotiations and to agree an appropriate contingency figure and TP monitoring fee Members are asked to give the Head of Planning and Development full delegated powers to secure the details of the Travel Plan, the monitoring contribution and level of the contingency contributions and triggers.
- 6.46 To promote sustainable travel and support a robust travel plan, additional cycle parking (more than 30 spaces) will be provided when the school first opens and it is also proposed to reduce the amount of on-site car parking from that shown on the current plans in order to promote car sharing, bus use and other sustainable modes of transport. This has been agreed by the applicant and would be secured by condition, including the number of spaces that would need to be omitted in order to promote sustainable travel.
- 6.47 KCC Highways have acknowledged that schools by their nature tend to benefit from a high proportion of sustainable journeys on foot, by bicycle and by bus compared to other land uses. However, KCC has advised that the proposed new school would have an impact on the existing bus network as a result of the additional 240 pupils that are expected to travel by bus. In order to mitigate the potential impact on the existing bus network KCC have requested an annual contribution from the school

£139,080, to provide for additional bus capacity in perpetuity. This contribution request is not considered to meet the relevant CIL tests and given that a robust travel plan would be secured by a S106 this open-ended contribution towards local bus services is not deemed to be reasonable or necessary. 6.48 To conclude Highways England and KCC Highways advise that they would not raise an objection to the planning application subject to a Section 106 Agreement to secure the revised Travel Plan to include contingency mitigation as set out above.

#### **Residential Amenity**

- 6.49 The new school building, car park and vehicle access would be located a sufficient distance from neighbouring residential properties such that there would be no unacceptable impact in terms of loss of light, privacy or outlook. The proposed roundabout layout would not relocate the highway any closer towards the rear gardens / properties backing onto New Cut Road than the current arrangement.

#### **Sports pitch provision**

- 6.50 The existing shared playing fields consist of 10 marked out sports pitches, a 3G pitch, an astro turf pitch (located between Valley Park and Invicta School) and 8 tennis / netball courts and cricket nets. The grass sports pitches are of varying quality depended on the size and gradient of the land. The best grass sports pitches comprise the 2 x rugby pitches and a football pitch located in the southeast part of the playing fields and would be retained as part of the proposal. The loss of the best playing surfaces on the site would not be supported by Sport England. The other remaining grass pitches are not drained and all slope to varying degrees.
- 6.51 The proposed school site would result in the loss of three football pitches and one tennis court (which would be replaced). It is necessary to assess whether the loss of these three pitches would be acceptable, and more importantly whether the shared playing fields / sports pitch provision at the overall site would provide sufficient sports pitch provision for all three schools (Valley Park, Invicta Grammar and the proposed Free School).
- 6.52 Due to the loss of sports pitches there is a statutory requirement to consult Sport England and they have confirmed that they have no objections to the proposed development in terms of sports pitch provision and shared facilities subject to a community use agreement being secured via a planning condition.
- 6.53 SE has confirmed that the new artificial (3G) pitch on the site mitigates the loss of three grass pitches. The 3G pitch is floodlit and is a versatile playing surface and has the benefit that it can be used continually throughout the day and all year round, whereas grass pitches can only be used for a limited period of time and are therefore less versatile.
- 6.54 In addition to the existing sports pitch provision on the site, there is an outline planning consent on the school playing fields for a new sports hall which would provide indoor sports provision and would be shared by the three schools. The current school planning application would secure the new access road and car parking for the proposed sports hall and existing 3G pitch. The reserved matters application for the new sports hall is currently being considered by the LPA and a condition is recommended to ensure the first phase of the new sports hall is provided at the same time as the new school. Subject to such a condition SE has confirmed that sufficient sports pitch provision would be provided for the three schools through the existing play pitch provision and proposed indoor sports hall. SE therefore advise that the proposed development would be in accordance with SE policies and SE do not raise any objections subject to conditions, including a condition to secure a

community use agreement which would be in accordance with emerging policy DM23 which advises (inter alia) that *'The council will seek to ensure, where appropriate, that providers of education facilities make provision for dual use of facilities in the design of new schools, and will encourage the dual use of education facilities (new and existing) for recreation and other purposes'*.

