

**MC/19/2530**

**Date Received:** 24 September 2019

**Location:** Land At Westmoor Farm (North) Moor Street Rainham Gillingham

**Proposal:** Construction of a secondary school with formation of new access from Otterham Quay Lane together with associated car parking and drop-off area, pedestrian access, drainage, landscaping, sports pitches and areas for formal and informal outdoor play

**Applicant** Bowmer and Kirkland Ltd for DfE,  
C/O Agent

**Agent** Lichfields  
Mr James Harris 14 Regent's Wharf  
All Saints Street  
London  
N1 9RL

**Ward:** Rainham South Ward

**Case Officer:** Majid Harouni

**Contact Number:** 01634 331700

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**Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 15th January 2020.**

**Recommendation - Approval with Conditions**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Drawing numbers FS0751-ALA-00-ZZ-DR-L-0004 Rev P02, FS0751-ALA-00-ZZDR-L-0005 Rev P02, FS0751-ALA-00-ZZ-DR-L-0006 Rev P02, FS0751-ALA-00-ZZ-DR-L-0007 Rev P02, FS0751-ALA-00-ZZ-DR-L-0012 Rev P01 and 4185-004-101 Rev P5 received on 24 September 2019; and FS0751-CPM-01-GF-DR-A-2000 P07, FS0751-CPM-01-01-DR-A-2001 P08, FS0751-CPM-01-02-DR-A-2002 P7,

FS0751-CPM-01-RL-DR-A-2003 P05, FS0751-CPM-01-EL-DR-A-2004 P10, FS0751-CPM-01-ELDR-A-2005 P09 and FS0751-CPM-01-SX-DR-A-2006 P06 received on 11 November 2019.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Notwithstanding the submitted CEMP prepared by B+K dated 02/09 2019, no development shall take place until a Construction Environmental Management Plan (CEMP) that describes measures to control, amongst other matters, details of all temporary contractors buildings, plant and stacks of materials associated with the development, hours of working, deliveries to the site, noise, dust, wheel and chassis cleaning facilities, lighting and the effect on wildlife and habitats arising from the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with this approved plan.

4 No development shall take place until a scheme for protecting the development herein approved and surrounding receptors from noise that implements the measures described in the noise assessment reference 0043201 (dated 17 September 2019) shall be submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved scheme shall be completed before first use of the school and shall thereafter be maintained in accordance with the approved details.

Reason: Required before commencement of development in order to minimise the impact of the noise on the amenities of user of the school in accordance with Policy BNE2 of the Medway Local Plan 2003.

5 No development shall take place until full details of the following highway improvements have been submitted to and approved in writing by the Local Planning Authority:

- i. Access arrangements as outlined by drawing number 4185-004-101 Rev P5 (Transport Assessment)
- ii. Traffic calming measures along Otterham Quay Lane
- iii. Amendment to Traffic Regulation Order (TRO)

The development shall be implemented in accordance with the approved details prior to the first use of the school.

Reason: To ensure the development preserves conditions of highway safety, pedestrian safety and the free flow of traffic, in accordance with Policies T1, T2 and T3 of the Medway Local Plan 2003.

6 Notwithstanding the details shown on the approved drawings, no development above slab level shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- i. Samples of all materials to be used for the external surface of the buildings (facing materials for the buildings, windows/doors/curtain walling); and
- ii. drawings to a metric scale of 1:20 to show typical details of the elevations from all sides and the slab thickness of the roof parapets.

The development shall be implemented in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 7 No development shall take place until a scheme showing details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. Those details shall include:

- i. a timetable for its implementation (including phased implementation where applicable).
- ii. appropriate operational, maintenance and access requirements for each sustainable drainage component are adequately considered.
- iii. proposed arrangements for future adoption by any public body, statutory undertaker or management company.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 165 of NPPF.

- 8 Prior to first use of the school herein approved (or within an agreed implementation schedule) a signed verification report carried out by a qualified drainage engineer (or equivalent) must be submitted to and approved by the Local Planning Authority to confirm that the agreed surface water system has been constructed as per the agreed scheme and plans. The report shall include details and locations of critical drainage infrastructure (such as inlets, outlets and control structures) including as built drawings, and an operation and maintenance manual for the unadopted parts of the scheme as constructed.

Reason: This condition is sought in accordance with paragraph 165 of the NPPF to ensure that suitable surface water drainage scheme is designed and fully implemented so as to not increase flood risk onsite or elsewhere.

- 9 No development shall take place above slab level until the following documents have been submitted to and approved in writing by the Local Planning Authority:

- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and

(ii) Where the results of the assessment to be carried out pursuant to (i) identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a timetable of implementation.

The development shall be implemented in accordance with the approved details and made available for playing field use in accordance with the scheme prior to the first use of the school herein approved.

Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Plan Policy L8 of the Medway Local Plan 2003.

- 10 Prior to the first use of the school herein approved, a plan for maintaining the playing fields (Playing Field Maintenance Plan) shall be submitted to and approved in writing by the Local Planning Authority. The Playing Field Maintenance Plan shall provide for a minimum period of five years starting from the first use of the school. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure that the playing field is maintained as a functional playing field to an adequate standard and is fit for purpose in accordance with Policy L8 of the Medway Local Plan 2003.

- 11 The development hereby permitted shall be carried out in accordance with the methodologies for the specified ecological work which includes timings for such works; and the ecological mitigation and impact avoidance measures contained in the Reptile Method Statement reference 19-0069.02 (dated 4 November 2019) and section 6 of the Preliminary Ecological Appraisal and Badger Survey reference 19-0069.01 (dated September 2019) prepared by Delta-Simons Environmental Consultants.

Reason: To enhance the ecology and biodiversity of the area in accordance with Policy BNE37 of the Medway Local Plan 2003.

- 12 Prior to the first use of the school herein approved, details of the following biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority:

- i. Bat roost and maternity boxes to be incorporated within the fabric of the south side of the building.
- ii. Bird boxes for sparrows and swifts to be incorporated within the fabric of the building.
- iii. Log piles to be kept along the north west part of the school ground.

The approved ecological enhancement measures shall be implemented prior to the occupation of the building and shall be maintained in usable condition thereafter.

The biodiversity enhancement measures shall be implemented in accordance with the approved details prior to the first use of the school and retained thereafter.

Reason: To enhance the ecology and biodiversity of the area in accordance with Policy BNE37 of the Medway Local Plan 2003.

- 13 If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a method statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement must detail how this unsuspected contamination shall be dealt with. The development shall thereafter be implemented in accordance with the approved Method Statement.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 14 Prior to the first use of the school herein approved, full details of both hard and soft landscape works, any artefacts to be located within the public space and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. These details shall include existing and proposed finished ground levels clearly identifying changes to landform; the design of all gradients, ramps and steps around the proposed building; all paving and hard surfacing materials including any decking; refuse receptacles, planters and any other decorative feature(s); planting plans at a scale not less than 1:100; written specification of planting including cultivation and other operations associated with grass and plant establishment; and schedules of plants, noting species, plant sizes and proposed numbers/ density.

The development shall be carried out in accordance with the approved scheme and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 15 Prior to the first use of the school herein approved, a Landscape Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The Landscape Management Plan shall include long term design objectives, irrigation arrangements, management responsibilities and maintenance schedules for all landscape areas (within and overhanging the site) for a minimum period of five years and arrangements for implementation. The development shall thereafter be implemented in accordance with the approved details.

Reason: To ensure a satisfactory external appearance and provision for landscaping and biodiversity in accordance with Policies BNE1 BNE6 and BNE37 of the Medway Local Plan 2003.

