

MC/22/1351

Date Received: 27 May 2022
Location: St Nicholas Ce Voluntary Controlled Infant School London Road
Strood Rochester
Proposal: Construction of a single storey teaching block and external link
canopy, together with creation of MUGA and playground area, and
alterations to existing car parking and landscaping.
Applicant Medway Council
C/o Agent
Agent Bailey Partnership
Mr Stuart Collingwood Bridge House
Basted
Borough Green
Sevenoaks
TN15 8PS
Ward: Strood North Ward
Case Officer: Tom Stubbs
Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 19th October 2022.

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:

Received 27 May 2022:

6018-LLB-ZZ-ZZ-DR-L-0001 Rev P05 Landscape Masterplan

6018-LLB-ZZ-ZZ-DR-L-0002 Rev P02 Planting Plan

6018-LLB-ZZ-ZZ-DR-L-0003 Rev P02 Hard surface Plan

Received 19 August 2022:

SNS-BPC-01-00-D-A-99 04 Rev P05 Proposed - Ground Floor

Received 30 September 2022:

SNS-BPC-01-01-D-A-99 05 Rev P06 Proposed New Building Roof Plan
SNS-BPC-01-XX-D-A-99 06 Rev P07 Proposed Site Sections
SNS-BPC-01-XX-D-A-99 08 Rev P07 Elevations North & East
SNS-BPC-01-XX-D-A-99 09 Rev P07 Elevations South & West
SNS-BPC-01-XX-D-A-99 10 Rev P06 Proposed Canopy Arrangement
SNS-BPC-01-XX-D-A-99 13 Rev P06 Proposed Site Sections 03
SNS-BPC-ZZ-XX-D-A-99 03 Rev P09 Proposed Site Plan

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

- 3 No development shall take place until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme shall include (where applicable):

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable).
- ii. A timetable for its implementation (including phased implementation).
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the agreed scheme.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of the NPPF.

- 4 No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority in consultation with the LLFA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP and shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems.
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or offsite flood risk

The development shall be undertaken in accordance with the agreed details.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of the NPPF.

- 5 In this Condition "retained tree" means existing trees T3, G1, G2, G3, G4, G5, G6, G7, G8, G9 and G10 as indicated within the Arboricultural Impact Assessment plan number P3297.2. 002 Rev A; and paragraphs a) and b) below shall have effect until the expiration of 5 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) No development, no site clearance and/or no excavation works shall take place until an updated tree protection plan and method statement (to take into account the relocated MUGA and associated path) for the protection of trees during the construction phase has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include: the specification of tree protection fencing, details of the siting and storage of any materials, waste or equipment to avoid the root protection areas; site accommodation and construction process, details and method of installing the railing and associated posts in rear amenity area, and tree protection measures during construction and the instillation of the canter leaved balconies including the use of ply box coverings and how they are attached to the trees. The approved details shall be implemented on site prior to commencement of development and shall be maintained on site for the duration of the construction phase.

Reason: Required before commencement of development to avoid any irreversible detrimental impact on the trees which form an important character to the conservation area, in accordance with Policies BNE1, BNE6 and BNE43 of the Medway Local Plan 2003.

- 6 No development above slab level shall take place until details of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority. 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 above slab level until a scheme to minimise the transmission of noise from the use of the premises, shall be submitted and

approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level (L_{Ar},Tr) emitted from the development shall be at least 10dB below the background noise level (L_{A90,T}) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. The development shall be implemented in accordance with the approved measures before the building is brought into use and shall thereafter be retained.

Reason: To safeguard conditions amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 8 No development shall take place above ground floor slab level until details of the provision of 5 electric vehicle charging points has been 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. 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 112E of the National Planning Policy Framework 2021.

- 9 Prior to the enlargement 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 and bicycle use 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.

- 10 Prior to the first occupation of the extension of the school herein approved, full details of both hard and soft landscape works, including tree replacements, and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details 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, BNE6 and BNE43 of the Medway Local Plan 2003.

- 11 Prior to the first occupation of the extension to the school herein approved, a plan indicating the positions, design, materials and type of boundary treatment, including the MUGA, to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed in accordance with the approved details before the approved building is occupied and shall thereafter be retained.