### **Ecology**

- 6.55 The application site located adjacent to Vinters Park nature reserve and reptiles are known to be present within this area. The application is accompanied by an ecology scoping survey that identifies that a majority of the application site is unsuitable for reptiles being managed playing field and tree cover. KCC ecology has advised that there is no requirement for a specific reptile survey and raise no objections in terms of impact on reptiles.
- 6.56 KCC Ecology has confirmed that all the trees to be felled (for the access road) have a low/negligible potential to be suitable for roosting bats and KCC are satisfied that no additional emergence surveys are required to determine the planning application. A condition is recommended to secure a soft fell technique under the watching brief of a licenced ecologist.
- 6.57 The site is bounded by a mature tree belt and a lighting scheme has been provided which demonstrates that the applicant is taking steps to minimise impacts on foraging/commuting bats. KCC has advised that they are satisfied that the finalised lighting scheme can be submitted as a condition of planning permission which shall be informed by a bat activity survey. The school have also indicated that the lighting will be turned off by 10pm every night and this would be secured by condition.
- 6.58 The ecology scoping survey advises that there are opportunities to incorporate biodiversity within the site in accordance with the NPPF and KCC ecology has confirmed that the enhancements can be secured by condition which would ensure that the ecological enhancements are over and above any ecological mitigation which is required.

### **Landscape**

- 6.59 The proposed roundabout access would result in a loss of a significant number of trees along New Cut Road. However, as advised above the Access Options Assessment indicates that a significant number of trees would need to be removed for any new access along New Cut Road and the proposed location and roundabout access have been proposed due to a number of determining factors as described above.
- 6.60 The submitted arboricultural report considers the roundabout option in detail. The roundabout proposal will cut through the existing belt of mixed woodland, which contains a wide range of species of varying age up to over-mature specimens. There are direct losses to accommodate the junction and associated works, including footpaths and visibility splays, which includes a large A graded Oak tree and 12 B graded trees, together with 17 C graded trees and a group of trees also graded C. Two U grade trees would also be removed - trees of a condition that they should be removed irrespective of this proposal.
- 6.61 The council's tree officer has advised that in general, the submitted tree surveys are an accurate assessment of the trees present and the reasoning behind the proposed removals based on sound arboricultural judgement in the context of the proposal. However, the tree officer has advised that whilst the assignment of tree categories appears to be in line with the recommendations of BS5837, it should be noted that



some of the trees assigned lower gradings based on their arboricultural condition may be considered of higher value for other reasons – for example, it has been suggested that the C graded Holly T38 may be a veteran tree. The tree officer has advised from his own assessment of this is that it may be considered an early veteran based on its stem diameter and because it is beginning to develop features of a veteran. Other mature trees that are in poor condition might also be potential veterans and provide habitat.

- 6.62 It is acknowledged that the proposal will result in tree removals that will include a number of mature specimens, some of which are high value, together with lower value trees. Visually, the existing tree belt will be split by a significant gap. The loss of trees along New Cut Road does clearly weigh against the proposal and would need to be considered in the balancing exercise when determining this proposed development. In addition, the scheme proposes a comprehensive landscaping and tree planting plan which proposes to replant some 90 new trees on the site which equates to more trees than would need to be removed to facilitate the site access, which would in part mitigate the impacts of the roundabout and tree loss in accordance with saved policy ENV6.

**Other matters**

- 6.63 KCC Drainage have confirmed that the proposed drainage design / strategy is acceptable subject to further details being submitted by condition to secure the necessary drainage rates and to ensure there is no pollution risk. The site is located in flood zone 1 with a low risk of flooding and the EA has raised no objections.
- 6.64 The application site lies in an area of archaeological potential and KCC Archaeology have advised that remains associated with prehistoric and roman activity may survive on site and therefore recommend an archaeological field evaluation and recording condition.
- 6.65 An Environmental Noise Impact Assessment has been submitted in support of this application. The EHO has advised that potential noise nuisance from plant equipment should be guarded against through relevant conditions attached to any planning permission granted. The impact of existing traffic noise on the proposed development has also been assessed and the EHO has advised that acceptable indoor noise levels would be achieved with natural ventilation as the proposed layout has the most sensitive teaching rooms in acoustically sheltered locations. The site is within the Maidstone Town Air Quality Management Area. In this regard the EHO does not consider the scale of this development and/or its site position warrants an air quality assessment or an Air Quality Emissions Reduction condition. Electric Vehicle charging points would be installed at the site and a travel plan would promote sustainable travel such that there is not considered to be an unacceptable increase in air pollution from the proposed development. The EHO has confirmed that there is no indication of land contamination or high radon concentrations at the application site.
- 6.66 Southern Water has confirmed that there is currently inadequate capacity in the local network to provide foul sewage and, additional off-site sewers, or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location. Southern Water has a legal obligation to provide capacity and an informative will be added to the decision notice advising the developer to contact SW.