- 16 In this Condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of five years from the date of occupation of the building for its permitted use.
- a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).
  - b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.
  - c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written approval of the Local Planning Authority.

Reason: To protect and enhance the appearance and character of the site and locality, in accordance with Policies BNE1 and BNE6 of the Medway Local Plan 2003.

- 17 Prior to the first use of the school herein approved, a plan indicating the final positions, design, materials and type of boundary treatment to be erected including the ball stop fences shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment details shall take account of any existing landscape features to be retained and those proposed. The boundary treatment shall be completed in accordance with the approved details before the first use of the school and shall thereafter be retained.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of residential amenity, in accordance with Policies BNE1 and BNE2 of the Medway Local Plan 2003.

- 18 Prior to the first use of the school herein approved, the area shown on the submitted layout FS0751-ALA-00-ZZ-DR-L-0004 Rev P02 for vehicle parking, drop off and pick up areas, bicycle shelter area and vehicles electric charging points shall be provided, surfaced and drained. Thereafter these areas shall be kept available for such use and no permanent development, whether or not

permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on that area of land or in such a position as to preclude vehicular and bicycle access to the reserved vehicle and bicycle parking areas, drop off, pick up and storage areas.

Reason: Development without provision of adequate access and accommodation for the parking of vehicles and bicycles is likely to lead to hazardous on-street parking and in accordance with Policies T1, T4 and T13 of the Medway Local Plan 2003.

- 19 Prior to the first use of the school herein approved, details of the provision of sixteen electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. Eight electric vehicle charging points shall be provided and a timetable for the delivery of a further eight electric vehicle charging points at a later date shall be provided prior to the first use of the school. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with paragraph 110E of the NPPF.

- 20 The parking with the site shall be undertaken and managed in accordance with the Car Park Management Plan reference 4185/004/005 (dated August 2019).

Reason: Development without provision of adequate parking of vehicles and bicycles is likely to lead to hazardous on-street parking and in accordance with Policies T1, T4 and T13 of the Medway Local Plan 2003.

- 21 Prior to the first use of the school herein approved, a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall include provision of the arrangements for the appointment of a School Travel Plan Coordinator and working group, SMART targets and initiatives for promoting sustainable transport with particular emphasis on walking, bicycle use, and arrangements and promotion of the school's new bus service provision, together with details of future monitoring and update procedures. The School Travel Plan shall be implemented upon first use of the school and shall be kept in place, and updated, thereafter. The approved school travel plan shall be continually monitored with the results of the monitoring and any recommended actions submitted to and approved in writing to the Local Planning Authority on an annual basis starting from the date of the approval of the first School Travel Plan, with the approved recommendations implemented as agreed as part of the annual review, improvement and reduction of car dependency.

Reason: In the interests of promoting safe and sustainable development and to accord with Policy T14 of the Medway Local Plan 2003.

- 22 Prior to the first use of the school herein approved, a Community Use Agreement (CUA) shall be prepared in consultation with Medway Council and shall then be submitted to and approved in writing by the Local Planning Authority. The CUA shall describe all the facilities included in the agreement and shall include details of pricing policy, access by non-educational establishment users, management responsibilities and a mechanism for review. Following the first use of the school, the school facilities shall thereafter used in accordance with approved CUA.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy L8 of Medway Local Plan 2003.

- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) the school herein approved shall be used for education and community sports purposes only and shall not be used for any other purposes, including any other use that would fall within Use Classes D1 or D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to those classes in any statutory instrument revoking and re-enacting that order with or without modification) and no change of use shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of the amenities of the local residents and highway safety and in accordance with Policies BNE2 and T1 of the Medway Local Plan 2003.

- 24 There shall be no more than 1150 pupils in total enrolled at the school at any given time.

Reason: To enable the Local Planning Authority to control such development in the interests of highway safety in accordance with Policies T1, T4, T13 and T14 of the Medway Local Plan 2003.

- 25 The facilities to be used for community purposes as outlined in the Community Use Agreement (CUA) to be approved under condition 22 shall not be used outside of the following hours:

17:00 to 22:00 Monday to Friday for internal spaces  
08:00 to 22:00 on Saturday and Sunday for internal spaces

17:00 to 20:00 on Monday to Friday for the external pitches  
09:00 to 20:00 on Saturday for the external pitches  
10:00 to 14:00 on Sunday for the external pitches

No facilities shall be used for community purposes on Public holidays.

Reason: In the interests of residential amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.



- 26 Prior to the installation of any external lighting on the site, details of such lighting shall be submitted to and approved in writing by the Local Planning Authority. Details shall include height, position, external appearance, any shielding, light intensity, colour, spillage (such as light contour or lux level plans showing the existing and proposed levels) and hours of use together with a report to demonstrate its effect on the landscaping of the site (including an overlay of the proposed lighting onto the site landscaping plans), the rural landscape, views of the site from nearby residential properties, bats (including reference to the recommendations of the Bat Conservation Trust)] and of how this effect has been minimised. Any external lighting shall be implemented in accordance with the approved details.

Reason: In order to limit the impact of the lighting on the landscaping of the site, the surrounding landscape, wildlife and nearby residents and with regard to Policies BNE1, BNE2, BNE5, BNE37 and BNE39) of the Medway Local Plan 2003.

**For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.**  
**Proposal**

The application seeks planning permission for the erection of a purpose built new 6FE secondary academy school for 900pp Years 7 to 11 and 250pp sixth form group years 12 to 13 pupil.

The school comprises a 3 storey building, 2.5 storey sports hall and single changing room and admin office facilities, provision of open-air sport facilities comprising multiple-use activities playground, sport pitches and running track, car parking for 145 spaces including 7 disabled bays, pickup and drop off areas (for use by cars and buses), covered cycle and motorcycle shelter for 80 bikes, sub-station, bin store, highway works comprising new roundabout and pedestrian crossings.

The academy will be arranged based on the 'schools within schools' model. Students from year 7-11 will be divided between 3 individual colleges, each with their own Head of School and teaching teams. Colleges will have their own physical space within the building providing teaching for Maths, English, Humanities, MFL and ICT. Specialist subject related spaces are accessed by all students. Each college provides a 'home' for its students with teaching, meeting and an open plan breakout space to accommodate a class group of 30. Students will be able to move between classrooms at the conclusion of each lesson so movements are an important consideration in maximising learning time.

The range of accommodation is typical of a secondary school with general teaching, ICT / Business studies, science, art, music & drama, design tech, a 4 court sports hall, main hall, dining, learning resource areas and associated staff/admin, storage, kitchen, plant, WCs & changing areas. A MUGA, hard and soft play space including 3 grass football pitches and habitat / external teaching space is also proposed.

The Trust's operational opening times are proposed as:

- School site opening (Monday to Friday): 07:00 to 21:00
- School opening hours (Monday to Friday): 08:45 to 15:15 and (14:00 on Wednesdays)

The shorter school day on Wednesdays provides time for high-quality ongoing training and continuing professional development (CPD) to be delivered for the teaching team and staff.

The academy will promote life-long learning and be a hub for the local community. It is expected that the facilities will be used extensively by community groups in the evenings, at weekends and school holidays.

## Planning History

MC/18/3577 Construction of eight dwellings consisting of five 3 bedroomed and two 4 bedroomed and one 5 bedroomed dwellings with associated car parking and garaging together with new highway access and other associated works.