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.

- 12 Prior to occupation (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 in writing 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 168 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.

- 13 The proposed development shall not be brought into use, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained in accordance with details submitted to and approved in writing by the Local Planning Authority. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

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

- 14 The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the Climate Change Statement section of the Design and Access statement. The development shall not be occupied until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 of the National Planning Policy Framework 2021.

- 15 Prior to the installation of any external lighting on the new building and MUGA, 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) together with a report to demonstrate its effect on nearby open space with possible 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 nearby residents and wildlife and with regard to Policies BNE2 and BNE39 of the Medway Local Plan 2003.

- 16 The construction works shall be undertaken in accordance with the approved Construction Environment Management Plan dated May 2022.

Reason: In order to minimise the impact of the construction period on the amenities of local residents and wildlife with regard to Policies BNE2, BNE37 and BNE39 of the Medway Local Plan 2003.

- 17 The MUGA hereby permitted shall only operate for community use between the hours of 16:00 to 21:00 Monday to Friday and 10:00 to 16:00 on weekends and during school holidays.

Reason: To ensure that the development does not prejudice the amenities of neighbouring property in accordance with Policies CF2 and BNE2 of the Medway Local Plan 2003.

- 18 No development shall take place until an Air Quality Emissions Mitigation Assessment and Statement has been submitted to and approved in writing by the Local Planning Authority. The Mitigation Assessment and Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance and shall specify the measures that will be implemented as part of the development to mitigate development related road transport emissions. The total monetary value of the mitigation to be provided shall be demonstrated to be equivalent to, or greater than, the total damage cost value calculated as part of the Air Quality Mitigation Assessment. The Mitigation Statement shall include full details of all mitigation to provided. The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the approved Mitigation Statement.

Reason: To safeguard conditions of amenity in accordance with Policy BNE24 of the Medway Local Plan 2003.

- 19 No development shall take place above ground floor slab level until, a scheme to minimise the transmission of noise from the use of the premises, shall be submitted and approved in writing by the Local Planning Authority. Noise from the premises should be controlled, such that the noise rating level (LAr,Tr) emitted from the development shall be at least 10dB below the background noise level (LA90,T) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. All works which, form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To safeguard conditions amenity in accordance with Policy BNE2 of the Medway Local Plan 2003.

Recommendation

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

Proposal

This application seeks planning permission for the construction of a single storey teaching block and external link canopy, together with creation of a Multi-Use Games Area (MUGA) and playground area, and alterations to existing car parking and landscaping. The extension would allow the school to expand to a one form entry primary school.

The proposed L shaped single storey green flat roof building would be attached via a canopy link to the main school building. The new building would be located to the east of the existing building on a hard play area. The building would measure approx. 14.4m in length and 8.3m in width with a height of approx. 4.5m, incorporating a flat (green) roof with parapet and protective rails. Two trees will be removed to provide the building.

The MUGA would be located to the west of the school building and measure approx. 15m wide and 27.5m in length with a 4m high rebound fence and gate surround. It will be used for community by the existing Youth Centre outside of school hours. The proposed hours of use would be between 16:00 to 21:00 Monday to Friday and 10:00 to 16:00 on weekends and during school holidays. The MUGA would result in the loss of 3 trees which are proposed be replaced by 5 trees.

The existing land to the north of the main building would be re-arranged to provide 10 formal parking spaces for use by the school and youth centre. This would also be landscaped with 9 additional trees to be planted.

Relevant Planning History

MC/15/2471

Application for a non-material amendment to planning permission MC/14/1675 to extend the length of the kitchen

Decision: Approval subject to conditions
Decided: 13 August 2015

MC/14/1675

Construction of a single storey extension attached to west side of hall to accommodate new kitchen
Decision: Approval subject to conditions
Decided: 18 August 2014

Representations

The application has been advertised on site and by individual neighbour notification to the owners and occupiers of neighbouring properties. **KCC Archaeology** and **Sports England** were also consulted.