## **7.0 CONCLUSION – PLANNING BALANCE**

- 7.1 The relevant planning and government guidance set out strong support for new school facilities and there is an identified current and future need in the area for a new secondary school and the school itself is identified within the KCC Commissioning Plan for the area. In light of NPPF guidance and significant government support, such considerations must be given significant weight in any decision.
- 7.2 The proposal would constitute a good standard of design and would not appear significantly prominent within the site due to the boundary screening and set back from the road. The proposal would meet the relevant government standards for a new school and will ensure sufficient sports provision on the site for the three schools as confirmed by Sport England and a Community Use Agreement would ensure the sports pitches are available to the local community.
- 7.3 Against the proposal is the loss of a significant number of trees along the New Cut Road frontage. However, as identified above the proposed location of the school building and the roundabout has been determined by a number of factors, including highways capacity and safety, retention of the best sports pitches on the site and ground levels and, it is noted that any new access point along New Cut Road would result in the loss of a significant number of trees. Other access locations / designs would result in the loss of less mature / significant trees than the proposed access, however, the roundabout access and location has been led by a number of factors including Sport England's requirement to retain the best / most grass playing pitches within the site, the ground level changes and the fact that the roundabout would result in a betterment in terms of traffic flows and reduced congestion times along New Cut Road compared to the existing situation. In addition, the scheme proposes a comprehensive landscaping and tree planting plan which proposes to replant some 90 new trees on the site which is more trees than would need to be removed to facilitate the site access, which would in part mitigate the impacts of the roundabout and tree loss in accordance with saved policy ENV6.
- 7.4 The new school would result in additional traffic flows and congestion at nearby junctions, a point which does weigh against the proposed development. However, the impacts of the scheme on the wider Highway network including the M20 Junction 7 are not considered to cause a severe impact subject to a robust Travel Plan being secured by a S106 which would include contingency funding and appropriate mitigation measures to be used on sustainable transport scheme(s) benefitting the local area and relevant to the proposed development. Although Highways England do note that if the TP is implemented and monitored appropriately, the mitigation would not be required.
- 7.5 The scheme is acceptable in all other regards including that relating to neighbour amenity, drainage, air quality and heritage.
- 7.6 Therefore, on balance, it is considered that the strong educational support in government guidance and local policy, the identified need in the KCC Commissioning Plan and the lack of alternative sites, represent material considerations and together with the ecological enhancements, traffic flow and reduction in congestion and other factors, would outweigh the harm caused resulting from the loss of the trees along the east side of New Cut Road.

**8.0 RECOMMENDATION** – Approval subject to planning conditions and to the prior completion of a legal agreement, in such terms as the Head of Legal Services may advise, to provide the following:

- Travel Plan, including a monitoring fee and contingency funding to provide appropriate mitigation measures to be used on sustainable transport scheme(s) benefitting the local area and relevant to the proposed development

#### CONDITIONS

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The premises shall be used for a school and for no other purpose (including any other purposes in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: Unrestricted use of the building or land would cause demonstrable harm to the character, appearance and functioning of the surrounding area and/or the enjoyment of their properties by adjoining residential occupiers.

3. Prior to the commencement of development, a phasing strategy for the delivery of the development hereby approved, including condition discharge, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the scheme shall include, but not be limited to:

- Key milestones in the development of the site;
- Commencement on site;
- Timescales for installation of utilities;
- Phases of development of the building;
- Timings for hard and soft landscaping;
- Associated timings for discharge of conditions.

The development shall thereafter be carried out in accordance with the approved phasing strategy.

Reason: To ensure satisfactory progression of the development.