Approved 29 April 2019

MC/15/2731 Outline application with some reserved matters (Appearance, Landscaping, Layout and Scale) for residential development of up to 190 dwellings (Including a minimum of 25% affordable housing), planting and landscaping, informal open space, surface water attenuation, a vehicular access point from Otterham Quay Lane and associated works (Resubmission of MC/14/3784)

Refused 22 October 2015

MC/14/3784 Outline application with some matters reserved (Appearance, Landscaping, Layout and Scale) for residential development of up to 200 dwellings (including a minimum of 25% affordable housing), planting and landscaping, informal open space, children's play area, surface water attenuation, a vehicular access point from Otterham Quay Lane and associated ancillary works.

An appeal against non-determination of the application

Appeal dismissed 02 August 2016

## Representations

The application has been advertised on-site and in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties. KCC Biodiversity, KCC Archaeology, EDF Energy, Southern Gas Networks, Southern Water, The Environment Agency, The Royal Society for the Protection of Birds, Mid Kent Planning Services Swale, Maidstone and Tonbridge Wells, Kent Wildlife Trust, Highways England, Natural England, Network Rail, Sport England and Kent County Constabulary have also been consulted.

**52** letters of representations have been received of which 19 have objected to the proposal and 31 have supported the application and 1 letter has supported the application and raised a concern about highway infrastructure capacity to deal with the additional traffic that would be generated.

The objection letters related to the following:-

- Loss of green field and stating that such a development should be located on brownfield land.
- The land is being used by the local people for dog walking and recreational purposes.
- There is already congestion and the long delay between the rail bridge and traffic light and this development will worsen the situation. The roads cannot cope with more traffic from over 1000 pupils' school.
- Some primary schools in Rainham have a reducing number of classes due to low intake rates. By the time the proposed school is built, these low intake rates will have filtered through to the secondary school level and this school would not be needed.
- Rainham has already got a number of secondary schools and does not need any more.
- Rainham does not have the road infrastructure to deal with the traffic, particularly at the junction of Mierscourt Road/A2 and Otterham Quay Lane. This development will pull an immense amount of traffic to the area and cause huge disruption and inconvenience to local residents who already suffer from congested roads.
- The school has made inadequate car parking provision.
- The proposed access point and associated roundabout will bring front gardens of no 13 and 15 Otterham Quay Lane in front of the roundabout and this would not be aesthetically pleasing and detract from amenities of these properties.
- The proposed pedestrian crossings and associated zigzag lines outside houses no 11, 13, 15 and 17, Otterham Quay Lane will result in permanent loss of on-street parking for the residents and visitors of these properties in this section of the road. This will put more pressure on the street parking in Blackthorne Road.
- The increase in the volume of traffic at peak times makes leaving Blackthorne Road extremely difficult.
- The proposal has not considered the occasions when there are problems with surrounding roads. Otterham Quay Lane gets gridlocked with traffic as in the case of the M2 closure recently.

The support letters stated the following:

- A mixed secondary school is needed in this area
- The proposed mixed school will be great for Rainham.
- Cannot wait to send my child to this school.
- A non-selective mixed school in Rainham will provide parents and pupils with a choice. Presently there isn't a choice other than a single-sex school and this isn't always the best learning environment for individuals.

**Southern Gas** have written raising no objection

**UK Power Networks** have written raising no objection

**Environmental Agency** have written raising no objection

**Southern Water** have written stating that initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.

**Network Rail** have written stating that due to the proximity of the proposed development to Network Rail land, Network Rail strongly recommends the developer contacts Asset Protection London South East prior to any works commencing on-site, and also to agree to an Asset Protection Agreement with us to enable approval of detailed works. Advice is also given with regard to the relationship of the proposal with the railway and a number of informatives are recommended.

**Sport England** has written stating their support for the application. It states that it meets the Sport England Objective 3 – to provide new opportunities to meet the needs of current and future generations subject to the conditions that ensure that sport facilities are built and maintained to appropriate standards and are made available to the community via a Community Use Agreement.

**KCC Archaeology** advises that the archaeology investigation report submitted is acceptable and no further assessment works would be required.

**KCC Ecology** has written to advise that the submitted information presents an appropriate approach to mitigation for and avoidance of impacts to reptiles. The implementation of the Reptile Method Statement and the mitigation and avoidance measures proposed in the Preliminary Ecological Appraisal and Badger Survey report are satisfactory and the recommendation in these reports must be secured by condition. Also, further conditions are recommended with regard to Bats and Lighting and Ecological enhancements if planning permission is granted. To ensure that the development is in accordance with Paragraph 175 of the NPPF.

**Natural England** have written advising of no comments.

**Kent Police** have written advising that it is clear from the Design and Access Statement (DAS) that security has been taken into account within the design. Kent Police recommend that the applicant/agent utilise the SBD Schools initiative for this application and would welcome a meeting with the applicant/agent to discuss further.

**Highway England** have reviewed the Transport Assessment and state it is apparent that analysis has been undertaken based upon the full occupancy of the school during 2027, with assessment years identified at 2023 and 2028. Trip generation and distribution has been undertaken in line with the required guidance. Whilst no assessment of the impacts has been undertaken specifically on the Strategic Road Network (SRN), the assessment indicates that during the AM peak period (08:00-09:00) a total of 174 (87 arrivals and 87 departures) would occur, with the same

number of movements occurring at the afternoon peak school finishing time period (15:00 – 16:00). This assessment appears to be supported by anticipated pupil catchment information. Staff leaving movements occurring during the PM network peak hours (17:00 – 18:00), totals 8 departures.

Highways England's own assessment concurs that the majority of movements into/out of the site will occur along the A2 region of Rainham and surrounding areas to the west of the site; minimal movements are indicated to occur on the A2 to the east towards the A249/A2 Key Street junction. Accordingly, Highways England consider that the level of peak hour traffic movements onto A249/A2 (Key Street) junction would not materially impact the reliability, operation or safety of the SRN (the tests set out in DfT C2/13 para's 9 & 10 and DCLG NPPF para 109). There is no objection raised or requirements relating to the proposal.

## **Development Plan**

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2019 and are considered to conform.

## **Planning Appraisal**

### *Background*

#### Site History

A planning application for residential development (MC/14/3784) was refused and then dismissed at appeal. The main reason for the dismissal of the appeal related to the impact on the setting of the conservation area, West Moor Farm House and Westmoor Cottage. The Inspector concluded that whilst the residential development had the potential to deliver some enhancement, the setting of the two aforementioned properties, with its clear visual link to the open land surrounding Moor Street that they were once linked to, is an important contributor to their significance.

The Inspector went on to explain that the whilst the harmful impacts on the settings of the conservation area and the listed building were considerable, they did not attain that high threshold as there would be places where the settlement would still be appreciated as a separate entity. He concluded that the harm would be less than substantial. The Inspector also noted that in terms of the NPPF specified that harm to the significance of the conservation area must attract great weight on the negative side of the balance but in relation to the impact on the listed building, the same principle applies but is bolstered by the operation of s66 (1) of the Act which creates a strong presumption against development that would have a harmful impact on a listed building or, as was the case, its setting.

Given the proposal was for residential development, the Inspector also had to consider the Council's housing supply position. The Inspector states that, 'Given the parlous situation in terms of housing land supply in Medway, and the Government's commitment to economic growth as well as boosting significantly the supply of

housing, and ecological enhancement, the public benefits set out above carry significant weight in favour of the proposals.’

In balancing the two conflicting factors, the Inspector found that the public benefits of the proposal, while substantial, were insufficient to justify the harm to the significance of the designated heritage assets that would be caused.