Seven letters (from five households) have been received raising the following concerns:

- Highways safety from drop off and pick-ups already resulting in parking on double yellow lines and parking over people's driveways around the Montford Road access and the proposal would increase the school capacity by 130%. This area is already heavily trafficked.
- Concerns about highway safety of people waiting on the pavement during pick up time on the A2 pedestrian entrance.
- Loss of scarce greenspace and trees for hardstanding play provision and associated noise and insufficient tree replacement.
- Plenty of other schools in the area, so there is no need for this school to expand.
- Impact on outlook, sunlight, daylight, lighting and noise from both the extension and associated plant to neighbouring properties adjacent.
- Dominance of design from existing neighbours' windows.
- School expanded at the detriment to their play provision.

Sports England have written to indicate it falls outside their stationary or non-statutory remit to comment in detail but provided their standard advice.

KCC Ecology has made no comment to the application at the time of writing.

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 2021 and are considered to conform.

Planning Appraisal

Principle

There is no change of use proposed within this application. The proposed building would aid the expansion of the school for primary entry as well as the existing infant provision. Paragraph 95 of the NPPF seeks to give strong weight to the need to create, expand or alter schools through planning decisions.

The location of the proposed building is designated open space under Policy L3 of the Local Plan which supports development on formal open space where it relates to educational establishments and the development is required for essential educational purposes where adequate areas for outdoor sports can still be retained or provided elsewhere in the vicinity.

A concern was raised from the public consultation that there are enough schools in the area, and this does not need to be expanded. As explained within the submission there is an identified need for primary provision in the area due to the increase in population in the area with close by consented housing developments. Furthermore, as a faith school this would allow pupils to continue a Church of England education at primary level once completing the infant school. Current students have to leave the school to take a primary place most often a non-faith school. The supporting information also indicates why other schools are not suitable to cover the proposed expansion. It should also be noted that the proposed expansion has been approved by the Department of Education.

A new outdoor play would be provided to compensate for the loss of the formal open space in addition to a new landscaped area around the school site to improve the soft landscape which in turn would complement the site layout design. The provision of a MUGA on adjacent land would also be available for community use outside of school hours and therefore would be considered to be in accordance with paragraph 93 of the NPPF and Policy CF2 of the Local Plan which states new community facilities will be permitted subject to their size and scale being appropriate for the site, and where the development would have no detrimental impact on residential amenity, landscape or ecology.

Consequently, the principle of the proposed new form entry, MUGA and its use is considered acceptable, subject to the compliance with the detailed matters of the above policies which are set out in the assessment below.

Design and impact on trees

Paragraphs 126 and 130 of the NPPF emphasises the importance of good design. Policy BNE1 of the Local Plan states that development should be satisfactory in terms of scale and mass and should respect the visual amenity of the surrounding area. Policies BNE41 and BNE43 regarding both trees on development sites and trees with preservation orders seek to protect and retain trees on site and where it is necessary to fell trees, provide opportunity for enhanced replanting scheme within the site.

Concerns have been raised with regards to the dominance to the proposed building, its effect on neighbouring occupiers and, to loss of trees and green space onsite.

The proposed building is considered to be of a suitable size and scale. With regards to design the applicant has amended the originally proposed pitched roof to a flat green roof to minimise the impact on visual amenity and therefore, on balance, considered to be acceptable.

The material palette would match that of the existing building and as such would

complement the existing building and site without detriment to the character or appearance of the site or area. It should be noted that the height of the extension has been substantially reduced to mitigate its visual dominance.

The proposed MUGA is provided to overcome the loss of the formal and informal hard play space and to provide the school with suitable PE space required for the expansion into primary and is at the minimum size and scale to provide this. A MUGA would be a use expected within the setting of a school and therefore the main concern is to the impact on the surrounding trees some of which are protected by a tree preservation order (TPO). Three of the trees to be removed are not covered by TPO. The proposed planting scheme shows 5 trees to be replanted.

Due to the pressure to remove the trees in future, the position of the MUGA has been reconsidered to an area further southwest of the school building which is a more appropriate location that would have least future pressure on the surrounding trees. Consequently, the site plan has been altered to provide the MUGA in this new location.

On balance the minimal impact on trees, when compared to the weight to be given to school expansion and associated needs for additional play provision would outweigh the benefit of the improvement to the education facility, especially where the tree planting proposed would be more than adequate to compensate this loss.