4. The erection of fencing for the protection of any retained tree or hedge shall be carried out in complete accordance with BS5837:2012 and as shown on plan reference TPP01, before any equipment, machinery, or materials are brought onto the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this

condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

5. In accordance with the phasing strategy, as approved under condition 3, a construction specification/method statement for the delivery of any aspect of the development hereby permitted, falling within 5m of the Root Protection Area, approved under condition 4, shall be submitted to and approved in writing by the Local Planning Authority, prior to the works being undertaken. The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the trees on the site.

6. In accordance with the phasing strategy, as approved under condition 3, details of all the external materials, including samples, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development.

7. In accordance with the phasing strategy, as approved under condition 3, details of all the external windows and door, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development.

8. In accordance with the phasing strategy, as approved under condition 3, a detailed sustainable surface water drainage scheme for the site shall be submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of at a rate not exceeding 3.9l/s. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

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Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to ensure ongoing efficacy of the drainage provisions.

9. In accordance with the phasing strategy, as approved under condition 3, details of both the hard and soft landscaping proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- Proposed finished levels or contours
- Means of enclosure
- Car parking layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting)
- Proposed and existing functional services above and below ground.

Soft Landscaping details shall include:

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate.
- Implementation timetables.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

10. The use or occupation of the development hereby permitted shall not commence until all hard and soft landscaping specified in the approved landscape details has been completed. All soft landscaping shall be carried out during the planting season (October to February). Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

11. The external lighting shall be implemented in accordance with the details shown with the Lighting Assessment Statement (SSt-BMD-ZZ-XX-RP-M-48700) and associated plan reference SST-BMD-ZZ-XX-DR-E-40901-P02. The lighting shall thereafter be retained in the approved form.

Reason: To ensure a satisfactory appearance to the development and to safeguard neighbour amenity and ecology.

12. All external lighting shall be turned off by no later than 22:00 on any given day.

Reason: To safeguard neighbour amenity and ecology.

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13. In accordance with the phasing strategy, as approved under condition 3, details of the proposed cycle parking enclosures shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be installed in accordance with the details approved and retained thereafter.

Reason: To promote sustainable travel.

14. In accordance with the phasing strategy, as approved under condition 3, a landscape management plan, including long term design objectives (10 years), management responsibilities and maintenance schedules for all hard and soft landscape areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason: In the interests of biodiversity, landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development.

15. In accordance with the phasing strategy, as approved under condition 3, details of the proposed car parking spaces and drop off / pick area shall be submitted to and approved in writing by the Local Planning Authority. The agreed car parking shall be installed in accordance with the details approved and retained thereafter.

Reason: To ensure adequate parking provision is provided to promote sustainable modes of travel in accordance with the travel plan

16. Any facilities used for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The bund capacity shall give 110% of the total volume of the tanks.

Reason: To prevent pollution of the site.

17. In accordance with the phasing strategy, as approved under Condition 3, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. This will include clear ecological enhancement for breeding birds, bats and reptiles and shall include provision of bat boxes, bird boxes and native planting. The enhancement plan must provide details on how the enhancements will be managed long term. The approved details will be implemented and thereafter retained.

Reason: To enhance biodiversity.

18. In accordance with the phasing strategy, as approved under Condition 3, a bat scoping survey shall be carried out prior to any works commencing within 10metres of the trees on the site. The bat scoping survey, emergence survey (if required) and details of any bat mitigation required must be submitted for written approval by the LPA. The removal of the tree must be carried out as detailed within the submitted documents.

Reason: In the interest of ecology and bat protection.

19. Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:

i) Archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

ii) Further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

Reason: To ensure that features of archaeological interest are properly examined and recorded.

20. In accordance with the phasing strategy, as approved under condition 3, details of any plant (including ventilation, refrigeration and air conditioning) or ducting system to be used in pursuance of this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The scheme shall ensure that the noise generated at the boundary of any noise sensitive property shall not exceed Noise Rating Curve NR35 (*in areas of low background sound levels a target of NR30 shall be achieved*) as defined by BS8233: 2014 Guidance on sound insulation and noise reduction for buildings and the Chartered Institute of Building Engineers (CIBSE) Environmental Design Guide 2006. The equipment shall be maintained in a condition so that it does not exceed NR35 as described above, whenever it's operating. After installation of the approved plant, no new plant or ducting system shall be used without the prior written consent of the Local Planning Authority;

Reason: To protect occupants from noise and disturbance.