The Inspector also considered that the proposed development would cause some harm to the ALLI given the erosion of the sense of separation. This conclusion was to a degree driven by the heritage issues explained above and the Inspector stated that if ignoring the heritage impacts for a moment, the benefits of the proposal would outweigh the landscape harm.

Finally with regard to highways matters, the Inspector considered that the additional traffic generated by the proposal would not increase congestion and delays at the junction to any significant degree. Certainly, the impact could not properly be described as severe.

In summarising the Inspector’s decision with regard to new development:

- It should seek to retain meaningful open land to continue to form an important part of the setting of the conservation area, the listed buildings and the integrity of the Moor Street settlement.
- If less than substantial harm is achieved with regard to the heritage assets, the public benefit of a development should outweigh the harm.
- The Inspector did not give much weight to the impact of development on the ALLI in its own right.
- The inspector did not consider the additional traffic generated by the proposal for 190 new dwellings would increase congestion and delays at the junction to any significant degree.

### Need

There is a presumption in favour of the development of state-funded schools outlined by the 2011 Written Ministerial Statement which states:-

*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.*

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

- *There should be a presumption in favour of the development of state-funded schools, as expressed in the National Planning Policy Framework.*
- *Local Authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.*
- *Local authorities should make full use of their planning powers to support state-funded schools applications.*

The applicant has submitted an “Education Need Statement” which contains a letter from the Department of Education advising:-

There is a need for a non-selective secondary school in the Rainham area. This is recognised in Medway Council’s School Place Planning Strategy 2018-2022 (SPPS). Medway has been experiencing growth in demand for school places from increased birth rates, inward migration and as a result of the construction of new homes. The growing population of primary age children highlighted in the SPPS report is now reaching secondary school age and as a result, there is now increasing pressure on secondary school places.

The secondary school population is forecast to grow from 18,774 in April 2017 to 21,635 by April 2024, and Medway Council’s Annual Review of the SPPS (2018) estimates an even higher secondary school population by 2024-25. From 2020 onwards additional capacity will be necessary to avoid widespread oversubscription of school places, with the Council estimating a shortfall of 144 places in 2020 (equating to 5 forms of entry) which is expected to rise to 9 forms of entry by 2022 (SPPS Annual Review 2018, para 3.12.1). The shortfall in secondary school places will be met through building two new Free Schools, of which Leigh Academy, Rainham is one.

The need for the school is, therefore, clearly established.

### Site Selection

The current nature of school procurement is defined by the Government directives on school procurement methods. This results in relatively formulaic designs and environments. In terms of the location of the school, a site search was carried out based on sites that will meet the minimum requirement within the Medway catchment area south of the River Medway, focusing on the Rainham area.

The site search, conducted was extensive and the search of the target area covered major landowners, developers and agents. Most of the sites identified were either too small to accommodate a 6 FE secondary school together with the required ancillary spaces or the locations were not suitable.

Three sites were shortlisted for detailed assessment in the Options Appraisal and these were:-

- Altwood Land, North Dane Way, Chatham
- Mierscourt Road, Rainham
- Westmoor Farm, Moor Street, Rainham

Following further assessment, it was concluded that Land at West Moor Farm, Rainham was the highest-ranking site in amongst the shortlisted sites as it met the requirements with regard to the size, location and current availability criteria. A final detailed technical assessment and review of sites was carried out and it was concluded that land at West Moor Farm, Rainham can be adapted to accommodate a secondary school with associated sports facilities, access and parking provision.

The Government criteria and aspects influencing school typology all conspire to make fitting an average size school into a pre-existing semi-rural context a real challenge. The pre-application discussions for this proposal focussed on the following key points:

- a. Creating an envelope that tried to engage with the semi-rural location
- b. Varied materiality to reflect the eclectic local context
- c. An inviting entrance
- d. Creating external classrooms/environments for curriculum delivery and casual use
- e. Sensitive aesthetic use of the academic trust's brand
- f. Use of colourways to simply offer exuberance & rural engagement
- g. Use of varied materiality to simply offer aesthetic contrast
- h. A managed arrival sequence by car, buses, bicycle and on foot
- i. Landscape/space buffers to minimise impacts between the school & nearby conservation area

### *Principle*

The NPPF outlines that the purposes of the planning system are to contribute to the achievement of sustainable development. It emphasises that paragraphs of the NPPF should be taken as a whole in defining what amounts to sustainable development. Economic, Social and Environmental considerations form the three dimensions of sustainable development. With regard to the social role of the planning system, this is in support of strong, vibrant and healthy communities by creating a high-quality built environment that reflects the community needs and supports its health, social and cultural wellbeing. In order to achieve sustainable development, economic, social and environmental gains should be sought jointly.

Paragraph 94 of the NPPF states that regard to planning for school places: -

*"It is important 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:*

- a) give great weight to the need to create, expand or alter, schools through the preparation of plans and decisions on applications; and*
- b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted"*

The community facilities section of the Local Plan states that "No new secondary schools are proposed in the local plan". It is relevant to note that the Council's current Local Plan was for the period 2003 to 2011 when the existing secondary schools either had the capacity to accommodate the demand or sufficient room to expand to respond to any growth in pupils numbers up to 2011. The existing Local Plan, therefore, does not reflect post-2011 demographic changes in the Medway administrative area. As such the NPPF is considered to carry more weight with regard to the principle of the proposal.



The proposed school would be located within the open countryside and an Area of Local Landscape Importance (ALLI) as defined by the proposals map accompanying the Local Plan. Therefore Policies BNE25 and BNE34 of the Local Plan apply. These policies seek to protect the countryside for its own sake along with protecting the specific characteristics which contribute to the reasoning behind the designation of the ALLI.

However, Policy BNE25 of the Local Plan does allow for development of a public or institutional use in the countryside and Policy BNE34 of the Local Plan also allows for development within the ALLI where the social and economic benefits of development outweigh the local priority to conserve the area's landscape. The social and economic benefits of the proposed development include meeting the identified (and growing) need for a new secondary school in the area, the proposed community use of the school's facilities and the employment opportunities associated with the school.

It is important to note that in his consideration of the MC/14/3784 application for residential development and Policy BNE34 of the Local Plan, the Planning Inspector considered that in assessing the impact to the ALLI on its own, the benefits of the proposal would outweigh the harm. With regard to this current proposal, the specific challenges of the proximity to the Moor Street Conservation Area are generally managed by a field providing sufficient separation and additional planted buffers to further manage the relationship.

In addition, the current proposal for a school is considered to provide more significant social and economic benefits, whilst representing a significantly smaller and limited impact on the landscape that would not materially harm the landscape character and function of the area or the setting of the conservation area and listed buildings.

Having regard to the above, it is considered there is no objection to the principle of the proposed development and the proposal would be in compliance with Policies S1, S2, BNE25 and BNE34 of the Local Plan and paragraphs 94, 170, 190, 194 and 196 of the NPPF.

### *Heritage*

As the application site is situated to the north of Moor Street conservation area and West Moor Farm House and West Moor Cottage (both listed buildings), the proposal needs to be assessed with regard to its impact on the character of the conservation area and the setting of these listed buildings.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (The Act) sets out that in the exercise of planning functions, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 66(1) of the Act says that in considering whether to grant planning permission for development, which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest, which it possesses. Mirroring those provisions, to a large extent, paragraphs 193 and 194 of the NPPF maintains that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. It goes on to note that significance can be harmed or lost through alteration or

destruction of the heritage asset, or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The proposed school buildings and associated sports pitches and parking area will reduce the size of the orchard field to the north and as such would detract from the setting of the listed buildings and the conservation area. However, the size of the proposed development in comparison with the residential development proposed under application reference MC/14/3784 that was dismissed on appeal, is considered modest in scale and built form; furthermore, the undeveloped land that will remain between the application site and Moor Street settlement will help minimise harm and allows the heritage value of the listed buildings, the conservation area and sense of identity of Moor Street hamlet to be protected and appreciated.