Conditions are recommended to secure the tree planting, boundary treatment and hard and soft landscaping for the site and around the MUGA.

There is no objection to the proposed alteration to the front of the school including formalised parking. The amended footpath route is also considered to be acceptable with suitable landscaping including tree planting.

Subject to conditions the application is considered to be in accordance with Policies L3, CF2, BNE1, BNE41 and BNE43 of the Local Plan and paragraphs 95, 126 and 130 of the NPPF.

Amenity

Concerns with regards to privacy, noise, outlook, daylight, lighting and sunlight have been received.

The proposed flat roof of the building, by changing the design from pitch to flat, has resulted in some reduction in the height, albeit marginal when considered against the backdrop of the previous pitch to the roof. The flat roof incorporates a green roof which overtime would help soften the appearance of the building.

It is acknowledged that the height of the building would still present some impact on the outlook from the living spaces of the town houses adjacent to the site on the north-east. However, taking account that the layout of the houses present open plan living at the first floor level which also benefits from dual outlooks, the distance from the windows to the flank of the building, and the green element of the proposed roof, it is considered that the outlook from the kitchen area whilst impact to outlook is noted, would not be substantial as to cause severe harm to the living conditions of the occupiers of those houses in the longer term.

It is noted and acknowledged that the ground floor town houses currently have windows/doors with views onto existing wall and fence, which currently impair that outlook. It is not considered that the proposed extension would exacerbate this current situation. The rear amenity space would also not be significantly compromised by the proposed building given current situation.

In addition to the above, the applicant has demonstrated through the amended design that daylight and outlook would generally comply with the BRE guidance in particular to the first-floor windows.

With regards to privacy concerns raised to overlooking from the rooflights, due to the flat roof design coupled with the green provision within the roof, it is not considered that there would be any additional overlooking or privacy concerns to neighbouring occupiers.

During construction there is a potential for noise and dust impacts to neighbours. A Construction Environment Management Plan (CEMP) has been submitted in support of this application which proposes suitable dust and noise mitigation including onsite working hours of Monday – Friday 08:00 – 18:00, Saturdays 08:30 – 13:00 and not works on Sundays and bank holidays. A condition to ensure the construction takes place in accordance with the submitted CEMP is recommended.

Subject to condition, it is considered that the application would be acceptable with regards to Policies CF2 and BNE2 of the Local Plan and paragraph 130f of the NPPF.

Highways

Concerns have been raised within the public consultation regarding highways impact of the development on the surrounding area of both the main vehicular access and the A2 pedestrian access.

The development would use the existing vehicular access from Montford Road. Whilst the LPA share concerns of the letter of representations that increase in student numbers will adversely impact highway function, it is noted from the submission that by not providing this 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.

There are concerns about the existing arrangement of pick up and drop off that parents' park on the corners of Bryant Road and Montford Road which were observed by residents and is likely to increase with a larger school intake. Therefore, it was agreed that a member of staff would Marshall vehicles at this key junction to reduce any hazardous parking, this will be included in the updated school travel plan to be secured by the recommended condition. No objection is raised to the opening of the entrance on the A2.

In terms of on-site parking for staff, whilst the applicant has increased the provision it would not be sufficient to meet the likely demand, however a parking survey was

carried out, which demonstrated sufficient on street parking capacity to accommodate any overspill. Paragraph 112E of the NPPF outlines that development should provide electric charging facilities and a condition is recommended to secure the electric charging points and a separate condition to ensure the parking spaces are provided and retained.

Subject to the recommended conditions the proposal is considered to be in accordance with Policies T1, T2, T3 and T13 of the Local Plan and paragraphs 111 and 112E of NPPF.

Contamination

Policy BNE23 of the Local Plan requires that land known to be or likely to be contaminated should be accompanied by detailed site examination and appropriate remedial measures to reduce or eliminate risk to human health and the wider environment.

A Geo-Environmental Interpretive Report was submitted in support of this application which is considered satisfactory, and that soil contamination would not be an issue for the proposed development. Subsequently, no objection is raised to the proposal under Policy BNE23 of the Local Plan and paragraphs 174 and 183 of the NPPF.