21. In accordance with the phasing strategy, as approved under condition 3, details of a minimum of two electric vehicle charging points, including a programme for their installation, maintenance and management, shall be submitted to and approved in writing by the local planning authority. The electric vehicle charging points as approved shall be installed prior to occupation of the building(s) hereby permitted and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To promote the reduction of CO2 emissions through the use of low emissions vehicles in accordance with paragraph 35 of the NPPF.

22. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the playing field and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review [, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facility]. The development shall not be used at any time other than in strict compliance with the approved agreement;

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport;

23. Prior to the first occupation of the school hereby permitted, the sports hall access road and car parking, replacement tennis court and long jump facility shall be constructed and made available for use.

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Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use.

24. Prior to the first occupation of the school hereby permitted, a six court sports hall, pursuant to application 12/0526 "Construction of new sports hall with changing rooms", or any subsequent planning application approved by the Local Planning Authority, shall be constructed and made available for use.'

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use.

25. The development hereby permitted shall be carried out in accordance with the following approved plans:

1 A, 11408-H-01 P3, 11408-H-02 P3, 11408-H-03 P3, 16777-KSS-00-00-DR-A-01001 P7, 16777-KSS-00-01-DR-A-01001 P7, 16777-KSS-00-02-DR-A-01001 P7, 16777-KSS-00-03-DR-A-01001 P3, 16777-KSS-00-XX-VS-A-70001 P1, 16777-KSS-00-XX-VS-A-70002 P1, 16777-KSS-00-XX-VS-A-70003 P1, 16777-KSS-00-Z0-DR-A-00001 P4, 16777-KSS-00-Z0-DR-A-00002 P3, 16777-KSS-00-ZZ-DR-A-02001 P3, 16777-KSS-00-ZZ-DR-A-02002 P3, 16777-KSS-00-ZZ-DR-A-03010 P3, 6418-MST-KSA-Z0-ZZ-DR-C-6000-S2-P1; received 15.03.2017

LP2073-FIRA-LA-WS-L-93-01, LP2073-FIRA-LA-WS-L-93-02, NBMC102/23044/1 - 3a, NBMC102/23045/1 - 3b, NBMC102/23101/1 - 3a, NBMC102/23102/1 - 3b, SST-BMD-ZZ-XX-DR-E-40901-P03, SST-BMD-ZZ-XX-DR-E-40902-P03, SST-BMD-ZZ-XX-DR-E-40903-P03, SST-BMD-ZZ-XX-DR-E-40904-P03; received 24.03.2017 and LP2073-FIRA-LA-WS-L-90-01G, LP2073-FIRA-LA-WS-L-90-02G, LP2073-FIRA-LA-WS-L-90-03; received 27.03.2017 and SSTM-BHD-BG-XX-DR-E-49050-P03; dated April 2017

Supporting Documents: Acoustic Report by ADT; dated 6 March 2017, Arboricultural Impact Assessment and Method Statement (ref:NBMC102/002) by Thomson Ecology; dated March 2017, Archaeological Desk Based Report by ARS Ltd; dated March 2017, Flood Risk Assessment by Kirksaunders; dated March 2017, External Lighting Assessment (SST-BMD-00-XX-RP-M-48700-S2) by Bam; dated 22.02.2017, Interim Travel Plan and Transport Assessment by DHA Transport (PL/HA/11408); dated March 2017, Planning Statement by Vincent+Gorbing; dated March 2017, Primary Ecological Assessment by Thomson Ecology; dated March 2017, Landscape & Visual Impact Assessment by fra; dated March 2017 and Heritage Statement by Archaeological Research Service Ltd, Construction Methodology by Bam; received 15.05.2017.

Reason: To ensure the quality of the development is maintained and to prevent harm to the residential amenity of neighbouring occupiers.

## INFORMATIVES

No demolition/construction activities shall take place, other than between 0800 to 1800 hours (Monday to Friday) and 0800 to 1300 hours (Saturday) with no working activities on Sunday or Bank Holiday.

The applicant/developer should enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development. Please



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contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)".

A wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

Land uses such as general hardstanding that may be subject to oil/petrol spillages should be drained by means of oil trap gullies or petrol/oil interceptors.

Case Officer: Andrew Jolly

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.