In view of the above, it is considered that the proposed school development will result in less than substantial impact on the setting of the designated heritage asset. Paragraph 196 of the NPPF states that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

As set out in the background section above, there is an urgent need for a secondary school in the eastern part of Medway. The applicant has undertaken a sequential test to identify suitable and available land for the secondary school. The Otterham Quay Lane site is the only site found to be in close proximity to Rainham town centre with good access and public transport and within the identified pupils’ catchment area.

In further consideration of the benefits of the proposal, the applicant has stated that outside of school hours and academic periods, the school’s sports facilities will be made available to the local community. This would go some way to assisting in the provision of much needed sports facilities as set out in the Medway Council Sports Facility Strategy and Action Plan 2017 which identifies a shortfall of sports facilities in the east of the Rainham Area.

It is therefore considered that subject to appropriate landscaping along the southern boundaries of the site the cumulative community benefits of the development outweigh the limited impact identified to the setting of the listed buildings and conservation area.

The proposal would be in compliance with Policy BNE18 of the Local Plan and paragraphs 190, 193, 194 and 196 of the NPPF.

### *Layout and Design*

The application site is situated to the south of railway line. It is screened from the north by a line of tall poplar trees and is about 125m north of Moor Street settlement and associated conservation area and listed buildings (West Moor Farm House and Westmoor Cottage).

The land is relatively flat and although in the past was an orchard, in recent years has from time to time been used for car boot sale purposes.

The Government attaches great importance to the design of the built environment. Paragraphs 124 and 127 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of

sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Good design is also central to the objective of Local Plan Policy BNE1 which states that amongst other things all developments proposals should have regard to the local context, local character, and scale and contribute positively to the relationship between the urban and countryside areas and should be informed by its historical context and be of an appropriate proportion, scale and orientation.

The site masterplan has been divided into halves; The playing fields to the east and the main school development to the west. Vehicular access to the development will come from a new roundabout that has been proposed along Otterham Quay Lane.

The design concept of the school building comprises a superblock approach which is defined in the Department for Education feasibility “control option” to provide a compact, spatially efficient layout.

A key consideration of the architectural design has been to reduce the mass of the accommodation by separating the sports hall from the main teaching block. This also gave the project flexibility in orientating the block on-site. Before settling on the north-south arrangement, different configurations of the sports hall and the main teaching block were explored. The final design shows the sports hall separated from the teaching accommodation by a single storey link. This allowed the latter to have better daylight/ventilation, improved circulation routes and gave more flexibility for operation of the community use areas. It also gave a more sympathetic massing to the overall site and entry sequence.

The proposed gross external floor area (GEFA) of the school building is follows:

Ground Floor including the link building and separate sport block:	4,320m <sup>2</sup>
First Floor:	2,645m <sup>2</sup>
Second Floor:	2,495m <sup>2</sup>
TOTAL GEFA	9,460m <sup>2</sup>

The chosen approach of footprint, massing and orientation would provide the following important advantages:

- The position of the building at the lower end of the site minimises its visual impact in a sensitive setting
- The arrangement and form of the building is sympathetic to allowing diagonal views across the site, to and from the conservation area
- A consistent sense of scale is provided by the three storey teaching block and sports hall, suitable to the nature of the facility. This scale is mediated and made more welcoming by the lower level of the entrance linking block
- The location of the sports hall establishes a striking feature on the approach to the school but also acts to provide some shelter and screening to the main building approach and entrance, ensuring a good entrance sequence
- The proposed location would provide outside study area to the north.
- The proposed building will be set well back from the road and existing trees along the road thus having limited impact on the street scene.

The three-storey teaching block allows the three identical college clusters to stack vertically to the south, with the various practical teaching spaces arranged around the other sides of the block. The interior of the school building is designed to be

functional, bright, robust and attractive and promote a sense of light, space, calm and order. Post 16 areas (sixth form) are integrated into the general accommodation and college structure. The curriculum is organised within the college clusters

A large and attractive central dining 'Heart Space' is incorporated to the south end of the teaching block, open to the surrounding circulation at all floor levels. The space is triple height with extensive roof-lights giving generous levels of daylight. Distributed staff offices and workrooms maximise passive supervision. The main hall and activity studio are adjacent for combined exam use.

There is an additional, more study focussed 'heart' space at the northern end of the first floor teaching block – the combined library and sixth form study area. Again, this is open to the circulation route to help animate the building and give a greater sense of openness and accessibility.

The building would have large window areas with high head heights to optimise daylight to the rooms. The teaching spaces have been carefully considered and co-ordinated to optimise the learning environment and ensure balancing daylighting and glare control, thermal mass and passive cooling and natural ventilation with mechanical heat recovery.

One of the core principles of the NPPF is to secure a high-quality design. While the proposed building would have a relatively large form, the architectural detailing and material strategy are designed to break down the massing of the school building in this sensitive location. The high quality palette of materials are to give the building an elegant brickwork feature and dark stained timber elevations. Within the brickwork, inset coloured render panels are introduced between upper floor windows. This provides a canvas for incorporating the individual colour branding of the academy and provides an element of visual interest. It also gives an additional layer to the rhythm of the elevations. The proposal also involves the integration of the academy logo as large-scale signage within the cladding and brickwork, to assist with legibility and wayfinding around the site. The proposal would facilitate the creation of attractive elevations to the individual elements of the buildings which would serve to reduce their bulk and utilitarian appearance. To ensure that the external materials are of high quality a condition is recommended with regard to submission of a sample of materials.

Externally, areas are divided into space for vehicle and bicycle parking and delivery/service access. The proposed parking and drop off areas are proposed along the western part of the site fronting Otterham Quay Lane. This arrangement is considered to be pragmatic and functional and ensures that vehicular movement would not disturb the school operation.

The proposal is considered to be carefully and sensitively designed without harm to the setting of the conservation area or the listed buildings. The proposal is considered to comply with Policy BNE1 of the Local Plan and paragraphs 124, 127 and 170 of the NPPF.

### *Amenity*

The proposed school building would be sited well away from the nearby residential properties and as such, there would not be any impact in terms of loss of daylight, sunlight, outlook and privacy of these properties.

As a result of the proposed new pedestrian crossings and associated zigzag lines on the northern and southern side of the roundabout at the junction with Blackthorne Road, there will be a loss of on-street parking along Otterham Quay Lane. This may result in a negative impact on the amenity of the occupiers of the properties within the immediate vicinity, however, it is important to note that the dwellings in Blackthorne Road enjoy off-street parking and the proposal will not alter or obstruct vehicular access to these dwellings.

### Noise

With regard to noise, the application has been supported by a noise assessment report. There is the potential for there to be an impact upon residential amenity from the use of the sports pitches, particularly the easternmost pitch. To minimise harm from noise caused by the use of the pitches to the occupiers of the existing and recently approved properties along the eastern boundary of the application site, a condition is recommended restricting the hours of use of this pitch. Conditions are also recommended to ensure adequate noise mitigation measures are incorporated into the fabric of the building.

In addition to the potential impact from noise, there is also the potential for balls leaving the school site. To prevent balls from leaving the site and potentially entering into the gardens/land of neighbouring properties during the use of the sport pitches there is an approx. 2.4m to 3.5m high fence proposed along the northern and southern edge of the sports pitches and an approx. 2.4m high fence to the east. A condition is recommended requiring final details of boundary treatment.