Noise impact

A Noise Impact Assessment has been submitted with the application and this has been considered by the Council's Environmental Protection Officer. The officer has considered the information and proposed measures to be acceptable subject to condition to ensure the recommendations are implemented through a noise management plan. The noise management plan should also cover the use of the MUGA outside of school hours. However, a condition to restrict the hours of use of the MUGA has been recommended to ensure its use does not operate late into the night in addition to a noise mitigation measure.

Neighbours have raised concerns regarding the noise impact from the classrooms and their associated mechanical plant, such as the proposed air source heat pumps. It is agreed that the mechanical plant could potentially have an impact on neighbours if the noise level is not controlled, however as the full details of the plant requirement are unknown at this stage, it is considered that this can be adequately secured by a suitably worded condition. The Council's Environmental Protection (Noise/Air quality) Officer has raised no objection subject to condition which is recommended above.

Subject to the hours of operation condition and noise mitigating measures, it is not considered reasonable to request a separate noise management plan given the all the uses are present on site including the community centre. As such, no objection is raised on noise or disturbance grounds, in accordance with Policy BNE2 of the Local Plan.

Air Quality

An Air Quality Assessment has been submitted with the application and this has been

considered by the Council's Environmental Protection Officer. Whilst the submitted report has not been fully assessed by the Environmental Protection Officer, a condition has been recommended to ensure the development meets acceptable air quality standard both inside and out.

Subject to condition, the proposal would generally be in compliance with Policy BNE24 of the Local Plan.

Flooding and Suds

The application is supported by a "Drainage Strategy Plan and Drainage Design Statement. The site lies within Flood Zone 1 (Low Risk) according to the Environment Agency Mapping. The mapping also shows that the site is not at risk of surface water flooding.

British Geological Mapping indicates the presence of Lewes Nodular Chalk formation at bedrock which suggests that infiltration may be likely at the site. A Site Investigation has been undertaken which shows favourable rates. The proposal seeks to include a soakaway and permeable surfaces.

Subject to conditions the proposed development is in accordance with paragraphs 167 and 169 of the NPPF.

Ecology

The application has been supported by an Extended Phase 1 Ecological Habitat Survey which indicate there is a low potential to support protected or notable flora in the land impacted by the proposed works, with a negligible potential for Great Crested Newts and low potential for foraging common amphibians. There would also be a low potential for common reptiles, notable invertebrates and roosting bats (but moderate potential for roosting bats in the south annex not impacted by the development). There is a high potential for nesting birds on binderies and within the site. The report recommends the trees to be removed should take place outside the bird breeding season (March to August) and suitable bat lighting. Ecological enhancements within the report and these secured within the landscaping condition.

Subject to the suggested conditions no objection is raised regarding Policy BNE37 of the Local Plan and paragraph 180 of the NPPF.

Climate change and energy efficiency

The applicants have provided a Climate Change Statement within their Design and Access statement. They indicate that the buildings will be designed in accordance with the latest building regulations and in particular Part L (Energy Use) and use of sustainable design by providing low-impact materials, reduce over energy use and maximise potential for renewable supply and use, maintain and improve biodiversity onsite, efficient water and reduction of water consumption, minimise waste and maximum reuse and recycling both during construction and after occupation.

Air source heat pumps will be provided for the building providing a low carbon heating

system. The school are providing electric charging points and will be encouraging pupils to walk to site where possible.

A condition is recommended requiring the submission of a verification report in accordance with paragraph 154 of the NPPF.

Conclusions and Reasons for Approval

The proposal is considered, on balance, to be acceptable in terms of principle, design, amenity and highway aspects and with regard to all other material planning considerations. Subject to conditions, the proposal accords with the provisions of Policies CF2, L3, BNE1, BNE2, BNE23, BNE24, BNE37, BNE41, BNE43, T1, T2, T3 and T13 of the Medway Local Plan 2003 and paragraphs 95, 111, 112E, 126, 130, 154, 167, 169, 174, 180 and 183 of the NPPF. Accordingly, the application is recommended for approval.

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. This application was reported to committee on 6th October 2022 but was deferred to allow for a visit to the site.

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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>