Finally, the construction phase of the development will potentially cause a negative impact on the surrounding area, due to the generation of noise and dust. The applicant has submitted a CEMP which is not considered comprehensive to be approved at this stage, therefore, a CEMP condition is recommended.

It is considered that subject to the suggested conditions, the proposal would not result in a detrimental impact on the amenities of the nearby residents and given the benefits that would result from this development the proposal would be in compliance with Policy BNE2 of the Local Plan and paragraphs 127 and 180 of the NPPF.

### *Ecology*

The application is accompanied by an ecology report. The report identified the presence of a small number of reptiles on site. To ensure the development would not adversely impact on these and other wildlife on-site, further information, clarification and mitigation measures have been provided. The submitted drawing DR-L-0002 S4 Rev P04 shows provision of bat and birds boxes and log piles along the northwest and western boundaries of the site.

Concern has been raised with regard to the potential harm from a lighting scheme on wildlife. It is not proposed to light the outdoor sports facilities and therefore the use of the pitches will cease before the sundown. In addition, the hours of use will be controlled by condition as stated above with regard to noise. To ensure that any lighting scheme for the parking area along the western boundary is wildlife sensitive a condition is recommended.

Subject to the above condition to control lighting and imposing a condition requiring full implementation of the approved ecology mitigation scheme the proposal is considered to be acceptable and in compliance with Policy BNE37 of the Local Plan and paragraph 170 of the NPPF.

### *Highways*

#### Accessibility

The site is bounded by Otterham Quay Lane to the west and the railway tracks to the north with residential areas to the south and east and some existing businesses to the south-east. Otterham Quay Lane is served by a pedestrian footpath along the western side with currently no provision along the eastern edge between the A2 (Moor Street) and the railway bridge. Moor Street provides footpaths along both sides with crossing points located near the Otterham Quay Lane junction. The applicant has provided a Pedestrian Comfort Level assessment which looks at the suitability of walking routes within the local vicinity. This demonstrated that all routes would be either acceptable or comfortable (highest rating).

In terms of cycle provision, figure 3.2 within the Transport Assessment (TA) outlines Medway's Cycle Route, it is noted that this site is not ideal to be served by cyclists. In relation to public transport, Rainham train station is within approx. 850m walk and a number of bus services are within close vicinity to the site.

Consequently, the site is well served by pedestrian and public transport routes and the existing infrastructure is not considered to be prohibitive to pedestrian journeys to the school from the surrounding residential areas.

#### Access

It is proposed that the development would be served by a single point of vehicular access, which would take the form of a simple roundabout replacing the current priority junction at Blackthorne Road. The eastern arm of the roundabout will form a new access road into the academy with the carriageway being approx. 6m in width. Forward visibility can be achieved to an appropriate standard and the capacity analysis for this junction's operation demonstrates that it would operate safely. The geometry of the access has been subject to vehicle swept path analysis and is considered to be acceptable.

Additional pedestrian crossings are to be installed in the form of zebra crossings. The provision of these pedestrian facilities provides the academy with two separated pedestrian access points to the site. Therefore, those pedestrians arriving from the

north would likely be separated from those pedestrians arriving from the south and therefore spreads the demand more evenly.

The applicant further outlines that supplementary measures as mentioned below are required for the acceptability of these access arrangements:

- A change in the Traffic Regulation Order (TRO) would be required to relate it better to the proposed land use as opposed to the existing use.
- Traffic calming measures would need to be introduced due to the speeds recorded during the traffic surveys. It is noted that whilst no formal proposal is laid out, it is considered that a proposal to reduce speeds is achievable and therefore a condition is recommended to secure this.
- Pedestrian/cycle access is proposed to the north, with a new pedestrian crossing island linking it to the western side of Otterham Quay Lane. These measures have been subject to a Road Safety Audit, undertaken by the Council and the results from this audit have not identified any issues that cannot be resolved as part of the detailed design process for these highway works and will form part of a planning condition or a section 278 of the highway Act.
- Subject to the provision of the new access, a new section of the footway, pedestrian crossing which can be secured through a Section 278 of the Highway Act and/or conditions, the application is considered to accord with the provisions of Policies T2, T3 and T4 of the Local Plan and paragraphs 108, 109, 110 and 111 of the NPPF.

### Parking

The Council's parking guidelines require a maximum of 1 space per each member of teaching staff, additional 10% causal parking plus one per seven students with drop off area. This would equate to a maximum standard of 296 parking spaces. The proposal has indicated the provision of 138 general parking spaces as well as 7 disabled parking spaces. With regard to motorcycle parking, eight spaces are to be provided. Provision has also been made to provide up to 16 electric charging points on site of which 8 charging points are to be provided prior to the commencement of the use of the school and the remainder at a later date.

The applicants have provided a Car Park Management Plan (CPMP). This indicates how they propose to manage the usage of the car park on-site during the school peak periods and to discourage drop-off and collection on Otterham Quay Lane or Blackthorne Road. The document will also provide management measures for the academy car park on-site. For example, assigning some of the parking bays as car share priority spaces. To do so, some of the parking spaces within the site will be identified and promoted as being spaces for staff members who travel together only. The staff that arrive from the furthest locations will have priority to park on-site and all staff, that will be arriving by car, will be asked to arrive earlier (i.e. prior to the school peak period). Also, the applicants intend to supervise vehicle movements within the site during the peak periods (morning and afternoon).

In terms of drop off areas, the site will provide three. Two areas are dedicated to the school bus provision (opposite the main building) and the last area to the north of the car park for parents picking up students. The drop-off areas will be provided within the

academy site and would have the capacity to accommodate four school buses. These areas would be kept free for school bus arrivals in the morning and afternoon peak hours. These areas will also be used by coaches that the academy may occasionally use for school trips.

In terms of cycle parking, it was agreed during the scoping stage that 80 cycle stands would be available, whilst it is noted that this is below provision required by the standards, it is sufficient to meet the predicted demand. Should the proportion of cyclists increase in future years, the provision of cycle shelter spaces can be increased.

### Traffic generation

The impact on the highway is a critical concern. Before assessing the impact of the additional traffic resulting from the development, an understanding of the trip generation is required.

The applicant has proposed school bus services as an alternative to the car. The predicted catchment area for the proposed school bus service has been created by reviewing the catchment area for neighbouring schools and postcode data from primary schools (year 4 as these are most likely to attend in the opening year). Figure 8.1 of the TA provides the route of the school buses as well as showing existing bus provision to be utilised by students.

35% of those students live within a 2km of the academy (200 students overall), which it should be noted would be more than the opening year capacity (180 students).

The TA has provided a comparison for traffic generation, one without the bus provision and one with. See tables below.

Mode	Opening year		Full occupation	
	Number	%	Number	%
Walk	63	35%	572	50%
Cycle	5	3%	32	3%
Car / Car share	93	51%	419	36%
Public buses	20	11%	127	11%
<b>Total</b>	<b>180</b>	<b>100%</b>	<b>1150</b>	<b>100%</b>

Table 6.3: Predicted travel modal for students



Mode	Opening year		Full occupation	
	Number	%	Number	%
Walk	63	35%	572	50%
Cycle	5	3%	32	3%
Car / Car share	33	19%	123	11%
School buses	59	33%	296	26%
Public buses	20	11%	127	11%
<b>Total</b>	<b>180</b>	<b>100%</b>	<b>1150</b>	<b>100%</b>

Table 6.5: Predicted modal share for students (with school buses in operation)

Therefore, it is expected that with the school buses in operation, car/car share would go from 36% of transport share to 11% (reduction in nearly 300 vehicles) at full occupation. Furthermore, it has been alluded to that as the school is open from 7am, students may arrive outside the peak hour. Therefore in the morning and afternoon peak hour, it is expected that the academy is likely to generate 82 trips (excluding the 4 bus trips).

It is considered the student/parent vehicle movements figures are optimistic and could be greater than the 82 trips suggested. With regards to staff trip generation, the TA indicates that 81 car trips would be generated by the 120 staff employed and these would be outside the peak hour travel period. The applicants have indicated that the school will manage and apply the requirement for staff to travel outside the peak hour period and therefore it is considered that some trips will be diverted outside the peak hour.

The applicant has provided Table 5.1 (below) to demonstrate yearly occupancy of the academy until 2027 when it is planned to be at full capacity.

Year	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Total	Staff
2021	180							180	45
2022	180	180						360	60
2023	180	180	180					540	90
2024	180	180	180	180				720	120
2025	180	180	180	180	180			900	120
2026	180	180	180	180	180	125		1025	120
2027	180	180	180	180	180	125	125	1150	120

## Highway Impact

The application is accompanied by a TA, which based upon traffic counts and trip rate predicts that the development is likely to generate in the region of 174 two-way (i.e. total) vehicle movements during the morning peak period and 8 vehicle movements during the evening between 1700 and 1800. The development could also generate up to 174 during the interpeak period. The applicants have used Medway Aimsun Model to assess the impact. The Medway Aimsun Model is a strategic transport model that covers the whole of the Medway. The area in the vicinity of the proposed academy has been used to assess the impact of the proposed academy, committed developments and upcoming developments.

The following scenarios were tested to ascertain the impact on the highway:

- i. 2016 Base Year
- ii. 2019 Future Year (although this is a base year for the assessment of this development)
- iii. 2023 Future Year
- iv. 2023 Future Year + Committed Developments
- v. 2023 Future Year + Committed Developments + The academy
- vi. 2028 Future Year
- vii. 2028 Future Year + Committed Developments
- viii. 2028 Future Year + Committed Developments + The academy

In addition to the above scenarios, it was agreed that the following sensitivity tests will be carried out:

- ix. 2023 Future Year + Committed Developments + Upcoming Developments
- x. 2023 Future Year + Committed Developments + Upcoming Developments + The academy
- xi. 2028 Future Year + Committed Developments + Upcoming Developments
- xii. 2028 Future Year + Committed Developments + Upcoming Developments + The academy

Each of the scenarios was modelled for the following assessment times:

- xiii. Morning peak hour (08:00 – 09:00)
- xiv. Interpeak hour (13:00 – 14:00), but it is representative for the period between 10:00 and 16:00
- xv. Evening peak hour (17:00 – 18:00)

The following junctions have been assessed;

- i. Junction 1 - Otterham Quay Lane / Blackthorne Road / Proposed Site Access junction
- ii. Junction 2 - A2 / Otterham Quay Lane / Meresborough Road junction
- iii. Junction 3 - A2 / Mierscourt Road junction
- iv. Junction 4 - A2 / Station Road junction
- v. Junction 5 - A2 / Maidstone Road junction

The assessment outlines that during all scenarios that the afternoon peak does not have a severe impact on the highways and therefore no objection would be raised. During the evening peak, Junction 2 demonstrates that qualitative measure indicates that the junction fails which will increase delays. However, it is noted that this fail already occurs during 2028 + committed development scenario and the difference between that scenario (one including the academy) and the one including the school is an increasing delay of approx. 11 seconds. Given that the delay is already at 97 seconds, an additional 11 seconds would not be considered severe.

In terms of Junction 3, a similar pattern occurs, the junction is already at a forced breakdown (F) during the base scenario, therefore the difference between the 2028 +committed development and the one including the academy increases the delay by 6 seconds and therefore would not be considered severe.

The morning peak, however, does raise concerns in regards to Junction 2. The difference in scenarios (2028 +committed development and the one including the academy) sees the junction moving from an unstable flow (E) to forced breakdown (F). The applicant has then provided further data in the form of Corridor Modelling. This data assesses the flows between junctions to understand how this could be impacted by the development.

The following corridors were assessed:-

- i. Route 1: A2 Eastbound
- ii. Route 2: A2 Westbound
- iii. Route 3: Meresborough Road to Otterham Quay Lane
- iv. Route 4: Otterham Quay Lane to Meresborough Road
- v. Route 5: Mierscourt Road to Station Road
- vi. Route 6: Station Road to Mierscourt Road

The corridor modelling outputs detailed in Table 8.2 of the TA indicates that no key routes during the AM peak or interpeak result in an Level of Service (LoS) corresponding to classification "F however during the evening peak route 4 and 6 result in F's.

### *Sustainable Transportation Initiatives*

After extensive discussions with the Highway Authority, the applicants with their consultants have provided mitigation strategies to help reduce the impact on the highway, some have already been stated above but the additional ones have been summarised below:

### Admissions Policy

The Admission Arrangement will ensure admission is largely based on distance-based criteria. Based on the predicted demand for the academy places and the academy admission criteria, it is expected that the catchment area for the academy will be local and the majority of students will be arriving from the west of the academy.

### Breakfast Club/ After School Club Activities

The academy will provide a facility for students to access the school, buy breakfast each morning and wait for classes. It is also recognised that a proportion of students may be dropped off earlier by parents as part of their journey to work. As such, the

academy premises will be open from 07:00 and will have a suitable facility for students to wait for classes to start, should they arrive earlier. It has been assumed that approx. 10% of these trips may occur prior to the school peak hour.

The academy will operate after-school club activities. It is estimated that between 10% and 20% will attend after-school activities. This measure will reduce the number of trips occurring during the school peak periods and will spread the demand for travel across the longer periods. However, it is noted that 20% of students staying behind for school clubs is considered unlikely.

### Travel Plan

School Travel Plan has been produced for Leigh Academy Rainham that sets out a range of measures to help minimise the demand for car travel and promote safe travel behaviours. It is noted that within the TA, the target to reduce car use amongst students is incorrect, however, the travel plan uses the correct figures.

There are a number of soft and hard measures to increase the use of public transport, these measures are considered consistent to help achieve a reduction in vehicle trips. However, given that the location is in a particularly congested part of Medway and because behaviour change takes time, the applicant would need to give an undertaking to monitor the effectiveness of the travel plan and introduce counter measures to enhance the support for use of non car based means of travel to and from school by parents, staff and pupils.

Also a condition is recommended to require the submission of the final version of the travel plan before occupation of the school.

It is noted from the submission that by not providing this secondary school in this location where demand for school places already exists, a school in another location may lead to students attending schools further away from the catchment area and thus longer journeys' which in turn would mean more traffic on the highway network. The proposal would be in compliance with Policies T1, T2, T4, T5, T13 and T14 of the Local Plan and paragraphs 108, 109, 110 and 111 of the NPPF.

### *Surface Water*

Based on the submitted drainage strategy (Curtins Ref: FS0751-CUR-00-XX-RP-C-00002), the proposed drainage scheme is considered a very workable design and the use of permeable paving and drainage basins is supported. The use of rainwater harvesting, greywater recycling and water butts is encouraged where practicable in order to provide an additional means of surface water attenuation as well as reduced demand on potable water supplies.

The proposal is considered acceptable subject to conditions requiring submission of details of the disposal of surface water, based on sustainable drainage principles, including details of the design, implementation, maintenance and management of the surface water drainage scheme and a verification report that the suds have been constructed in accordance with the approved details. With the inclusion of the suggested conditions, the proposal is considered to be in accordance with paragraph 165 of the NPPF.

### *Air Quality*

The application has been supported by the following air quality assessment: Air Quality Assessment Leigh Academy, Rainham dated November 2019 (report reference: J3629A/1/F2). To reduce traffic and impact on air quality the applicant is promoting the use of school buses and use of bicycle in this development; in addition, provision has also been made to provide up to 16 electric charging points.

With conditions to ensure the recommended measures to minimise the impact on the air quality are implemented in full, the proposal would accord with Policy BNE24 of the Local Plan and paragraph 181 of the NPPF.

### *Contamination*

The application has been supported by a Phase 2 Ground Investigation Report, the report details a desk study and a site investigation. The intrusive investigation involved the excavation of trial pits across the site also soil samples were taken and tested for an appropriate suite of contaminants. No contaminants were detected. Ground gas monitoring was also undertaken at the site and nothing of concern was detected. The report concludes that 'no remediation is required at the site'.

A condition is recommended requiring the applicant to take a reactive measure if contaminated material is found on site during the construction period. With the inclusion of the suggested condition, the proposal is considered to be in accordance with Policy BNE23 of the Local Plan and paragraphs 170 and 178 of the NPPF.

### *Lighting*

To minimise the impact of lighting on the wildlife and countryside character of the area, it has been agreed with the applicant that the outside sports pitches and MUGA will not be lit. However, for safety reasons it would be necessary to provide lighting for the vehicular parking area of the school ground. To ensure that an appropriate lighting scheme is installed a condition is recommended. With the use of the suggested condition the proposal is considered to be in accordance with Policy BNE5 of the Local Plan and paragraph 180 of the NPPF.

### *Trees*

The existing site has TPO trees along the north and western boundaries. The trees along the western boundary are considered important to the character of the street scene and also helpful to screen the school buildings and associated car park area from the road and properties to the west.

The application is supported by an arboricultural report and an indicative landscape plan. It is considered that the existing trees just beyond the northern boundary are of poor quality and there are evidence that some of these Poplar trees have fallen down the railway bank. It would, therefore, be acceptable to replace these with new landscaping along the northern boundary.

The proposed revised landscaping plan is not considered sufficient in terms of providing an acceptable level of detail. However, although there is no in-principle objection to the suggested landscaping, it is considered a bespoke landscape scheme sympathetic to the existing character of the area should be submitted area. A condition

is recommended requiring details of a high-quality landscape areas and additional tree planting within the remaining landscaped areas. To ensure long term protection of any landscaping a condition is also recommended in relation to the school landscape management plan.

Subject to the above, it is considered that proposal is in accordance with Policies BNE43 and BNE34 of the Local Plan and paragraphs 170 of the NPPF.

### *Climate Change and Energy Efficiency*

In their standardised specifications and budgets, the Department of For Education DfE have sought to balance the competing demands of environmental sustainability and efficient use of the public purse. The DfE specification and funding allows for the following environmental and sustainable features:

- Design of the building to a level comparable with the BREEAM Very Good standard
- Design to optimise the benefits of natural light, making use of climate-based daylight modelling to ensure that buildings maximise the use of natural daylight, reducing energy costs and improving internal conditions.
- Use of LED lighting throughout, which generates a 40% energy saving.
- Design to eradicate mechanical cooling by mandating the use of adaptive thermal comfort modelling, whilst setting clear standards for natural ventilation, use of thermal mass within the building and CO2 monitoring to ensure good internal environmental conditions. TM52 modelling is used to demonstrate compliant environments in terms of overheating.
- Setting clear standards for sub-metering and BMS systems, to allow schools to monitor and control their energy usage. Use of the iServ CMB online energy benchmarking tool to ensure that schools assess their energy use against 'best in sector' benchmarks.
- Design of buildings on a fabric-first basis to ensure that in the first instance an optimised energy-efficient building envelope is provided before more complex technologies that may not stand the test of time are introduced.
- Setting standards that drive building design towards reduced consumption of both hot and cold water, with a 40% reduction in hot water demand through the use of water-efficient fittings

It is notable in some cases that the sustainability measures driven by the DfE are not recognised in the SBEM modelling but are nonetheless beneficial in environmental terms.

In addition to these measures, the scheme achieves forecast energy usage levels 28% below the targets set by the DfE in their Output Specification.

In response to planning policy drivers within the borough the following environmental and sustainability measures have been incorporated into the scheme:

- Creation of habitat corridors to the site perimeters, linking to existing areas to improve biodiversity.
- Tree planting and landscaping to the front part of the site, including habitat pond areas.

- SUDS drainage scheme with attenuation volume and soakaway connection, assisting in the management of flood risk within the borough.

The applicant has indicated that all materials will be used to exceed the requirements of the latest building regulations and in particular, Part L (Energy Use) and will utilise materials that meet the BRE Green Guide A+ rating. (Materials which have the lowest overall environmental impact over the lifecycle of a product as calculated by BRE Environmental Assessment Method).

All new windows are to be double-glazed windows which will significantly reduce noise and improve heat insulation. Low NOx boilers and electric car points will also be provided, while all hard standings will be self-draining.

When the above measures are considered in combination it is clear there are considerable environmental and sustainability measures included in the scheme.

### *Planning Balance*

It is considered that a number of benefits would flow from implementation of the proposal. The primary benefit would be the contribution to addressing the educational need, but there would also be economic benefits from the investment in construction and generation of jobs during the construction period. The proposal would also generate about 120 new teaching and admin jobs.

In addition, the school facilities will be made available to the wider community outside the school hours and term time.

The proposal will also secure an acceptable active use for the application site land that is being used as a car boot sale from time to time.

The proposal has the potential to retain much of the orchard farm/ existing land as open and undeveloped that forms part of the setting of the conservation area and listed buildings. This would help to protect the integrity of Moor Street as a separate settlement from Rainham thus minimising the impact of the development on the character of the conservation area and the setting of the listed buildings.

The proposal would result in generation of additional traffic to and from the school. To reduce the volume of traffic and to assist with air quality, the applicant is promoting the use of school bus service within the school catchment area exclusive to the school, provision of bicycle shelter and information leaflets to discourage parents from dropping off and picking up from the school.

Having regard to the above it is considered that on balance, the public benefits of the development would considerably outweigh the minor adverse effect on the highway and heritage significance.

### **Conclusions and Reasons for Approval**

It is considered that the proposed development will result in the construction of a much needed secondary school in the eastern part of the borough. The school's associated sports facilities will be available to the wider community. The impact of the proposed

development has been assessed in detail above including with regard to heritage matters, landscape impact, design and visual impact, amenity, noise, lighting, trees, ecology, sustainability, contamination, drainage, highways, travel and parking. In summary, it is considered that the development proposed will achieve an acceptable balance between the need of the wider community for a secondary school in Rainham area, the applicant and the school's impact on its surroundings, including its important historic setting and highway safety. The development is considered acceptable with regard to Policies S1, S2, BNE1, BNE2, BNE5, BNE18, BNE23, BNE24, BNE25, BNE34, BNE37, BNE43, T1, T2, T3, T4, T5, T13 and T14 of the Local Plan and paragraphs 94, 108, 109, 110, 111, 124, 127, 165, 170, 178, 180, 181, 190, 193, 194 and 196 of the NPPF.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received expressing a view contrary to officer's recommendation.

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## **Background Papers**

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>